

**SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF
COTTONWOOD SHORES, TEXAS
THURSDAY, NOVEMBER 16, 2006 AT 5:30 P.M.
CWS CIVIC CENTER
4111 COTTONWOOD DRIVE
COTTONWOOD SHORES, TEXAS**

MINUTES

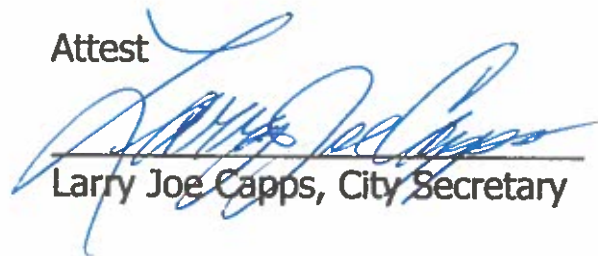
1. Call to Order by Mayor Breen at 5:39 p.m.
2. Roll Call by City Secretary Capps. He reported the following members present, except for the absence of Councilmember Hildebrand for the first half of the meeting, constituting a quorum: Sylvia Breen, Mayor; Frank Pfeifer, Councilmember; Ray Whitis, Councilmember; Shirley Adams, Councilmember; and Keith Paschke, Councilmember.
3. Executive Session for Personnel Matters
 - A. Convened in Executive Session at 5:39 p.m., pursuant to *Section 511.074 of the Texas Government Code*, to hear a complaint against or deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of, or for the evaluation of: (1) Belinda Gonzalez, merit raise for Euthanasia Technician Certificate, requested by Tim McClain.
 - B. Reconvened in Open Session at 6:06 p.m. and take action on item 3A. Motion by Councilmember Adams, seconded by Councilmember Paschke that we give a 15 cents raise to Belinda Gonzalez when she gets her DEA approval so she can perform euthanasia. The Vote: Ayes—Three, Nays—None, Abstentions—Two (Hildebrand, Whitis); Motion carried.
4. Executive Session for Legal Matters
 - A. Convened in Executive Session with Legal Council at 6:11 pm, 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.

- B. Reconvened into Open Session at 6:31pm, and take action on Item 4A, Motion by Councilmember Hildebrand, seconded by Councilmember Pfeifer that we direct legal counsel to continue to reach a Mediated Settlement Agreement. The Vote: Ayes—All, Nays—None; Motion carried.
- 5. Executive Session for Personnel Matters
 - A. Convened in Executive Session at 6:42 pm, pursuant to *Section 551.074 of the Texas Government Code*, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of, or for the evaluation of, the City Attorney.
 - B. Reconvened in Open Session, and take action on Item 5A, as necessary. Motion by Councilmember Hildebrand, seconded by Councilmember Adams that we dismiss Alan Petrov as City Attorney on all matters except Development Law. The Vote: Ayes—All, Nays—None; Motion carried. Motion by Councilmember Adams, seconded by Councilmember Whitis that we retain McKamie Law Firm, except in Development Law. The Vote: Ayes—All, Nays—None; Motion carried.
- 6. Adjournment
 - Motion by Councilmember Hildebrand, seconded by Councilmember Paschke that we adjourn (6:44 p.m.)



Sylvia Breen, Mayor

Attest


Larry Joe Capps, City Secretary

CITY OF COTTONWOOD SHORES

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



CITY COUNCIL MEETING
ATTENDANCE RECORD

Nov 16, 2006 - 7:00 P.M

PLEASE SIGN IN:

Frank Onion

(Counsel for City)

George Bridg - PEC

Ryan Beard TEXAS DISPOSAL SYSTEMS

Cynthia Schweitzer

Richard - WAFISD

Bryan Hays

Bob Talley

BRET BURTON

MARBLE FALLS SURVEYING

Marjorie Phipps

Ed Pepp

MARLENE BAKER

Jason Howell

CITY OF COTTONWOOD SHORES

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(830) 693-3830 FAX: (830) 693-6436



CITY COUNCIL MEETING
ATTENDANCE RECORD

Nov. 16, 2006 - 5:30 PM.

PLEASE SIGN IN:

Lisa McLain

Two columns of horizontal lines for signing in.

 ORIGINAL

**REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF COTTONWOOD SHORES, TEXAS
THURSDAY, NOVEMBER 16, 2006 7:00 P.M.
CWS CIVIC CENTER
4111 COTTONWOOD DRIVE
COTTONWOOD SHORES, TEXAS**

AGENDA

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Consent Agenda:
 - A. Minutes—October 19, 2006, October 19, 2006 (5:30 Special)
October 24, 2006 (Special), November 3, 2006
 - B. Financial Statements
 - C. Budget Amendments
 - D. Adopt Records Control Schedule on Electronic Data Processing
Records
6. Department
 - A Water and Wastewater Report
 - B. Police Department Report
 - C. Fire Department Report
 - D. Fire Marshall's Report
 - E. Animal Control Report
 - F. City Secretary's Report
 - G. City Attorney's Report
 - H. Mayor's Report
 - I. Special Committee Reports
 - J. Community Organization Reports
7. Presentation
 - A. Pedernales Electric Cooperatives' activities update—George Bird
 - B. Marble Falls I.S.D. activities update—Ryder Warren
8. Citizens Comments
9. Old Business—None
10. New Business
 - A. Re-plat Application by New Castle Rock Development, LLC:
 - 1) Public Hearing on application

ORIGINAL

- 2) Discussion and possible action on a Re-plat Application by New Castle Rock Development, LLC combining four lots into one lot, located in the ETJ, property described as Lots 36-39, Castle Acres Subdivision, requested by Bret Burton, Surveyor.
- B. Garbage Contractors Presentations from Texas Disposal System & IESI, requested by Councilmember Whitis
- C. Discussion and possible action Sales Tax raising from \$0.075 to \$0.0825 schedule for next election, requested by Councilmember Adams
- D. Discussion and possible action to write off overdue accounts as assets but maintain records of amounts due, Councilmember Adams
- E. Discussion and possible action on raising rates of Water (LCRA raised 10%) and raising outside city limits rates, requested by Councilmember Adams
- F. Discussion and possible action to raise water deposits from \$ 100 to \$ 200, requested by Councilmember Adams
- G. Discussion and possible action on amendments to the Personnel Policy regarding Funeral leave and Leave without Pay Section, requested by City Secretary Capps
- H. Discussion and possible action on Water and Wastewater Improvement Options, requested by Utility Director McClain and Mayor Breen
- I. Discussion and possible action on changing December Regular meeting date to second Thursday, December 14, 2006
- J. Discussion and possible action for approval of Mediated Settlement Agreement
11. Future Agenda Items—City Council may request future agenda items, but in compliance with the Texas Open Meetings Act, will not discuss items not listed on the current agenda.
12. Adjournment

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 Section: 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 Homeland Security Issues*) and authorized by the *Texas Tax Code* including, but not limited to Section 321.3022 (*Sales Tax Information*).

I certify that the above notice was posted at City Hall, 3808 Cottonwood Drive, Cottonwood Shores, Texas on this the 13th day of NOVEMBER, 2006 at 5:30 p.m.


Larry Joe Capps, City Secretary


Sylvia H. Breen, Mayor



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OF THE CITY COUNCIL OF THE
CITY OF COTTONWOOD SHORES, TEXAS
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COTTONWOOD SHORES, TEXAS**

ORIGINAL

Agenda

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2. Roll Call
3. Executive Session for Personnel Matters
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 - B. Reconvene into Open Session, and take action on Item No. 3 A, as necessary
4. Executive Session for Legal Matters
 - A. Convene in Executive Session 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.*
 - B. Reconvene into Open Session, and take action on Item 4 A, including, but not limited to, authorizing a counterclaim, as necessary.
5. Executive Session for Personnel Matters
 - A. Convene in Executive Session, pursuant to *Section 551.074 of the Texas Government Code*, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of, or for the evaluation of, the City Attorney.
 - B. Reconvene into Open Session, and take action on Item 5 A, as necessary.
6. Adjournment

I certify that the above notice was posted at City Hall, 3808 Cottonwood Drive, Cottonwood Shores, Texas on this the 13th day of November, 2006 at 5:30 p.m.


Larry Joe Capps, City Secretary


Sylvia H. Breen, Mayor

