

**OFFICIAL MINUTES OF THE CITY COUNCIL
REGULAR MEETING
THURSDAY, JUNE 21, 2018**

BE IT REMEMBERED that on the 21st day of June, A.D., 2018, the City Council held a regular 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	Joshua Ray	City Manager
Kevin Sullivan	Council Member	Dottie Palumbo	City Attorney
Arch Davila	Council Member	Danny Smith	Police Chief
Ron Smith	Council Member	Sandra Barton	City Secretary
Suzanne Bland	Mayor Pro Tem	Eric Belaj	City Engineer
David Williams	Council Member	Dave Street	IT Director
Dick Weatherly	Council Member	Roy Jambor	Dev. Srvs. Director

Mayor Tidwell called the regular meeting to order and recognized that all Council Members were present. Other Staff present: Dave Stewart and Chris Godwin. 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.

Milton Wright, 21734 Sierra Trail, appeared to request a stop sign at the intersection of Surrey Lane and Sierra Trail due to increased housing and traffic.

ITEMS OF COMMUNITY INTEREST: Pursuant to Texas Government Code Section 551.0415, the City Council may report on any of the following items:

- a. Expressions of thanks, gratitude, and condolences.
- b. Information regarding holiday schedules.
City Hall will be closed on Wednesday, July 4, 2018.
- c. Recognition of individuals, i.e. Proclamations
- d. Reminders regarding City Council events.
Regular Council meeting will be held on Thursday, July 5, 2018.
- e. Reminders regarding community events.
Parade, 5K run and fireworks will take place on July 4, 2018.
There will be an Economic Development Committee meeting on June 26 at the Police Department at 4:00 p.m.
Planning and Zoning Commission will meet on June 28 at 7:00 p.m. at City Hall.
- f. Health and safety announcements.

PUBLIC HEARING AND POSSIBLE ACTION

- 1.A. Public Hearing Number 1 on Ordinance No. 18-06-21-01 of the City of Lago Vista, Texas to voluntarily annex adjacent and contiguous territory of 5.09 acres out of the Mary F. Campbell Survey Number 98, Abstract Number 98 into the incorporated municipal boundaries of the City of Lago Vista, Texas.

The first Public Hearing was opened at 6:37 p.m.

Joshua Ray, City Manager provided a brief overview of the proposed annexation and addressed questions from Council.

Dottie Palumbo and Roy Jambor also addressed questions from Council.

The first Public Hearing was closed at 6:43 p.m.

- B. Public Hearing Number 2 on Ordinance No. 18-06-21-01 of the City of Lago Vista, Texas to voluntarily annex adjacent and contiguous territory of 5.09 acres out of the Mary F. Campbell Survey Number 98, Abstract Number 98 into the incorporated municipal boundaries of the City of Lago Vista, Texas.

The second Public Hearing was opened at 6:44 p.m.

Dottie Palumbo explained that since this is a voluntary annexation, there is no prohibition to having the public hearings on the same night.

Roy Jambor addressed questions from Council.

The second Public Hearing was closed at 6:45 p.m.

- C. Discuss and possibly take action on Ordinance No. 18-06-21-01 of the City of Lago Vista, Texas to voluntarily annex adjacent and contiguous territory of 5.09 acres out of the Mary F. Campbell Survey Number 98, Abstract Number 98 into the incorporated municipal boundaries of the City of Lago Vista, Texas.

Council discussed and Staff was given direction to proceed with the approval of the annexation ordinance at the July 5 meeting and Planning and Zoning can proceed with the zoning ordinance and have their public hearing on July 26.

- D. Discuss and possibly take action on Municipal Service Plan for property to annexed including 5.09 acres out of the Mary F. Campbell Survey Number 98, Abstract Number 98 into the incorporated municipal boundaries of the City of Lago Vista, Texas.

No action taken. This will be brought back for action at the July 5 Council meeting.

2. The Lago Vista City Council will hold a Public Hearing to receive citizen input and thereafter discuss and consider Ordinance No. 18-06-21-02; an Ordinance of the City Council of the City of Lago Vista, Texas, amending Section 2.10 and Section 11.60 of Chapter 14 of the Lago Vista Code of Ordinances regarding the procedures and standards for approval of an increase to the maximum building height allowed in various zoning districts.

- Public Hearing – The Public Hearing is still open
- Staff Presentation – Joshua Ray provided a brief overview and Roy provided an explanation of the proposed process.

Councilman Williams also stated that there will be no public hearing scheduled until the ridge pole is up in its proper place nor will the application be accepted.

Tom Monahan provided clarification regarding the definitions of an aggrieved person and one of the view. Council discussed the definition of the view.

- Close Public Hearing – The Public Hearing was closed at 7:09 p.m.
- Council Discussion – no further Council discussion.
- City Council action

On a motion by Councilman Williams, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 18-06-21-02 consistent with the existing definitions which defines the absolute height as being from the geometric center of the slab from grade at the geometric center of the slab.

ACTION ITEMS

3. Discussion and action concerning Ordinance No. 18-06-21-03; An Ordinance of the City Council of the City of Lago Vista, Texas, amending Sections 3.123, 3.124, 3.521, 3.702 and Article 3.800 of Chapter 3, amending Sections 4.801, 4.805, 4.807 and Table B of Article 4.800 of Chapter 4, amending Section 4.12 of Chapter 10 and amending Section 10.5.105 of Chapter 10.5, all of the Lago Vista Code of Ordinances, that consolidates outdoor or exterior lighting regulations into one location within the Code of Ordinances and modifies those regulations as recommended by the current Comprehensive Plan and the Texas Section of the International Dark-Sky Association.

Joshua Ray, provided a brief overview.

On a motion by Councilman Davila, seconded by Councilman Weatherly, the Council voted unanimously the approve Ordinance No. 18-06-21-03 as presented.

4. Discussion and consideration of Ordinance No. 18-06-21-04; An Ordinance of the City of Lago Vista, Texas; repealing and replacing all previous ordinances concerning records management, providing open meetings; severability clauses; and establishing an effective date.

Joshua Ray, provided a brief overview of the proposed ordinance.

Mayor Pro Tem asked if this addressed the Police Department records, Chief Smith stated that they have a separate schedule.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Bland, the Council voted unanimously to approve Ordinance No. 18-06-21-04 as presented.

5. Discussion and action on Ordinance No. 18-06-21-05; An Ordinance of the City Of Lago Vista, Texas, amending Chapter 13, "Utilities," and adding Article 13.1500 "Reclaimed Water Drought Contingency Plan," providing an effective date, repealer, severability, proper notice and open meetings clause.

Joshua Ray provided a brief overview of the proposed ordinance.

Eric Belaj, City Engineer stated that the only change from the first hearing was the title of the WCP to distinguish it from the current WCP. He also addressed questions from Council.

Councilman Sullivan asked that we stay consistent with the correct definition of "rough" as provided in the previous plan.

On a motion by Councilman Williams, seconded by Councilman Weatherly, the Council voted unanimously to approve Ordinance No. 18-06-21-05 with the amendment to (ee) to reflect the previous definition of "Roughs".

6. Discussion and consideration of Ordinance No. 18-06-21-06: An Ordinance of the City of Lago Vista, Texas, amending Chapter 13, "Utilities," Article 13.1100 "Drought Contingency and Emergency Water Demand Management Plan," renaming the same to "Domestic Water Drought Contingency Plan," repealing Ordinance 17-08-10-09 "Drought Contingency Plan and Emergency Water Restriction Plan for the Municipal customers purchased use," repealing Ordinance 17-08-10-08 "Drought Contingency Plan and Emergency Water Restriction Plan for the Lago Vista Golf Course," repealing Ordinance 17-08-10-07; "Drought Contingency Plan and Emergency Water Restriction Plan for The Highland Lakes Golf Course," repealing Ordinance 13-10-17-02 "Drought Contingency Plan for The Highland Lakes Golf Course," providing an effective date, repealer, severability, proper notice and open meetings clause.

Joshua Ray made provided a brief overview.

On a motion by Councilman Sullivan, seconded by Councilman Weatherly, the Council voted unanimously to approve Ordinance No. 18-06-21-06 with the amendment to section (ff), the definition of "Roughs".

7. Discussion and Action regarding the Taps and Line Extension construction contract award to CTX Civil Constructors, LLC.

Joshua Ray provided a brief overview of the proposed contract for the primary contractor.

On a motion by Councilman Weatherly, seconded by Councilman Sullivan, the Council voted unanimously to approve the award of contract to CTX Civil Constructors, LLC.

8. Discussion and Action regarding the Taps and Line Extension construction contract award to Lantz's Lakeside Plumbing.

Joshua Ray provided a brief overview of the proposed contract.

On a motion by Councilman Williams, seconded by Councilman Sullivan, the Council voted unanimously to approve the award of contract to Lantz's Lakeside Plumbing.

9. Discussion and action regarding the design contract award to Freese Nichols Inc. for the Phase 1 of the Cedar Breaks Park project.

Joshua Ray provided a brief overview of the proposed project and contract and address questions from Council.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Williams, the Council voted unanimously to award the design contract to Freese Nichols Inc. for Phase 1 of the Cedar Breaks Park project.

10. Discussion and possible action regarding Charter Review Committee recommendations.

Joshua Ray addressed Council regarding the process and schedule of meetings to review and approval of recommended changes.

Councilman Sullivan requested that a redlined Charter be provided at the future meetings.

Council and Staff discussed all the recommendations.

Item #3, "Charter Section 4.01(b) City Manager hiring and removing City Employees" language will remain as is.

Item #4, "Charter Section 4.06 Nepotism" language will remain the same as is.

Item #8, "Charter Section 11.14 Charter Review Committee" language will remain the same.

Item #9 “Table of Contents” will be added by the codifier and does not have to be on the ballot.

Item #11 “Auditor and City Attorney” can be handled by ordinance and does not have to be on the ballot.

Item #13 “Mayor’s Term of Office will not be on the ballot

Item #14 “Utilities definition” will not be on the ballot

Item “Removal of Council Members for absences will not be on the ballot, can be amended by ordinance.

All remaining items will be in redlined version and presented at the July 5 Council meeting.

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.

11. Consideration of Resolution No. 18-1761; A Resolution by The City Council of the City Of Lago Vista, Texas accepting an 8-inch off-site wastewater utility transmission main on the portion of the wastewater line from the intersection of Lohman Ford Road and Boggy Ford Road (Station No. 9610) to the point of connection with the City’s existing 6-inch wastewater transmission main at Outpost Trace and Cedar Glen (Station No. 1+00) and a 16-inch off-site water transmission main on the portion of the water line from the intersection of Lohman Ford Road and Boggy Ford Road to a point of connection with the City’s water system on Boggy Ford Road approximately 600 feet east of the intersection of Allegiance Avenue and Boggy Ford Road.

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

DISCUSSION ITEMS

12. City Manager’s Reports.

Joshua Ray stated that Councilman Sullivan made contact with someone that can potentially help with the Post Office and Staff will follow up with Council.

He made comments regarding the July 4 parade.

The goal is to deliver the budget to Council by end of next week.

13. Lago Vista Golf Course Fee Schedule Ordinance discussion.

Joshua Ray provided an overview of the proposed ordinance and addressed questions from Council.

This item will go to the Golf Course Advisory Committee for review and make a final recommendation.

FUTURE MEETINGS

14. Consider schedule and items for future Council meetings.

- Charter recommendations.
- Rules of Procedure
- Voluntary annexation
- Description of excused & unexcused absences

EXECUTIVE SESSION

15. At 9:34 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 regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.
 - E. Discuss Council Liaison Appointments to Committees.

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

16. At 10:39 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 regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.

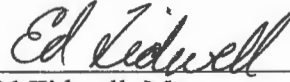
No action taken
 - E. Discuss Council Liaison Appointments to Committees.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Davila, the Council voted unanimously to appoint Councilman Sullivan to the Library Advisory Board.

ADJOURNMENT

Mayor Tidwell adjourned the meeting at 10:40 p.m.

Respectfully submitted,



Ed Tidwell, Mayor



ATTEST:



Sandra Barton, City Secretary

On a motion by Councilman Smith, seconded by Mayor Pro Tem Bland, the above and foregoing instrument was passed and approved this 19th day of July, 2018.