

**OFFICIAL MINUTES OF THE CITY COUNCIL  
LAGO VISTA, TEXAS  
MARCH 20, 2014**

**BE IT REMEMBERED** that on the 20<sup>th</sup> day of March, A.D., 2014, the City Council held a Regular Meeting at 6:30 P.M., at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

**CALL TO ORDER, CALL OF ROLL, INVOCATION AND PLEDGE OF ALLEGIANCE**

Randy Kruger	Mayor	Joseph S. Portugal	City Manager
Dale Mitchell	Mayor Pro Tem	Danny Smith	Police Chief
Richard Bohn	Council Member	David Harrell	Development Services Director
Ron Smith	Council Member	Christina Buckner	City Secretary
D'Anne Gloris	Council Member	Chris Martinez	GIS Technician
Darrel Hunt	Council Member	Bill Close	Public Works Director
		Dave Stewart	Assistant Public Works Director
		Barbara Boulware-Wells	City Attorney

Mayor Kruger called the Regular Meeting to order and recognized that all Council Members were present except Ed Tidwell. Reverend Judy Loehr, Minister of Music and Liturgical Arts at Faith UMC in Austin, Texas, gave the Invocation. Mayor Kruger led the Pledge of Allegiance.

The numbering below tracks that of the agenda, whereas the actual order of consideration varied, primarily for the convenience of the guests.

**PUBLIC COMMENTS** - none

**CONSENT AGENDA**

1. On a motion by D'Anne Gloris, seconded by Ron Smith, the Council unanimously approved the following minutes:
  - A. February 20, 2014 Regular Meeting

**PUBLIC HEARINGS**

Mayor Kruger opened the Public Hearings at 7:00 p.m.

2. Mayor Kruger stated the purpose of the public hearing is to receive citizen input concerning the re-zoning of 7917 Powder Cove (Legal Description-Bark K Ranch, Section 6, lot 6122) from R-1A to C-1 to match compatibility with adjacent lots.

Leonard Strickler was present on behalf of the request.

Mayor Kruger opened the floor for comments from the public.

Stephen Curyk, of 20900 Wishbone Dr., expressed concern with regard to the uses that would be allowed on the property and the number of vacancies in the existing shopping center on 1431. He asked for assurance that we don't end up with what we had before referring to the fact that the location of the current shopping center was cleared and sat for a long time before anything was done.

Will Dyke, of 6900 Live Oak Drive, suggested a community event center be considered in the shopping center on 1431 and suggested that it be city owned. He stated something is needed for the kids here.

There being no further comments, Mayor Kruger closed the public hearing at 7:18 p.m.

3. Mayor Kruger stated the purpose of the public hearing is to receive citizen input concerning the rezoning of the following 59 lots in Lago Vista Estates from R-1D to R-1T to allow a height increase from 18 foot to 35 foot with a maximum of two stories and increase the minimum living square footage requirement from 1200 to 1800 square feet:
  - Section 3, Phase 3, Block B, Lots 1-3 and 11-18.
  - Section 3, Phase 3, Block K, Lots 1-9 and 12-19.
  - Section 3, Phase 1, Block C, lots 4, 6 and 7.
  - Section 4, Lots 1057-1071, 1085-1097.

Mayor Kruger opened the floor for comments from the public.

Will Dyke, of 6900 Live Oak Drive, questioned whether the green lines on the map were existing sewer lines.

David Harrell responded that they were.

Will Dyke stated that there are homes in the area that will have their views blocked if the zoning is approved. He stated he is in the area being rezoned but it will not affect his view. He stated he was in favor of the rezoning but believes there things that need to be addressed. He expressed concern with the 1,800 square foot minimum requirement stating many people are looking for smaller more affordable homes and a lower square foot

requirement would allow more potential buyers. He stated this is a mixed area. He stated smaller homes are also more energy efficient. He suggested they consider 1,400 square feet.

Stephen Curyk, of 20900 Wishbone Dr., stated the Council needs to ask themselves whether they want to upgrade or downgrade the city. He stated that smaller homes usually bring a lower grade of people from the standpoint of income and education.

Will Dyke questioned whether this would entail any upgrades to sewer in the area. He stated he is on septic and is so far from sewer that it would be cost prohibitive for him to extend.

David Harrell responded that this won't show upgrades but people can extend sewer as they buy lots. He stated the City has no plans to extend lines in the area. He indicated the existing sewer lines in the area on a map.

Will Dyke stated he found it hard to believe that all of the lot owners have had ample time to respond and questioned whether all of the lot owners had been notified.

There being no further comments, Mayor Kruger closed the public hearing at 8:18 p.m.

## **ORDINANCES**

4. On a motion by Darrel Hunt, seconded by D'Anne Gloris, the Council unanimously adopted Ordinance O-02-14, an Ordinance of the City Council of the City of Lago Vista, Texas, amending the Zoning Ordinance and the Official Zoning Map by rezoning Lot 6122 Bar K Ranch Section 6 from the R-1A Zoning District to the C-1C Zoning District; and providing for related matters.
5. On a motion by Dale Mitchell, seconded by Richard Bohn, the Council voted 5 ayes (Darrel Hunt, D'Anne Gloris, Richard Bohn, Dale Mitchell, and Ron Smith) to 1 nay (Randy Kruger) to adopt Ordinance O-03-14, an Ordinance of the City Council of the City of Lago Vista, Texas, amending the Zoning Ordinance and the Official Zoning Map by rezoning Lago Vista Estates Plat Section 3, Phase 1, Block C, Lots 4-6, 7; Section 3, Phase 3, Block B, Lots 1-3 and 11-18; Section 3, Phase 3, Block K, Lots 1-9 and 12-19; Section 4, Lots 1057-1071 and 1085-1097 from the R-1D Zoning District to the R-1T Zoning District; and providing for related matters.
6. On a motion by Richard Bohn, seconded by Dale Mitchell, the Council unanimously adopted Ordinance O-04-14, an Ordinance of the City Council of the City of Lago Vista, Texas, amending Appendix A, Fee Schedule, Article 10.000, Park and Recreation Fees, Section 10.100, Lago Vista Sports Complex; providing a savings clause; providing a severability clause; and, providing an effective date.
7. On a motion by Richard Bohn, seconded by D'Anne Gloris, the Council adopted Ordinance O-05-14, an Ordinance of the City Council of the City of Lago Vista, Texas, amending the Code of Ordinances, by Repealing Chapter 9, Personnel, Article 9.400 Roads and Grounds Committee in its entirety; providing a savings clause; providing a severability clause; and, providing an effective date.
8. On a motion by D'Anne Gloris, seconded by Dale Mitchell, the Council unanimously adopted Ordinance O-06-14, an Ordinance of the City Council of the City of Lago Vista, Texas, amending the Code of Ordinances, Chapter 9 Personnel; to create a new Article 9.2000 Keep Lago Vista Beautiful Board; establishing rules including membership and appointment; terms of office; organization; meeting and quorum; disqualification from voting; providing a savings clause; providing a severability clause; and, providing an effective date.

## **RESOLUTIONS**

9. On a motion by Darrel Hunt, seconded by Ron Smith, the Council unanimously approved Resolution R-10-14, a Resolution of the City Council of the City of Lago Vista, Texas repealing Resolution No. 09-1423 in its entirety and approving a new Resolution for the recording, authentication and indexing of ordinances and resolutions.

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

10. On a motion by Darrel Hunt, seconded by Richard Bohn, the Council unanimously voted to purchase a new drought barge and raw water booster pumps for the temporary intake at Water Treatment Plant #1.
11. No action was taken regarding rescinding the Emergency Water Conservation Notice.
12. The Council discussed allocating funds for the Highland Lakes Firm Water Customer Coalition (HLFWCC) in support of LCRA Emergency Order before TCEQ and State Office of Administrative Hearings (SOAH) in February, 2014. On a motion by Ron Smith, seconded by D'Anne Gloris, the Council voted unanimously to approve the funding of \$6,000 to the Highland Lakes Firm Water Customer Coalition (HLFWCC) for supporting the LCRA Emergency Order.

## **CITY MANAGER REPORTS**

13. Financials
14. Development
15. Keep Texas Beautiful "Trash-Off"

## FUTURE MEETINGS

16. The Council considered items for future Council meetings.

## EXECUTIVE SESSION

17. At 8:48 p.m. Mayor Kruger announced the Council will convene into executive session pursuant to Chapter 551 of the Texas Government Code, to discuss matters as specifically listed on this agenda, with no action taken:
- a. Pursuant to §551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult and confer with the City Attorney regarding status of contract negotiations, Interlocal Agreement, and demands or possible demands against the City.
  - b. Pursuant to §551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult and confer with the City Attorney regarding status report on pending or threatened litigation pertaining to Cause No. D-1-GN-13-002224, *James Otwell v Brian Atlas et al.*, Travis County District Court.

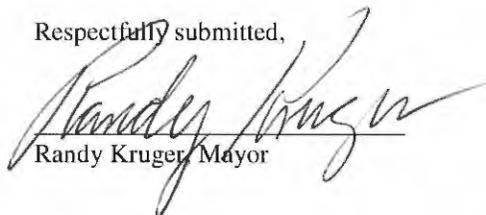
## ACTION ITEMS

18. At 11:08 p.m. the Council reconvened into open session. Mayor Kruger announced that no action was taken in Executive Session.
- a. On a motion by Mayor Randy Kruger, seconded by Dale Mitchell, the Council unanimously voted to allow the City Attorney to negotiate in the easement case and proceed on.
  - b. No action was taken regarding an Interlocal Agreement.
  - c. On a motion by D'Anne Gloris, seconded by Richard Bohn, the Council directed Staff and the City Attorney to reflect the desires of Council by drafting a Resolution providing the public description of what is to be put in place with the school.
  - d. No action was taken regarding pending or threatened litigation pertaining to Cause No. D-1-GN-13-002224, *James Otwell v Brian Atlas et al.*, Travis County District Court.

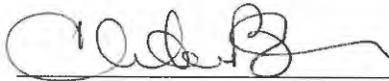
## ADJOURNMENT

Mayor Kruger adjourned the meeting at 11:11 p.m.

Respectfully submitted,

  
Randy Kruger, Mayor

ATTEST:



Christina Buckner, City Secretary

On a motion by Council Member Darrel Hunt, seconded by Council Member D'Anne Gloris, the above and foregoing instrument was passed and approved this 21<sup>st</sup> day of April, 2014.