

**OFFICIAL MINUTES OF THE CITY COUNCIL
SPECIAL CALLED MEETING
THURSDAY, JANUARY 4, 2018**

BE IT REMEMBERED that on the 4th day of January, A.D., 2018, the City Council held a Special Called Meeting at 6:32 p.m. in the City Council Chambers at City Hall, 5803 Thunderbird, Lago Vista, Texas, there being present and acting the following:

CALL TO ORDER, CALL OF ROLL, PLEDGE OF ALLEGIANCE

Ed Tidwell	Mayor	Joshua Ray	City Manager
David Williams	Council Member	Barbara Boulware-Wells	City Attorney
Kevin Sullivan	Council Member	Danny Smith	Police Chief
Arch Davila	Council Member	Sandra Barton	City Secretary
Ron Smith	Council Member	Roy Jambor	Dev. Services Director
Dick Weatherly	Council Member	Gary Graham	Public Works Director
Suzanne Bland	Mayor Pro Tem	Starr Lockwood	Finance Director
		Dave Street	IT Manager
		Chris Godwin	Golf Course Manager

Mayor Tidwell called the Special Called Meeting to order and recognized that all Council Members were present. Mayor Tidwell led the Pledge of Allegiance.

CALL TO ORDER, CALL OF ROLL, PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS: In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

Dale Mitchell, 20908 South Ridge, made comments regarding cutting items due to costs to the stop light at Boggy Ford and Lohman Ford. He also made comments regarding issues with the Highland Lakes paving project.

Josh advised citizens that the contractor has been notified and will be back in the Spring to address these concerns as well as other areas of concern.

PRESENTATION

1. Presentation of Firewise Anniversary Plaque to the City of Lago Vista.

Councilman Smith made brief introductions.

Several ESD1 members, including Sammy Hancock, Fire Marshall, as well as members of Firewise community appeared to receive the plaque from the Texas Forest Service.

PUBLIC HEARINGS AND ACTION

2. The Lago Vista City Council will hold a Public Hearing to consider Ordinance No. 18-01-04-01; 17-1160-PDD-MOD; a zoning change request for a Planned Development District for Sunset Harbor within Chapter 14, Section 10, to allow both single & multi-family development at 5606 Country Club Dr. (Canyon Oaks, Lots 6-8 and Lago Vista Travis Plaza, Lots 3M & 4M).

- Staff presentation – Roy Jambor provided a brief summary and additional background information for Council and addressed questions from Council. Roy stated that the Planning and Zoning Commission recommended unanimously to approve the request. Applicant was present and provided an overview of the proposed project and addressed questions from Council.
- Open Public Hearing – The Public Hearing was opened at 7:05 p.m. Harold McCrary, 5604 Country Club Drive, made comments in favor of this proposal.
- Close Public Hearing-The Public Hearing was closed at 7:07 p.m.
- Council discussion- no discussion
- Action regarding Ordinance No. 18-01-04-01; An Ordinance of the City Council of the City of Lago Vista, Texas, amending the Official Zoning Map by rezoning approximately 27.90 acres known as Lot 6, 7, and 8 of the Canyon Oaks Subdivision, Lot 3M of Lago Vista Plaza save and except 75 by 85 feet of said Lot, and Lot 4M of Lago Vista Plaza from its current Planned Development District (“PDD”) to a separate Planned Development District (“PDD”) to be known as the Sunset Harbor PDD, and providing for related matters.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, Council voted unanimously to approve Ordinance No. 18-01-04-01 as presented.

3. The Lago Vista City Council will hold a Public Hearing to consider Ordinance No. 18-01-04-02; 17-1168-R-REZ; a zoning change request from R-4 Multifamily Residential to R-1D Single Family Residential within Chapter 14, Section 13, Article 13.20 located at 20201, 20203, 20205, 20209, 20211 and 20213 Continental Dr. (Highland Lakes Estates, Section 16, Lots 1A-6A).

- Staff presentation – Roy Jambor provided a brief overview and background information and addressed questions from Council. Roy stated there was one person who was opposed and expressed questions and concerns. Greg Billings, Broker, represents the applicant appeared and addressed questions from Council.
- Open Public Hearing – The Public Hearing was opened at 7:16 p.m. – no comments from the public.
- Close Public Hearing – closed at 7:17 p.m.
- Council discussion – no discussion
- Action regarding Ordinance No. 18-01-04-02; An Ordinance of the City Council of the City of Lago Vista, Texas, amending the Official Zoning Map by rezoning Highland Lakes Estates, Section 16, Lots 1A-6A (20201, 20203, 20305, 20209, 20211 and 20213, (Continental Drive) from the R-4 Multifamily Residential District to the R-1D Single Family Residential District; and providing for related matters.

On a motion by Councilman Williams, seconded by Councilman Weatherly, the Council voted unanimously to approve Ordinance No. 18-01-04-02 with the correction to the lot number from 20305 to 20205.

ACTION ITEMS

4. Discussion and consideration of Resolution No. 18-1728; A Resolution Establishing an Economic Development Policy as pursuant to Chapter 380 of the Texas Local Government Code.

Josh Ray, City Manager, provided a brief overview of the proposed Resolution and proposed policy and addressed questions from Council.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, the Council voted unanimously to approve Resolution No. 18-1728 as presented.

5. Discussion and consideration of Ordinance No. 18-01-04-03; An Ordinance of the City of Lago Vista, Texas, establishing a Comprehensive Economic Development Policy and Program for Economic Development activities for the City as authorized by Section 380.001, Texas Local Government Code; providing for an effective date; proper notice and meeting; severability and repealer.

Josh Ray, City Manager, provided a brief overview of the proposed Ordinance and policy and addressed questions from Council.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Williams, the Council voted unanimously to approve Ordinance 18-01-04-03 as presented.

6. Discussion and consideration of Ordinance No. 18-01-04-04; An Ordinance of the City Council of the City of Lago Vista, Texas, amending Chapter 13, Utilities, Article 13.1000, Utility Billing of the City's Code of Ordinances to add Section 13.1050, Reclaimed Water; also amending Appendix A, Section 6.200, to add Reclaimed Water Rates; providing a savings clause; providing a severability clause; providing a penalty provision and providing open meetings and an effective date.

Gary Graham provided a brief overview of the proposed Ordinance and addressed questions from Council.

On a motion by Councilman Weatherly, seconded by Councilman Davila, the Council voted unanimously to approve Ordinance No. 18-01-04-04 as presented.

7. Discussion and consideration of Ordinance No. 18-01-04-05; An Ordinance of the City of Lago Vista, Texas, amending Chapter One, General Provisions, Article 1.1900, Golf Courses of the City's Code of Ordinances relating to golf course use, enforcement, and vehicle restrictions at golf courses; creating offenses, posting of signs, and establishing penalties; providing an effective date, open meetings clause; and providing for related matters.

Josh Ray, City Manager provided comments and an overview of the proposed ordinance.

Gary Graham addressed questions regarding the time frame for signs, and questions regarding both golf courses and the restricted times on the signs. Chief Smith prefers to leave it as is and officers will use discretion.

Mayor Pro Tem Bland suggested amending the ordinance to allow for police or emergency vehicles. Josh Ray also suggested adding City vehicles to the amendment.

On a motion by Councilman Weatherly, seconded by Councilman Williams, the Council voted unanimously to approve Ordinance No. 18-01-04-05 with the amendments to include City and emergency vehicles as discussed.

8. Discussion and consideration of Resolution No. 18-1736; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the filing of a grant application with the Capital Area Council of Governments (CAPCOG) for a Regional Solid Waste Grant Program Grant and authorizing certain individuals to act on behalf of the City.

Mayor Tidwell provided a brief overview of the proposed CAPCOG Grant and requested Council approval to file a grant application. We have received letters of support from State Representatives and LCRA.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Williams, the Council voted unanimously to approve Resolution No. 18-1736 as presented.

9. Discussion and consideration of Ordinance No. 18-01-04-06; An Ordinance of the City Council of the City of Lago Vista, Texas, repeal and replace Article 9.500, Aviation Department, of Chapter 9, Personnel, of the Lago Vista Code of Ordinances; providing a savings clause; severability clause; penalty provisions; effective date, open meetings clause; and providing for related matters.

Roy Jambor provided a brief overview of the proposed Ordinance and provisions.

Councilman Sullivan also provided comments regarding a few issues regarding the proposed provisions.

Glen Chiappe, made comments and wants clarification from TXDOT regarding insurance and registrations.

Michelle Hanna, Aviation consultant, provided comments regarding the proposed provisions.

Dale Mitchell expressed made comments and concerns regarding the Airport Advisory Board recommendation.

Barbara Boulware-Wells, City Attorney advised Council that the two provisions being discussed, being insurance and registration, came directly from TXDOT's model standards and are TXDOT regulations.

On a motion by Councilman Sullivan, seconded by Councilman Weatherly, the Council voted unanimously to approve Ordinance No. 18-01-04-06 with two adjustments; (1) Section 9.574, making it clear that registration of the aircraft applies both to aircraft based on City property and on private property with a through the fence agreement with the City (2) Section 9.578 Insurance; to make sure it states clearly that it applies to airplanes based on City property and on private property with through the fence agreements with the City.

10. Discussion and Re-consideration of Contingent Award of Contract for construction of the Safe Routes to Schools Project due to TxDOT's refusal to confirm award.

Josh Ray, advised Council that TXDOT rejected our bids based on an error in the bid document regarding a requirement for individual bidders to go through a precertification program. The requirement language was still in one of the documents. City Staff will redo the bid with the amendments and receive new bids.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Williams, the Council voted unanimously to reconsider the contingent award of the contract for construction of the Safe Routes to Schools project due to TXDOT's refusal to confirm award and reopen the bid

process as quickly as possible so that we can find a new contractor, and rejection of all previous bids.

CONSENT AGENDA

All matters listed under Consent Agenda, are to be considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items.

If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

12. Approval of the following minutes:

November 16, 2017 Regular meeting; and
December 7, 2017 Special Called meeting

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, the Council voted unanimously to approve the consent agenda.

FUTURE MEETINGS

13. Consider schedule and items for future Council meetings.

Councilman Smith requested the Municipal Water Conservation plan on the January 18 agenda.

EXECUTIVE SESSION

Dale Mitchell, made remarks regarding the applicants. He stated Lisa Blendon moved to Hawaii and asked that Council consider input from the Liason and Staff support before making their selections.

14. At 9:06 p.m., Council convened into Executive Session pursuant to Sections 551.071 (Advice of Counsel), 551.072 (Real Property), 551.074 (Personnel), Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:

- A. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Villa Montechino L.P. v. City of Lago Vista*, Travis County 200th District Court.
- B. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.
- C. Consultation with Legal Counsel concerning Airport property.
- D. Consideration of applicants for appointment to the Airport Advisory Board, Board of Adjustment, Building Committee, Planning and Zoning Commission, Library Advisory Board, Parks and Recreation Advisory Committee and the Golf Course Advisory Committee.

ACTION ITEMS (action and/or a vote may be taken on the following agenda items):

15. At 11:02 p.m., Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

- A. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Villa Montechino L.P. v. City of Lago Vista*, Travis County 200th District Court.

No action

- B. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Williams, the Council voted unanimously to direct the City Manager to move forward with the items discussed in Executive Session.

- C. Consultation with Legal Counsel concerning Airport property.

No action

- D. Consideration of applicants for appointment to the Airport Advisory Board, Board of Adjustment, Building Committee, Planning and Zoning Commission, Library Advisory Board, Parks and Recreation Advisory Committee and the Golf Course Advisory Committee.

11. Discussion and consideration of applicants for appointment to the Airport Advisory Board, Board of Adjustment, Building Committee, Planning and Zoning Commission, Library Advisory Board, Parks and Recreation Advisory Committee and the Golf Course Advisory Committee.

- A. Resolution No. 18-1729; A Resolution by the City Council of the City of Lago Vista, Texas appointing three individuals to fill expiring terms as regular members on the Airport Advisory Board; appointing an individual to fill an expiring term as an alternate member on the Airport Advisory Board.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, the Council voted unanimously to approve Resolution No. 18-1729; reappointing Linda Bush Warren and Tom Monahan in a regular and alternate spot and appointing Glen Chiappe and D'Anne Gloris to regular spots.

- B. Resolution No. 18-1730; A Resolution by the City Council of the City of Lago Vista, Texas appointing an individual to fill an expiring term as the regular Place 2 member on the Board of Adjustment; appointing an individual to fill an expiring term as the regular Place 4 member on the Board of Adjustment; appointing an individual to fill an expiring term as the Senior Alternate member on the Board of Adjustment; appointing an individual to fill an expiring term as the Junior Alternate member on the Board of Adjustment.

On a motion Councilman Davila, seconded by Councilman Sullivan, the Council voted unanimously to appoint Jim Cason to Regular Place 2, Tim Collins to Regular Place 4, Kent Leipold to Regular Place 5 and Freth Carroll to Senior Alternate.

- C. Resolution No. 18-1731; A Resolution by the City Council of the City of Lago Vista, Texas appointing an individual to fill an expiring term as the regular Place 2 member on the Building Committee; appointing an individual to fill an expiring term as the regular Place 4 member on the Building Committee; appointing an individual to fill an expiring term as an alternate member on the Building Committee.

On a motion by Councilman Davila, seconded by Councilman Sullivan, the Council voted unanimously to appoint Howard Hoover to Regular Place 2, Scott Cameron to Regular Place 4, Charles Soloman as an alternate and reappoint Stormy Johnson as an alternate.

- D. Resolution No. 18-1732; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to fill expiring terms as members on the Planning & Zoning Commission.

On a motion by Councilman Williams, seconded by Councilman Sullivan, the Council voted unanimously to reappoint Tara Griffin, Paul Smith, Jim Moss and Gary Zeleski to the Planning and Zoning Commission.

- E. Resolution No. 18-1733; A Resolution by the City Council of the City of Lago Vista, Texas appointing three individuals to full terms as members on the Library Advisory Board.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, the Council voted unanimously to adopt Resolution 18-1733, with one adjustment; there was four people that needed to be appointed because Sheryl Speckmann moved away. The motion is to reappoint Dan Olson, Gerald Evans and Trish Upchurch and appoint Kim Wright to fill the term of Sheryl Speckmann.

- F. Resolution No. 18-1734; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to full terms as members on the Parks and Recreation Advisory Committee.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Sullivan, the Council voted unanimously to reappoint Michael Panter and David White and appoint new Members Stephanie Smith and Patricia Nixa.

- G. Resolution No. 18-1735; A Resolution by the City Council of the City of Lago Vista, Texas appointing seven individuals to full terms as members on the Golf Course Advisory Committee.

On a motion by Councilman Weatherly, seconded by Councilman Sullivan, the Council voted unanimously to appoint Eric Hutchins, Joe LeDonne and Anthony Sanders to a one year term and Michael Arms, Ike Coronis, Gerald Perrin and Coral Nash to two year terms.

ADJOURNMENT

Mayor Tidwell adjourned the meeting at 11:14 p.m.



Respectfully submitted,

Ed Tidwell
Ed Tidwell, Mayor

ATTEST:

Sandra Barton
Sandra Barton, City Secretary

On a motion by Councilwoman Bland, seconded by Councilman Weatherly, the above and foregoing instrument was passed and approved this 1st day of February, 2018.