

**OFFICIAL MINUTES OF THE CITY COUNCIL
SPECIAL CALLED MEETING
THURSDAY, DECEMBER 7, 2017**

BE IT REMEMBERED that on the 7th day of December, A.D., 2017, the City Council held a Special Called Meeting at 6:30 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	Josh Ray	City Manager
David Williams	Council Member	Thomas Franco	Lieutenant
Kevin Sullivan	Council Member	Barbara Boulware-Wells	City Attorney
Arch Davila	Council Member	Sandra Barton	City Secretary
Ron Smith	Council Member	Gary Graham	Public Works Director
Dick Weatherly	Council Member	Roy Jambor	Dev. Services Director
Suzanne Bland	Mayor Pro Tem	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.

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.

Gina Williams, 20703 Deede Drive, appeared to make comments regarding the lack of signage on the Highland Lakes Golf Course and the lack of the Police Department begin able to enforce. Also, thanked City and staff for the tree lighting.

ACTION ITEMS

1. Discussion and consideration of Resolution No. 17-1723; A Resolution by the City Council of the City of Lago Vista, Texas; providing for the Election of a Mayor Pro Tem.

Mayor Tidwell explained the need to select a Mayor Pro Tem at a Special Called Meeting instead of the regular meeting.

On a motion by Mayor Tidwell, seconded by Councilman Weatherly, the Council voted unanimously to elect Councilwoman Suzanne Bland as the Mayor Pro Tem. Motion passed.

PUBLIC HEARINGS AND POSSIBLE ACTION

3. The City Council to hold a Public Hearing on the levy of assessments against benefited property within Improvement Area #2 of the Tessera on Lake Travis Public Improvement District for a portion of the costs of authorized improvements.

- Staff presentation – Jana Edwards appeared to provide an oral overview to Council and addressed questions from Council.
- Open Public Hearing – The Public Hearing was opened at 6:47 p.m.
- Close Public Hearing – The Public Hearing was closed at 6:48 p.m.
- Council discussion – No discussion
- City Council to consider Ordinance No. 17-12-07-01; “An Ordinance Levying Assessments for the Cost of Certain Improvements To Be Provided in the Tessera on Lake Travis Public Improvement District; Fixing a Charge and Lien Against All Properties within Improvement Area #2 of the District, and the Owners Thereof; Providing for the Manner and Method of Collection of Such Assessments; Making a Finding of Special Benefit to Property in Improvement Area #2 of the District and the Real and True Owners Thereof; Approving a Service and Assessment Plan as updated for Improvement Area #2; Providing a Severability Clause; and Providing an Effective Date” and take any necessary action.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Weatherly, the Council voted unanimously to approve Ordinance No. 17-12-07-01 as presented. Mayor Pro Tem Bland read the Ordinance heading for the record. Motion passed.

2. The City Council will hold a Public Hearing on the issuance of special assessment revenue and refunding bonds for the purpose of improvement to property within Improvement Area #2 of the Tessera on Lake Travis Public Improvement District.

- Staff presentation – Tom Lawrence, Financial Advisor for the City and Tripp Davenport, Underwriter, appeared to provide an oral overview for Council and addressed questions from Council.
- Open Public Hearing – The Public Hearing was opened at 7:06 p.m.
- Close Public Hearing – The Public Hearing was closed at 7:07 p.m.
- Council discussion – No discussion by Council.
- City Council to consider Ordinance No. 17-12-07-02; “An Ordinance authorizing the Issuance of the City of Lago Vista, Texas Special Assessment Revenue and Refunding Bonds, Series 2018 (Tessera on Lake Travis Public Improvement District Improvement Area #2 Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, an Escrow Agreement, an Official Statement, a Continuing Disclosure Agreement and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; and Providing an Effective Date” and take any necessary action.

On a motion by Councilman Weatherly, seconded by Councilman Davila, the Council voted unanimously to approve Ordinance No. 17-12-07-02 as presented. Councilman Weatherly read the Ordinance heading for the record. Motion passed.

8. Discussion and consideration of Resolution No. 17-1726; A Resolution by the City of Lago Vista, Texas repealing the Veteran’s Memorial Advisory Committee; providing open meetings and effective date clauses; and providing for related matters.

Richard Bohn, Committee Chair and Jimmy Thornton, Committee Member appeared to address Council and address any questions from Council. He stated that the Committee has fulfilled everything that the original Resolution stated, however, there is money in the liability

account that has been donated by families of Veteran's and Club's within the City. He has discussed with the City Manager to use this money to purchase two more lamp posts and install them, a complete irrigation system, complete landscaping, flag replacements and if there is money left, it should be used for the removal of the telephone pole. If there is any money left after that, it should go to the general fund account, but not until these five obligations are complete.

City will be in charge of replacing the bricks and all other maintenance for the park.

Dale Mitchell, appeared and wanted to commend the Committee for their work and City Council for providing funds. There are still items that need to be completed by the contractor. On a motion by Councilman Davila, seconded by Councilman Williams, the Council voted unanimously to approve Resolution No. 17-1726 as presented. Motion carried.

4. The City Council will hold a Public Hearing on the adoption of a Water Conservation Plan for Highland Lakes Golf Course.

- Staff presentation – Dave Stewart provided an overview of the proposed Plan and addressed questions from Council. Councilman Smith and Dave have worked on these plans for the past six weeks. Councilman Sullivan requested that on page 480 regarding the definition of “rough area” within the golf course be amended to the “longer grass surrounding the fairway on a golf course.”
- Open Public Hearing – The Public Hearing was opened at 7:41 p.m.
- Close Public Hearing – The Public Hearing was closed at 7:42 p.m.
- Council discussion – Weatherly suggesting special recognition to Dave and Ron for the special effort they put forward working on this.
- City Council to consider Ordinance No. 17-12-07-03; An Ordinance of the City of Lago Vista, Texas, adopting a Water Conservation Plan for the Highland Lakes Golf Course; providing for conflicting ordinances, severability, and open meetings; and providing for related matters.

On a motion by Councilman Williams, seconded by Councilman Weatherly, the Council voted unanimously to approve Ordinance No. 17-12-07-03 subject to the change in definition of “rough area”. Motion passed.

5. The City Council will hold a Public Hearing on the adoption of a Water Conservation Plan for Lago Vista Golf Course.

- Staff presentation – Dave Stewart gave a brief overview.
- Open Public Hearing – The Public Hearing was opened at 7:44 p.m.
- Close Public Hearing – The Public Hearing was closed at 7:45 p.m.
- Council discussion – No discussion by Council.
- City Council to consider Ordinance No. 17-12-07-04; An Ordinance of the City of Lago Vista, Texas, updating a Water Conservation Plan for the Lago Vista Golf Course; providing for conflicting ordinances, severability, and open meetings; and providing for related matters.

On a motion by Councilman Weatherly, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 17-12-07-04 with amendments to the altered definition for the “rough”. Motion passed.

6. Discussion and consideration of Resolution No. 17-1724; A Resolution by the City Council of the City of Lago Vista, Texas to reapprove an Interlocal Agreement for Public Safety Answering Point, maintenance, equipment and training provided by and through the Capital Area Emergency District for the provision of 911 services within the district of which the City is a part.

On a motion by Councilman Davila, seconded by Councilman Williams, the Council voted unanimously to approve Resolution No. 17-1724 as presented. Motion passed.

7. Discussion and consideration of Resolution No. 17-1725; A Resolution by the City Council of the City of Lago Vista, Texas, confirming the appointment of Robert R. Durbin as the Presiding Municipal Judge for the City of Lago Vista, Texas.

Josh Ray gave a brief overview and background information. He has spoken with all three Judges and they recommend Judge Durbin as Presiding Judge.

On a motion by Councilwoman Bland, seconded by Councilman Davila, the Council voted unanimously to approve Resolution No. 17-1725 as presented. Motion passed.

9. Discussion and consideration of Resolution No. 17-1727; A Resolution by the City Council of the City of Lago Vista, Texas canceling the regular City Council meeting scheduled for December 21, 2017.

Josh Ray provided brief comments. Council discussed agenda items and Committee appointments which will be placed on a January agenda.

On a motion by Councilman Williams, seconded by Councilman Weatherly, the Council voted unanimously to approve Resolution No. 17-1727 as presented. Motion passed.

10. Discussion and consider Contingent Award of Contract for construction of the Safe Routes to Schools Project. Project Award is contingent on TxDOT confirmation.

Gary Graham provided a brief introduction and the bid tabulations and addressed questions from Council. He recommends award of the contract to the low bid of \$685,285.32 to Capitol Concrete Contractor's Inc. This item is over budget and requests that the remaining bond funds from the completed Camille/Dawn project in the amount of \$90,310 be used and the remaining amount of \$17,345.57 be out of reserve funds.

Josh Ray also addressed questions from Council regarding the additional costs and using reserves for these costs.

On a motion by Councilman Williams, seconded by Councilwoman Bland, the Council voted unanimously to award the bid to Capitol Concrete Contractor's Inc. contingent on TXDOT confirmation. Motion passed.

11. Discussion and consider award of contract for Construction of Traffic Signal at Lohman Ford and Boggy Ford Intersection.

Gary stated two bids were received on November 1. Low bid was Alpha Paving Industries in the amount of \$373,866.00. There is \$344,103.00 remaining in the 2017 bond funds for this project. He recommends awarding the contract to Alpha Paving and negotiate a change order to be within the budget. The changes include eliminating the illuminated roadway name signs, eliminating the opticon feature and reduction of the square yardage of asphalt pavement to be milled.

On a motion by Councilman Sullivan, seconded by Councilman Weatherly, the Council voted unanimously to award the contract to Alpha Paving in the amount of \$373,866.

12. Consider approval of Change Order #1 on the Boggy Ford Lohman Ford Intersection Project.

Gary provided a brief overview of the proposed changes and addressed questions from Council. He recommends approval and will amend the change order as requested.

On a motion by Councilman Sullivan, seconded by Councilman Weatherly, the Council voted unanimously to approve the change order adding the opticon feature back in and necessary additions for the opticon to work. Motion passed.

13. Discussion and consideration of recommended City Liaison appointments.

Mayor Tidwell provided a brief overview and provided a sheet for appointments.

Council discussed and filled out the cheat sheet provided by Mayor Tidwell.

On a motion by Councilwoman Bland, seconded by Councilman Sullivan, the Council voted unanimously to appoint City Liaisons as discussed.

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.

14. Approval of the following minutes:

November 2, 2017 Special Called meeting minutes

On a motion by Councilman Smith, seconded by Councilman Sullivan, the Council voted unanimously to approve the November 2 as presented. Motion passed.

FUTURE MEETINGS

15. Consider schedule and items for future Council meetings.

Councilwoman Bland requested the Turnback Trail Conservancy be on a future agenda, Meredith to give an update on the website and future events and a budget review with Starr possibly in February or March.

Councilman Sullivan requested the Airport Rules and Regulations on the January agenda. Appointing Board/Committee/Commission members.

State Firewise will be at the January 4 meeting to present the City with a plaque.

Councilman Davila requested a Charter Review Committee.

Mayor Tidwell requested setting a date for a retreat and at the January 4 meeting would like to discuss a Solid Waste Grant from CAPCOG.

EXECUTIVE SESSION

16. At 8:57 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. Consultation with Legal Counsel concerning Tessera on Lake Travis Public Improvement District.

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

17. At 9:25 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 Airport property.

No action taken.


- D. Consultation with Legal Counsel concerning Tessera on Lake Travis Public Improvement District.

No action taken.

ADJOURNMENT

Mayor Tidwell adjourned the meeting at 9:27 p.m.

Respectfully submitted,



Ed Tidwell, Mayor

ATTEST:

Sandra Barton

Sandra Barton, City Secretary



On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, the above and foregoing instrument was passed and approved this 4th day of January, 2018.