

**OFFICIAL MINUTES OF THE CITY COUNCIL
REGULAR MEETING
THURSDAY, MARCH 7, 2019**

BE IT REMEMBERED that on the 7th day of March, A.D., 2019, the City Council held a regular meeting at 5:00 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

David Williams	Mayor Pro Tem	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. Svcs. Director
Frank Robbins	Council Member	Dave Street	IT Director
		Starr Lockwood	Finance
		Eric Belaj	City Engineer

EXECUTIVE SESSION

1. At 5:04 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 bids in response to the City's advertisement for the sale of real property located at 18001 Marshall's Point, 20705 Deep Creek, 20707 Deep Creek, 9103 Rolling Hills Trails and a modular building located at Highland Lakes Golf Course, approximately 2,200 sq. ft., Lago Vista, Texas; and also, the purchase of real property located at 20100 Dawn Drive, Lago Vista, Texas.
 - C. Consultation with Legal Counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related to the assignment of the Concession Services Contract and License to use City facilities at the Lago Vista Municipal Golf Course.
 - D. Consultation with Legal Counsel regarding a Water service agreement with Draper Estates.

- E. Consultation with Legal Counsel and discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect including but not limited to a hotel feasibility study or other incentives.

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

- 2. At 6:30 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 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 bids in response to the City's advertisement for the sale of real property located at 18001 Marshall's Point, 20705 Deep Creek, 20707 Deep Creek, 9103 Rolling Hills Trail, modular building located at Highland Lakes Golf Course, approximately 2,200 sq. ft., Lago Vista, Texas; and also, the purchase of real property located at 20100 Dawn Drive, Lago Vista, Texas.

On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously to instruct the City Manager to contact property owners as authorized in Executive Session for the sale of exempt property and to authorize the City Attorney to draft the appropriate legal documents to bring back to Council at the next meeting.

On a motion by Councilman Weatherly, seconded by Councilman Collins, Council voted unanimously that all the bids for the modular building, currently at the Green Deer golf course be rejected.

On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously that we accept the bid for the Rolling Hills property from James Fellers for \$16,100.

On a motion by Councilman Weatherly, seconded by Councilman Collins, Council voted unanimously that we accept the bid on 20705 Deep Creek from Casey Jackson for \$3,000.

On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously that we accept the bid on 20707 Deep Creek from Casey Jackson for \$3,000.

On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously that all bids on the Marshall's Point property be rejected.

On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously to re-advertise the Marshall's Point property for 60 days.

On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously that a counter offer for six (6) acres of land at the end of Dawn be offered to Chris Shive and authorize the City Manager to make that offer.

- C. Consultation with Legal Counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related to the assignment of the Concession Services Contract and License to use City facilities at the Lago Vista Municipal Golf Course.
No action taken
- D. Consultation with Legal Counsel regarding a Water service agreement with Draper Estates.
No action taken
- E. Consultation with Legal Counsel and discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect including but not limited to a hotel feasibility study or other incentives. On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously that we approve funds for a feasibility study for hotel and convention center. Those funds coming from our hotel occupancy tax.

THE REGULAR COUNCIL MEETING WILL BEGIN AT 6:30 P.M.

CALL TO ORDER, CALL OF ROLL, PLEDGE OF ALLEGIANCE, PLEDGE TO TEXAS FLAG, INVOCATION

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.

No comments

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.
Four members of Council attended a TML Leadership Conference in San Marcos. Mayor Pro Tem Williams received a certificate of recognition from TML for taking at least 42 hours of continuing education.
- e. Reminders regarding community events.
Lions annual golf tournament on March 30
St. Mary's fish fry beginning March 8 from 5-7 p.m.
Chamber is having coffee with the Chamber on March 14 at the Grille at Highland Lakes, speaker is Stormy Johnson
The monthly Chamber luncheon is on March 27 at Bar-K.
Trash pick-up is April 6 from 8-5. Additional information is on our website.
Jonestown Cajun Fest on April 13 from 11-7 at Jones Brothers Park.

- f. Health and safety announcements.

PRESENTATIONS

3. Presentation by OpenGov.

Adam Schnoll appeared to provide an oral presentation to Council.

PUBLIC HEARINGS AND DISCUSSION

4. The Lago Vista City Council will hold a public hearing and consider Ordinance No. 19-03-07-01, an Ordinance of the City Council of Lago Vista, Texas amending the Official Zoning Map by changing approximately 31.89 acres of land being Lots 4, 5, 6 and 7 of Marshall's Harbor subdivision, save and except the Critical Water Quality Zone and adjacent twenty foot drainage easement along the west boundary of said Lots 6 and 7, from a portion of the current Marshall's Harbor Planned Development District ("PDD") to a Planned Development District ("PDD") that modifies the uses and regulations applicable to that specific portion to accommodate the development of a "retirement village."

- Open public hearing

The public hearing was opened at 7:10 p.m.

- Staff presentation

Roy Jambor provided the staff presentation and addressed questions from Council.

Thomas Leontios, applicant, also appeared to address questions from Council.

Jackie Goodwin asked questions regarding the layout of the project.

- Close public hearing

The public hearing was closed at 7:31 p.m.

- Council discussion and action

On a motion by Councilman Weatherly, seconded by Councilman Robbins, Council voted unanimously to pass Ordinance No. 19-03-07-01 as presented. Motion passed.

5. The Lago Vista City Council will hold a public hearing and consider a conditional use permit approval pursuant to Section 17 of Chapter 14 of the Lago Vista Code of Ordinances to allow exceptions to the accessory building standards otherwise applicable at 20702 Deep Creek (Lago Vista Country Club Estates, Section 1, Lot 87).

- Open public hearing

The public hearing was opened at 7:33 p.m.

- Staff presentation

Roy Jambor provided the staff presentation and addressed questions from Council.

Brian McLaughlin, applicant, appeared and addressed questions from Council.

- Close public hearing

The public hearing was closed at 7:39 p.m.

- Council discussion and action

On a motion by Councilman Robbins, seconded by Councilman Davila, Council voted unanimously to approve the conditional use permit for 20702 Deep Creek.

ACTION ITEMS

6. Discussion and possible action on a Resolution 19-1791 by the City Council of the City of Lago Vista, Texas declaring certain real property owned by the City of Lago Vista to be exempt property pursuant to Texas Local Government Code Section 272.001(b) prior to subsequently considering the conveyance of that property in accordance with applicable state laws and in a manner beneficial to the City of Lago Vista.
Josh Ray, City Manager advised Council that staff recommends that this item be tabled until the April 4 meeting, so the larger map can be printed, and the tracts can be marked for Council review.
On a motion by Councilman Robbins, seconded by Councilman Weatherly, Council voted unanimously to table this item until April 4.
7. Discussion and possible action on Resolution 19-1792; A Resolution by the City Council of the City of Lago Vista, Texas cancelling the regular City Council meeting scheduled for March 21, 2019.
Josh Ray advised Council that there are not any pressing Council items and he will be out of town for the meeting.
On a motion by Councilman Davila, seconded by Councilman Weatherly, Council voted unanimously to adopt Resolution No. 19-1792 cancelling the March 21 Council meeting.
8. Discussion and possible action to consent to the assignment of the Concession Services Contract and License to Use City Facilities at the Lago Vista Municipal Golf Course to Bakers Bar & Grill.
Josh Ray provided the staff summary of this item to Council. Baker's Bar and Grill would like to fulfill the remainder of Habanero Grill's contract at the Lago Vista Municipal Golf Course. Mr. Baker was in attendance and addressed questions from Council.
Jackie Goodwin asked about the liquor license at the facility. Mr. Baker has already applied for his own license.
On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously that we accept the assignment of concession services from Habanero Gill to Baker's Bar and Grill.
9. Discussion regarding appointing members to vacancies on the Parks and Recreation Advisory Committee and the Golf Course Advisory Committee.
Josh Ray provided a brief staff summary and Council discussed briefly. The Council Liaison's will speak with the current applicants and advise staff if additional applications are needed. This item will be brought back to Council at the April 4 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.

10. Approval of the February 7, 2019 Council meeting minutes.
On a motion by Councilman Weatherly, seconded by Councilman Davila, Council voted unanimously to approve the February 7 Council meeting minutes.

DISCUSSION

11. City Manager Reports
Josh Ray introduced Carol Watson who is our new Liaison for the Women's Club and she is our resource for disaster management.

FUTURE MEETINGS

12. Consider schedule and items for future Council meetings.
On a motion by Councilman Collins, seconded by Councilman Davila, Council voted three (3) ayes (Collins, Davila, Williams) to two (2) nays (Weatherly, Robbins) and one (1) recusal (Barthlow) to reconsider the vote between the City of Lago Vista and the Rusty Allen Airport Property Owners Association funding commitment agreement. Motion passed. This item will be on the April 4 Council agenda.
Update on Scenic City application
Update/analyze the comprehensive plan

EXECUTIVE SESSION – COUNCIL DID NOT CONVENE INTO EXECUTIVE SESSION

EXECUTIVE SESSION

13. Convene 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).

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

14. Reconvene 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).

Mayor Pro Tem Williams adjourned the meeting at 8:01 p.m.

Respectfully submitted,



Ed Tidwell
Ed Tidwell, Mayor

ATTEST:

Sandra Barton
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 4th day of April 2019.