

**OFFICIAL MINUTES OF THE CITY COUNCIL
REGULAR MEETING
THURSDAY, SEPTEMBER 20, 2018**

BE IT REMEMBERED that on the 20th day of September, 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
Dick Weatherly	Council Member	Starr Lockwood	Financial Director
David Williams	Council Member	Dave Street	IT Director
Suzanne Bland	Mayor Pro Tem	Eric Belaj	City Engineer

Mayor Tidwell called the regular 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.

Linda Bush Warren, 218 Flightline Rd, made comments regarding the City asking Airport Advisory Board members to recuse themselves from discussion on the funding agreement.

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.
- c. Recognition of individuals, i.e. Proclamations
- d. Reminders regarding City Council events.
- e. Reminders regarding community events.

Mayor Tidwell announced a ground-breaking ceremony for ESD1 at 10 a.m. and 11:00 a.m.

November 3&4 they City will be doing a community collections event on Coyote Trail area using the grant money from a CAPCOG.

Chamber golf tournament will be held on October 5, 2018.

- f. Health and safety announcements.
Lake level is up.

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

1. A. Consider approval of Ordinance No. 18-09-20-01, An Ordinance of the City of Lago Vista, Texas adopting a Budget for the Fiscal Year beginning October 1, 2018, and ending September 30, 2019; appropriating the various amounts thereof, and repealing all

Ordinances or parts of Ordinances in conflict therewith; and providing for an effective date.

Joshua Ray, City Manager stated that the change that was requested by Council regarding the revenue line item on the golf course, has been changed in the budget.

Joshua Ray also addressed questions from Council regarding the construction fund, CIP, golf course irrigation, unfunded items, police department budget, pipe replacement plan AMI replacement and sign replacement.

Josh Ray recommends changing the CIP budget to include in FY20, he will add \$1 million to water line replacements, \$1 million to wastewater line replacement; in FY21; remove irrigation in the amount of \$2 million; in FY21, change the funding source for the impact fee study to use impact fees and adding the description to the overall CIP plan to say that these are unfunded items until the actual annual budget is approved. Mayor Pro Tem Bland asked that another line item be added in FY21/22 for additional park grants.

On a motion by Councilman Williams, seconded by Councilman Davila, the Council voted unanimously to approve Ordinance No. 18-09-20-01 with changes to the CIP as discussed.

- B. Consider ratification of the portion of the FY 2018/19 budget reflecting an increase in property tax revenues.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Williams, the Council voted unanimously to ratify the Municipal budget for FY 2018-2019 which raises more revenue from property taxes than in the previous year.

2. Consider approval of Ordinance No. 18-09-20-02, An Ordinance of the City of Lago Vista, Texas levying Ad Valorem Taxes for use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2018 and terminating September 30, 2019; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid.

On a motion by Councilman Weatherly, seconded by Councilman Davila, the Council voted unanimously that the property tax rate be increased by the adoption of a tax rate of \$.65 per \$100.00 of assessed valuation, which is effectively a 1.5 percent increase in the tax rate.

3. Discussion and consideration of Ordinance No. 18-09-20-03; 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. 17-09-21-01, for the Fiscal Year beginning October 1, 2017 and ending September 30, 2018; amendments to said Budget by Department are set forth in "Exhibit A" attached to this ordinance.

Joshua Ray, City Manager addressed questions from Council regarding the water extensions and the SCADA improvements.

On a motion by Councilman Weatherly, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 18-09-20-03 as presented.

4. Discussion and consideration of Resolution No. 18-1769; A Resolution of the City Council of the City of Lago Vista, Texas, authorizing creation of an Employee Benefits Trust; designating all members of the City Council to be Trustees of said trust; authorizing the trust to purchase various forms of insurance for the benefit of city officers, employees, qualified retirees, and their dependents; and approving a transfer of assets to the trust.

Joshua Ray, City Manager provided an overview of the proposed Resolution. Starr and Josh addressed questions from Council.

On a motion by Councilman Williams, seconded by Councilman Sullivan, the Council voted unanimously to approve Resolution No. 18-1769 as presented.

5. Discussion and consideration of Ordinance No. 18-09-20-04; An Ordinance of the City Council of the City of Lago Vista, Texas, amending Chapter 1, General Provisions, of the Lago Vista Code of Ordinances, to provide for City Council Rules of Procedure and to apply the Rules of Procedure for Commissions, Boards and Advisory Committees; providing for severability; providing for a repealer; providing for publication; and providing an effective date.

The Council was provided an updated proposed Ordinance as amended by the City Attorney. She suggested adding a paragraph in Section 3.6 after "Motion to remove from table" to add a date certain.

Article 7.1, remove "All standing" at the beginning of the paragraph.

On a motion by Councilman Davila, seconded by Councilman Williams, the Council voted unanimously to approve Ordinance No. 18-09-20-04 with the discussed amendments.

6. Discussion and consideration of Ordinance No. 18-09-20-05; An Ordinance of the City Council of the City of Lago Vista, Texas, amending Chapter 1, General Provisions, of the Lago Vista Code of Ordinances, to provide for procedures to implement City Charter Provision Section 3.21, Investigations, providing for penalties; providing for publication; severability and providing an effective date.

Joshua Ray provided a brief overview of the proposed amendment and addressed questions from Council.

On a motion by Councilman Davila, seconded by Councilman Sullivan, the Council voted unanimously to approve Ordinance No. 18-09-20-05 as presented.

7. Discussion and possible action regarding recommendation of contract award for the construction of the Civic Loop Waterline Project.

Joshua Ray provided a brief overview of the bids that were received for the project. Josh and Eric addressed questions from Council.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Weatherly, the Council voted unanimously to award the contract for the Civic Loop Waterline project per the recommendations of the City Engineer.

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.

8. Approval of the following minutes:

August 2, 2018 Regular meeting;
August 16, 2018 Special Called meeting; and
August 16, 2018 Regular meeting

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

WORK SESSION

9. City Manager Reports

Josh Ray stated that Roy will be putting together a report and he will put this information out via a press release.

Josh stated that tomorrow and October 6, the Leo's are accepting cereal at Lowe's for the Ronald McDonald House.

FUTURE MEETINGS

10. Consider schedule and items for future Council meetings.

October 4 – Library Long Range Plan, RAAPOA agreement, update on Scenic Cities, CAPCOG participation in clean air project, infill incentives, building code (sidewalks).

October 18 – CAPCOG resolution participating in clean air project

November 1 – P&Z and Building Committee update, landscape ordinance

EXECUTIVE SESSION

11. At 8:17 p.m., Council convened into Executive Session pursuant to Sections 551.071 (Advice of Counsel), 551.072 (Real Property), 551.074 (Personnel), Section 551.087 (Economic Development), 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 and discussion concerning possible real estate acquisition, management or divestiture and attendant matters thereto.
- C. Consultation with Legal Counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.

- D. Consultation with Legal Counsel and deliberate economic development incentives for projects located within the City of Lago Vista.
- E. Consultation with Legal Counsel concerning conflicts of interests with Lago Vista Golf Course Restaurant Operator.

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

12. At 9:44 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.

On a motion by Mayor Pro Tem Bland, seconded by Councilman Williams, the Council voted unanimously to authorize the City Manager to move forward as directed in Executive Session.

- B. Consultation with Legal Counsel and discussion 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 authorize the City Manager to move forward as directed in Executive Session and authorize him to sign the agreement prior to our next Council meeting.

On a motion by Councilman Williams, seconded by Mayor Pro Tem Bland, the Council voted unanimously to authorize the City Manager publish a notice in the newspaper of a sale of real property. The contract that the City received is void according the State Law.

- C. Consultation with Legal counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.

No action taken

- D. Consultation with Legal Counsel and deliberate economic development incentives for projects located within the City of Lago Vista.

No action taken

- E. Consultation with Legal Counsel concerning conflicts of interests with Lago Vista Golf Course Restaurant Operator.


No action taken

ADJOURNMENT

Mayor Tidwell adjourned the meeting at 9:48 p.m.

Respectfully submitted,




Ed Tidwell, Mayor

ATTEST:


Sandra Barton, City Secretary

On a motion by Councilman Sullivan, seconded by Councilman Williams, the above and foregoing instrument was passed and approved this 1st day of November 2018.