

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
THURSDAY, JANUARY 5, 2006, AT 7:00 P.M.
CHRISTOPH COMMUNITY CENTER – 4100 WILLOW LANE**

MINUTES

1. Call to Order by Mayor Breen at 7:02 p.m.
2. Invocation given by Brother Bentley Martin.
3. Roll Call taken with Council members L. Hildebrand, B. Plumley, R. Carusi, and M. Logan being present, along with Mayor S. Breen. Councilwoman T. Beyer was absent.
4. Consent Agenda
 - a. Minutes
 - i. Minutes of the Council meeting, December 15, 2005

Councilman Carusi made a motion to accept the Minutes of December 15, 2005, Councilwoman Logan seconded, motion passed with 3 ayes, and Councilman Hildebrand abstained.

5. Citizens Comments
 - a. Bentley Martin expressed concern about funds that were donated for Christmas Lighting contest awards. Mayor Breen stated that she handled the funds personally, and it was not run through City finances.
 - b. Dewey Hollingsworth introduced himself as a candidate for Commissioner in Precinct 4 in the March primaries.
 - c. Bentley Martin stated that citizens should commend the Cottonwood Shores Fire Department for their valiant efforts and containment of the house fire this week.
 - d. Donald Orr requested that Department Reports be done on a regular basis, and be presented on the following council meeting.
 - e. Euclid Phipps inquired as to the status of the Civic Center upgrade.
 - f. Keith Patscke inquired as to where the polling place would be in upcoming election, and was advised that the Hill Country Community Theater was designated.
 - g. Rick Carusi called for the over 65 and/or handicapped citizens tax reductions to be on the January 19th council meeting agenda to set a date for a public hearing.

6. Old Business
 - a. Discussion and possible action on the survey of City property leading up to Bob's Drive In located on Dutch Leming Drive.

Councilman Plumley talked to Ron Greiser to contact the last surveyors to find locations of pins, and asked Willis Engineering for a bid on the survey. Bentley Martin said that Frank Pfeifer or Dale Pickens should know a benchmark location for the pins. Motion tabled until the benchmark is found with no further motion.
 - b. Discussion and possible action on an update on the removal of the City's white shed and it's contents.

Discussion revealed that BFI would charge \$400.00 for a dumpster with unlimited time to fill it. Councilman Plumley made a motion to get the dumpster, Councilman Carusi seconded, and the motion carried unanimously.

- c. Presentation of progress on the Park's master plan by Gandolf Burrus.

Mr. Burrus gave an update on the master plan, and the recreational opportunity that calls for a park board committee to be designated by the January 19th council meeting which he will attend. He is waiting for a reply from the State Historical Group concerning the ORCA project for new water lines. Water grant is a go with no complaints from the public hearing. Start date should be middle of March and be completed by end of June 2006. There will be a Public Hearing on bids which needs to be posted if quorum is wanted.

- d. Discussion and possible action on the contract for purchase of the lot known as BWD by Marley Porter.

Councilman Plumley made a motion to table this agenda for January 19th for purchase contract since it is still being reviewed by the City Attorney, Councilman Carusi seconded the motion, and the motion carried unanimously.

- e. Discussion and possible action on the rezoning request from Marley Porter concerning Lot 73 known as 4401 Cottonwood Drive in Cottonwood Shores, Texas.

Councilwoman Logan made a motion to table the rezoning as requested by Mr. Porter for the January 19th meeting. Councilman Plumley seconded, and the motion carried unanimously.

7. New Business

- a. Discuss and possible action on adopting a Standard Procedure Policy for Consideration of Requests for Rezoning.

Councilman Plumley made a motion to adopt the policy as prepared by the City Attorney, Councilman Carusi seconded, and the motion carried unanimously. Mr. Porter inquired as to why the policy was not read and citizens were not given an opportunity to comment.

- b. Discussion and possible action on Sylvia Breen attending the CAPCOG County Subdivisions Workshop.

Councilman Hildebrand made a motion to take no action on Mayor Breen's request to attend the workshop because Mayor Breen, upon further inquiry, stated that it would not benefit the City, Councilwoman Logan seconded, and the motion carried unanimously.

- c. Discussion and possible action on a request from Dale Pickens regarding the \$70.00 reconnect fee for the November 2005 Utility Bill on account #273.

After discussion concerning the City's drop box, Councilman Hildebrand made a motion to table item 7.c. until next council meeting on January 19th, Councilwoman Logan seconded, and motion carried unanimously.

- d. Discussion and possible action on a request from Judy Pace regarding the \$70.00 reconnect fee for the November 2005 Utility Bill at 636 Driftwood.

Councilman Plumley made a motion to table item 7.d. until January 19th, Councilwoman Logan seconded, the motion was carried with 3 ayes, and one no-vote Councilman Hildebrand.

- e. Discussion and possible action on a request from Bob Hughes at 3731 Lakeview Dr., to review invoice for grinder pump repair that he thought had a lifetime warranty though the City.

Mr. Hughes stated his position, and after much discussion, Councilwoman Logan made a motion to table item 7.e. to further investigate his claim and to be brought back on January 19th meeting. Councilman Plumley seconded, and the motion carried unanimously.

- f. Discussion and possible action on a request by Darla Zell to credit the reconnect fee on account #228 due to home being sold after owner was placed in nursing home.

Jerril Wafer advised that the request was made by the realtor, Kay Zack. Councilman Hildebrand made a motion to decline the request for refund, Councilman Carusi seconded, and the motion passed unanimously.

- g. Discussion and possible action on adopting and ordinance adopting the International Fire Code providing for the issuance of permits for outdoor burning and establishing regulations and penalties related to same requested by Lanny Atchley to be designated as the Burn Ordinance for the City of Cottonwood Shores, Texas.

Councilwoman Logan made a motion to accept the Burn Ordinance as corrected by the Fire Marshall, Councilman Hildebrand seconded, and the motion carried unanimously.

- h. Discussion and possible action on amending the Meetings and Decorum for the City Council of the City of Cottonwood Shores, Texas per request of Auditor, Dan Painter.

Councilman Hildebrand made a motion to accept the new policy as written, Councilwoman Logan seconded, and the motion carried unanimously.

- i. Discussion and possible action on adopting the Texas Colorado River Floodplain Inter-local Agreement, and designating a committee (comprised of 2 Executive Committee members and 2 Technical Committee Members) for Flood Plain Coalition as requested by Mayor Breen.

Councilman Plumley made a motion to accept the Agreement as written and committee members as discussed, Councilman Carusi seconded, and the motion carried unanimously with Councilwoman Logan not present for the vote. Committee members being; Mayor Breen and Councilman Bill Plumley for the executive team, and Tim McClain along with Lanny Atchley as the technical team.

- j. Discussion and possible action on a maintenance contract for the Court's soft ware by "Intouch" in conjunction with the grant that will be used to purchase the software for the court to be awarded by DPS.

Councilman Plumley made a motion to table this item until next council meeting, Councilman Carusi seconded, the motion carried unanimously with Councilwoman Logan absent.

8. Executive Session for Personnel Matters

- i. Convene into Executive Session Pursuant to Section 551.074 of the Texas Government Code, to hear a complaint against or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or the dismissal of, or for the evaluation of Judge Cutchin, as requested by Judge Cutchin.

Councilman Carusi made a motion to take no action, Councilman Plumley seconded, and the motion carried unanimously with Councilwoman Logan absent.

- ii. Reconvene into Open Session and take action on Item 8.i., as necessary. No Action taken.
- iii. Convene into Executive Session Pursuant to Section 551.074 of the Texas Government Code, to hear a complaint against or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or the dismissal of, or for the evaluation of City Secretary, Laurel Kant, as requested by Councilman Bill Plumley.

Mayor Breen called for an Executive Session at 9:24 p.m.

- iv. Reconvene into Open Session and take action on item 8.iii. as necessary.

Council reconvened into Open Session at 9:52 p.m. Councilman Carusi made a motion to accept recommendations as discussed in Executive Session, Councilman Plumley seconded, and the motion carried unanimously.

- v. Convene into Executive Session Pursuant to Section 551.074 of the Texas Government Code, to hear a complaint against or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or the dismissal of, or for the evaluation of City Police Staff, Chief Reinhard Reeh and Sgt. Steve Hallman, as requested by Councilman Rick Carusi.

Mayor Breen called for an Executive Session at 9:56 p.m. after Wendy Briggs submitted a petition signed by citizens supporting Chief Reeh.

- vi. Reconvene into Open Session and take action on item 8.v. as necessary.

Council reconvened into Open Session at 10:37 p.m. Councilman Plumley made a motion to take no action on what was presented in Executive Session, Councilwoman Logan seconded, and the motion carried unanimously.

9. Executive Session for Legal Matters

- i. Convene into Executive Session to consult with Legal Counsel pursuant to Section 551.071, Texas Government Code, regarding Cause No. 31190, *Ken Anderson, et. al., v. The City of Cottonwood Shores, et. al.*, in the 33rd Judicial Court, Burnet County, Texas.

Due to correspondence from City Attorney, no action was required.

- ii. Reconvene into Open Session and take action on Item 9.i., as necessary.

- 10. *The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code including, but not limited to, Sections: 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code including, but not limited to, Section 321.3022 (Sales Tax Information).*

11. Future Agenda Items


- 1. Drop box
- 2. Contract for BWD
- 3. Rezoning of lot 73

4. Setting a date for the public hearing on tax breaks
5. Appoint Park Board members
6. Items 7.c,d. and e. concerning utility refunds
7. Intouch Software for Court

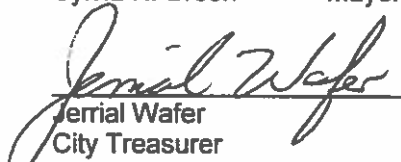
12. Adjournment

Councilwoman Logan made a motion to adjourn, Councilman Hildebrand seconded, and the motion carried unanimously.
Adjournment was at 10:40 p.m.

ATTEST:



Sylvia H. Breen Mayor



Jerril Wafer
City Treasurer
City of Cottonwood Shores



CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436



January 5 2006

CITY OF COTTONWOOD SHORES, TEXAS

PROCEDURE POLICY FOR REZONING APPLICATIONS

Any person desiring to request the rezoning of a property or an amendment to the City of Cottonwood Shores' (the "City") official zoning district map shall file an application in writing with the City Secretary accompanied by ten (10) copies of the application and all supporting documents and a nonrefundable application fee in an amount established from time to time by the City Council in order to defray the actual cost of processing the application and publishing notice of same. At a minimum, the application must include the following information:

1. The applicant's name, address and telephone number;
2. The street address and legal description (including a metes and bounds description) of the property to be rezoned;
3. A map showing the property in relation to surrounding properties;
4. A statement of the applicant's interest in the property;
5. The owner's name and address and, if different from the applicant, the signed consent of all owners to the filing of the application;
6. A title report identifying all owner(s) of the property;
7. The names and addresses of all owners of property within 200 feet of the subject property;
8. A description of the present zoning classification and existing uses of the property as well as the proposed reclassification and proposed use(s) including a statement of the need and justification for the proposed change;
9. If the proposed rezoning will result in a use of the property considered denser than the existing zoning classification, the application must include a description of utility needs and a description of traffic impacts. Before scheduling a public hearing, the City Council may require an applicant to submit a traffic study detailing traffic impacts and any suggested mitigations and/or an engineering

study detailing the property's utility needs and proposed improvements for same;
and

10. Such other documentation or information that may be necessary or appropriate for a full and proper consideration of the application.

After the City Secretary has determined that an application is administratively complete, a copy of the application shall be forwarded to the City Engineer, the City's Water and Wastewater Director, the City's Chief of Police and the Chief of the Cottonwood Shores Volunteer Fire Department for review and comment. Such persons should provide comment back to the City Secretary within thirty (30) days of their receipt of the application after which the City Secretary will place the application on the City Council agenda. The City Council may then take action to set a public hearing on the application, request additional information, or reject the application. Should the City Council vote to reject the application, whether before or after a public hearing, no substantially similar application for that property will be accepted by the City for at least twelve (12) months following the date of the City Council vote.

Ordinance No. 041201-A Amended & Adopted September 15, 2005

PROVISIONS OF THIS ORDINANCE AND SHALL BE CHARGED THE RATES ESTABLISHED IN THIS ORDINANCE, AND NO REDUCED RATES OR FREE SERVICE SHALL BE FURNISHED TO ANY CUSTOMER. IT IS SPECIFICALLY PROVIDED, HOWEVER, THAT THIS PROVISION SHALL NOT PROHIBIT THE CITY, UPON GOOD CAUSE SHOWN, FROM ESTABLISHING REASONABLE CLASSIFICATIONS OF CUSTOMERS FOR WHICH RATES DIFFERING FROM THE RATES STATED HEREIN SHALL BE CONSTRUED TO PREVENT THE CITY FROM FURNISHING WATER, WASTEWATER, AND/OR SOLID WASTE SERVICES TO SPECIAL PROJECTS OR OTHER ESTABLISHMENTS AT A SPECIAL RATE IF DEEMED ADVISABLE BY THE CITY COMMISSION.

ARTICLE IV. BILLING AND TERMINATION OF SERVICES.

SECTION 1. BILLING AND PAYMENT FOR SERVICES

(A) THE CUSTOMER UTILITY BILL FOR WATER, WASTEWATER AND/OR SOLID WASTE COLLECTION SERVICES SHALL BE MAILED ON OR BEFORE THE FIRST DAY OF EACH MONTH FOR THE SERVICES PROVIDED DURING THE PRECEDING SERVICE PERIOD.

(B) **BILLING DATE.** THE BILLING DATE SHALL BE THE FIRST DAY OF THE MONTH AND THE FAILURE OF THE CUSTOMER TO RECEIVE ANY SUCH BILL SHALL IN NO WAY RELIEVE THE CUSTOMER OF THE DUTY TO PAY FOR SERVICES RENDERED ON OR BEFORE THE DUE DATE.

(C) THE UTILITY BILL SHALL, AT A MINIMUM, INCLUDE THE FOLLOWING:

1. DATE OF METER READING;
2. THE DUE DATE AS THE 10TH OF THE MONTH;
3. THE AMOUNT OF THE LATE CHARGE DUE IF PAYMENT IS NOT RECEIVED BY THE DUE DATE; AND
4. THE NOTICE (PHRASE) "SUBJECT TO DISCONNECTION IF NOT PAID BY THE 20TH."

(D) **DUE DATE.** ALL UTILITY BILLS FOR WATER, WASTEWATER AND/OR SOLID WASTE COLLECTION SERVICES ARE DUE ON OR BEFORE THE TENTH (10TH) DAY OF EACH MONTH. PAYMENTS RECEIVED AT CITY HALL ON OR BEFORE 8:00 A.M. ON THE ELEVENTH (11TH) DAY OF EACH MONTH WILL BE CONSIDERED PAID ON TIME. PAYMENTS THAT ARE POSTMARKED BY THE TENTH (10TH) DAY OF THE MONTH WILL BE CONSIDERED PAID ON TIME.

(E) **LATE CHARGES.** IF PAYMENT OF THE ENTIRE AMOUNT DUE IS NOT MADE BY THE DUE DATE IN SECTION 1.(D) ABOVE, A TEN PERCENT (10%) LATE CHARGE WILL BE ASSESSED AND ADDED TO THE TOTAL AMOUNT DUE AS SHOWN ON THE UTILITY BILL.

SECTION 2. TERMINATION OF SERVICES AND CHARGES RELATED THERETO.

(A) WATER, WASTEWATER AND/OR SOLID WASTE COLLECTION SERVICES ARE SUBJECT TO DISCONNECTION AFTER 1:00 P.M. ON THE TWENTIETH (20TH) DAY OF EACH MONTH. THERE WILL BE NO NOTICE OF INTENT TO DISCONNECT SENT TO UTILITY CUSTOMERS (LATE NOTICE). THE NOTICE (PHRASE) ON THE UTILITY BILL WILL BE CONSIDERED SUFFICIENT NOTICE TO THE CUSTOMER OF THE CONSEQUENCE OF NON-PAYMENT.

(B) THE CITY SHALL HAVE THE RIGHT TO AND MAY INITIATE TERMINATION OF WATER, WASTEWATER AND/OR SOLID WASTE COLLECTION SERVICES TO ANY CUSTOMER, INCLUDING DISCONNECTING THE SUPPLY OF WATER, AT ANY TIME AFTER 1:00 P.M. ON THE TWENTIETH (20TH) DAY OF EACH MONTH, WITHOUT FURTHER NOTICE TO THE UTILITY CUSTOMER.

(C) THE CITY SHALL EXERCISE ITS RIGHT TO TERMINATE WATER, WASTEWATER AND/OR SOLID WASTE COLLECTION SERVICES TO ANY CUSTOMER AT ANY TIME AFTER 1:00 P.M. ON THE TWENTIETH (20TH) DAY OF EACH MONTH REGARDLESS OF MEANS OF DELIVERY OF PAYMENT. ANY PAYMENTS RECEIVED AFTER 1:00 P.M. ON THE TWENTIETH (20TH) DAY OF THE MONTH, BUT BEFORE A CITY EMPLOYEE HAS INITIATED THE TERMINATION PROCESS FOR THE PURPOSE OF DISCONNECTION OF SERVICES SHALL BE ASSESSED AN ADDITIONAL CHARGE OF \$25.00 TO DEFRAY THE COST INVOLVED IN HANDLING SERIOUSLY DELINQUENT ACCOUNTS.

(D) ONCE THE CITY EMPLOYEE HAS RECEIVED THE NOTICE OF DISCONNECT AND INITIATED THE PROCESS TO DISCONNECT SERVICES FOR NON-PAYMENT, A TOTAL OF \$70.00 WILL BE ASSESSED, IN ADDITION TO THE FULL AMOUNT OF THE BILL DUE, WHETHER OR NOT SERVICES ARE ACTUALLY TERMINATED. ALL PAYMENTS RECEIVED SHALL BE PAID IN CASH, MONEY ORDER OR CASHIER'S CHECK ONLY, AT CITY HALL.

SECTION 4. MAYOR'S DISCRETIONARY POWER.

Make copy of Ord.

(A) IF A REQUEST IS PRESENTED TO THE FINANCIAL OFFICER, CITY SECRETARY AND/OR UTILITY BILLING CLERK, BY A CUSTOMER, AND IT IS DETERMINED THAT INFREQUENT AND EXTENUATING CIRCUMSTANCES EXIST, AN ARRANGEMENT TO PAY MAY BE MADE. THE LATE CHARGE WILL BE DUE WHEN BILL IS PAID. PAYMENT IN MONEY ORDER, CASH OR CASHIER'S CHECK ONLY. SUCH ARRANGEMENTS MUST BE REQUESTED NO LATER THAN 5:00 P.M. ON THE NINETEENTH (19TH) DAY OF THE MONTH.

(B) RECAP FOR CLARIFICATION:

1. BILL DATED 1ST OF MONTH, AMOUNT DUE, SHOWING LATE CHARGE AND DISCONNECT DEADLINE.
2. PAYMENT RECEIVED AT CITY HALL ON OR BEFORE 8:00 A.M. ON THE 11TH DAY OF MONTH OR POST MARKED BY THE 10TH OF THE MONTH WILL NOT BE CHARGED A LATE CHARGE.
3. PAYMENT MUST BE RECEIVED AT CITY HALL BY 1:00 P.M. ON THE 20TH DAY OF THE MONTH, REGARDLESS OF MEANS OF DELIVERY, TO AVOID DISCONNECTION OF SERVICES.
4. PAYMENT RECEIVED AT CITY HALL BETWEEN 1:00 P.M. ON THE 20TH DAY OF THE MONTH AND PRIOR TO THE TIME THE CITY EMPLOYEE RECEIVES DISCONNECT NOTICE AND INITIATES TERMINATION (AS DETERMINED BY WORKLOAD OF CITY STAFF, GENERALLY AT 8:00 A.M. ON THE NEXT WORKDAY FOLLOWING THE 20TH DAY OF THE MONTH) MUST PAY THE AMOUNT DUE, PLUS 10% LATE CHARGE, PLUS A \$25.00 DELINQUENT HANDLING FEE.
5. PAYMENT RECEIVED AFTER CITY EMPLOYEE HAS BEGUN TERMINATION WILL INCLUDE AMOUNT DUE, PLUS 10% LATE CHARGE, PLUS \$70.00 NON-PAYMENT DISCONNECT FEE.
6. PAYMENT ARRANGEMENTS WILL BE CONSIDERED UNTIL 5:00 P.M. ON THE 19TH DAY OF THE MONTH.

ARTICLE V. SOLID WASTE COLLECTION.

SECTION 1. RESIDENTIAL SERVICE.

(A) THE FOLLOWING RULES, REGULATIONS AND PROVISIONS SHALL, IN ADDITION TO THE OTHER APPLICABLE PROVISIONS OF THIS ORDINANCE, GOVERN THE PROVISION OF SOLID WASTE SERVICES TO RESIDENTIAL UNITS.

1. **MANDATORY PARTICIPATION BY RESIDENTIAL UNITS.** EVERY RESIDENTIAL UNIT WITHIN THE CORPORATE LIMITS OF THE CITY SHALL BE REQUIRED TO UTILIZE GARBAGE COLLECTION AND DISPOSAL SERVICES PROVIDED UNDER CONTRACT BY THE CITY WHEN SUCH RESIDENTIAL UNIT IS OCCUPIED. A RESIDENTIAL UNIT SHALL BE DEEMED OCCUPIED WHEN EITHER WATER, SEWER, OR ELECTRICAL POWER SERVICES ARE BEING SUPPLIED.
2. **CURBSIDE SERVICE.** THE CONTRACTOR SHALL PROVIDE CURBSIDE COLLECTION SERVICE FOR THE COLLECTION OF NO MORE THAN ONE GARBAGE CART OF RESIDENTIAL REFUSE TO EACH RESIDENTIAL UNIT ONE TIME PER WEEK. CUSTOMER MUST PLACE CART AT CURBSIDE BY 7 A.M. ON THE DESIGNATED DAY. IN ADDITION TO THE SCHEDULED WEEKLY COLLECTION OF RESIDENTIAL REFUSE, THE CONTRACTOR MAY FROM TIME TO TIME PROVIDE SPECIAL COLLECTION OF BUNDLES, BULKY WASTE, CONSTRUCTION DEBRIS, DEAD ANIMALS AND HAZARDOUS WASTE AT RESIDENTIAL UNITS AT THE REQUEST OF THE CITY.
3. **CART PLACEMENT AT CURB.** EACH CART FOR COLLECTION SHALL BE PLACED AT CURBSIDE FOR COLLECTION. CURBSIDE REFERS TO THAT PORTION OF THE RIGHT-OF-WAY ADJACENT TO PAVED OR TRAVELED CITY ROADWAYS WITH PLACEMENT AS CLOSE TO THE ROADWAY AS PRACTICABLE WITHOUT INTERFERING WITH OR ENDANGERING THE MOVEMENT OF VEHICLES OR PEDESTRIANS. WHEN CONSTRUCTION WORK IS BEING PERFORMED IN THE RIGHT-OF-WAY, CARTS SHALL BE PLACED AS CLOSE AS PRACTICABLE TO AN ACCESS POINT FOR THE COLLECTION VEHICLE. THE CONTRACTOR MAY DECLINE TO COLLECT ANY CART NOT SO PLACED. CARTS MUST BE REMOVED FROM CITY STREET AND EASEMENT WITHIN TWENTY-FOUR (24) HOURS OF BEING EMPTIED.
4. **HOURS OF OPERATION.** COLLECTION OF RESIDENTIAL REFUSE AND SPECIAL COLLECTIONS SCHEDULED BY THE CITY SHALL NOT START BEFORE 7 A.M. OR CONTINUE AFTER 7 P.M. ON THE SAME DAY. EXCEPTIONS TO COLLECTION SHALL BE EFFECTED ONLY UPON THE MUTUAL AGREEMENT OF THE CITY AND CONTRACTOR, OR WHEN THE CONTRACTOR REASONABLY DETERMINES THAT AN EXCEPTION IS NECESSARY TO COMPLETE COLLECTION ON AN EXISTING COLLECTION ROUTE DUE TO UNUSUAL CIRCUMSTANCES.

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436



CITY COUNCIL MEETING
ATTENDANCE RECORD

Jan. 5, 2006

PLEASE SIGN IN:

- Cynthia Schweitzer _____
- Pauline Schweitzer _____
- Bob/Nancy Hughes _____
- Monica Bunn GIS _____
- Kell Peter _____
- Janet Taylor _____
- Eucled Phipps _____
- Margie Phipps _____
- Wendy Briggs _____
- Duffy Briggs _____
- Al Hobbs _____
- Bob Pover _____
- Donald Orr _____
- Suzanne Orr _____
- Judy Pan _____
- Becky Evans _____
- Dorlene Day _____



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

RECEIVED
DEC 16 2005
BY: D Zell

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed: 3731 Lakeview Dr. Inodice
For Condole Pump, was told
this had a life time warranty.
He has paperwork. Act #455

Informational Presentation: Yes No

Required By Council: Yes No

Name(s) of Requester: Bob Hughes

Address: _____

Phone No.: 798-2566

Bob Hughes Requestor 12/14/05 Date

Darla S. Zell Received by City Employee 12-16-05 Date 4:30 Time am/pm



RECEIVED
DEC 15 2005

City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed:

On Acct #228, asking to removed
the \$70.00 Reconnect Svc Fee, Due to
customer being placed in Nursing home &
home was sold.

Informational
Presentation: Yes No

Required
By Council: Yes No

Name(s) of Requester: KAY Zagst - Cemetery 21
David L. Zell

Address: _____

Phone No.: 512-755-6000

Harold H. Zell 12-15-05
Requestor Date

Janet W. [Signature] 12-15-2005 12 NOON am/pm
Received by City Employee Date Time



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

RECEIVED
DEC 20 2005
BY: _____

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-2006

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed: 70.00 Utility Bill Adjustment

Informational Presentation: Yes No

Required By Council: Yes No

Name(s) of Requester: Dore Pickins Acct # 273

Address: 3905 LAKEVIEW

Phone No.: _____

[Signature]
Requestor Date

[Signature] 12-20-2005 3 PM am/pm
Received by City Employee Date Time



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

RECEIVED
DEC 20 2005
BY: DL Zell

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed:
Waiver of Act # 20
Reconnect Yell

Informational Presentation: Yes No

Required By Council: Yes No

Name(s) of Requester: Judy Pan

Address: 636 Driftwood

Phone No.: 830-693-8431

Judy Pan
Requestor 12-20-05
Date

DL Zell DL Zell 5:25 am/pm
Received by City Employee Date Time



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

RECEIVED
DEC 29 2004
BY: *Charles Zell*

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: Jan 5, 05

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed: Introduce myself to the council & public & stated my credentials & concerns about the various issues facing the council & County

Informational Presentation: Yes No

Required By Council: Yes No

Name(s) of Requester: Dewey Hollingsworth

Address: P.O. Box 40
Spicewood, TX 78669

Phone No.: 830-693-5515

Dewey Hollingsworth Requestor 12/22/05 Date

Charles Zell Received by City Employee 12-22-05 Date 2:10 Time am/pm

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436



RECEIVED
DEC 27 2005
BY: *[Signature]*

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

Subject to be Addressed:
My Attending the CAPCOG County Subdivisions
Workshop

Informational
Presentation: Yes No

Requires Action
By Council: Yes No

Name(s) of Requester: Sylvia Breen

Address: _____

Phone No.: _____

Sylvia Breen 12-27-05
Requester Date

[Signature] 12-27-05 1:55
Received by City Employee Date Time am/pm

RECEIVED

NOV 28 2005

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436



AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

Subject to be Addressed: Present final draft of
Parbo master plan to Council
for Review

Informational Presentation: Yes No

Requires Action By Council: Yes No

Name(s) of Requester: Gandee Beeres

Address: 14511 Echo Bluff
West 78637

Phone No.: 512-560-4477

Gandee Beeres 11-22-05
Requester Date

Jemal Wafar 11-28-2005 8:30 AM
Received by City Employee Date Time (am/pm)

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78657
(830) 693-3830 FAX: (830) 693-6436

RECEIVED

NOV 28 2005



Cancelled

*GDS will
publish the
Public
Notice*

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-~~10~~⁵-06

Subject to be Addressed: Public Hearing to be held
regarding grant funded construction
That will occur in the 100 year
floodplains

Informational Presentation: Yes No

Requires Action By Council: Yes No

Name(s) of Requester: Mandy Beer

Address: 14511 Echo Bldg
area TX 78737

Phone No.: 512-560-4477

Requester J Mandy Beer Date 11-27-05

Received by City Employee Jessal Wafar Date 11-28-2005 Time 8:30 AM
am/pm

RECEIVED
DEC 22 2005
BY: _____

**CITY OF COTTONWOOD SHORES
AGENDA ITEM REQUEST**

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed: Burn Ordinance
Atty has one for us to adopt

Informational
Presentation: Yes No

Requires Action
By Council: Yes No

Name(s) of Requester: Lanny Atchley

Address: _____

Phone No.: _____

Garet Taylor 12-22-05
Requester Date

[Signature] 12/22/05 4:00
Received by City Employee Date Time am/pm



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed:
Modify Rules of Procedure, Conduct & Decorum for Mtgs. of CWS Council
insome Budget Amendments under consent agenda items

Informational Presentation: Yes No

Required By Council: Yes No

Name(s) of Requester: Jerrival Wafer
Address: _____

Phone No.: _____

Jerrival Wafer 12-21-2005
Requestor Date

Darla Z. Zell 12-21-05 12:00 Am/om
Received by City Employee Date Time



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

RECEIVED
DEC 14 2005
BY: *D. Zell*

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed:
a Texas Colorado River Floodplain Interlocal
Agreement adaptation
to Designate committee for Flood Plain Coalition

Informational Presentation: Yes No

Required By Council: Yes No

Name(s) of Requester: *Agnie Breen*

Address: _____

Phone No.: _____

Agnie Breen Requestor 12-14-05 Date

Darbo L. Zell Received by City Employee 12-14-05 Date 11:30 Time (am)pm

RECEIVED
DEC 22 2005
BY: _____

**CITY OF COTTONWOOD SHORES
AGENDA ITEM REQUEST**

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 1-5-06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed: Maintenance fee contract
for Intouch, Court Software

Informational
Presentation: Yes No

Requires Action
By Council: Yes No

Name(s) of Requester: Judge Cutchin

Address: _____

Phone No.: _____

[Signature]
Requester 12/22/05
Date

[Signature]
Received by City Employee 12/22/05 4:05
Date Time am/pm



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64



AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: Jan 5 2006

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed:

PERFORMANCE OF ^{CITY SECRETARY} ~~COUNCIL~~ CONCERNING
WORK ISSUES

Informational Presentation: Yes No

Required By Council: Yes No

Name(s) of Requester: William Plumby

Address: _____

Phone No.: _____

William Plumby 12-22-05
Requestor Date

[Signature] 12/22/05 4:00 am
Received by City Employee Date Time



CITY OF COTTONWOOD SHORES

AGENDA ITEM REQUEST



I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: JAN 5 '06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed:

EXECUTIVE SESSION POLICE STAFF

Informational Presentation: Yes No X

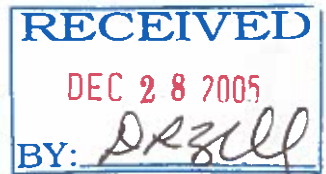
Requires Action By Council: Yes X No

Name(s) of Requester: Rick Carresi

Address:

Phone No.:

Requester: Rick Carresi Date: DEC 28-05



Received by City Employee: Dale Z. Zell Date: 12-28-05 Time: 12:50 pm



City of Cottonwood Shores
3808 Cottonwood Drive
Cottonwood Shores, Texas 78657
(830) 693-3830 FAX (830) 6936-64

RECEIVED
DEC 21 2005
BY: *D. Zell*

AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting or Special Called Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: Jan 5, 06

I would like for this to be on the Agenda if a Special Meeting is Called: Yes No

Subject to be Addressed: Rezoning of lot 73 (4401 Cottonwood Dr.)
& BWD to Commercial from R-1 Residential

Informational Presentation: Yes X No

Required By Council: Yes X No

Post-it® Fax Note	7671	Date	12/22/05	# of pages	1
To	<u>Alan P.</u>				
From					
Co./Dept.					
Phone #					
Fax #					

Contract sent also - lease off

Name(s) of Requester: Marley Porter

Address: _____

Phone No.: 830-798-9310

[Signature] 12-21-05
Requestor Date

Darlene Zell 12-21-05 3:30 am/pm
Received by City Employee Date Time

RECEIVED
 JAN 03 2005
 BY: *BJZell*

Living Architecture & Construction Management, Inc - QuickBooks Pro 2004
 File Edit View Lists Company Customers Vendors Employees Banking Reports Window Help

Estimate Invoice Time

While Clicks AB - C:\inst\my...-7012...6996

Previous Next Print Find

Bank Account: 1010 - Bank Accounts: AB - C... Ending Balance

No. 1091
 Date 04/18/2005
 \$ 253.00

Pay to the Order of City of Cottonwood Shores

Two hundred fifty-three and 00/100* Dollars

Address: City of Cottonwood Shores

Memo: LOT 73, "C1/R3 PUD"

CLEAR

Expenses \$0.00 Items \$253.00 To be printed

Item	Description	Cost	Amount	Customer:Job	Class
Architectural: CP	Arch. City Permitting/Zoning LOT 73, "C1/R3 PUD"	253.00	253.00	Living Architecture, In...	

Select PO

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
THURSDAY, JANUARY 5, 2006, AT 7:00 P.M.
CHRISTOPH COMMUNITY CENTER – 4100 WILLOW LANE

AGENDA

1. Call to Order
2. Invocation
3. Roll Call
4. Consent Agenda
 - a. Minutes
 - i. Minutes of the Regular Meeting December 15, 2005
5. Citizens Comments
6. Old Business
 - a. Discussion and possible action on the survey of City property leading up to Bob's Drive In located on Dutch Leming Drive.
 - b. Discussion and possible action on an update on the removal of the City's white shed and it's contents.
 - c. Presentation of progress on the Park's master plan by Gandolf Burrus.
 - d. Discussion and possible action on the contract for purchase of the lot known as BWD by Marley Porter.
 - e. Discussion and possible action on the rezoning request from Marley Porter concerning Lot 73 known as 4401 Cottonwood Drive in Cottonwood Shores, Texas.
7. New Business
 - a. Discuss and possible action on adopting a Standard Procedure Policy for Consideration of Requests for Rezoning.
 - b. Discussion and possible action on Sylvia Breen attending the CAPCOG County Subdivisions Workshop.
 - c. Discussion and possible action on a request from Dale Pickens regarding the \$70.00 reconnect fee for the November 2005 Utility Bill on account #273.
 - d. Discussion and possible action on a request from Judy Pace regarding the \$70.00 reconnect fee for the November 2005 Utility Bill at 636 Driftwood.
 - e. Discussion and possible action on a request from Bob Hughes at 3731 Lakeview Dr., to review invoice for grinder pump repair that he though had a lifetime warranty though the City.
 - f. Discussion and possible action on a request by Darla Zell to credit the reconnect fee on account #228 due to home being sold after owner was placed in nursing home.
 - g. Discussion and possible action on adopting and ordinance adopting the International Fire Code providing for the issuance of permits for outdoor burning and establishing regulations and penalties related to same requested by Lanny Atchley to be designated as the Burn Ordinance for the City of Cottonwood Shores, Texas.
 - h. Discussion and possible action on amending the Meetings and Decorum for the City Council of the City of Cottonwood Shores, Texas per request of Auditor; Dan Painter.
 - i. Discussion and possible action on adopting the Texas Colorado River Floodplain Inter-local Agreement, and designating a committee (comprised of 2 Executive Committee members and 2 Technical Committee Members) for Flood Plain Coalition as requested by Mayor Breen.
 - j. Discussion and possible action on a maintenance contract for the Court's soft ware by "Intouch" in conjunction with the grant that will be used to purchase the software for the court to be awarded by DPS.
8. Executive Session for Personnel Matters
 - i. Convene into Executive Session Pursuant to Section 551.074 of the Texas Government Code, to hear a complaint against or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or the dismissal of, or for the evaluation of Judge Cutchin, as requested by Judge Cutchin.

- ii. Reconvene into Open Session and take action on Item 8.i., as necessary.
- iii. Convene into Executive Session Pursuant to Section 551.074 of the Texas Government Code, to hear a complaint against or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or the dismissal of, or for the evaluation of City Secretary, Laurel Kant, as requested by Councilman Bill Plumley.
- iv. Reconvene into Open Session and take action on item 8.iii. as necessary.
- v. Convene into Executive Session Pursuant to Section 551.074 of the Texas Government Code, to hear a complaint against or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or the dismissal of, or for the evaluation of City Police Staff, Chief Reinhard Reeh and Sgt. Steve Hallman, as requested by Councilman Rick Carusi.
- vi. Reconvene into Open Session and take action on item 8.v. as necessary.

9. Executive Session for Legal Matters

- i. Convene into Executive Session to consult with Legal Counsel pursuant to Section 551.071, Texas Government Code, regarding Cause No. 31190, *Ken Anderson, et. al., v. The City of Cottonwood Shores, et. al.*, in the 33rd Judicial Court, Burnet County, Texas.
- ii. Reconvene into Open Session and take action on Item 9.i., as necessary.

10. *The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code including, but not limited to, Sections: 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code including, but not limited to, Section 321.3022 (Sales Tax Information).*

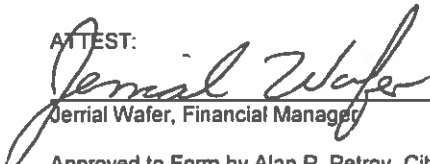
11. Future Agenda Items

12. Adjournment

I certify that the above notice was posted at City Hall, 3808 Cottonwood Drive, Cottonwood Shores, Texas on this the 30 day of December, 2005 at 5:00 p.m.


 Sylvia H. Breen, Mayor

ATTEST:


 Jerril Wafer, Financial Manager

Approved to Form by Alan P. Petrov, City Attorney

