

**MINUTES OF A SPECIAL MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF COTTONWOOD SHORES, TEXAS  
3808 COTTONWOOD DRIVE – CITY HALL  
THURSDAY, NOVEMBER 29, 2001 AT 7:00 P.M.**

1. **CALL TO ORDER AND ROLL CALL:** Mayor Pickens called this Special Meeting to Order at 7:00 pm with both Commissioner Phipps and Commissioner Pfeifer in attendance, a Quorum was present.
2. **CONSENT AGENDA:**
  - (A) **MINUTES OF A REGULAR MEETING ON OCTOBER 18, 2001:** Commissioner Pfeifer stated he had read the minutes and had no questions. Commissioner Phipps stated she had no questions. Commissioner Pfeifer then made a motion to approve the Minutes of the Regular Meeting on October 18, 2001.
  - (B) **FINANCIAL STATEMENTS FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2001:** Mayor Pickens stated he had reviewed the Financial Statements and made a couple of correction. He noted they now appeared to be in order. Commissioner Pfeifer inquired about the large expense to Triple D on the October Financial Statement. He wanted to know if we had purchased a spare grinder pump. Mayor Pickens explained that was the purchase of the overhaul kit to replace the seals on the big pumps. Commissioner Pfeifer accepted this justification. Commissioner Phipps then made a motion to approve the Financial Statements for both September and October 2001. Commissioner Pfeifer seconded her motion, which carried.
3. **PRESENTATION BY MR. GEORGE BIRD WITH PEDERNALES ELECTRIC COOPERATIVE:** Mr. Bird stated he had good news! He asked if anyone had seen in the paper how LCRA had lowered fuel cost. He added that PEC was passing these savings on to its customers. He noted this first reduction should show on current bills. He added another reduction is expected in January. He added this was really good news with the heating season upon us. He stated that with the extreme cold weather we had recently PEC had gone into emergency status. He explained that this meant a crew was at the Marble Falls location around the clock. He added when emergency problems are expected due to weather that PEC does keep a crew on call to shorten response time. He noted they only had one problem with the ice build-up. He announced that the office was now open on Saturday for customer service. He encouraged everyone to stop in to have a cup of coffee and a cookie. Mayor Pickens informed Mr. Bird that the meter at the raw water intake had been changed out. He added there were no problems in doing so since water usage was down at this time of year.
4. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MS. JEANNIE BLACKWELL FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AS RECORDED IN VOLUME 141, PAGE 434, BURNET COUNTY DEED RECORDS ON LOTS 131 AND 132, SCARLET OAKS SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 184, BURNET COUNTY PLAT RECORDS, TO ALLOW FOR THE REMODEL OF AN EXISTING HOME OVER AND UPON SAID UTILITY EASEMENT:** Mayor Pickens explained that Ms. Blackwell was planning an addition to her existing home. Mr. Richard Frazier, Ms. Blackwell's contractor, stated that he was still working on remodeling the inside of the existing trailer. He explained they just needed more room and were planning to add on a master bedroom. Commissioner Pfeifer asked if there were any utilities in the easement. Mayor Pickens replied no. He added that with the pasture behind them we probably wouldn't ever need the easement. Commissioner Pfeifer then made a motion to approve granting the variance between Lots 131 and 132 in the Scarlet Oaks Section to Ms. Blackwell to allow for the addition to the existing home. Commissioner Phipps seconded his motion, which carried.
5. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. KRIS KRALL FOR A VARIANCE TO THE FIVE FOOT UTILITY EASEMENT AS RECORDED IN VOLUME 144, PAGE 75, BURNET COUNTY DEED RECORDS ON LOTS 249 AND 250, DRIFTWOOD SECTION, COTTONWOOD SHORES, TEXAS AS RECORDED IN VOLUME 1, PAGE 190, BURNET COUNTY**

**PLAT RECORDS, TO ALLOW FOR THE CONSTRUCTION OF A HOME OVER AND UPON SAID UTILITY EASEMENT:** Mayor Pickens stated these lots were in the 700 block of Pecan. He added they used to belong to Ms. Mavis Hering. Commissioner Pfeifer stated he had noticed the new culvert installed already. He asked if there were any utilities in the easement. Mayor Pickens noted that the maps were wrong, but that Robert had checked the location. Commissioner Pfeifer stated that as long as no utilities were in the easement it was okay with him. Commissioner Phipps agreed. Commissioner Pfeifer then made a motion to grant the variance to the easement between Lots 249 and 250 in the Driftwood Section to allow for the construction of a home. Commissioner Phipps seconded his motion, which carried.

6. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. DION PEREZ FOR A VARIANCE TO ORDINANCE NO. 061898, REQUIRING A MINIMUM OF 1,200 SQUARE FOOT OF LIVING AREA IN NEWLY CONSTRUCTED RESIDENTIAL UNITS, TO ALLOW FOR A SMALLER HOME TO BE CONSTRUCTED ON ONE 50' X 100' LOT:** Commissioner Phipps asked if we would have to change the ordinance to allow Mr. Perez's request. Mayor Pickens replied no, just grant him a variance to the existing ordinance. He added that the difference between 1,100+ square feet and the required 1,200 square feet was not that much so it couldn't make much more yard. Commissioner Phipps stated she was against the idea. She felt even though this was only a small difference, what if next time someone wanted to build using only 800 square feet. She added sure we could deny that, but it wouldn't be fair. Commissioner Pfeifer stated that if we do it for him now we would have to for anyone else that came along. Commissioner Phipps agreed. Commissioner Pfeifer then made a motion to deny the request by Mr. Perez for a variance to the minimum square footage. Commissioner Phipps seconded his motion, which carried.
7. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL COOPERATIVE AGREEMENT WITH BURNET COUNTY REGULATING SUBDIVISION PLATS AND APPROVING RELATED PERMITS IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF COTTONWOOD SHORES, TEXAS:** Mayor Pickens stated that the legislature came up with this idea since cities have more stringent permitting requirements than counties. He believed it was in the City's best interest to collect fees and regulate the construction within its ETJ. He noted the county agreed it was a good idea and Commissioner Oakley had it on the agenda for the Commissioners Meeting on December 10, 2001. Commissioner Pfeifer stated he thought it was a good idea for the City to have a say in what went on in our ETJ. Mayor Pickens stated that the City Attorney had sent the proposed agreement for the Council to consider. He added tonight the City Council needed to authorize the Mayor to sign the Interlocal Cooperation Agreement with the County of Burnet granting the City the authority to regulate subdivision plats and approve related permits in the ETJ of the City. Commissioner Phipps made a motion to adopt a resolution authorizing the Mayor to sign the Interlocal Cooperative Agreement with Burnet County. Commissioner Pfeifer seconded her motion, which carried.
8. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION PROVIDING FOR THE SALE OF PROPERTY, LOTS 541, 542 AND 543, DRIFTWOOD SECTION, COTTONWOOD SHORES, AS RECORDED IN VOLUME 1, PAGE 190 BURNET COUNTY PLAT RECORDS AND LOTS 541A, 542A AND 543A, WESTWOOD ADDITION, COTTONWOOD SHORES, AS RECORDED IN VOLUME 937, PAGE 372 BURNET COUNTY DEED RECORDS, ACQUIRED BY THE BURNET CENTRAL APPRAISAL DISTRICT AT DELINQUENT TAX SALE:** Mayor Pickens stated that this property was on the west side of town in the 700 block. He added there were not the greatest lots and no one had paid any taxes for years. He had no objection to Burnet County selling for less than the back taxes and getting it on the tax rolls again. Commissioner Pfeifer agreed. Commissioner Phipps then made a motion to adopt a resolution approving the sale of Lots 541, 542 and 543, Driftwood Section and Lots 541A, 542A and 543A, Westwood Addition of Cottonwood Shores. Commissioner Pfeifer seconded her motion, which carried.
9. **CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION PROVIDING FOR THE SALE OF PROPERTY, LOTS 387 AND 388, DRIFTWOOD SECTION, COTTONWOOD SHORES, AS RECORDED IN VOLUME 340, PAGE 691 BURNET COUNTY DEED RECORDS,**

**ACQUIRED BY THE BURNET CENTRAL APPRAISAL DISTRICT AT DELINQUENT TAX SALE:** Mayor Pickens stated this property was on Aspen Lane. He noted this was the shell of a house, which had been ordered demolished by the Board of Adjustments. He added Mr. Bruce Becker was informed that arrangements had been made to demolish the dangerous structure located on the property. He informed the Council that last week he toured with the foreman from Precinct Four and he agreed to help with the demolition of all seven dangerous building that the board ordered demolished. Commissioner Pfeifer stated that Mr. Becker could have the land, but the building must go. Commissioner Phipps agreed. She wondered if they could approve the resolution with the stipulation that the dangerous building be torn down. Mayor Pickens explained that the Demolition Order had been filed with Burnet County and that it would be attached to the property. If someone new purchased the property the Demolition Order would transfer with the property. Commissioner Pfeifer then made a motion to adopt a resolution approving the sale of Lots 387 and 388, Driftwood Section with the understanding that the dangerous building would have to be demolished. Commissioner Phipps seconded his motion, which carried.

- 10. CONSIDER AND POSSIBLY TAKE ACTION ON ADOPTING A RESOLUTION GRANTING THE INCLUSION OF A PORTION OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF COTTONWOOD SHORES IN AN EMERGENCY SERVICES DISTRICT TO BE KNOWN AS "LAKE AREA ESD":** Mayor Pickens stated the Council had been kicking this idea around for sometime now. He noted that it was on the agenda for consideration and tabled. Then Commissioner Pfeifer attended a meeting, at which the county was represented and gave their consent. He noted that the Council had some questions if this was the best idea, but had been over ruled. Commissioner Pfeifer stated he felt that the county shouldn't have agreed because now if Burnet County goes county wide with EMS services we can't get the tax base back. Mayor Pickens stated that was brought up to the county, but the county thought otherwise. Commissioner Pfeifer stated he guessed we would have to do it. Commissioner Phipps made a motion to adopt a resolution granting the inclusion of a portion of the City's ETJ in the Lake Area ESD since the county had approved their doing so. Commissioner Pfeifer seconded her motion, which carried.
- 11. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. GIB SHACKELFORD FOR WATER AND SEWER SERVICES TO THE FIRST PHASE EXPANSION OF 8 UNITS PLANNED AT THE LBJ YACHT CLUB AND MARINA:** Mayor Pickens stated Mr. Gib Shackelford had been talking about expanding the yacht club for sometime. He noted originally Gib wanted twenty units, but he was down to 8 cabins. Mayor Pickens stated the Council needed to commit to provide Gib with the capacity to serve the expansion. He noted that the ordinance no longer allowed for Master Meter Accounts so it would have to be amended. Commissioner Pfeifer suggested charging a tap fee for each unit. Mayor Pickens agreed. He suggested putting the funds into the sewer reserve account for impact fees from Lake LBJ MUD. Commissioner Pfeifer stated Gib would have to have grinder pumps because of the force main. He added we might be able to give him a cut rate if he were annexed into the City. Mayor Pickens stated he had heard a rumor that Gib might be interested in coming into the City so he could stay open later to serve alcohol. He noted that the utility rates are cheaper inside the City Limits. He added that Gib might not have the authority to request annexation though since LCRA owned the property. Commissioner Pfeifer stated he would like to find out. Mayor Pickens agreed that would be a good idea. Then he stated that tonight the Council needed to approve committing to provide services to the proposed expansion. Commissioner Phipps made a motion to approve the request to commit to provide water and sewer services by Gib Shackelford for the expansion of 8 units at the Lake LBJ Yacht Club and Marina. Commissioner Pfeifer seconded her motion, which carried.
- 12. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. WILLIAM S. AND JANE MARIE HURST TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF CONSENT TO THE ANNEXATION OF THE 11.55 ACRE CAT MOUNTAIN AT HORSESHOE BAY SUBDIVISION IN BURNET COUNTY, TEXAS INTO THE LAKE LBJ MUNICIPAL UTILITY DISTRICT:** Mayor Pickens stated this idea had been going on for some time. He noted that back in May they brought the idea of the City allowing the proposed subdivision to get services from Lake LBJ MUD since it was right next door. He added he told them to put the request in writing and he would run it by the Council. He

stated that at that time, he talked to the City Attorney and he was okay with it. He explained that since the written proposal had come forward he talked to the City Attorney again and he thought it might be in the City's best interest to postpone and get more information about subdivision. He added the City Attorney found no consideration for the City in the proposed consent letter and suggested proposing they come into the City Limits and we provide services. Commissioner Pfeifer agreed. He thought we needed more information and that the City should get some benefit from allowing LBJ MUD to provide services. He objected to just signing away area in the City's ETJ. Commissioner Phipps agreed. She didn't feel informed enough to make a decision at this time. Commissioner Pfeifer then made a motion to postpone authorizing the Mayor to sign the letter of consent until a later date so we can get more information on the proposed subdivision. Commissioner Phipps seconded his motion, which carried.

**13. MONTHLY ACTIVITY REPORTS:**

**A. POLICE DEPARTMENT:**

(1) **ACTIVITY LOG:** Mayor Pickens stated there was no one present to give a report. He did note that Sergeant Hallman did write two tickets for running stop signs and the officers were providing the daily logs as requested.

**B. PUBLIC WORKS:**

(1) **WATER & SEWER SYSTEM PERFORMANCE & USAGE:** Mayor Pickens stated there was no one present to give a report. He did note that this time of year water use declines and we had only used about 2,000,000 gallons. He added there had been some problems with the sewer however, due to the 10" downpour.

(2) **ANIMAL CONTROL:** Mayor Pickens stated there was no one present to give a report. He added the Animal Control Officer had been out three weeks and we should be getting a report. He noted Robert had been picking up any loose animals called in to City Hall.

**C. CIVIC PRIDE:**

(1) **UPCOMING MEETING DATES:** Mr. Euclid Phipps stated that the next meeting would be on December 10<sup>th</sup>.

(2) **FUTURE PROJECTS:** Mr. Euclid Phipps stated that Civic Pride was still working on getting street signs for the City.

**14. MAYOR'S REPORT:**

**A. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES:** Mayor Pickens stated he had nothing new to report.

**15. CITIZEN COMMENTS:** There were none.

**16. ADJOURNMENT:** Mayor Pickens adjourned this Special Meeting at 8:10 p.m.

ATTEST:



TENA COLLIER, CITY SECRETARY

  
DALE PICKENS, MAYOR

**SPECIAL MEETING OF THE CITY COUNCIL  
OF THE CITY OF COTTONWOOD SHORES, TEXAS  
3808 COTTONWOOD DRIVE – CITY HALL  
THURSDAY, NOVEMBER 29, 2001 AT 7:00 P.M.**

**AGENDA**

1. CALL TO ORDER AND ROLL CALL.
2. CONSENT AGENDA:
  - (A) MINUTES OF A REGULAR MEETING ON OCTOBER 18, 2001.
  - (B) FINANCIAL STATEMENTS FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2001.
3. PRESENTATION BY MR. GEORGE BIRD WITH PEDERNALES ELECTRIC COOPERATIVE.
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    - (1) ACTIVITY LOG
  - B. PUBLIC WORKS:
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    - (2) ANIMAL CONTROL
  - C. CIVIC PRIDE:
    - (1) UPCOMING MEETING DATES
    - (2) FUTURE PROJECTS
14. MAYOR'S REPORT:
  - A. FUTURE GRANT APPLICATION FOR WATER DISTRIBUTION LINES
15. CITIZEN COMMENTS.
16. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 26<sup>TH</sup> DAY OF NOVEMBER, 2001 AT 5:00 P.M.

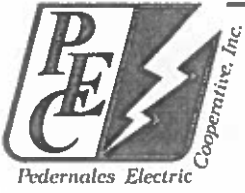
ATTEST:

  
TENA COLLIER, CITY SECRETARY



  
DALE PICKENS, MAYOR





P.O. Box 1 Johnson City, Texas 78636-0001  
(830) 868-7155 • 1-888-554-4732

October 22, 2001

The Honorable Dale Pickens  
City of Cottonwood Shores  
3808 Cottonwood Drive  
Cottonwood, Texas 78654

Dear Mayor Pickens:

Pedernales Electric Cooperative requests that time be reserved on Cottonwood Shores' city council agenda for the meeting scheduled November 15, 2001, at 7:00 p.m. George Bird will be attending to provide the council with an update on the Cooperative's activities in your area as well as answer any questions you may have.

If there is a change in the date or time of the above scheduled meeting, please notify Ginny Bain at (830) 868-4921 or toll free at 1-888-554-4732, Extension 4921.

Sincerely,

Jeanell Davis  
Operations Manager

JD:GB:gb

cc: Trey Grebe  
✓ Ms. Tena Collier, Secretary