

**OFFICIAL MINUTES OF THE CITY COUNCIL
REGULAR MEETING
THURSDAY, JANUARY 3, 2019**

BE IT REMEMBERED that on the 3rd day of January, A.D., 2019, the City Council held a regular meeting at 6:32 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
Don Barthlow	Council Member	Danny Smith	Police Chief
Arch Davila	Council Member	Sandra Barton	City Secretary
Tim Collins	Council Member	Erin Selvera	City Attorney
Dick Weatherly	Council Member	Roy Jambor	Dev. Srvs. Director
David Williams	Mayor Pro Tem	Dave Street	IT Director
Frank Robbins	Council Member	Starr Lockwood	Finance
		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 and Pledge to the Texas Flag.

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

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.
Mayor Tidwell announced that the appreciation dinner will be held on January 10.
- b. Information regarding holiday schedules.
- c. Recognition of individuals, including Proclamations
- d. Reminders regarding City Council events.
Councilman Davila announced that the Scenic City Sub-committee is underway.
Mayor Pro Tem Williams announced that the first meeting for Lago Fest is next week.
- e. Reminders regarding community events.
- f. Health and safety announcements

PRESENTATION

1. Presentation from TAS UNITED 3-1-1 Services
Dan Kilday and Kevin Ryan appeared to provide a presentation to Council and citizens and addressed questions from Council. No action taken at this time.

PUBLIC HEARINGS

2. Lago Vista City Council will hold a public hearing and discuss a potential ordinance amending various sections of Chapter 3, Building Regulations and Chapter 14, the Zoning Ordinance to consolidate all substantive requirements related to the exterior appearance of principal buildings in Chapter 3, including proposed new language, and replacing them with references only in Chapter 14.
 - Open public hearing
The public hearing was opened at 7:06 p.m.
 - Staff Presentation
Roy Jambor, Development Services Director provided the staff summary and addressed questions from Council.
Stephanie Smith, 20606 Branding Iron, asked if the exterior included paint color and Roy said it does not.
 - Continue (leave open) Public Hearing
 - Council Discussion
No further discussion

3. The Lago Vista City Council will hold a public hearing and discuss a potential amendment to Chapter 14 of the Lago Vista Zoning Ordinance prohibiting all forms of zoning and variance applications authorized by that chapter that are substantially the same as one that has been denied for at least twelve months from the date of the latest form of denial.
 - Open public hearing
The public hearing was opened at 7:36 p.m.
 - Staff Presentation
Roy Jambor provided the staff presentation and addressed questions from Council.
 - Continue (leave open) Public Hearing
 - Council Discussion
No further discussion

4. The Lago Vista City Council will hold a public hearing and discuss a potential amendment to Chapter 14 of the Lago Vista Zoning Ordinance adding definitions and/or modifying the provisions related to the various required yards and their locations.
 - Open public hearing
The public hearing was opened at 7:38 p.m.
 - Staff Presentation
Roy Jambor provided the staff presentation and addressed questions from Council.
 - Continue (leave open) Public Hearing
 - Council Discussion
No further discussion

ACTION ITEM

5. The Lago Vista City Council will discuss and consider possible action on Ordinance No. 19-01-03-01, an Ordinance of the City Council of Lago Vista, Texas amending various sections

of Chapter 3, amending various sections of Article 4.800 of Chapter 4 and amending Article 9.800 and Article 9.1900 of Chapter 9, all of the Lago Vista Code of Ordinances to change the name of the current Building Committee and to transfer to them certain specific duties and authority previously assigned to the Board of Adjustment; and providing for related matters. Roy Jambor provided a summary of the proposed amendment and addressed questions from Council.

On a motion by Councilman Robbins, seconded by Councilman Weatherly, the Council voted unanimously to approve Ordinance No. 19-01-03-01. Motion passed.

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.

6. Approval of the December 6, 2018 Council meeting minutes.

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

7. City Manager Reports

Joshua Ray advised Council that updates are being made to the City website regarding the new appointments to the City Boards/Commission/Committees.

The updated Charter has been posted to the website and copies have been distributed to Council, Department Heads and there are copies at the Library and City Hall.

He mentioned possibly beginning the Executive Session portion of the agenda at 5:00 p.m. and the regular meeting will begin at 6:30 p.m.

FUTURE MEETINGS

8. Consider schedule and items for future Council meetings.

EXECUTIVE SESSION

9. At 8:06 p.m., Council convened into a closed 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. Consultation with Legal Counsel concerning any regular meeting agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said item (as needed).

- B. Consultation with Legal Counsel and deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person including but not limited to a legal issues regarding dispute and a Settlement Agreement with DAPB, Inc. and David Buttross relating the void sale of the Highland Lakes Golf Course; and legal issues regarding an

Amended Contract for Sale of the Highland Lakes Golf Course to Ezequiel Choe, including an access and lease agreement to make improvements.

- C. Consultation with Legal Counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.
- D. Consultation with Legal Counsel regarding the creation of the Building Standards Commission.
- E. Consultation with Legal Counsel concerning DAPB request.

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

10. At 8:50 p.m., Council reconvened from Executive Session into open session to act as deemed appropriate in City Council's discretion regarding:

- A. Consultation with Legal Counsel and possible action concerning any regular meeting agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said item (as needed).

No action taken

- B. Consultation with Legal Counsel and deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person including but not limited to a legal issues regarding dispute and a Settlement Agreement with DAPB, Inc. and David Buttross relating the void sale of the Highland Lakes Golf Course; and legal issues regarding an Amended Contract for Sale of the Highland Lakes Golf Course to Ezequiel Choe, including an access and lease agreement to make improvements.

On a motion by Councilman Weatherly, seconded by Councilman Davila, the Council voted unanimously to approve the compromising settlement agreement and mutual release to all claims between the City and David Buttross individually and DAPB as written and the timeframe be set at 5:00 p.m. tomorrow.

On a motion by Councilman Weatherly, seconded by Mayor Pro Tem Williams, the Council voted unanimously to accept the amendment to the commercial contract between the undersigned buyers and seller concerning the Highland Lakes Golf Course.

On a motion by Councilman Weatherly, seconded by Councilman Davila, the Council voted unanimously to accept the access and maintenance release agreement on the Lago Vista Golf Course.

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

No action taken.

- D. Consultation with Legal Counsel and possible action regarding the creation of the Building Standards Commission.

No action taken.

E. Consultation with Legal Counsel and possible action concerning DAPB request.
No action taken.

Mayor Tidwell adjourned the meeting at 8:53 p.m.

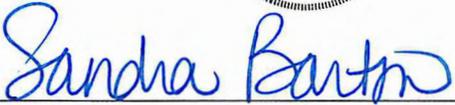
Respectfully submitted,





Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Councilman Weatherly, seconded by Mayor Pro Tem Williams, the above and foregoing instrument was passed and approved this 7th day of February 2019.