

**OFFICIAL MINUTES OF THE CITY COUNCIL
SPECIAL CALLED MEETING
THURSDAY, JUNE 1, 2017**

BE IT REMEMBERED that on the 1st day of June, A.D., 2017, the City Council held a Special Called Meeting at 6:32 p.m. at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

CALL TO ORDER, CALL OF ROLL, PLEDGE OF ALLEGIANCE

Dale Mitchell	Mayor	Kenneth Reneau	Interim City Manager
Ron Smith	Council Member	Barbara Boulware-Wells	City Attorney
Kevin Sullivan	Council Member	Danny Smith	Police Chief
Ed Tidwell	Mayor Pro Tem	Starr Lockwood	Finance Director
Stephanie Smith	Council Member	Gary Graham	Public Works Dir.
Suzanne Bland	Council Member	Sandra Barton	City Secretary
Mark Tippetts	Council Member		

Mayor Mitchell called the Special Called Meeting to order and recognized that all Council Members were present. Other Staff present: Dave Street and Donna Clark. 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.

None

PRESENTATIONS

1. Recognition of the KLVV sponsored Art Calendar Awards.

Denise Sellers, addressed Council to recognize the students in attendance who participated. She thanked the judges, Elaine Hughes, Councilwoman Smith and Mayor Mitchell and thanked the businesses who donated for the prizes. She stated that sixteen students entered the contest. Mayor Mitchell thanked the students in attendance and presented the winners.

ACTION ITEMS

2. Discussion and consideration of Resolution No. 17-1701, A Resolution of the City of Lago Vista, Texas, commencing the annexation of areas of land adjacent and contiguous to the City limits totaling 568.06 acres, more or less, including the abutting streets, roadways, and rights-of-way; being located in Travis County, Texas and; providing open meetings and other related matters.

Jeff Ulmann, City Attorney, appeared and provided an overview of the process, timelines and areas being considered. He also addressed the Ag provision for property owners.

Council discussed the areas that were added since the last meeting. Courtesy letters were mailed to land owners notifying them.

Brent Kercheville, 23919 FM 1431, Leander, made comments regarding preservation and opposition of the annexation regarding the future plan of section #3 in the Comprehensive Plan.

Lane McClanahan, Box 4611, Lago Vista, made comments in opposition of annexation and development included in exhibit C.

Michael Igau, 23919 FM 1431 Unit 10, representing the Rogers estate, had questions regarding the Ag exemption and made comments in opposition of annexation.

Tom Penn, 21650 FM 1431, addressed Council with concerns regarding request and agreements and benefits to both property owners and the City.

Dale Thompson, 24001 FM 1431, Marble Falls, made comments in opposition of the annexation.

Don Zimmerman, 8700 Browning, made comments regarding avoiding contention and encouraging the Council to have the consent of property owners to annex.

Jill Rowe made comments.

On a motion by Councilman Smith, seconded by Councilman Sullivan, the Council voted 5 ayes (Tippetts, Sullivan, R. Smith, Tidwell, Mitchell) to 2 nays (S. Smith, Bland) to approve Resolution No. 17-1701 as presented. Motion passed.

3. Discussion and possible action regarding an Agreement for Public Park Facilities Operation and Maintenance services.

This item is being withdrawn at this time.

4. Discussion and possible action regarding Guardrail bid approval.

Gary Graham, Public Works Director provided an oral overview. The guardrails on Lohman Ford do not meet any kind of standard any longer and need to be brought up to standard.

The project will be funded with money received from CAPMetro.

On a motion by Councilwoman Bland, seconded by Councilman Tippetts, the Council voted unanimously to approve the bid and direct Gary to move forward with the project.

5. Discussion and consideration of Ordinance No. 17-06-01-01; An Ordinance of the City Council of the City of Lago Vista, Texas, amending Article 13.500, Grinder Pumps and adopting Article 13.600, Sewer Use; providing a savings clause; providing a severability clause; providing a penalty provision and, providing an effective date.

Gary Graham, Public Works Director provided an overview of the proposed ordinance and the service agreement included within the ordinance. This service agreement and must be executed with any new wastewater account.

On a motion by Councilwoman Bland, seconded by Mayor Pro Tem Tidwell, the Council voted unanimously to approve Ordinance No. 17-06-01-01 as presented.

6. Discussion, consideration, and action on extension of the current contract with JW Properties.

Kenneth Reneau, City Manager, advised Council that the contract with JW Properties will expire on June 30, 2017 and is requesting Council direction as to whether they would like to extend the contract or let it lapse and rebid.

On a motion by Councilman Sullivan, seconded by Councilman Tippetts, the Council voted unanimously to extend the current contract with JW Properties for an additional 31 days until the end of July, 2017 and instruct the City Manager to put another contract out for bid.

WORK SESSION

7. Discussion regarding the Parks and Recreation landscape architect.

Councilwoman Bland asked that this item be tabled until a later date. The Parks and Rec are not ready to come forward with this presentation at this time.

FUTURE MEETINGS

8. Consider schedule and items for future Council meetings.

July 6 – item #7

June 15 – Tessera Park Agreement, Tessera SAP

Scheduling a budget retreat after July 31.

Water/wastewater rate study

LCRA contracts

EXECUTIVE SESSION

9. At 8:51 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:
 - A. Consultation with Legal Counsel concerning process and options for obtaining replacement for City Manager.
 - B. Consultation with Legal Counsel concerning upcoming Legislative Session and possible items for consideration by Legislature.
 - C. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Brian Atlas v. City of Lago Vista*, Travis County 200th District Court.
 - D. Pending litigation pertaining to Cause No. D-1-GN-17-000994, *Lawrence Levy v. Dale Mitchell, Mayor of the City of Lago Vista*, Travis County 201st Judicial District Court.
 - E. Consultation with Legal Counsel concerning possible real estate acquisition, management or divestiture and attendant matters thereto.

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

10. At 10:43 p.m., the Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

- A. Consultation with Legal Counsel concerning process and options for obtaining replacement for City Manager.

No action taken

- B. Consultation with Legal Counsel concerning upcoming Legislative Session and possible items for consideration by Legislature.

No action taken

- C. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Brian Atlas v. City of Lago Vista*, Travis County 200th District Court.

No action taken

- D. Pending litigation pertaining to Cause No. D-1-GN-17-000994, *Lawrence Levy v. Dale Mitchell, Mayor of the City of Lago Vista*, Travis County 201st Judicial District Court.

No action taken

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

ADJOURNMENT

Mayor Mitchell adjourned the meeting at 10.45 p.m.



ATTEST:

Sandra Barton

Sandra Barton, City Secretary

Respectfully submitted,

Dale Mitchell

Dale Mitchell, Mayor

On a motion by Councilman Sullivan, seconded by Councilman Tippetts, the above and foregoing instrument was passed and approved this 20th day of July 2017.