

**OFFICIAL MINUTES OF THE CITY COUNCIL  
LAGO VISTA, TEXAS  
OCTOBER 19, 2017**

**BE IT REMEMBERED** that on the 19<sup>th</sup> day of October, A.D., 2017, the City Council held a Regular Meeting at 6:30 p.m. at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

**CALL TO ORDER, CALL OF ROLL, INVOCATION AND PLEDGE OF ALLEGIANCE**

Dale Mitchell	Mayor	Kenneth Reneau	City Manager
Ed Tidwell	Mayor Pro Tem	Thomas Franco	Lieutenant
Ron Smith	Council Member	Sandra Barton	City Secretary
Kevin Sullivan	Council Member	Barbara Boulware-Wells	City Attorney
Stephanie Smith	Council Member	Gary Graham	PW Director
Mark Tippetts	Council Member	Starr Lockwood	Finance Director
Suzanne Bland	Council Member	Roy Jambor	Dev. Svcs. Director

Mayor Mitchell called the regular meeting to order and recognized that all Council Members were present. Other Staff present: Dave Street, Jan Steele, Library Director and Donna Clark. Special recognition to Charles Powell, Mayor of Jonestown. Mark Markum, Pastor at Grace Fellowship Church provided the Invocation and Mayor Mitchell led the 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.

Susan Nilsson-Weiskott, 5900 Camille Court appeared to thank the Council for the stop signs that were put on Dawn Drive and thanks to the Police Officers who reminded people that the signs were there.

Stephanie Smith, wanted to let people know that Richard Brown invited anyone to send questions or comments to him regarding feedback of Candidate's Night.

Mayor Mitchell advised that the video of Candidate's Night is available at [Lagoradio.org](http://Lagoradio.org) .

1. Mayor's recognition of Outstanding Volunteers.

Mayor Mitchell presented proclamations to Peggy and Stan Gibson for their service.

2. Update on expansion of the Lago Vista Public Library.

Jan Steele, Library Director provided an oral presentation and update regarding the Library expansion. She stated that the library has space for expansion, they just need money. She invited everyone to the Friends of the Library fundraiser on November 1.

4. A public hearing will be held at Lago Vista City Hall, 5803 Thunderbird, in regards to the dis-annexation of certain tracts of land being more particularly described as:

Tract 1, a 5.35 acre tract of land, more or less, TRAVIS HOLLOW SECTION ONE, a subdivision in Travis County, Texas, according to the plat thereof recorded in Volume 76, Page 141, Plat Records, Travis County, Texas; and

Tract 2, a 5.89 acre tract of land, more or less, TRAVIS HOLLOW SECTION ONE, a subdivision in Travis County, Texas, according to the plat thereof recorded in Volume 76, Page 141, Plat Records, Travis County, Texas; and

Tract 3, a 6.16 acre tract of land, more or less, TRAVIS HOLLOW SECTION ONE, a subdivision in Travis County, Texas, according to the plat thereof recorded in Volume 76, Page 141, Plat Records, Travis County, Texas;

- Staff presentation – Kenneth Reneau, City Manager provided a brief summary of the proposed areas. Mayor Mitchell spoke briefly about past discussions.
- Open Public Hearing – The Public Hearing was opened at 6:53 p.m. No comments.
- Close Public Hearing – The Public Hearing was closed at 6:54 p.m.
- Council discussion – Councilman Smith commented that he thinks we should do it.
- Consideration of Ordinance No. 17-10-19-02; An Ordinance of the City of Lago Vista, Texas, dis-annexing certain tracts of land within the Travis Hollow Section One Subdivision located within Travis County, Texas; making findings of fact; dis-annexing certain property; providing a repealing clause; providing a severability clause; providing an open meetings clause and establishing an effective date.

On a motion by Councilwoman Smith, seconded by Councilman Tippetts, the Council voted unanimously to approve Ordinance No. 17-10-19-02 as presented.

15. At 7:06 p.m., the 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:

Tom Lawrence, City Financial Advisor, provided a brief overview of the numbers and schedule of the PID bonds. At the November 2 Council meeting, Council will be asked to consider a Resolution authorizing the distribution of preliminary official statement related to the PID bonds and closing on December 14 Special Called Council meeting.

E. Consultation with legal counsel related to Tessera on Lake Travis Public Improvement District.

16. At 7:47 p.m., Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

E. Consultation with legal counsel related to Tessera on Lake Travis Public Improvement District.

No action taken

## **PUBLIC HEARINGS AND POSSIBLE ACTION**

3. The City Council will conduct a Public Hearing regarding 17-1137-R-REZ, Zoning Change Request - From C-1C to C-2 to purportedly allow a car storage facility with an apartment at 21200 Highland Lake Drive.
  - Staff presentation – Roy Jambor, Development Services Director provided a brief overview of the proposed request and addressed questions from Council. He stated that the Planning and Zoning Commission voted 6-0 to recommend denial of the request. Rise Johns, 20925 Waterside Drive, representative for the applicant, appeared to provide comments regarding the application and address questions from Council. She would like to request a Special Use Permit at this point.
  - Open Public Hearing – The Public Hearing was opened at 8:15 p.m.
  - Close Public Hearing – The Public Hearing was closed at 8:16 p.m.
  - Council discussion - No discussion
  - Action, in any, regarding request as stated above. – On a motion by Mayor Mitchell, seconded by Mayor Pro Tem Tidwell, the Council voted seven nays to pass the zoning change 17-1137-R-REZ from C-1C to C-2. Motion failed.

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

5. Discussion, consideration, action if appropriate, regarding Ordinance No. 17-10-19-01; An Ordinance of the City Council of the City of Lago Vista, Texas pursuant to Vernon’s Texas Codes Annotated, Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 16-09-29-01, for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017; amendments to said Budget by Department are set forth in “Exhibit A” attached to this ordinance.

Starr Lockwood, Finance Director provided a brief overview of the proposed amendments to the current budget and is stated that it is mostly a housekeeping item and addressed questions from Council.

On a motion by Councilwoman Bland, seconded by Councilman Tippetts, the Council voted unanimously to approve Ordinance No. 17-10-19-01: An Ordinance of the City Council of the City of Lago Vista, Texas pursuant to Vernon’s Texas Codes Annotated, Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 16-09-29-01, for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017; amendments to said Budget by Department are set forth in “Exhibit A” attached to this ordinance; whereas these amendments are administrative entries only, requiring no additional funding. All of the purchases were approved during the regular budget process, and the voided check represents no real dollars.

## WORK SESSION

### 11. Update on CIP.

Gary Graham, Public Works Director provided a spreadsheet and an oral overview of the projects and the status of these projects and addressed questions from Council.

## WORK SESSION

### 12. Departmental Reports

- A. Golf Course – Council asked Chris questions regarding membership numbers, Chris stated there were nine new members since the beginning of the fiscal year. He stated he has gotten positive feedback on the new membership rates and green fee and he has been told that the condition of the course is the best that it has been in a year.

6. Discussion and consideration of Resolution No. 17-1715; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the Interim City Manager to approve the Bill of Sale, conveyance and assignment for the Fuel System to be purchased by the City from Lewis Ventures, Inc.

Kenneth Reneau provided a brief overview of the purchase. Barbara has prepared a Bill of Sale and forwarded to Mr. Lewis, who is agreeable. The purchase price is \$38,500. This money will come out of reserves but the purchase is eligible for a TXDOT 50% reimbursement.

On a motion by Councilman Sullivan, seconded by Councilman Tippetts, the Council voted unanimously to approve Resolution No. 17-1715 as presented. Motion passed.

7. Discussion and consideration of Resolution No. 17-1716; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the Mayor to execute a Declaration Easement on City property.

Barbara Boulware-Wells clarified to Council the reason for this item and the process needed to complete the process and addressed questions and concerns from Council. She explained that this was intended to give the City the ability to control the effluent disposal on the golf courses in case of whatever may happen with the golf courses.

On a motion by Councilman Smith, seconded by Councilman Sullivan, the Council voted unanimously to approve Resolution No. 17-1716 as presented. Motion passed.

8. Discussion and consideration of Ordinance No. 17-10-19-03; An Ordinance of the City of Lago Vista, Texas, amending how water consumption issues that impact winter averaging will be handled as appeals in Section 13.1012, Lago Vista Code of Ordinances; providing for severability, an open meeting clause, an effective date; and providing for related matters.

Kenneth stated that he is trying to put together an administrative process to enable to City Manager to handle water bill disputes, which Barbara has codified into this ordinance.

On a motion by Councilwoman Bland, seconded by Mayor Pro Tem Tidwell, the voted unanimously to approve Ordinance No. 17-10-19-03 with a correction to section 2(d) taking out the word “to”.

## **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.

9. Discussion and consideration of Resolution No. 17-1717; A Resolution of the City Council of the City of Lago Vista, Texas authorizing the City Manager to sign the State Assisted Routine Airport Maintenance Program Grant for the Lago Vista Rusty Allen Airport.

Councilman Sullivan asked Roy how we could get more out of this program than we are. Roy stated that the more you spend, the more you get type of grant.

10. Approval of the following minutes:

September 7, 2017 Special Called meeting;  
September 8, 2017 Special Called meeting;  
September 14, 2017 Special Called meeting and;  
September 21, 2017 Regular meeting

On a motion by Councilman Sullivan, seconded by Councilman Smith, the Council voted unanimously to approve the items on the consent agenda. Motion passed.

## **WORK SESSION**

12. Departmental Reports

- B. Development Services
- C. Library
- D. Municipal Court
- E. Police Department

Kenneth mentioned that Gary and Roy are working on the grease trap issue.

13. Reports/Minutes from City Boards, Committees and Commissions

- a. September 11, 2017 Veteran's Memorial Advisory Committee minutes
- b. September 13, 2017 Parks and Recreation Advisory Committee minutes
- c. September 13, 2017 KLVB Bullet Report.

Councilwoman Smith asked that the KLVB members and Council Liaison be put on the City website.

## **FUTURE MEETINGS**

14. Consider schedule and items for future Council meetings.

Councilman Smith asked for an update on the website, realignment of Council Liaison to Boards, Commissions and Committees, punch list of items for Josh, Capcog representative.  
Update on the Comprehensive Plan progress  
Tessera PID  
Golf equipment  
Update on building facades  
CapMetro discussion

## **EXECUTIVE SESSION**

15. At 10:16 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 LVISD Interlocal Agreement.
- D. Consultation with Legal Counsel concerning Airport property.

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

16. At 11:15 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 taken
- B. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.  
  
No action taken
- C. Consultation with Legal Counsel concerning LVISD Interlocal Agreement.  
  
No action taken
- D. Consultation with Legal Counsel concerning Airport property.

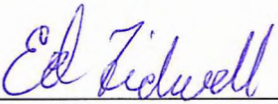
On a motion by Councilman Sullivan, seconded by Councilman Tippetts, the Council voted unanimously to instruct Kenneth Reneau, City Manager to move forward as discussed in Executive Session.

**ADJOURNMENT**

Mayor Mitchell adjourned the meeting at 11:18 p.m.



Respectfully submitted,

  
Ed Tidwell, Mayor

ATTEST:

  
Sandra Barton, City Secretary

On a motion by Councilman Sullivan, seconded by Councilman Smith, the above and foregoing instrument was passed and approved this 16<sup>th</sup> day of November, 2017.