



The City of Lago Vista

To provide and maintain a healthy, safe, vibrant community, ensuring quality of life.

**AGENDA
CITY COUNCIL
REGULAR MEETING
THURSDAY, AUGUST 20, 2015, 6:30 PM**

NOTICE IS HEREBY GIVEN that the Lago Vista City Council will hold a Regular Meeting on Thursday, August 20, 2015, at 6:30 p.m. in the City Council Chambers at City Hall, 5803 Thunderbird, Lago Vista, Texas, as prescribed by V.T.C.A., Government Code Section §551.041, to consider the following agenda items. Items do not have to be taken in the same order as shown in the meeting notice.

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

PUBLIC COMMENTS

PRESENTATIONS

1. Receive and discuss monthly update on Water Treatment Plant #3 by Shay Ralls Roalson, PE, HDR.

PUBLIC HEARINGS

2. ***PUBLIC HEARING***: Pursuant to the Texas Local Government Code, Chapter 102, notice is hereby given that the City Council of the City of Lago Vista, Texas will conduct a Public Hearing to receive citizen comments and views regarding the proposed City of Lago Vista budget for the Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.

A copy of the proposed budget is available for viewing between 8:00 A.M. and 5:00 P.M. on weekdays at the Lago Vista City Hall, 5803 Thunderbird and the Lago Vista Library at the Lago Vista Public Library, 5803 Thunderbird, Suite 40, Lago Vista, Texas 78645 and may be found on the City's website: <http://www.lagovistatexas.org>.

If adopted by the Lago Vista City Council, the FY 2015/2016 Budget will raise more total property taxes than last year's budget by an estimated \$ 79,419 or 1.91% and of this amount \$ 81,044 is tax revenue to be raised from new property added to the tax roll in 2015/2016.

3. ***PUBLIC HEARING***: Ordinance No. 15-08-20-01; Consider rezoning at 9207 Bar K Ranch Rd. (Bar K Estates, Plat 11, Lot 11333A) from RR-A (Restricted Single Family with Aircraft) to C-4 (Commercial-Airport).

4. Discussion, consideration, action if any regarding rezoning at 9207 Bar K Ranch Rd. (Bar K Estates, Plat 11, Lot 11333A) from RR-A (Restricted Single Family with Aircraft) to C-4 (Commercial-Airport).
5. ***PUBLIC HEARING***: Consider a Conditional use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10 (B)(4)(d) to allow an accessory building height of 21.8' instead of 18', for a proposed accessory building.
6. Discussion, consideration, action if any regarding a Conditional use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10 (B)(4)(d) to allow an accessory building height of 21.8' instead of 18', for a proposed accessory building.
7. ***PUBLIC HEARING***: Ordinance No. 15-08-20-02; Consider rezoning at 7205-7207 Bar K Ranch Rd. (Bar K Ranches Plat 3, Lots 3089-3090) from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail).
8. Discussion, consideration, action if any regarding rezoning at 7205-7207 Bar K Ranch Rd. (Bar K Ranches Plat 3, Lots 3089-3090) from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail).
9. ***PUBLIC HEARING***: Consideration of a re-plat in Highland Lakes Estates Section 16 Lots 16069-16072 from a total of four (4) existing lots to six(6) lots.
10. Discussion, consideration, action if any regarding a re-plat in Highland Lakes Estates Section 16 Lots 16069-16072 from a total of four (4) existing lots to six (6) lots.

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. Approval of the following minutes:
July 16, 2015 Regular Meeting

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

12. Discussion, consideration, action if any regarding a Vote on adoption of a proposal to set a 2015 Tax Rate of \$.65 for the City of Lago Vista and schedule Public Hearings and take any necessary action.
13. Discussion, consideration, action if any regarding Resolution No. 15-1615; A Resolution by the City Council of the City of Lago Vista, Texas, confirming the re-appointment of Judge Stephen S. Spindler as Associate Municipal Judge for the City of Lago Vista, Texas.
14. Discussion, consideration, action if any regarding Resolution No. 15-1616; A Resolution by the City Council of the City of Lago Vista, Texas, confirming the appointment of Judge

Robert R. Durbin and Judge Bradley H. Medlin as Associate Municipal Judges for the City of Lago Vista, Texas.

15. Discussion, consideration, action if any regarding Resolution No. 15-1617; A Resolution of the City Council of the City of Lago Vista, Texas Authorizing the City Manager to sign the State assisted Routine Airport Maintenance Program Grant for the Lago Vista Rusty Allen Airport.
16. Discussion, consideration, action if any regarding Resolution No. 15-1618; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the City Manager to sign an agreement for Professional Planning Services for Development of a Comprehensive Plan.
17. Discussion, consideration, action if any regarding recommendations from the Planning Subcommittee as proposed by the Golf Course Advisory Committee.
18. Discussion, consideration, action if any regarding recommendations from the Finance Subcommittee as proposed by the Golf Course Advisory Committee.
19. Discussion, consideration, action if any regarding recommendations from the Operations/Maintenance Sub-committee as proposed by the Golf Course Advisory Committee.
20. Discussion, consideration, action if any regarding the final report and proposed charter amendments recommended by the Charter Review Committee for submission to the voters of City of Lago Vista, Texas.
21. Discussion, consideration, action, if any re: Consideration of an Ordinance of the City Council of the City of Lago Vista, Texas ordering and establishing procedures for a Special Election for November 3, 2015, in the City of Lago Vista to consider the Charter Amendments presented by the Lago Vista Charter Review Committee and approved by the City Council set forth as Exhibit A hereto; providing for Notice of Election, providing Election Precinct and Polling Places; providing for Early Voting; providing an effective date and open meetings clause; and providing for related matters.
22. Discussion and action, if appropriate, to Enter into an Agreement with Coats / Rose for Legal Services.

WORK SESSION

23. Budget Work session:

- Update on 5-year IT Plan
- Department Budgets

24. Departmental Reports

- A. Municipal Court
- B. Water/Wastewater Department
- C. Street Department
- D. Development Services
- E. Police Department
- F. Library
- G. Golf Course
- H. July and August Airport Report

25. Reports/Minutes from City Boards, Committees and Commissions

- a. June 3, 2015 Board of Adjustment regular meeting minutes
- b. July 9th, 2015 Planning and Zoning Commission minutes
- c. July 9, 2015 KLVB meeting minutes
- d. KLVB Report 13August15
- e. July 13, 2015 Charter Review Committee minutes
- f. July 14, 2015 Golf Course Committee minutes
- g. July 22, 2015 Golf Course Committee minutes

FUTURE MEETINGS

26. Consider schedule and items for future Council meetings.

EXECUTIVE SESSION

27. Convene into Executive Session pursuant to Sections 551.071 and 551.072 and/or 551.074, Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:

- a. Consultation with attorney to deliberate the acquisition of real property or possible use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding all or a portion of a 6.91 acre tract located in Travis County, Texas owned by James Otwell.
- b. Consultation with attorney regarding claims or possible claims arising in Cause No. D-1-GN-13-002224, James Otwell v. City of Lago Vista, filed in the 98th Judicial District in Travis County, including but not limited to possible settlement discussions;
- c. Consultation with attorney regarding claims or possible claims arising in Cause No. D-1-GN-15-000294, James Otwell v. Brian Atlas, Villa Montechino LP and City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;
- d. Consider, conduct and discuss the City Manager's performance evaluation including but not limited to possible adjustment to compensation.

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

28. Reconvene from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:
- a. The acquisition of real property and possible use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding all or a portion of a 6.91 acre tract located in Travis County, Texas owned by James Otwell.
 - b. Claims or possible claims arising in Cause No. D-1-GN-13-002224, James Otwell v. City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas; including but not limited to settlement discussion;
 - c. Claims or possible claims arising in Cause No. D-1-GN-15-000294, James Otwell v. Brian Atlas, Villa Montechino LP and City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas.
 - d. Action pertaining to City Manager performance evaluation and/or possible adjustment to compensation.

ADJOURNMENT

IT IS HEREBY CERTIFIED that the above Notice was posted on the Bulletin Board located at all times in City Hall in said City at _____ on the ____ day of _____, 2015.

Sandra Barton, City Secretary

THIS MEETING SHALL BE CONDUCTED PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.001 ET SEQ. AT ANY TIME DURING THE MEETING THE COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION ON ANY OF THE ABOVE POSTED AGENDA ITEMS IN ACCORDANCE WITH THE SECTIONS 551.071, 551.072, 551.073, 551.074, 551.075 OR 551.076.

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.

MEETING DATE: August 20, 2015

AGENDA ITEM: CALL TO ORDER, CALL OF ROLL, INVOCATION AND PLEDGE OF ALLEGIANCE

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

MEETING DATE: August 20, 2015

AGENDA ITEM: PUBLIC COMMENTS

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

MEETING DATE: August 20, 2015

AGENDA ITEM: Receive and discuss monthly update on Water Treatment Plant #3 by Shay Ralls Roalson, PE, HDR.

Comments:

The City Council will receive an update from Shay Roalson, PE with HDR Engineering, Inc. on the status and progress of WTP#3 intake site and plant.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

MEETING DATE: August 20, 2015

AGENDA ITEM: *PUBLIC HEARING*

Comments:

Pursuant to the Texas Local Government Code, Chapter 102, notice is hereby given that the City Council of the City of Lago Vista, Texas will conduct a Public Hearing to receive citizen comments and views regarding the proposed City of Lago Vista budget for the Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.

A copy of the proposed budget is available for viewing between 8:00 A.M. and 5:00 P.M. on weekdays at the Lago Vista City Hall, 5803 Thunderbird, Lago Vista, Texas 78645 and may be found on the City's website: <http://www.lagovistatexas.org>.

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Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____ ; **Hunt** _____ ; **Kruger** _____ ; **Mitchell** _____ ;

Gloris _____ ; **Smith** _____ ; **Cox** _____

Motion Carried: Yes _____ ; **No** _____



AGENDA ITEM

City of Lago Vista

To: **Council Meeting:**

From:

Subject:

Request: **Legal Document:** **Legal Review:**

EXECUTIVE SUMMARY:

As required by the Local Government Code and the City Charter, the Council must schedule a Public Hearing on the Proposed FY15/16 Budget.

The purpose of the Public Hearing is to provide an opportunity for interested citizens to ask questions and receive comments and views. This Public Hearing was called based on action taken by the City Council as required. Since filing the Proposed FY15/16 Budget with the City Secretary, a copy has been available at City Hall, Library and the City's website.

Impact if Approved:

This item is a Public Hearing.

Impact if Denied:

This item is a Public Hearing

Is Funding Required? Yes No **If Yes, Is it Budgeted?** Yes No N/A

Indicate Funding Source:

Not applicable.

Suggested Motion/Recommendation/Action

Motion to:

Motion to:

Motion to:

Known As:

PUBLIC HEARING: Pursuant to the Texas Local Government Code, Chapter 102, notice is hereby given that the City Council of the City of Lago Vista, Texas will conduct a Public Hearing to receive citizen comments and views regarding the proposed City of Lago Vista budget for the FY15/16 commencing October 1, 2015 and ending September 30, 2016.

Agenda Item Approved by City Manager

MEETING DATE: August 20, 2015

AGENDA ITEM: *PUBLIC HEARING*

Comments:

Ordinance No. 15-08-20-01; Consider rezoning at 9207 Bar K Ranch Rd. (Bar K Estates, Plat 11, Lot 11333A) from RR-A (Restricted Single Family with Aircraft) to C-4 (Commercial-Airport).

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: **Mayor & City Council** **Council Meeting:** **August 20, 2015**

From: **David Harrell, AICP, Director**

Subject: **Consider adoption of Ordinance 15-08-20-01 amending the official zoning map of approximately .52 acres of land, described as Bar K Estates, Plat 11, Lot 11333A, located at 9207 Bar K Ranch Rd., respectively, Lago Vista, Travis County, Texas, zoned Restricted - Single Family with Aircraft (RR-A) to Commercial – Airport (C-4); providing a severability clause; and, providing an effective date. (Case No. ZON 1038)**

Request: **Public Hearing** **Legal Document:** **Ordinance** **Legal Review:**

EXECUTIVE SUMMARY:

Please see attached staff report.

The Planning & Zoning Commission tabled the item at their July 9, 2015 meeting date.

The Planning & Zoning Commission reheard the item at their August 13, 2015 meeting date. At that meeting the Commission recommended approval by a vote of 6 to 0.

Impact if Approved:

The property will be rezoned to Commercial – Airport (C-4)

Impact if Denied:

The property will not be rezoned to Commercial – Airport (C-4) and will remain in the Restricted - Single Family with Aircraft (RR-A) zoning category. They can appeal denial to District Court for judicial review.

Is Funding Required? Yes No **If Yes, Is it Budgeted?** Yes No N/A

Indicate Funding Source:

Not Applicable

Suggested Motion/Recommendation/Action

Motion to:

Enact Ordinance

Motion to:

Deny Ordinance

Motion to:

Table Ordinance

Known As:

ZON-1038

Agenda Item Approved by City Manager



Development Services Department

STAFF REPORT

Application for Rezoning

File Number: ZON-1038

Date: June 29, 2015 (Revised on July 28, 2015 by adding Update from Last Month)

Applicant: Alton Moore

Representative: SAME

Hearing Dates: Planning & Zoning Commission – July 9, 2015 (TABLED)
Planning & Zoning Commission – August 13, 2015
City Council – August 20, 2015

Location: 9207 Bar K Ranch Rd.

APPLICATION SUMMARY

Consider adoption of Ordinance amending the official zoning map of approximately .52 acres of land, described as Bar K Estates, Plat 11, Lot 11333A, located at 9207 Bar K Ranch Rd., respectively, Lago Vista, Travis County, Texas, zoned Restricted - Single Family with Aircraft (RR-A) to Commercial – Airport (C-4); providing a severability clause; and, providing an effective date. (Case No. ZON 1038)

TECHNICAL REVIEW

The Development Services Department has reviewed this request and there are no outstanding comments/issues. In the case that the rezoning is approved, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State and local regulations and permitting requirements. No permits authorizing Development shall be issued prior to compliance with all applicable regulations.

UPDATE FROM LAST MONTH

This item was tabled by the Planning & Zoning Commission due to concerns of reduction in property values and spot zoning brought up by a neighbor in opposition through their attorney.

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

The current request to rezone to Commercial – Airport (C-4) to allow for building of hanger with optional minimum living space located inside versus the current zoning which allows for a single family home with accessory hanger. Since the rezoning allows new uses, all these uses must be taken into consideration when determining compatibility with the area. On the next page is a list of all uses within the Restricted -

Single Family with Aircraft (RR-A) and potential rezoned Commercial – Airport (C-4), with **RED** being a subtracted use and **GREEN** being an added use:

STRUCTURE/USE	RR-A	C-4	STRUCTURE/USE	RR-A	C-4
Accessory Building or Use	v	v	Parking lot, commercial		v
Aircraft hangar, servicing, repair, operations		v	Plumbing, HVAC, roofing supply		v
Cabinet shop/commercial		v	Police station		v
Canvas goods fabrication		v	Public and municipal treatment plants, pump stations, lift stations, public works and related facilities, and municipal buildings and facilities	v	v
Carpentry shop		v	Restaurant		v
Community Home	v		School-business/commercial		v
Dwelling-single family with hangar	v		Studio-artist		v
Electric appliance shop/repair		v	Substation-public utility		v
Expressing, baggage, delivery service		v	Telephone exchange		v
Family home facility	v		Tinsmith & sheet metal		v
Fire Station	v	v	Upholstery shop		v
Fuel storage		v	Warehouse		v
Heliports		v	Water tank-surface, subsurface, public		v
Helistops		v	Wireless Communications Systems, Radio, television and microwave antennae and towers ⁶		v
Home based business or occupation	v		Wholesale distribution		v
Marina		v			
Museums		v			

The rezoning will subtract four (4) uses and add twenty-six (26) potential uses to the site.

Uses that have the best potential on this site are Aircraft hangar, servicing, repair, operations; Dwelling-single family with hangar; Warehouse. The building on this site will more than likely be similar to other buildings constructed in the C-4 zoning category where there is potential living space and the building will take up the entire lot. This could foster the above uses due to the type of construction and vicinity to the Airport.

Uses that may have potential on this site are Cabinet shop/commercial, Canvas goods fabrication, Carpentry shop, Electric appliance shop/repair, Expressing, baggage, delivery service, Fuel storage, Heliports, Helistops; Parking lot, commercial; Plumbing, HVAC, roofing supply, Restaurant, School-business/commercial, Tinsmith & sheet metal, Upholstery shop; Wholesale distribution. Although many commercial type uses are potentially possible at the site, there would be difficulties with starting many of these businesses. Most require delivery of materials to the site which would be made difficult due to the steepness of Bar K Ranch Rd. and Bison Trail. Another factor is there is little customer base for other uses which require customers.

Uses not likely to have potential on this site are Fire Station, Museums, Police station, Studio-artist, Substation-public utility, Telephone exchange, Water tank-surface, subsurface, public; Wireless Communications Systems, Radio, television and microwave antennae and towers. There are no plans to expand police, fire, or other public utility services into that area due to lack of need. Other uses would not be compatible at the Airport due to height obstructions.

The Lago Vista Comprehensive Master Plan has certain policies that may be used as criteria or guidance for a change in zoning. Following is a staff analysis with objectives in **bold** and staff comments in *italics*:

Objective 3.19: With so little property currently zoned for nonresidential use, it is critical that additional land be zoned for nonresidential use. *This sites potential rezoning will allow for more land area in conjunction with the current C-4 zoned land to the north (see attachment 3).*

Objective 5.11: Zone additional land and preserve for nonresidential land use. *See answer to Objective 3.19.*

Objective 5.13: Undeveloped land adjacent to the airport should be evaluated to determine potentially needed zoning changes to support additional nonresidential development. *The present lot is undeveloped and adjacent to the Airport. Underlying land use is indicative of industrial uses for the lot. Although the zoning is not industrial in nature, a commercial use is closer to an industrial use than a residential use.*

Since the land use is Industrial and proposed rezoning is a commercial zoning these are not compatible. Although the City Code allows for a rezoning in this circumstance, it must meet the following additional requirements under Chapter 14, Section 13, Subsection 13.20(D). Below are the additional findings of fact (**bold**) and staff interpretation of those facts (*in italics*).

- (1) **The Commission finds significant and unanticipated changes have occurred in the area of the affected parcel since the classification on the land use map was adopted.** *The area near the Airport has been zoned residential even though the land use is industrial, rezoning the land to C-4 is a commercial zoning that would better match the underlying land use.*

- (2) **It is unlikely that the parcel will be developed or used for any use permitted under the zoning classification indicated in the City's Master Plan.** *The underlying zoning of RR-A is a residential zoning that allows for a single family home with an accessory hanger. This limits the likelihood of parcel development. The location near the airport should allow for the opportunity of additional Uses that utilize the Airport.*
- (3) **The Commission finds that the requested zoning classification is the most appropriate classification for the area affected.** *The underlying land use is indicative of industrial uses for the lot. Although the zoning is not industrial in nature, a commercial use is closer to an industrial use than a residential use.*

FINDINGS OF FACT

Based on the planning file, staff report, and attachments associated with this packet staff believes this rezoning is not contrary to the public interest as required by Section 13.20(E)(3)(a) because the underlying land use is industrial which is indicative of a higher zoning category of commercial and the zoning to the immediate north is zoned C-4 (see attachment 3). Due to the location of the Airport, the uses listed within the C-4 zoning category would also better accommodate the development pattern of the Airport.

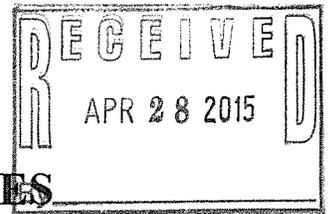
Several comprehensive plan objectives and additional findings of fact in Subsection 13.20(D) have been met in staff's professional opinion based on the documentation provided with the report.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Applicant Request
2. Proposed Ordinance
3. Maps

Attachment 1
Applicant Request



**CITY OF LAGO VISTA
BUILDING AND DEVELOPMENT SERVICES**

5803 THUNDERBIRD LAGO VISTA, TEXAS 78645
OFFICE 512-267-5259 FAX 512-267-5265

ZONING CHANGE REQUEST APPLICATION
(PLEASE PRINT)

Name of Owner(s): Alton O. Moore III

Owner's Address: 5407 Phillips Circle

Austin, TX 78734-1451

Contact Person: Alton Moore

Email Address: gomoores@gmail.com

Contact Phone Numbers: 956-581-5577 956-581-5577

(DAYTIME)

(CELL)

(FAX)

COMPLETE LEGAL DESCRIPTION OF PROPERTY (PLEASE PRINT)

Subdivision: Bar-K Section: Plat II Lot No: 11333 A

Property Address: 9207 Bar-K Ranch Road

Volume and Page where deed is filed: Book 68, pgs. 11-13 and Volume 98, pg. 12

NATURE OF REQUEST (PLEASE PRINT)

Requests a Zoning Change from the current zoning designation of RR-A ?

To C4 for the purpose of building an airplane hangar

In my absence I hereby designate the following person to act in my behalf as my designated agent. (PLEASE PRINT).

Name of Agent: _____

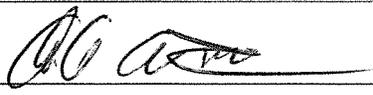
Address: _____

Phone Numbers: _____

(DAYTIME)

(CELL)

(FAX)

Signature of Applicant:  Date: 04/23/2015

Attachment 2
Proposed Ordinance

ORDINANCE NO. 15-08-20-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP BY REZONING BAR K ESTATES, PLAT 11, LOT 11333A FROM THE RR-A (RESTRICTED – SINGLE FAMILY WITH AIRCRAFT) TO C-4 (COMMERCIAL – AIRPORT) ZONING DISTRICT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the landowner of Lot 11333A, Plat 11, Bar K Estates (“Lot”) has filed an application requesting the City of Lago Vista (“City”) to consider rezoning such Lot from RR-A to C-4; and

WHEREAS, after giving ten (10) days written notice to the owners of land in and within 200-feet of the area being rezoned, as well as having published notice to the public at least fifteen (15) days prior to the date of such hearing(s), the Planning and Zoning Commission and City Council each held a public hearing on the proposed re-zoning; and

WHEREAS, the Planning and Zoning Commission (the “Commission”) at its public hearing on the rezoning of such Lot, reviewed the request and the circumstances of the area being rezoned and finds that a substantial change in circumstances of the area being rezoned has transpired sufficient to warrant a change in the zoning; and

WHEREAS, the Commission recommends rezoning such Lot from RR-A to C-4; and

WHEREAS, the City Council at its public hearing on the rezoning, reviewed the request and the circumstances of the area and it concurs with the recommendation of the Commission; and

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City’s tax base; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Commission, City Manager and City Council find that this Ordinance satisfies the requirements of Section 13 of the City of Lago Vista Zoning Ordinance.

Section 2. Amendment of Zoning Ordinance and Zoning Map. The Zoning Ordinance and the Official Zoning Map and other applicable ordinances are hereby

modified and amended by rezoning Bar K Estates, Plat 11, Lot 11333A, from RR-A to C-4.

Section 3. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 5. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

Section 6. Open Meeting. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

PASSED AND APPROVED this 20th day of August, 2015.

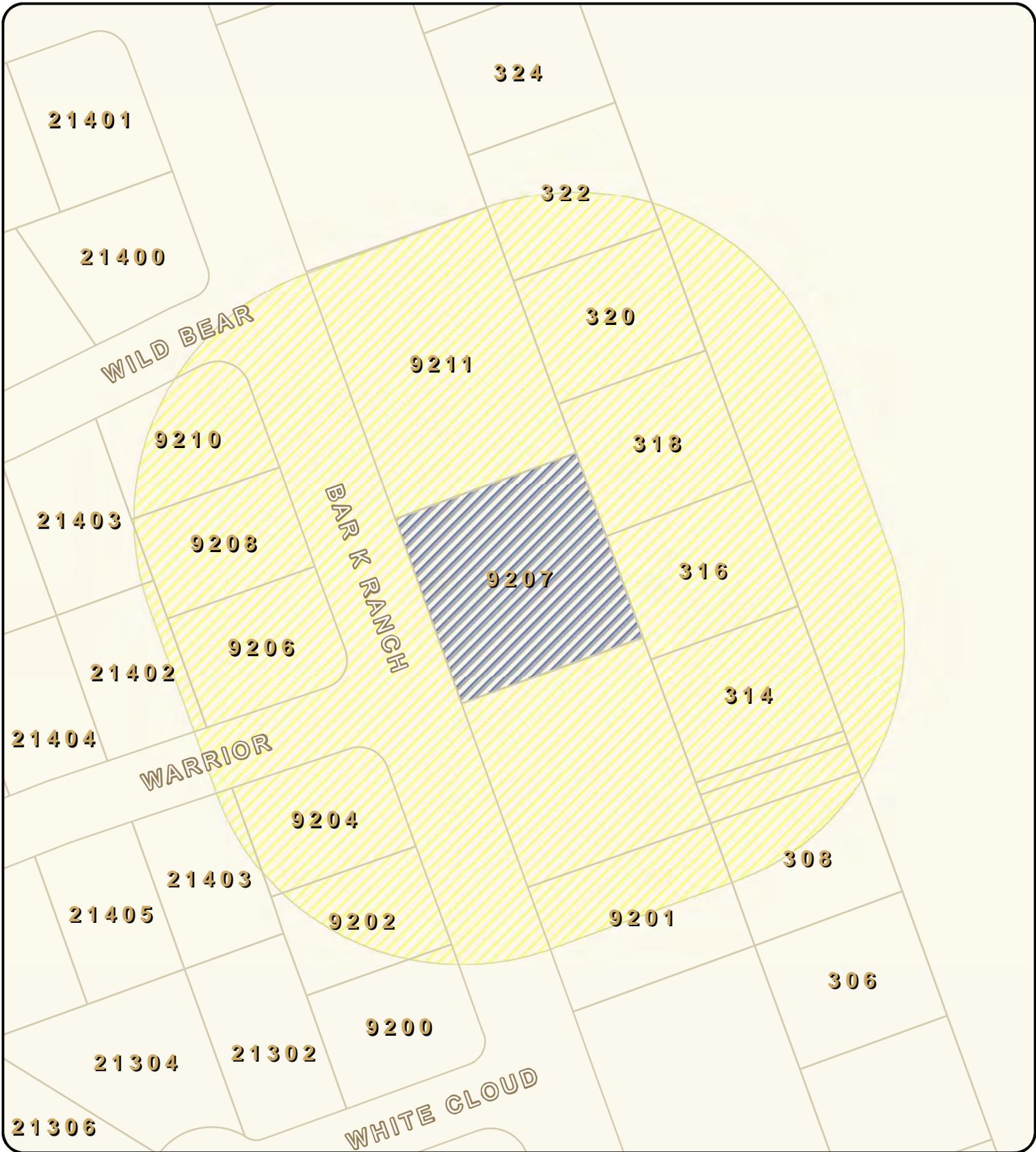
Randy Kruger, Mayor

ATTEST:

Sandra Barton, City Secretary

Attachment 3

Maps



9207 Bar K Ranch Rd

Request Type:	Rezone	Project:	ZON-1038
Change Requested:	RR-A to C4	Date:	5/28/2015
Map Purpose:	200 ft Notice	Drawn By:	CM

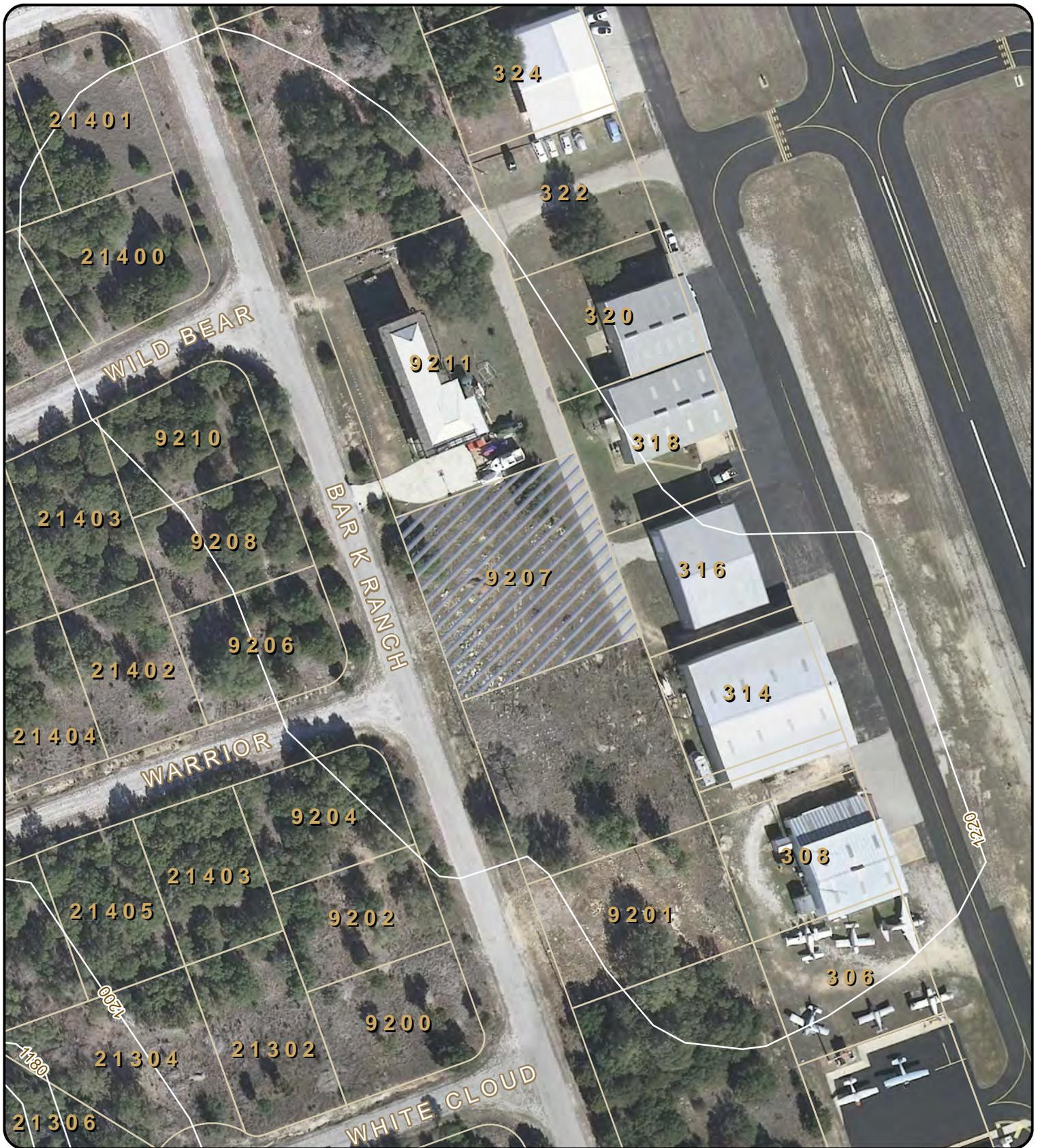
While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



1 inch = 100 feet

Legend

- Owner Parcels
- Requestor
- 200' Buffer



9207 Bar K Ranch Rd

Request Type:	Rezone	Project:	ZON-1038
Change Requested:	RR-A to C4	Date:	6/23/2015
Map Purpose:	Aerial & Topo	Drawn By:	CM

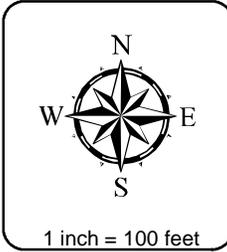
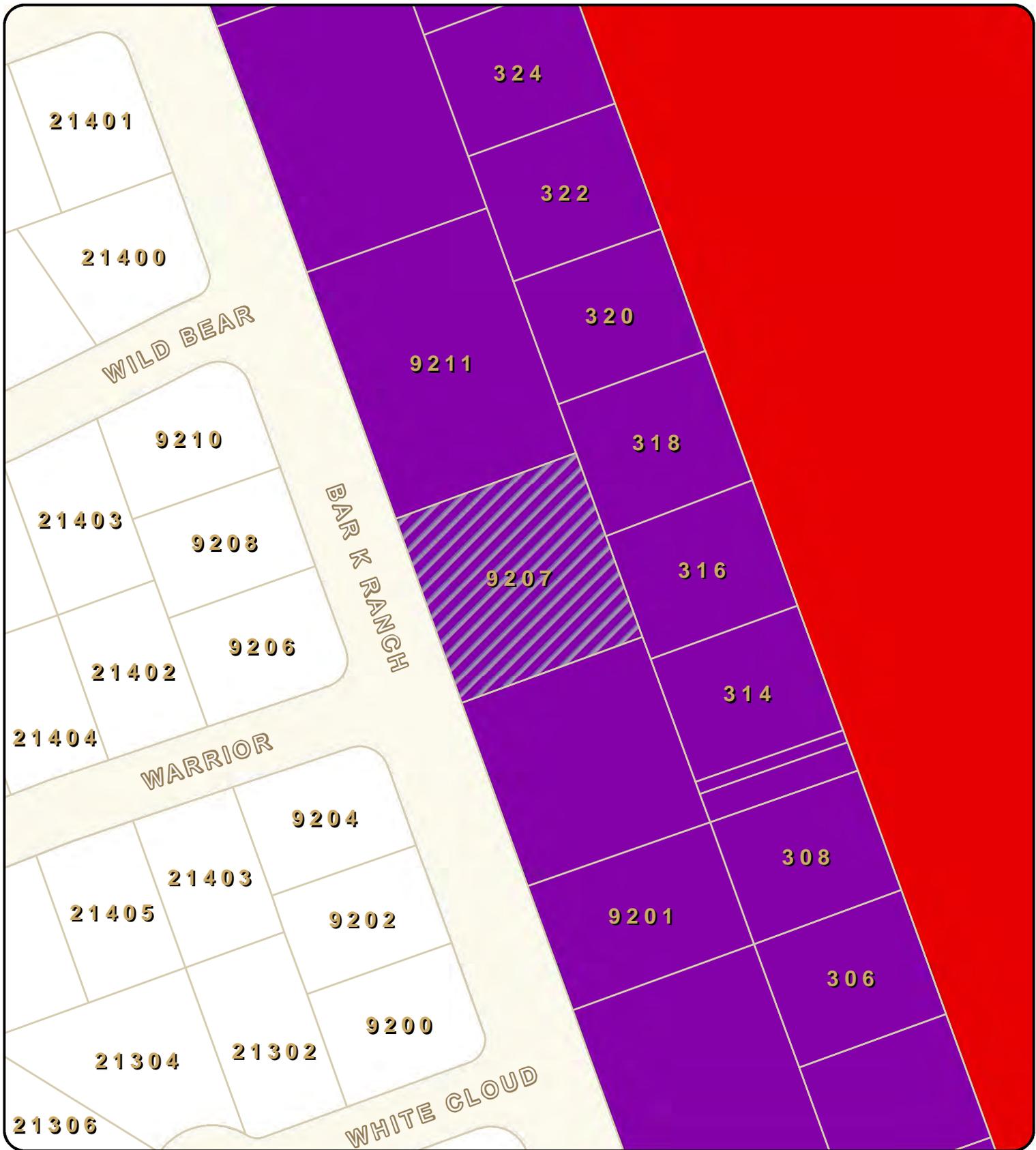
While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



1 inch = 100 feet

Legend

- 20' Contours
- Owner Parcels
- Requestor



9207 Bar K Ranch Rd

Request Type:	Rezone	Project:	ZON-1038
Change Requested:	RR-A to C4	Date:	6/23/2015
Map Purpose:	Future Land Use	Drawn By:	CM

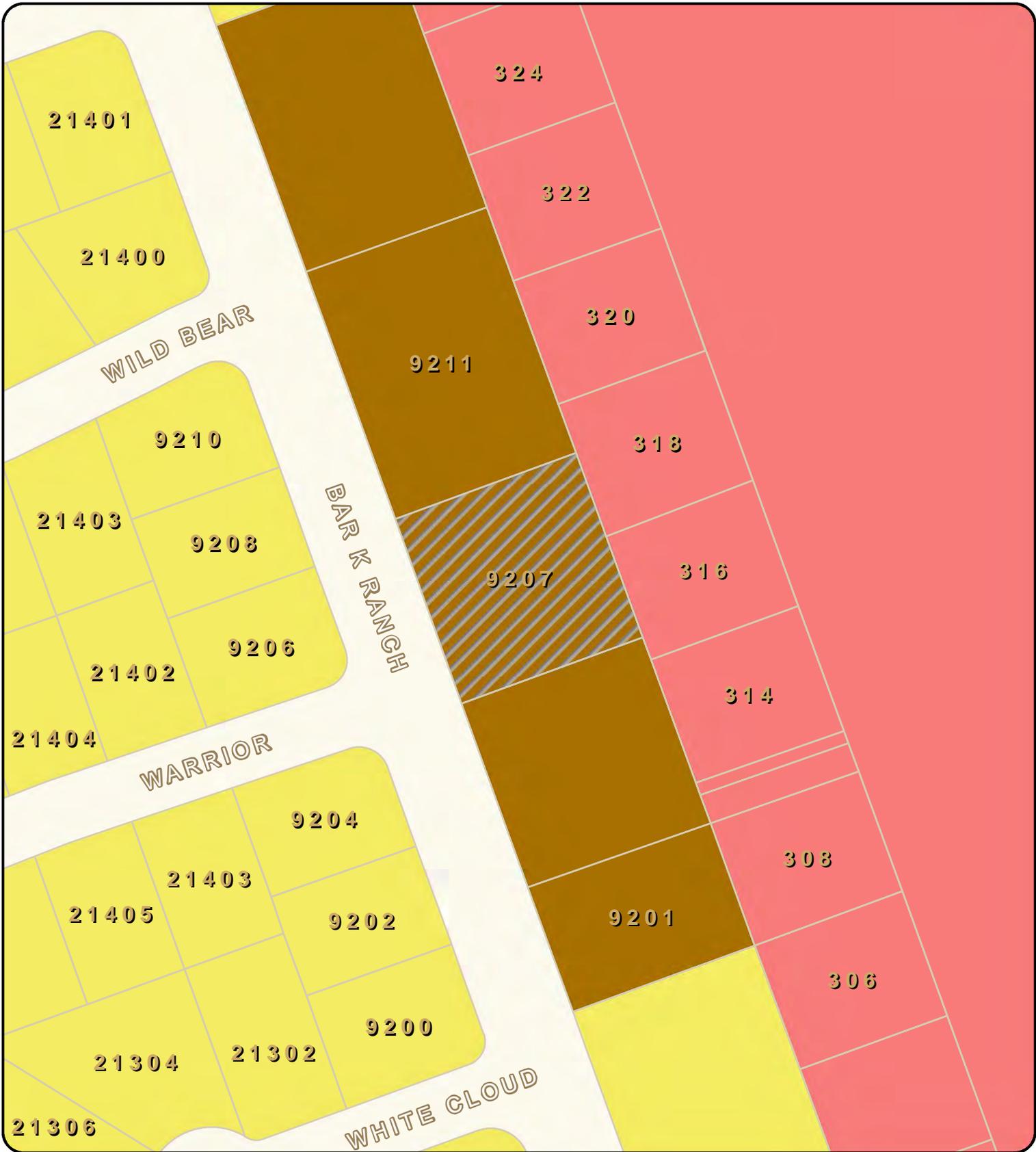
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Legend

- Owner Parcels
- Requestor

Future Land Use

- Low Density Residential
- Commercial
- Industrial



9207 Bar K Ranch Rd

Request Type:	Rezone	Project:	ZON-1038
Change Requested:	RR-A to C4	Date:	6/23/2015
Map Purpose:	Zoning	Drawn By:	CM

While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

Legend

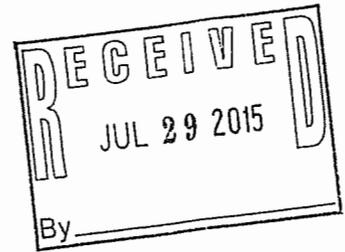
- Owner Parcels
- Requestor
- C-4
- R-1
- R-1A
- RR-A
- TR-18



1 inch = 100 feet



City of Lago Vista
Development Services
 5803 Thunderbird Ste.103
 PO Box 4727 Lago Vista, TX 78645
 (512)267-5259 Office (512)267-5265 Fax



ID: # 20
 NRC INC
 15907 ABERDEEN TRAILS DR
 HOUSTON, TX 77095

Site Address: BAR K RANCH RD

Public Hearing

The City of Lago Vista Planning and Zoning Commission will hold a Public Hearing on June 11th, 2015 at 7:00 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken:

Recommendation by the Planning & Zoning Commission for a rezoning of a lot located at 9207 Bar K Ranch Rd. (Bar K Ranches, Plat 11, Lot 11333A) from RR-A (Restricted – Single Family with Aircraft) to C-4 (Commercial, Airport) (Project # ZON 1038).

The Lago Vista City Council will hold a Public Hearing on August 20, 2015 at 6:30 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken:

Consideration of rezoning of a lot located at 9207 Bar K Ranch Rd. (Bar K Ranches, Plat 11, Lot 11333A) from RR-A (Restricted – Single Family with Aircraft) to C-4 (Commercial, Airport) (Project # ZON 1038).

You are receiving this notice because you own property within 200 feet of the area proposed for rezoning. All interested persons are invited to attend. If you are unable to attend but wish to comment, please list your comments below and return to the address above.

You may return this form with comments below.

In favor

Opposed

Comments:

Signed:

[Handwritten signature]

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding rezoning at 9207 Bar K Ranch Rd. (Bar K Estates, Plat 11, Lot 11333A) from RR-A (Restricted Single Family with Aircraft) to C-4 (Commercial-Airport).

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

MEETING DATE: August 20, 2015

AGENDA ITEM: *PUBLIC HEARING*

Comments:

Consider a Conditional use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10 (B)(4)(d) to allow an accessory building height of 21.8' instead of 18', for a proposed accessory building.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____ ; Hunt _____ ; Kruger _____ ; Mitchell _____ ;

Gloris _____ ; Smith _____ ; Cox _____

Motion Carried: Yes _____ ; No _____



AGENDA ITEM

City of Lago Vista

To: Mayor & City Council Council Meeting: August 20, 2015

From: David Harrell, AICP, Director

Subject: Consideration by the City Council of a Conditional Use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10(B)(4)(d) to allow an accessory building height of 21.8' instead of 18', for a proposed accessory building.

Request: Public Hearing Legal Document: Other Legal Review:

EXECUTIVE SUMMARY:

Please see attached staff report.

The Planning & Zoning Commission heard the item at their August 13, 2015 meeting date. At that meeting the Commission recommended approval by a vote of 6 to 0.

Impact if Approved:

The applicant can build the proposed building at their proposed height.

Impact if Denied:

The applicant cannot build the proposed building at their proposed height.

Is Funding Required? Yes No **If Yes, Is it Budgeted?** Yes No N/A

Indicate Funding Source:

Not Applicable

Suggested Motion/Recommendation/Action

Motion to:

Approve Item

Motion to:

Deny Item

Motion to:

Table Item

Known As:

ZON-1041

Agenda Item Approved by City Manager



Development Services Department

STAFF REPORT

Application for Conditional Use

File Number: ZON 1041

Date: August 13, 2015

Applicant: Guy Burkhart

Representative: SAME

Hearing Dates: Planning & Zoning Commission – August 13, 2015
City Council – August 20, 2015

Location: 21104 Dawn Dr.

APPLICATION SUMMARY

Consideration by the City Council of a Conditional Use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10(B)(4)(d) to allow an accessory building height of 21.8' instead of 18', for a proposed accessory building.

TECHNICAL REVIEW

The Development Services Department has reviewed this request and there are no outstanding comments/issues. In the case that the item is approved, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State and local regulations and permitting requirements. No permits authorizing Development shall be issued prior to compliance with all applicable regulations.

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

This conditional use is to allow placement of an accessory building (RV garage) approximately 3.8' feet higher than allowed by the zoning code (Chapter 14). This accessory building will be a building similar to the pictures shown in attachment 2.

FINDINGS OF FACT

The only finding of fact associated with the application is does the proposed 3.8' higher height balance the private need and benefits against the impact and effect on an area or neighborhood? Application of "balance the private need and benefits against the impact and effect on an area or neighborhood" can only be applied to the requested 3.8' since an accessory building can be built at the location by right and the request is only for the height presently existing at the site.

Staff doesn't believe that the "balance of the private need and benefits against the impact and effect on an area or neighborhood" will be significantly affected by

allowing the 3.8' height increase for the accessory building. Neighboring homes to the northwest are on the edge of the lake and would not notice the impact since they have a lake view (see attachment 3). Also, homes to the south would not be greatly affect since the accessory building is behind the present home (see attachment 3). The immediate home to the east wouldn't be greatly affected since the area between the proposed accessory building is heavily wooded and the home is on the far east side of their lot (see attachment 3).

Staff would recommend approval of this request.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Site Plan and Location Photos
3. Maps

Attachment 1
Application



CITY OF LAGO VISTA

Conditional Use Permit

Conditional Use Permit Fee: \$250.00

Applicant Information:

Name: GUY BURKHART

Address: 21104 DAWN DRIVE LAGO VISTA TX 78645

Telephone #: (713) 254-1954

Date of Application: _____

Signature: Guy H Burkhart

Request:

Conditional Use Permit is being sought for:

A HEIGHT EXCEPTION FOR AN ACCESSORY BUILDING.

Legal Description: ~~LOT 27~~ LAGO VISTA SECTION ONE LOT 27
LAGO VISTA sec. ONE 27
(Subdivision) (Section) (Lot)

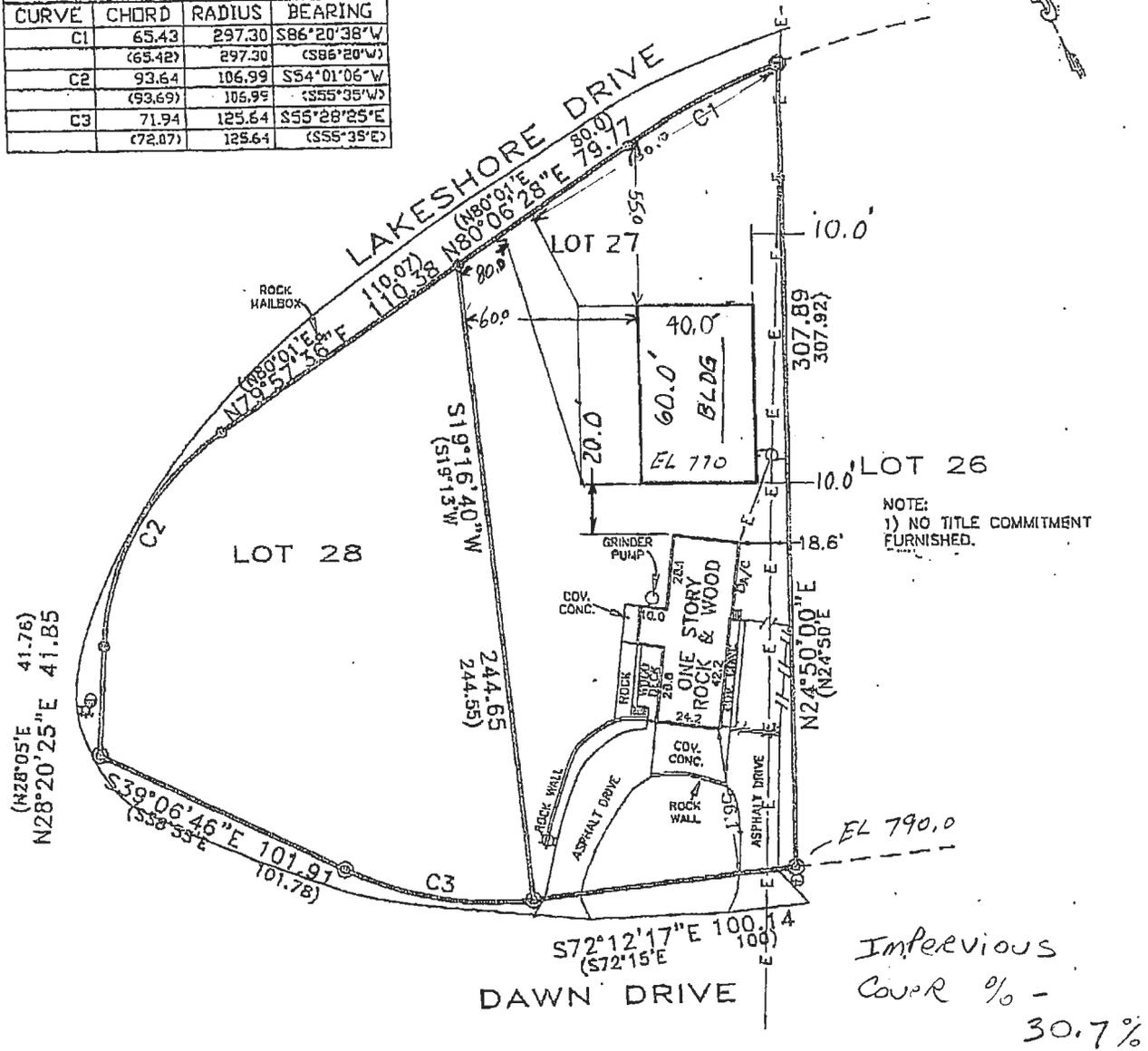
Please attach a to-scale drawing of the improvements that would be provided.

Attachment 2
Site Plan & Location Photos

Plat of survey of property at 21104 Dawn Drive
 described as Lot 27 & 28, Block E, of LAGO VISTA SECTION ONE
 a subdivision of record in Map or Plat
 Volume/Book/Cabinet 8 of Page(s)/Slide(s) 85 of the Travis
 County, Texas Plat Records. G.F. # Dated:
 Ref:

SCALE: 1" = 60'

CURVE TABLE			
CURVE	CHORD	RADIUS	BEARING
C1	65.43	297.30	S86°20'38"W
	(65.42)	297.30	(S86°20'W)
C2	93.64	106.99	S54°01'06"W
	(93.69)	106.99	(S55°35'W)
C3	71.94	125.64	S55°28'25"E
	(72.07)	125.64	(S55°35'E)



To: exclusively.

The undersigned does hereby certify that the plat shown represents the results of a survey on the ground under my supervision and is true and correct and that there are no discrepancies, conflicts, shortages in area, boundary line conflict, encroachments, overlapping of improvements, visible utility easements, except as shown and the property has access to and from a dedicated roadway.

The property shown hereon is located in Zone X Area outside 500 year floodplain

as shown on Community Panel Number 481588 0320 E
 of the FLOOD INSURANCE RATE MAP prepared for City of Lago Vista
 by the Federal Insurance Administration Department, H.U.D. Effective Date: June 16, 1993

This information is based solely on sold map and the surveyor does not assume responsibility as to any information provided and does not represent accuracy or inaccuracy of sold map

This survey is copyright 2005 by Crichton and Associates, Inc., and is being provided solely for the use of the current parties and no license has been created, express or implied, to copy the survey except as is necessary in conjunction with this transaction only.

05_230

LEGEND
 © 1/2" IRON PIN FOUND
 © 1/2" IRON PIN SET
 © 3/4" PIPE FOUND

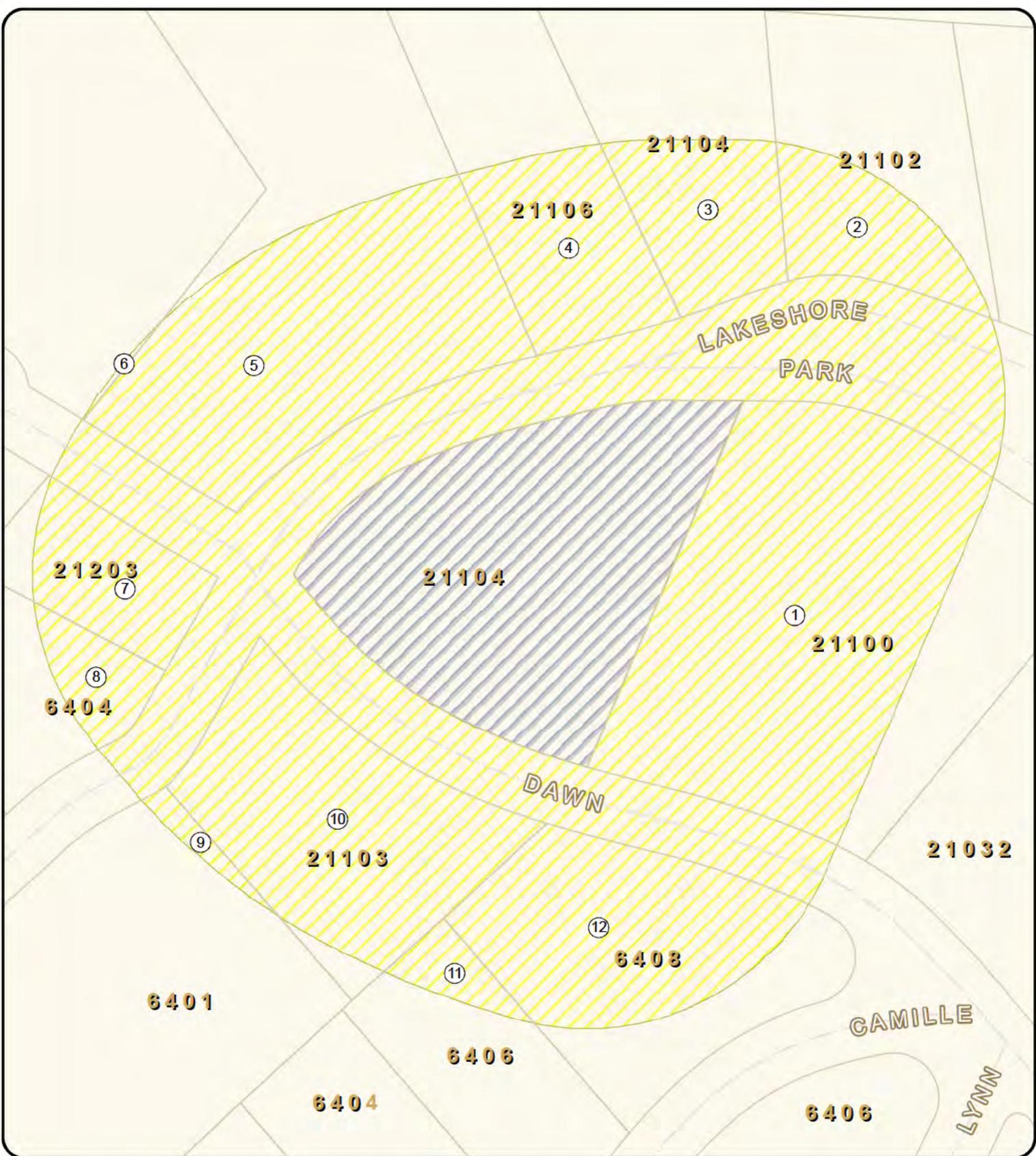


1. Example of Burkhart building.
2. Burkhart building will have 3 roll up doors instead of 2.
3. *T.O.C. 770 EL.*



Attachment 3

Maps



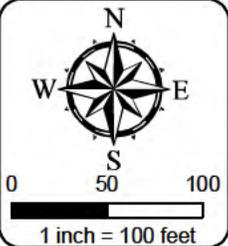
21104 Dawn Dr

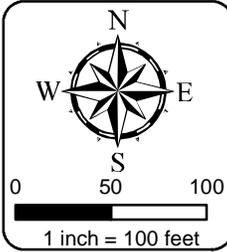
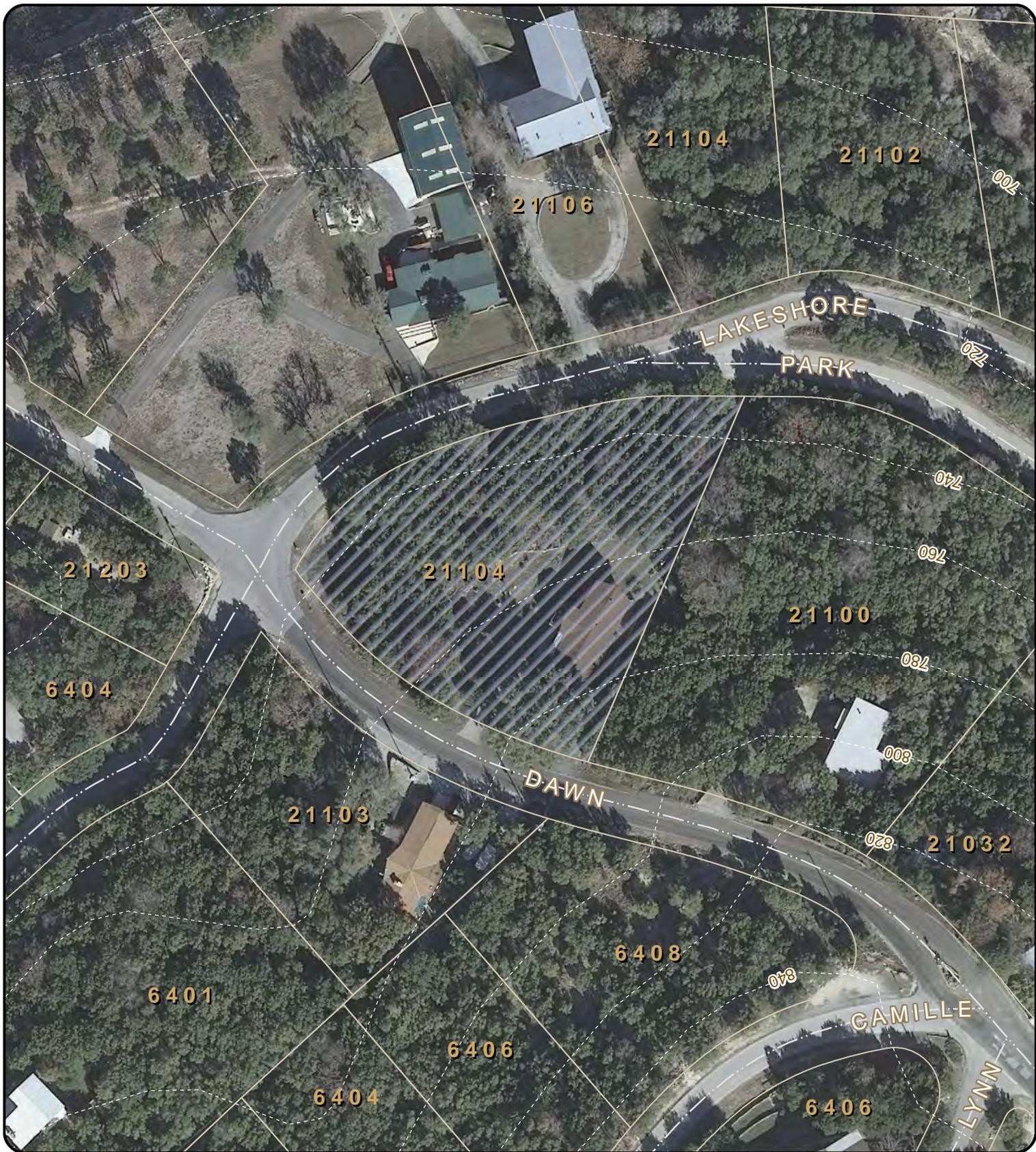
Request Type:	Conditional Use	Project:	ZON-1041
Change Requested:	Accessory Building Height Exception	Date:	7/28/2015
Map Purpose:	200' Buffer	Drawn By:	CM

While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

Legend

- Owner Parcels
- 200' Buffer
- Requestor



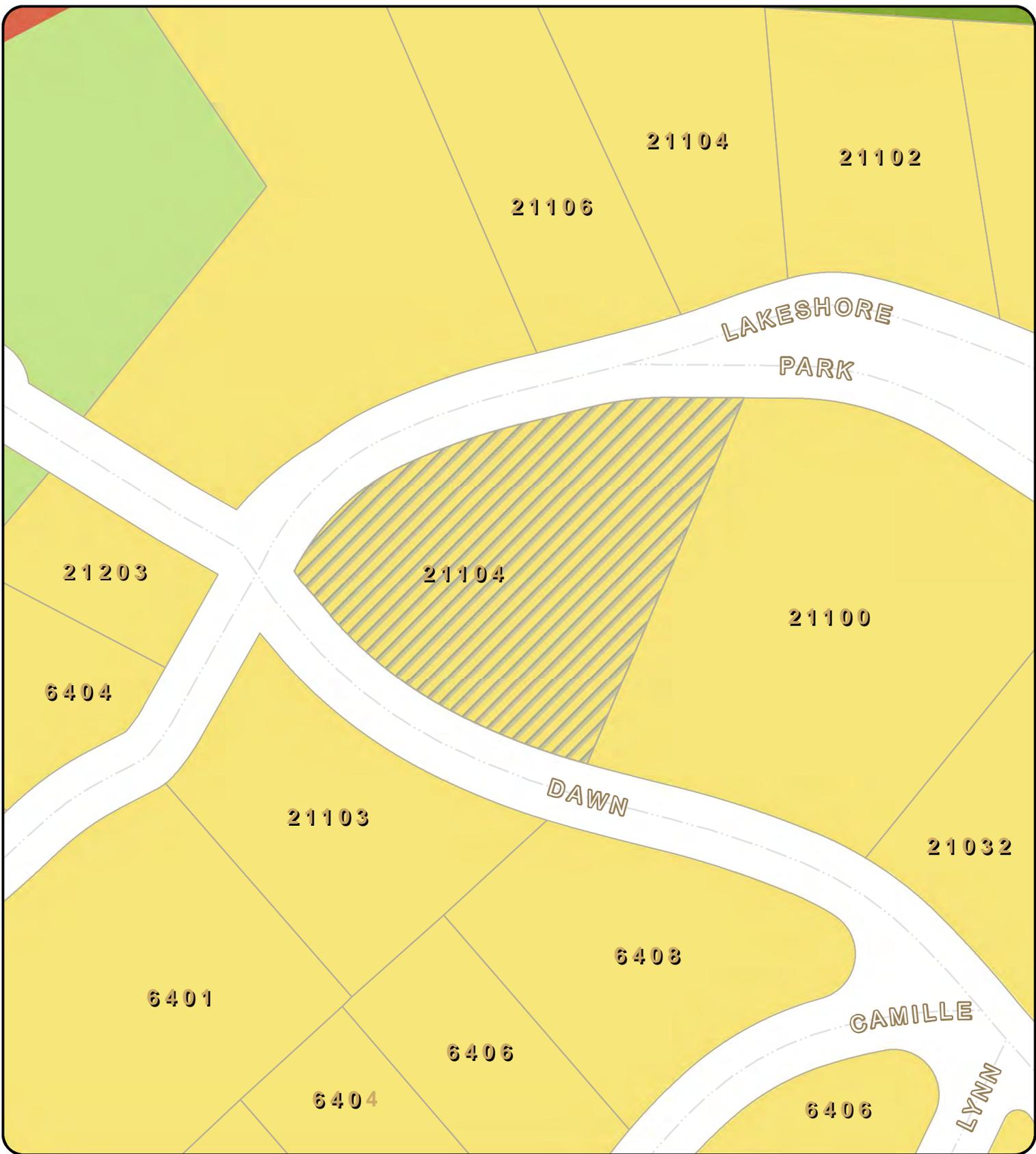


21104 Dawn Dr

Request Type:	Conditional Use	Project:	ZON-1041
Change Requested:	Accessory Building Height Exception	Date:	7/28/2015
Map Purpose:	Aerial & Topo	Drawn By:	CM

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- Legend**
- 20' Contours
 - Owner Parcels
 - Requestor



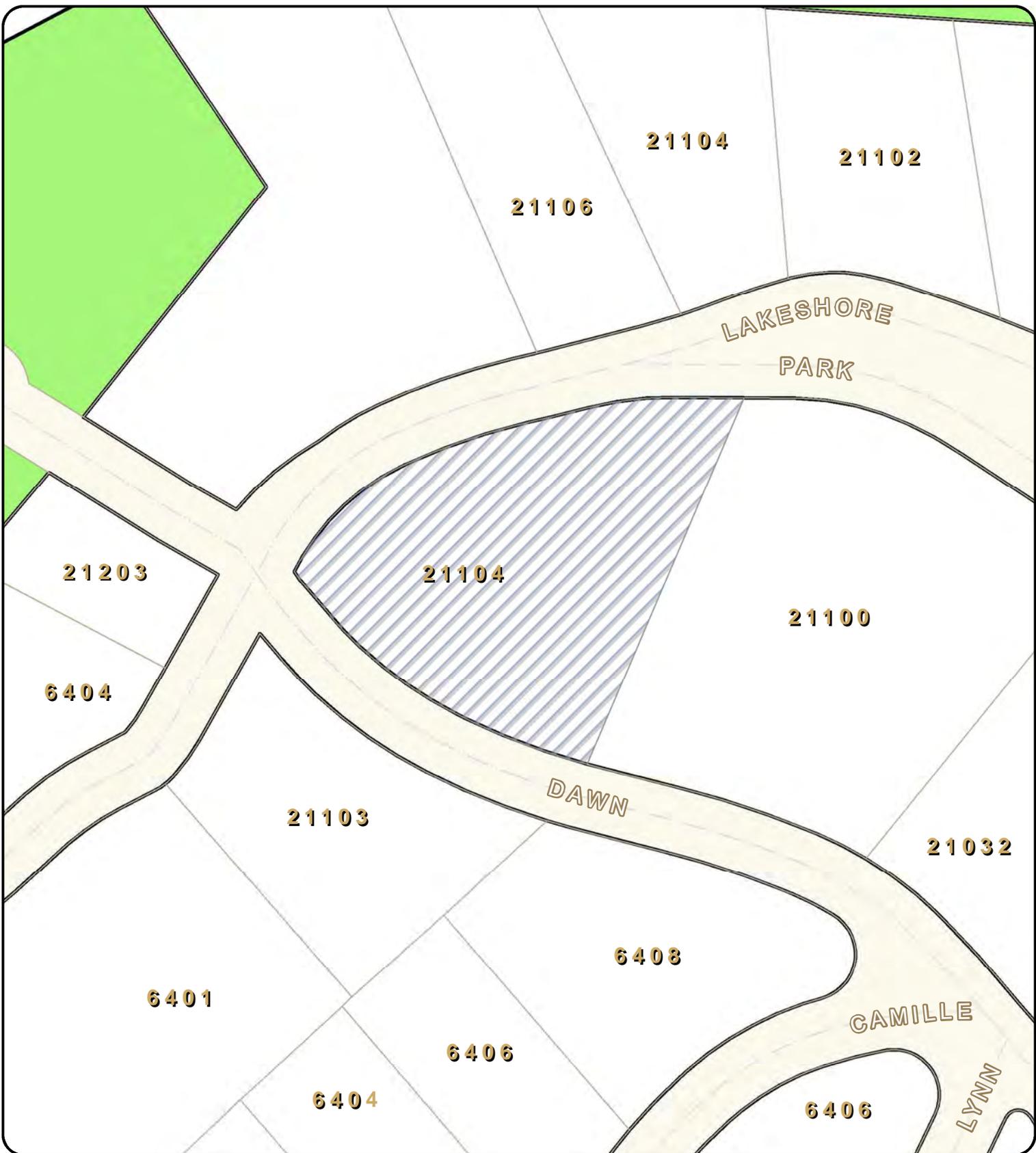
21104 Dawn Dr

Request Type:	Conditional Use	Project:	ZON-1041
Change Requested:	Accessory Building Height Exception	Date:	7/28/2015
Map Purpose:	Zoning Map	Drawn By:	CM

While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

Legend

- Owner Parcels
- Requestor
- Zoning Classification**
- C-3
- P-1A
- P-1B
- P-1C
- R-1E



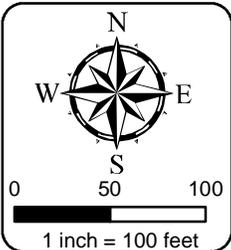
21104 Dawn Dr

Request Type:	Conditional Use	Project:	ZON-1041
Change Requested:	Accessory Building Height Exception	Date:	7/28/2015
Map Purpose:	Future Land Use	Drawn By:	CM

While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

Legend

- Requestor
- Owner Parcels
- Future Land Use**
- Low Density Residential
- Parks





City of Lago Vista
Development Services
 5803 Thunderbird Ste.103
 PO Box 4727 Lago Vista, TX 78645
 (512)267-5259 Office (512)267-5265 Fax



ID: # 1

Site Address: 21100 Dawn Dr

RAREY GAIL BROWN ETAL TRUSTEES
 GEORGE F RAREY TRUST
 APT 101 2450 WICKERSHAM LN
 AUSTIN TX 78741

Joint Public Hearing

The Lago Vista Planning and Zoning Commission will hold a Public Hearing on August 13, 2015 at 7:00 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken.

ZON 1041 – Recommendation of the Planning & Zoning Commission of a Conditional Use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10(B)(4)(d) to allow an accessory building height of 21.8’ instead of 18’, for a proposed accessory building.

The Lago Vista City Council will hold a Public Hearing on August 20, 2015 at 6:30 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken.

ZON 1041 – Consideration of the City Council of a Conditional Use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10(B)(4)(d) to allow an accessory building height of 21.8’ instead of 18’, for a proposed accessory building.

You are receiving this notice because you own property within 200 feet of the area proposed for rezoning. All interested persons are invited to attend. If you are unable to attend but wish to comment, please list your comments below and return to the address above.

You may return this form with comments on following page..

In favor

Opposed

Comments:

AFTER speaking with GUY BERKHART, I HAVE THE UNDERSTANDING THE NEW BUILDING WILL BE BELOW MY VIEW OF THE LAKE AND TO THE RIGHT. A POOL WILL BE VISIBLE FROM MY DECK

Signed:

George Rarey
 512 3641314 1



City of Lago Vista
Development Services
5803 Thunderbird Ste.103
PO Box 4727 Lago Vista, TX 78645
(512)267-5259 Office (512)267-5265 Fax

ID: # 5

Site Address: Lake Shore Dr

CHRIST JOHNIE E
21200 LAKESHORE DR
LAGO VISTA TX 78645

Joint Public Hearing

The Lago Vista Planning and Zoning Commission will hold a Public Hearing on August 13, 2015 at 7:00 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken.

ZON 1041 – Recommendation of the Planning & Zoning Commission of a Conditional Use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10(B)(4)(d) to allow an accessory building height of 21.8’ instead of 18’, for a proposed accessory building.

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You may return this form with comments on following page..

In favor

Opposed

Comments:

*I live the closest to the bldg. and have No
Problem with it.*

Signed:

Johnie E Christ



City of Lago Vista
Development Services
 5803 Thunderbird Ste.103
 PO Box 4727 Lago Vista, TX 78645
 (512)267-5259 Office (512)267-5265 Fax

ID: # 12

Site Address: 6408 Camille Ct

DAVIS LESTER J & DONALD V ROLLER
 1705 ASHBURY CT
 BEDFORD TX 76021

Joint Public Hearing

The Lago Vista Planning and Zoning Commission will hold a Public Hearing on August 13, 2015 at 7:00 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken.

ZON 1041 – Recommendation of the Planning & Zoning Commission of a Conditional Use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10(B)(4)(d) to allow an accessory building height of 21.8’ instead of 18’, for a proposed accessory building.

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You are receiving this notice because you own property within 200 feet of the area proposed for rezoning. All interested persons are invited to attend. If you are unable to attend but wish to comment, please list your comments below and return to the address above.

You may return this form with comments on following page..

In favor

Opposed

Comments:

Signed:

FAX

TO: City of LAGS VISTA DATE: 1 AUG 15

FAX # 512-267-5265 FROM: DAVIS/ROLLER

RE: PLAN + ZONE ZON 1041 PAGES: 1+1

The information in this facsimile and any attachments are for the sole use of the intended recipient and may contain privileged and confidential information. If you are not the intended recipient, any use disclosure, copying or distribution of this message or attachment is strictly prohibited. If you believe that you have received this facsimile in error, please contact the sender immediately and destroy this facsimile and all of its attachments.



City of Lago Vista
Development Services
 5803 Thunderbird Ste.103
 PO Box 4727 Lago Vista, TX 78645
 (512)267-5259 Office (512)267-5265 Fax

ID: # 4

Site Address: 21106 Lake Shore Dr

CARREJO NANCY H
 21106 LAKESHORE DR
 LAGO VISTA TX 78645

Joint Public Hearing

The Lago Vista Planning and Zoning Commission will hold a Public Hearing on August 13, 2015 at 7:00 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken.

ZON 1041 – Recommendation of the Planning & Zoning Commission of a Conditional Use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10(B)(4)(d) to allow an accessory building height of 21.8’ instead of 18’, for a proposed accessory building.

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You are receiving this notice because you own property within 200 feet of the area proposed for rezoning. All interested persons are invited to attend. If you are unable to attend but wish to comment, please list your comments below and return to the address above.

You may return this form with comments on following page..

In favor

Opposed

Comments:

*1) wish I had received a letter before neighbor with same type of building obstructed my living area view of the lake.
 2) wish the roads that were torn up and poorly patched due to tessera water line could be repaired & repaved properly*

Signed: Nancy H. Carrejo

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding a Conditional use at 21104 Dawn Dr. (Lago Vista Section 1, Block E, Lots 27-28) from Chapter 14, Article 14.200, Section 6.10 (B)(4)(d) to allow an accessory building height of 21.8' instead of 18', for a proposed accessory building.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

MEETING DATE: August 20, 2015

AGENDA ITEM: *PUBLIC HEARING*

Comments:

Ordinance No. 15-08-20-02; Consider rezoning at 7205-7207 Bar K Ranch Rd. (Bar K Ranches Plat 3, Lots 3089-3090) from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail)..

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: Mayor & City Council Council Meeting: August 20, 2015

From: David Harrell, AICP, Director

Subject: Consider adoption of Ordinance 15-08-20-02 amending the official zoning map for approximately .538 acres of land from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail) providing a severability clause; and, providing an effective date. (Case No. ZON-1042).

Request: Public Hearing Legal Document: Ordinance Legal Review:

EXECUTIVE SUMMARY:

Please see attached staff report.

The Planning & Zoning Commission reheard the item at their August 13, 2015 meeting date. At that meeting the Commission recommended approval by a vote of 6 to 0.

Impact if Approved:

The property will be rezoned to Commercial-Professional, Business Office, Low Density Retail (C1-C)

Impact if Denied:

The property will not be rezoned to Commercial-Professional, Business Office, Low Density Retail (C1-C) and will remain in the Utility, Governmental, Educational, and Institutional (U-1) zoning category. They can appeal denial to District Court for judicial review.

Is Funding Required? Yes No **If Yes, Is it Budgeted?** Yes No N/A

Indicate Funding Source:

Not Applicable

Suggested Motion/Recommendation/Action

Motion to:

Motion to:

Motion to:

Known As:

ZON-1042

Agenda Item Approved by City Manager



Development Services Department

STAFF REPORT

Application for Rezoning

File Number: ZON-1042

Date: July 28, 2015

Applicant: RHSE Investments LLC

Representative: SAME

Hearing Dates: Planning & Zoning Commission – August 13, 2015
City Council – August 20, 2015

Location: 7205-7207 Bar K Ranch Rd.

APPLICATION SUMMARY

Consider adoption of an Ordinance amending the official zoning map for approximately .538 acres of land from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail) providing a severability clause; and, providing an effective date. (Case No. ZON-1042).

TECHNICAL REVIEW

The Development Services Department has reviewed this request and there are no outstanding comments/issues. In the case that the rezoning is approved, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State and local regulations and permitting requirements. No permits authorizing Development shall be issued prior to compliance with all applicable regulations.

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

The current request is to rezone to Commercial – Professional, Business Office, Low Density Residential (C-1C). Since the rezoning allows new uses, all these uses must be taken into consideration when determining compatibility with the area. On the next page are a list of all uses within the current Utility, Government, Educational, and Institutional (U-1) zoning and the potential zoning of Commercial-Professional, Business Office, Low Density Retail (C-1C), with **RED** being a subtracted use and **GREEN** being an added use:

STRUCTURE/USE	C-1	U-1	STRUCTURE/USE	C-1	U-1
Accessory Building or Use	v	v	Dog and cat grooming	v	
Amphitheater	v		Drug store, soda fountain, tobacco, candy shops	v	
Antique shop	v		Dry cleaning	v	
Apartment Hotel with Commercial	v		Electric appliance shop/repair	v	
Auto wash, tune-up, repair	v		Employment agency	v	
Bakery	v		Fabric shop	v	
Bank, Savings and Loan	v		Farmers markets	v	
Barber, Beauty Shop	v		Fire Station	v	v
Bed and Breakfast Establishment	v		Florist	v	
Boat Ramp, Commercial	v		Food store-convenience	v	
Book/stationary shop	v		Food store-supermarket	v	
Cafeterias	v		Fuel storage	v	
Camera store	v		Furniture, appliance store	v	
Carpentry shop	v		Golf course	v	v
Carpet, rug cleaners	v		Golf course-miniature	v	
Catering establishments	v		Greenhouse-retail	v	
Cemetery		v	Hardware, paints, wallpaper	v	
Chapel	v	v	Health club/spa	v	
Child care institution	v		Hobby shop	v	
Churches, Temples	v	v	Hospice	v	
Clinics (medical)	v	v	Ice cream store	v	
Clothing store-men's and/or women's	v		Interior Decorator	v	
Club, not nightclub	v		Jewelry, optical goods	v	
College or university		v	Laundromat	v	
Community Center	v	v	Library	v	v
Convalescent home/Nursing home	v		Massage establishments	v	
Country club	v		Meat markets	v	
Craft, hobby shop	v		Museums	v	v
Dept. store, sporting goods, novelty, toy shops	v		Office, Medical and general	v	v
			Park-Active		v

STRUCTURE/USE	C-1	U-1
Park-passive	v	v
Parking lot, commercial	v	v
Pet boarding with outside run	SUP	v
Pet store-no outside run	v	
Photo studio	v	
Playground		v
Police station	v	v
Public and municipal treatment plants, pump stations, lift stations, public works and related facilities, and municipal buildings and facilities	v	v
Radio, TV, VCR sales/service	v	
Radio, TV studio	v	
Realty office	v	
Realty office-temporary	v	
Recreation facility, commercial	v	v
Restaurant	v	
Retail store-general	v	
School-public/private	v	v

STRUCTURE/USE	C-1	U-1
Specialty and novelty establishments	v	
School-business/commercial	v	v
Service station	v	
Sign Shop	v	
Studio-artist	v	
Studio-dance	v	
Studio-health	v	
Studio-music	v	
Substation-public utility	v	v
Swimming pool-private	v	
Swimming pool-public		v
Tailor & dressmaking shop	v	
Telephone exchange	v	v
Upholstery shop	v	
Veterinary hospital, no outside run	v	
Vocational and Private School	v	
Water tank-surface, subsurface, public	v	v
Wireless Communications Systems, Radio, television and microwave antennae and towers ⁶	v	v

The rezoning will subtract five (5) uses and add sixty-six (66) potential uses to the site. Uses that will be allowed and may have potential on this site are antique shop, Auto wash, tune-up, repair, Bakery, Bank, Savings and Loan, Barber, Beauty Shop, Book/stationary shop, Camera store, Carpentry shop, Carpet, rug cleaners, Catering establishments, Child care institution, Clothing store-men's and/or women's, Craft, hobby shop, Dept. store, sporting goods, novelty, toy shops, Dog and cat grooming, Drug store, soda fountain, tobacco, candy shops, Dry cleaning, Electric appliance shop/repair, Employment agency, Fabric shop, Florist, Furniture, appliance store, Greenhouse-retail, Hardware, paints, wallpaper, Health club/spa, Hobby shop, Ice cream store, Interior Decorator, Laundromat, Massage establishments, Meat markets, Pet store-no outside run, Photo studio, Radio, TV, VCR sales/service, Specialty and novelty establishments, Sign Shop, Studio-artist, Studio-dance, Studio-health, Studio-music, Tailor & dressmaking shop, Upholstery shop, Veterinary

hospital, no outside run. This site could foster the above uses due to neighboring residential and the ability to foster development within the current building and on the site.

Uses that will be allowed and not likely to have potential on this site are Amphitheater, Apartment Hotel with Commercial, Bed and Breakfast Establishment, Boat Ramp, Commercial, Cafeterias, Club, not nightclub, Convalescent home/Nursing home, Country club, Farmers markets, Food store-convenience, Food store-supermarket, Fuel storage, Golf course-miniature, Hospice, Jewelry, optical goods, Radio, TV studio, Realty office, Restaurant, Retail store-general, Service station, Swimming pool-private, Vocational and Private School. Constraints such as size of parcel, lack of access to the Lake, and lack of traffic make these uses not likely to materialize on the site.

The Lago Vista Comprehensive Master Plan has certain policies that may be used as criteria or guidance for a change in zoning. Following is a staff analysis with objectives in **bold** and staff comments in *italics*:

Objective 2.12: Attract hotels, motels and other lodging, medical services and clinics, restaurants, retailers, services, and employers. *A rezoning to C1-C with over sixty (60) uses will increase the overall number of lots associated with a commercial zoning making this an opportunity to attract most of these uses.*

Objective 3.19: With so little property currently zoned for nonresidential use, it is critical that additional land be zoned for nonresidential use. *See answer to Objective 2.12.*

Objective 5.01: Maintain a sufficient amount of nonresidential land to meet the future requirements for new businesses and that encourages local employment and increasing Lago Vista property values. *With the rezoning, the amount of uses by right will greatly increase from a commercial perspective which should increase the marketability of the site and the property values.*

Objective 5.11: Zone additional land and preserve for nonresidential land use. *See answer to Objective 2.12.*

Since the land use is Residential and proposed rezoning is a commercial zoning these are not compatible. Although the City Code allows for a rezoning in this circumstance, it must meet the following additional requirements under Chapter 14, Section 13, Subsection 13.20(D). Below are the additional findings of fact (**bold**) and staff interpretation of those facts (*in italics*).

- (1) The Commission finds significant and unanticipated changes have occurred in the area of the affected parcel since the classification on the land use map was adopted.** *The neighboring parcels to the north and south are within the same land use and have the same zoning as proposed in the rezoning (see attachment 3). The site itself with a large building and*

parking area has never been built for or had any residential zoning uses on the site despite the Residential Land Use (see attachment 3). This development pattern is the same on some of the other neighboring lots.

- (2) It is unlikely that the parcel will be developed or used for any use permitted under the zoning classification indicated in the City's Master Plan.** *The parcel has been developed with a parking field and a large building. Previous uses of the site have been non-residential in nature. It is unlikely this site would be used as residential since it is developed to be non-residential in nature (see attachment #1).*

- (3) The Commission finds that the requested zoning classification is the most appropriate classification for the area affected.** *The neighboring zoning consists of C1-C, which is the zoning north and south of this location (see attachment 3). To rezone these lots to a similar zoning would eliminate an area that is spot zoned and would better compliment the area along Bar K Ranch Rd.*

FINDINGS OF FACT

Based on the planning file, staff report, and attachments associated with this packet staff believes this rezoning is not contrary to the public interest as required by Section 13.20(E)(3)(a) because the proposed rezoning will make it match the other zoning category on lots to the north and south, eliminate a spot zoning, and allow for better use for the current development pattern of a large commercial building with associated parking.

Several comprehensive plan objectives and additional findings of fact in Subsection 13.20(D) have been met in staff's professional opinion based on the documentation provided with the report.

ATTACHMENTS

Additional information is provided through attached exhibits.

- 1. Application/Present Site Plan
- 2. Proposed Ordinance
- 3. Maps

Attachment 1
Application/Present Site Plan

**CITY OF LAGO VISTA
BUILDING AND DEVELOPMENT SERVICES**

5803 THUNDERBIRD LAGO VISTA, TEXAS 78645
OFFICE 512-267-5259 FAX 512-267-5265

ZONING CHANGE REQUEST APPLICATION
(PLEASE PRINT)

Name of Owner(s): RHSE INVESTMENTS, L.L.C.

Owner's Address: 1103 Gray PARK Dr.

SAN ANTONIO, TX 78249-4413

Contact Person: JOHN JACKSON

Email Address: jj@wmmu-fx.com

Contact Phone Numbers: 818/219-1600 818/763-6693

(DAYTIME) (CELL) (FAX)

COMPLETE LEGAL DESCRIPTION OF PROPERTY (PLEASE PRINT)

Subdivision: BKR# Section: 3 Lot No: 3090 + 3089

Property Address: 7205 + 7207 BAR K RANCH ROAD.

Volume and Page where deed is filed: VOLUME 57, PAGE 15, PLAT RECORDS TRAVIS COUNTY

NATURE OF REQUEST (PLEASE PRINT)

Requests a Zoning Change from the current zoning designation of 4-1

To C1-C for the purpose of Professional Business
offices Low DENSITY

In my absence I hereby designate the following person to act in my behalf as my designated agent. (PLEASE PRINT).

Name of Agent: _____

Address: _____

Phone Numbers: _____

(DAYTIME) (CELL) (FAX)

Signature of Applicant: [Signature] Date: 6/30/15

Attachment 2
Proposed Ordinance

ORDINANCE NO. 15-08-20-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP BY REZONING BAR K RANCHES PLAT 3, LOTS 3089-3090 FROM THE U-1 (UTILITY, GOVERNMENT, EDUCATIONAL, AND INSTITUTIONAL) TO C-1C (COMMERCIAL-PROFESSIONAL, BUSINESS OFFICE, LOW DENSITY RESIDENTIAL) ZONING DISTRICT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the landowner of Bar K Ranches Plat 3, Lots 3089-3090 (“Lots”) has filed an application requesting the City of Lago Vista (“City”) to consider rezoning such Lots from U-1 to C-1C; and

WHEREAS, after giving ten (10) days written notice to the owners of land in and within 200-feet of the area being rezoned, as well as having published notice to the public at least fifteen (15) days prior to the date of such hearing(s), the Planning and Zoning Commission and City Council each held a public hearing on the proposed re-zoning; and

WHEREAS, the Planning and Zoning Commission (the “Commission”) at its public hearing on the rezoning of such Lots, reviewed the request and the circumstances of the area being rezoned and finds that a substantial change in circumstances of the area being rezoned has transpired sufficient to warrant a change in the zoning; and

WHEREAS, the Commission recommends rezoning such Lot from U-1 to C-1C; and

WHEREAS, the City Council at its public hearing on the rezoning, reviewed the request and the circumstances of the area and it concurs with the recommendation of the Commission; and

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City’s tax base; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Commission, City Manager and City Council find that this Ordinance satisfies the requirements of Section 13 of the City of Lago Vista Zoning Ordinance.

Section 2. Amendment of Zoning Ordinance and Zoning Map. The Zoning Ordinance and the Official Zoning Map and other applicable ordinances are hereby modified and amended by rezoning Bar K Ranches Plat 3, Lots 3089-3090, from U-1 to C-1C.

Section 3. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 5. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

Section 6. Open Meeting. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

PASSED AND APPROVED this 20th day of August, 2015.

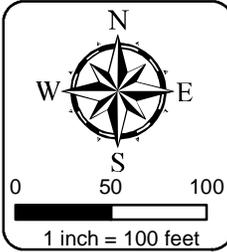
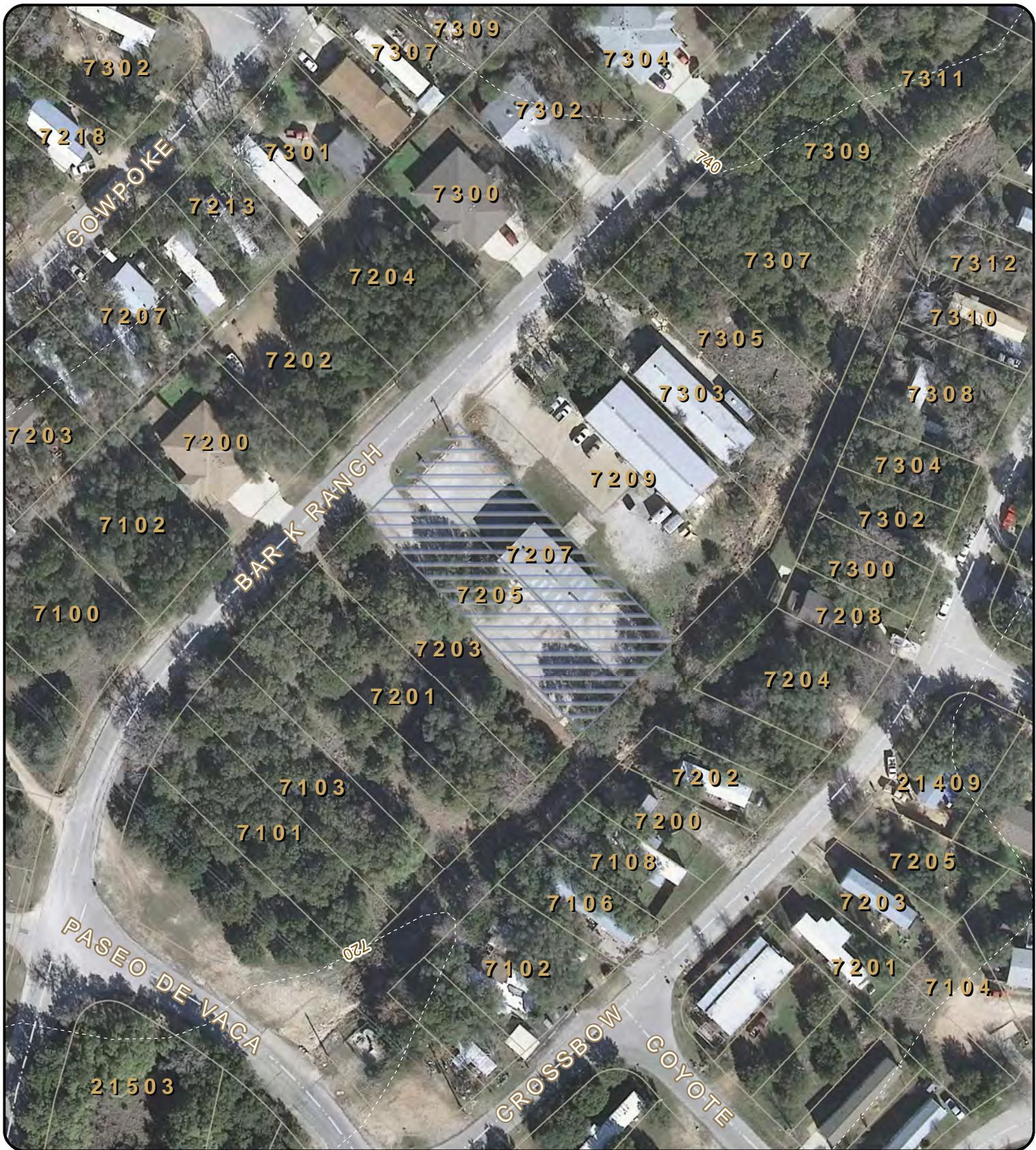
Randy Kruger, Mayor

ATTEST:

Sandra Barton, City Secretary

Attachment 3

Maps



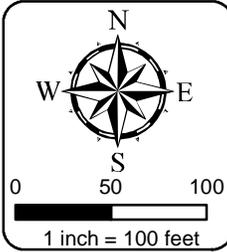
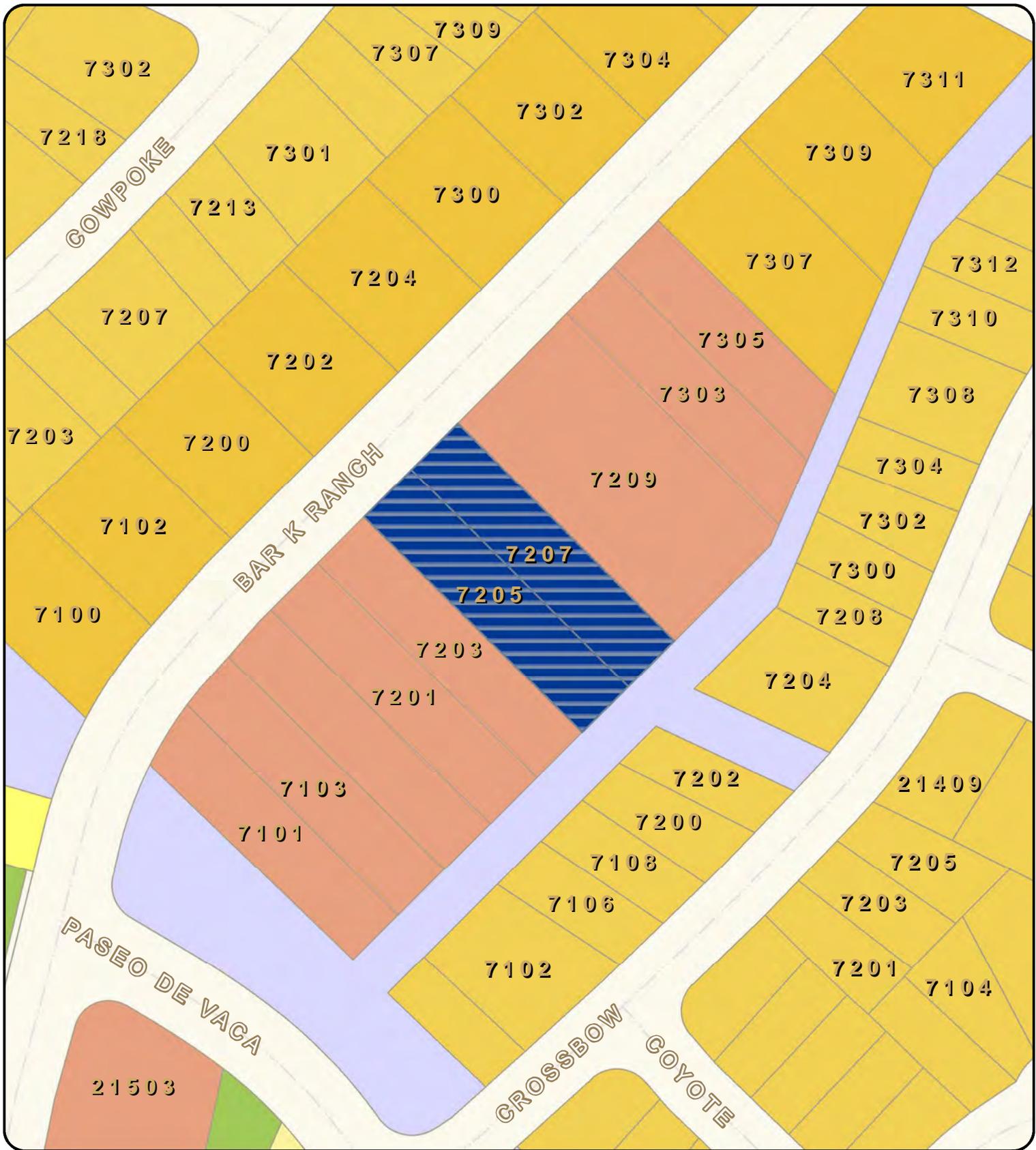
Continental Dr Lots: 16069-16072

Request Type:	Rezone	Project:	ZON-1042
Change Requested:	U-1 to C1-C	Date:	7/30/2015
Map Purpose:	Aerial & Topo	Drawn By:	CM

While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

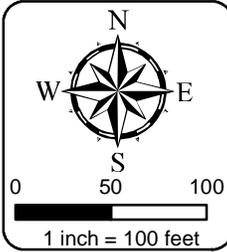
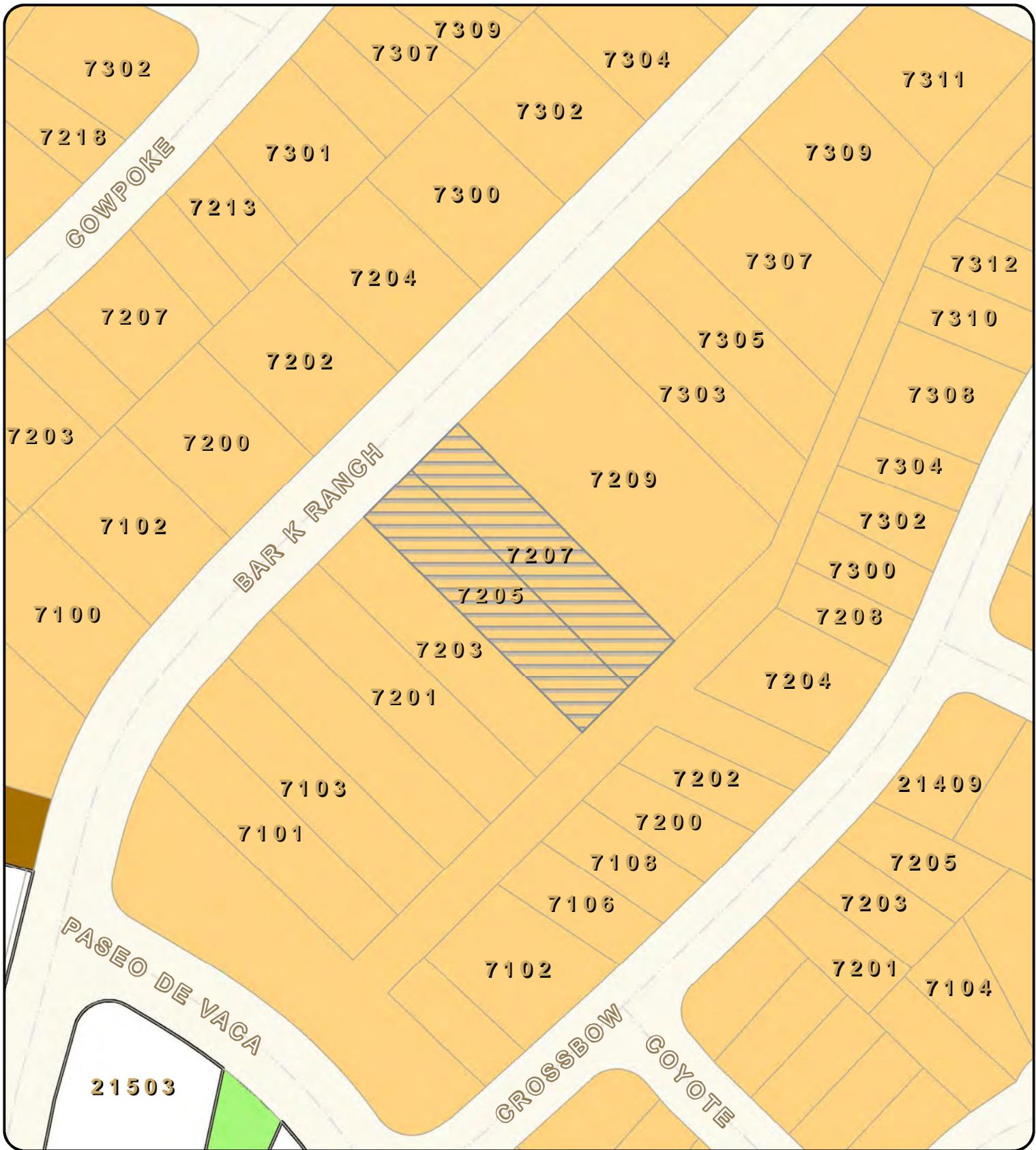
Legend

- 20' Contours
- Requestor
- Owner Parcels



Continental Dr Lots: 16069-16072			
Request Type:	Rezoning	Project:	ZON-1042
Change Requested:	U-1 to C1-C	Date:	7/30/2015
Map Purpose:	Future Land Use	Drawn By:	CM
<small>While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.</small>			

Legend	
■	C-1C
■	P-1B
■	PDD
■	R-1B
■	R-1M
■	R-2
■	TR-1
■	U-1
	Owner Parcels
	Regulator



Continental Dr Lots: 16069-16072			
Request Type:	Rezone	Project:	ZON-1042
Change Requested:	U-1 to C1-C	Date:	7/30/2015
Map Purpose:	Future Land Use	Drawn By:	CM

While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

Legend

- Requestor
- Owner Parcels

Future Land Use

- Low Density Residential
- Med Density Residential
- High Density Residential
- Parks



City of Lago Vista Development Services

5803 Thunderbird Ste.103
PO Box 4727 Lago Vista, TX 78645
(512)267-5259 Office (512)267-5265 Fax

ID: # 5

Site Address: 7205 Cowpoke Trl

POLK JOHN W & EMMA P REVOCABLE LIVING TRUST & YIANNA POLK
17900 LINK RD
LAGO VISTA TX 78645

Joint Public Hearing

The Lago Vista Planning and Zoning Commission will hold a Public Hearing on August 13, 2015 at 7:00 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken.

ZON 1042 - Recommendation of the Planning & Zoning Commission of a Rezoning at 7205-7207 Bar K Ranch Rd. (Bar K Ranches Plat 3, Lots 3089-3090) from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail).

The Lago Vista City Council will hold a Public Hearing on August 20, 2015 at 6:30 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken.

ZON 1042 - Consideration of the City Council of a Rezoning at 7205-7207 Bar K Ranch Rd. (Bar K Ranches Plat 3, Lots 3089-3090) from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail).

You are receiving this notice because you own property within 200 feet of the area proposed for rezoning. All interested persons are invited to attend. If you are unable to attend but wish to comment, please list your comments below and return to the address above.

You may return this form with comments on following page..

In favor

Opposed

Comments:

Request & Best Uses

Signed:

Emma Polk

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding rezoning at 7205-7207 Bar K Ranch Rd. (Bar K Ranches Plat 3, Lots 3089-3090) from U-1 (Utility, Governmental, Educational, and Institutional) to C-1C (Commercial-Professional, Business Office, Low Density Retail).

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

MEETING DATE: August 20, 2015

AGENDA ITEM: *PUBLIC HEARING*

Comments:

Consideration of a re-plat in Highland Lakes Estates Section 16 Lots 16069-16072 from a total of four (4) existing lots to six (6) lots.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: Mayor & City Council Council Meeting: August 20, 2015

From: David Harrell, AICP, Director

Subject: Consider re-plat in Highland Lakes Estates Section 16 Lots 16069 – 16072 from a total of four (4) existing lots to six (6) lots (Case No. SUB-1093).

Request: Public Hearing Legal Document: Other Legal Review:

EXECUTIVE SUMMARY:

Please see attached staff report.

The Planning & Zoning Commission heard the item at their August 13, 2015 meeting date. At that meeting the Commission recommended tabling by a vote of 6 to 0, due to non-complied codes as stated in the staff report and Attachment 4.

Impact if Approved:

Plat that doesn't meet applicable code requirements will be approved by the Council.

Impact if Denied:

Applicant will need to refile another Plat application and begin process anew.

Is Funding Required? Yes No **If Yes, Is it Budgeted?** Yes No N/A

Indicate Funding Source:

Not Applicable

Suggested Motion/Recommendation/Action

Motion to:

Approve Item

Motion to:

Deny Item

Motion to:

Table Item

Known As:

SUB-1093

Agenda Item Approved by City Manager



Development Services Department

STAFF REPORT

Application for Replat
File Number: SUB 1093

Date: July 28, 2015

Applicant: Red Cardinal, LLC

Hearing Dates: Planning & Zoning Commission – August 13, 2015
City Council – August 20, 2015

Location: Site is located along Continental Dr.

Request: The applicant seeks a re-plat in Highland Lakes Estates Section 16 Lots 16069 – 16072 from a total of four (4) existing lots to six (6) lots

TECHNICAL REVIEW

The Development Services Department has routed this request to all appropriate reviewing departments. There are no outstanding comments. In the case that the replat is approved, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State and local regulations and permitting requirements. No permits authorizing Development shall be issued prior to compliance with all applicable regulations.

PLANNING AND ZONING DIVISION COMMENTS

The applicant has proposed a replat for a portion of Highland Lake Estates to increase the number of lots for four (4) to six (6) lots. Staff has reviewed the application and some specified code requirements as stated in Chapter 10, Article 10.100, Sections 2.18, 4.10, 4.111, and 4.13 of the City Code have not been met by the applicant. The applicant has been notified of the code issues but they have not submitted changes for staff review.

STAFF RECOMMENDATION

Recommend tabling of the item until staff comments as stated in Attachment 4 have been addressed by the applicant.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Originally Approved Plat
3. Proposed Replat
4. Open Comments from Staff
5. Maps

Attachment 1
Application



CITY OF LAGO VISTA DEVELOPMENT SERVICES

5803 THUNDERBIRD SUITE 103 * PO BOX 4727 LAGO VISTA, TX. 78645
512-267-5259 FAX 512-267-5265

PLAT APPLICATION

Request is for:

Amended Plat Re-Plat Minor Plat Preliminary Plat Final Plat
 Vacating Plat

Property owner's name: Red Cardinal, LLC

Mailing address: 11675 Jollyville Rd #102 Austin, Tx 78759
Number & Street City State Zip code

Phone: (512) 401-9067 (512) 922-3260 (512) 401-9062
Day time Cell Fax

Surveyor/Engineer: Waterloo Surveyors Inc Brian Sumner
Name of Company Contact person

Phone: (512) 481-9602 (512) 330-1621
Office Fax

Name of Proposed Project/Subdivision: Re-subdivision of Lots 16069-16070-16071 & 16072, Highland Lake Estates, Section-16.

Complete Legal Description of the Proposed Property

Tax Parcel ID #: 159604, 159605, 159606, 159607 Subdivision: Highland Lake Estates

Lot Number(s): 16069, 16070, 16071, 16072 Section: 16 Block:

Number and Street Address: 20213, 20209, 20205, 20201 Continental Dr.

Deed is recorded in Volume: Page: of Travis County Records.

I authorize the following person/company to act in my behalf as my designated agent:
Name of agent/company: GREG BILLINGS, BROKER GREG BILLINGS
Name of Company Name of Contact

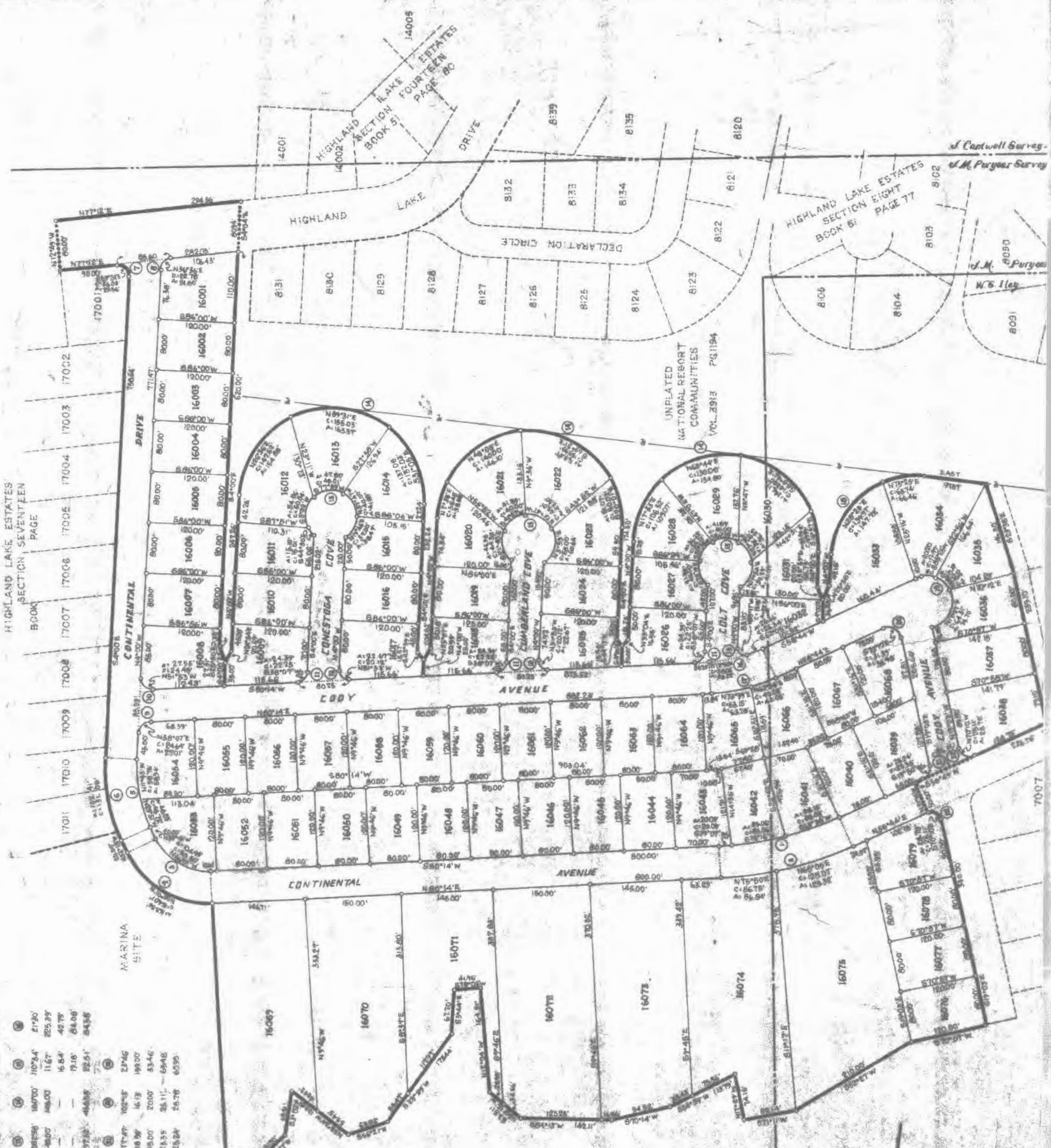
Phone Numbers: (512) 963-1130
Day time Cell Fax
EMAIL: GREG.LAKE@AOL.COM

Signature of Applicant: Robert Guinsing Date: 6-24-15

I voluntarily waive my right to consideration by the Planning & Zoning Commission within 30 days of this application and consideration by the City Council within 60 days of this application.

Signature of Applicant: Robert Guinsing Date: 6-24-15

Attachment 2
Originally Approved Plat



HIGHLAND LAKE ESTATES
SECTION SEVENTEEN
BOOK PAGE

HIGHLAND LAKE ESTATES
SECTION EIGHT
BOOK 5: PAGE 77

UNPLATED
NATIONAL RESORT
COMMUNITIES
VOL. 3913 P. 41194

1	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	2897	2898	2899	2900	2901	2902	2903	2904	2905	2906	2907	2908	2909	2910	2911	2912	2913	2914	2915	2916	2917	2918	2919	2920	2921	2922	2923	2924	2925	2926	2927	2928	2929	2930	2931	2932	2933	2934	2935	2936	2937	2938	2939	2940	2941	2942	2943	2944	2945	2946	2947	2948	2949	2950	2951	2952	2953	2954	2955	2956	2957	2958	2959	2960	2961	2962	2963	2964	2965	2966	2967	2968	2969	2970	2971	2972	2973	2974	2975	2976	2977	2978	2979	2980	2981	2982	2983	2984	2985	2986	2987	2988	2989	2990	2991	2992	2993	2994	2995	2996	2997	2998	2999	3000
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Attachment 3
Proposed Replat

Attachment 4
Open Comments from Staff



**CITY OF LAGO VISTA
DEVELOPMENT SERVICES**

P.O. BOX 4727
LAGO VISTA, TX 78645

Tel. (512) 267-5259

Fax (512) 267-5265

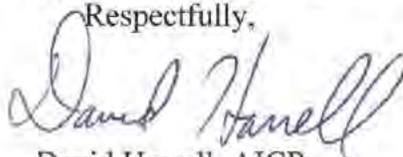
July 16, 2015

RE: SUB 1093 – Replat of 4 lots into 6 lots located along Continental Dr.

To Whom It May Concern:

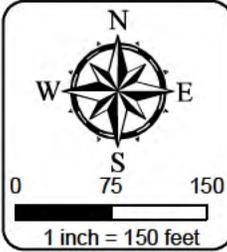
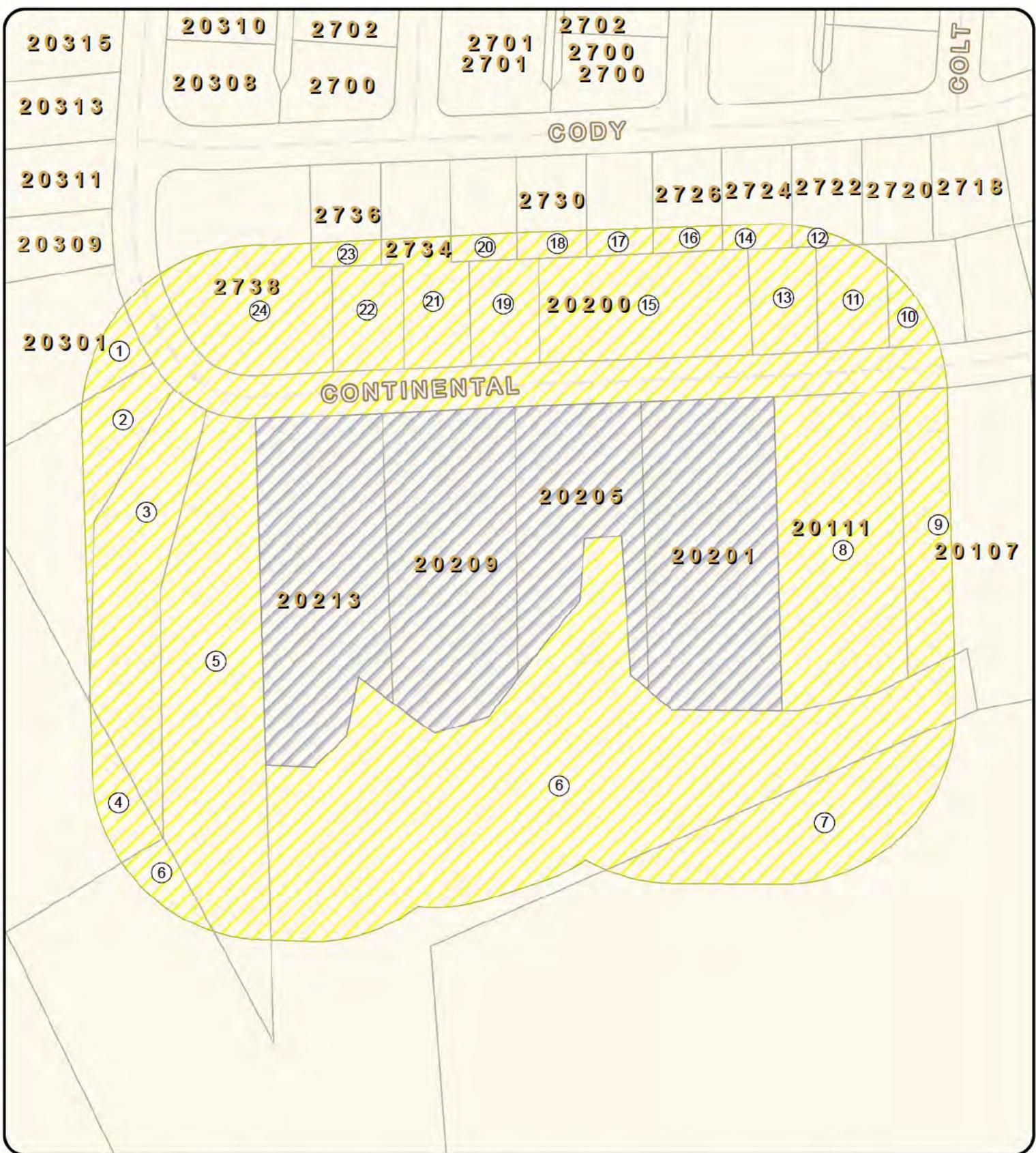
- 1) Please address the below comments quickly and resubmit to the City.
- 2) Provide a ten (10) foot wide public utility easements along the ROW (Chapter 10, Article 10.100, Section 4.13(B) City Code).
- 3) Provide documentation from the power, gas, and communication companies providing service to the proposed subdivision that easements shown on the plat are adequate (Chapter 10, Article 10.100, Section 4.13(A) City Code)
- 4) Since there is a nearby creek that drains six hundred and forty (640) acres or greater please provide a minimum buffer width of 300 feet from the centerline of the creek or swale on the proposed replat (Chapter 10, Article 10.100, Section 4.111(A)(5) and (10) City Code). Note, this may greatly affect the easternmost parcels in the new plat. A note shall be added to the plat stating, "No development or clearing or grading shall take place in the water quality buffer zone except as allowed by the city watershed protection ordinances."
- 5) Provide the slope percentages associated with each new lot. Be aware that no development shall be permitted on slopes exceeding twenty-five (25) percent without an exception approved by the Council. Such areas shall be shown on the final plat as a slope easement. The final plat shall have a note that states, "No development is permitted in a slope easement." (Chapter 10, Article 10.100, Section 4.10(D) City Code)
- 6) Provide documentation showing that all city and county property taxes, then due, have been paid (Chapter 10, Article 10.100, Section 2.18(4)(b) City Code).
- 7) Under the City Secretary on the Plat, please remove anything stating "Planning & Zoning Commission" and replace with "City Council".

Respectfully,


David Harrell, AICP

Attachment 5

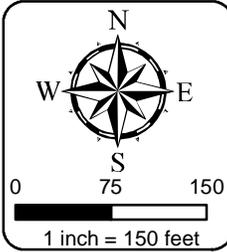
Maps



Continental Dr Lots: 16069-16072			
Request Type:	Replat	Project:	SUB-1093
Change Requested:	Plat Amendment	Date:	7/30/2015
Map Purpose:	200' Buffer	Drawn By:	CM
<small>While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.</small>			

Legend

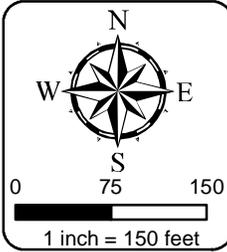
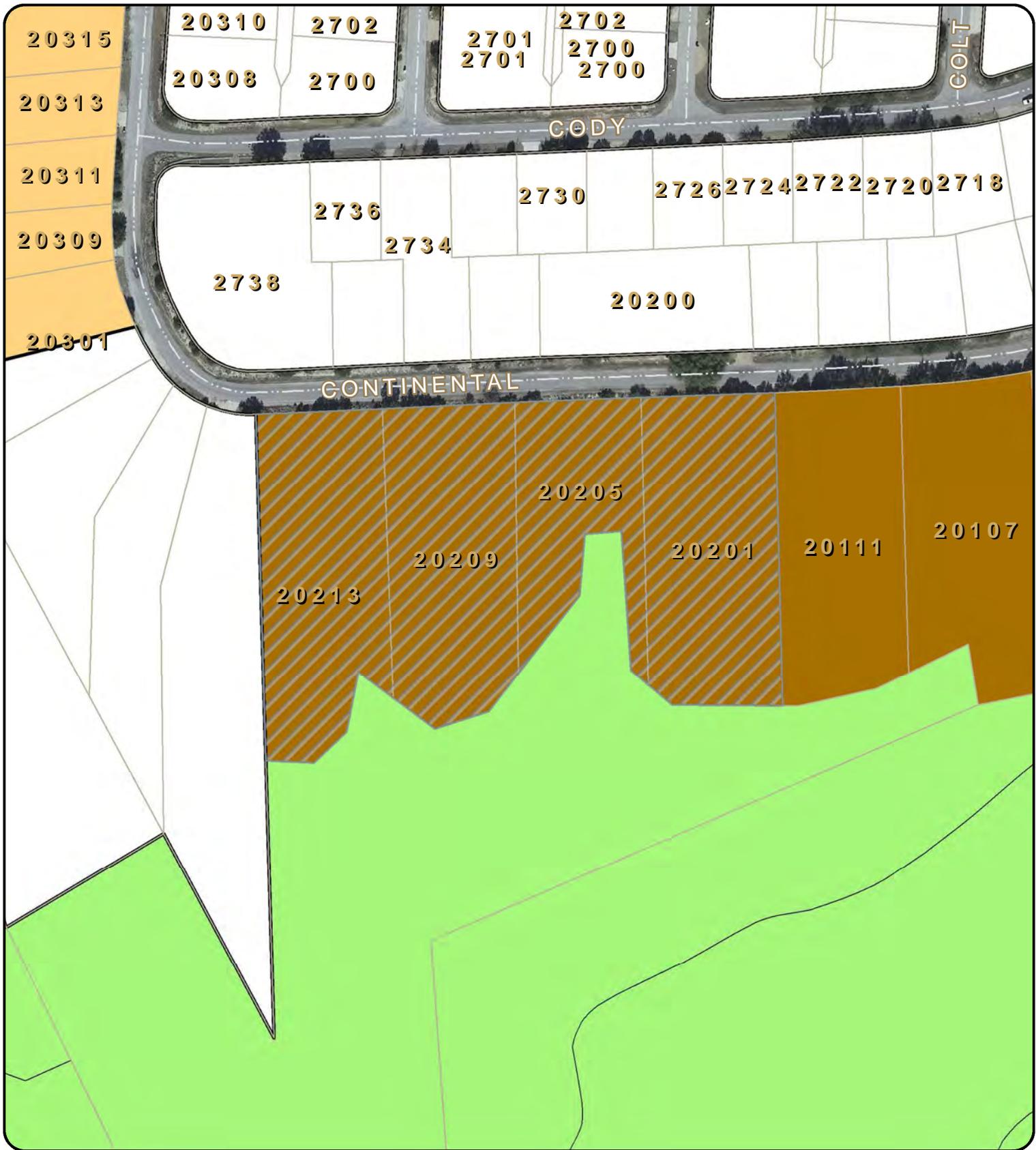
- Requestor
- Owner Parcels
- 200' Buffer



Continental Dr Lots: 16069-16072		
Request Type:	Replat	Project: SUB-1093
Change Requested:	Plat Amendment	Date: 7/30/2015
Map Purpose:	Aerial & Topo	Drawn By: CM
<small>While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.</small>		

Legend

- 20' Contours
- Requestor
- Owner Parcels



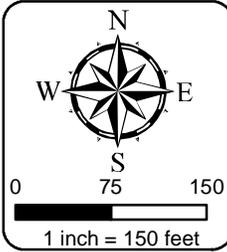
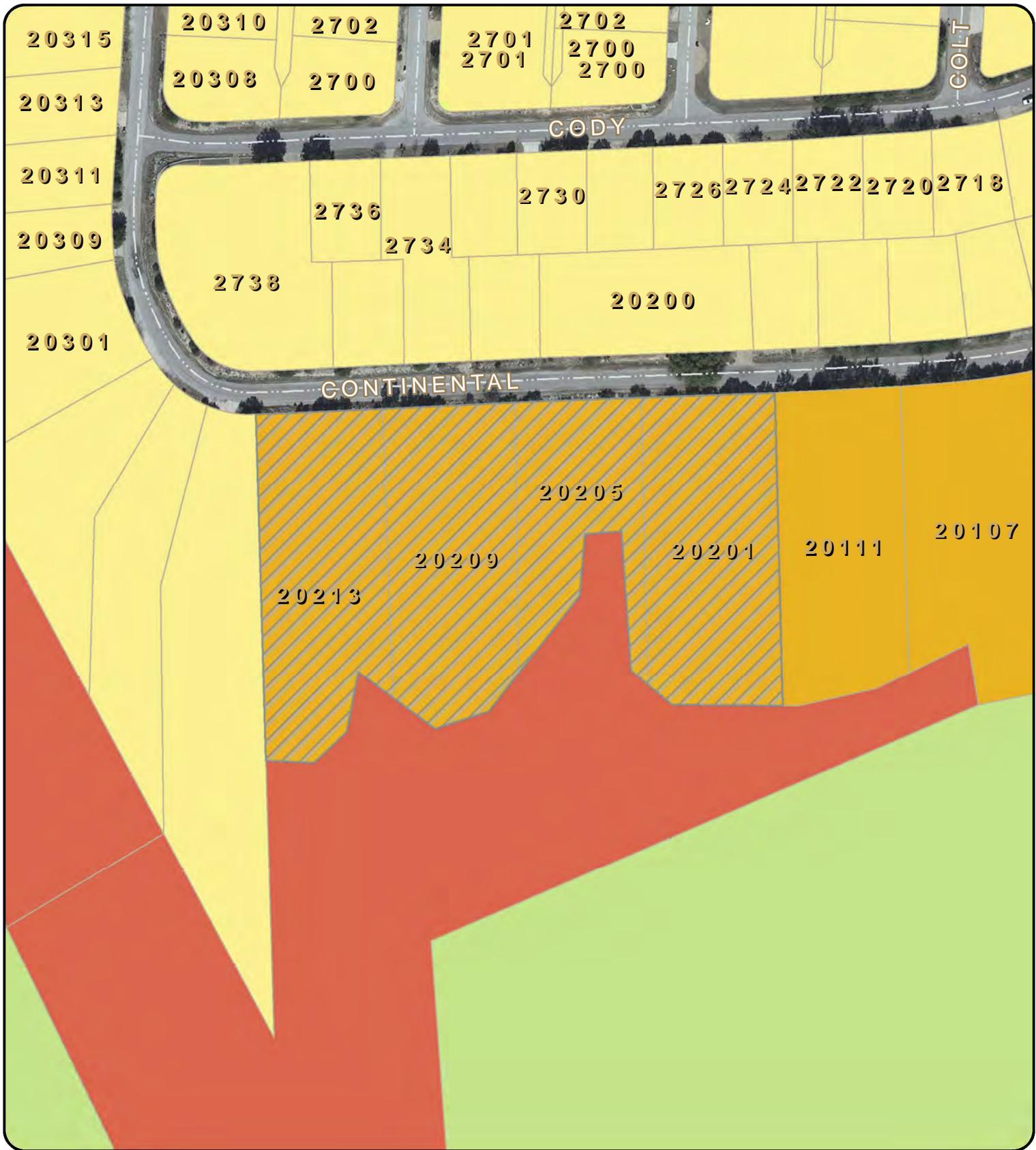
Continental Dr Lots: 16069-16072		
Request Type:	Replat	Project: SUB-1093
Change Requested:	Plat Amendment	Date: 7/30/2015
Map Purpose:	Future Land Use	Drawn By: CM
<small>While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.</small>		

Legend

- Requestor
- Owner Parcels

Future Land Use

- Low Density Residential
- Med Density Residential
- High Density Residential
- Parks



Continental Dr Lots: 16069-16072			
Request Type:	Replat	Project:	SUB-1093
Change Requested:	Plat Amendment	Date:	7/30/2015
Map Purpose:	Zoning Map	Drawn By:	CM
<small>While every effort has been made to ensure the accuracy of this data, this map is to be used for reference purposes only. This data should not be construed as a survey instrument. No responsibility is assumed by the author for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.</small>			

Legend

- Requestor
- Owner Parcels

Zoning Classification

- C-3
- P-1A
- R-1C
- R-4



City of Lago Vista
Development Services
 5803 Thunderbird Ste.103
 PO Box 4727 Lago Vista, TX 78645
 (512)267-5259 Office (512)267-5265 Fax

ID: # 15
 HUOSKY MICHAEL J & TAMBERLY D
 20200 CONTINENTAL DR
 LAGO VISTA TX 78645

Site Address: 20200 Continental Dr

Public Hearing

The City of Lago Vista Planning and Zoning Commission will hold a Public Hearing on August 13th, 2015 at 7:00 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken:

SUB 1093 - Recommendation of the Planning & Zoning Commission of a replat in Highland Lakes Estates Section 16 Lots 16069 – 16072 from a total of four (4) existing lots to six (6) lots.

The City of Lago Vista City Council will hold a Public Hearing on August 20th, 2015 at 6:30 PM in the Council Chambers at City Hall, located at 5803 Thunderbird, Lago Vista, Texas to receive citizen input on the following with possible action to be taken:

SUB 1093 - Consideration of the City Council of a replat in Highland Lakes Estates Section 16 Lots 16069 – 16072 from a total of four (4) existing lots to six (6) lots.

You are receiving this notice because you own property within 200 feet of the area proposed for rezoning. All interested persons are invited to attend. If you are unable to attend but wish to comment, please list your comments below and return to the address above.

You may return this form with comments below.

In favor

Opposed

Comments: PLEASE SEE ATTACHED

Signed: Michael [Signature]
Tamberly Huray

8-6-2015

Michael and Tamberly Hurosky

20200 Continental Drive

Lago Vista Texas, 78645

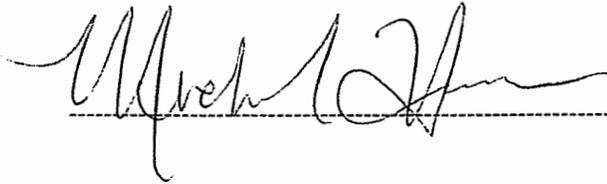
Lake lot hearing answer:

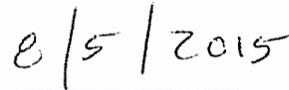
SUB 1093 –Consideration of the City Council of a replat in Highland Lake Estates Section 16 Lots 16069-16072 from total of four (4) existing lots to six (6) lots.

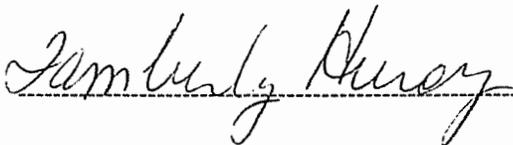
Opposed

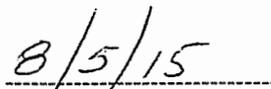
We would agree to a Zone change from Multi Family to Single Family and allowing the lots to be changed from 4 to 6. BUT we do not agree that the 4 lots be subdivided into "residential size" lots from 120ft to 80 ft and city approve for Multifamily housing like duplex, Fourplex, or condos. Lake frontage lots SHOULD be larger as we built our house on 2 lots (160 ft) because "estate size lots" not Multi-Family lot should be in this "Residential area" of Highland Lake Estates. Just down the road is the defunct Lago Vista Resort which remains multi housing in a properly zoned area. This is where condos should be built.

It was previously determined that these lots are not safe to build multi-family housing due to the location of the flood plain and since these lots are all located below 723' MSL, "egress" would be safety factor of rescuing home owners, or renters in the case of a flood. The lake recently came up 30 ft in 30 days, so all of these lots and accessibility would be limited. Recent rain & deaths at the Wimberley Riverside rental property is an example.









MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding a re-plat in Highland Lakes Estates Section 16 Lots 16069-16072 from a total of four (4) existing lots to six (6) lots.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

MEETING DATE: August 20, 2015

AGENDA ITEM: 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.

Comments:

Approval of the following minutes:

July 16, 2015 Regular Meeting

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
JULY 16, 2015**

BE IT REMEMBERED that on the 16th day of July, A.D., 2015, the City Council held a Special Called Meeting at 3:00 p.m. at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

CALL TO ORDER, CALL OF ROLL

Randy Kruger	Mayor	Melissa Byrne Vossmer	City Manager
Darrel Hunt	Mayor Pro Tem	Starr Lockwood	Accounting Manager
Ron Smith	Council Member	Laura Fowler	Parks and Rec
Rodney Cox	Council Member	Sandra Barton	City Secretary
Dale Mitchell	Council Member		

Mayor Randy Kruger called the Special Meeting to order and recognized that all Council Members were present except Jason Shoumaker and D'Anne Gloris.

The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied

WORK SESSION

1. Receive and discuss a presentation from Nelisa Heddin, Heddin Consulting, LLC regarding the Water/Wastewater rate study.

City Manager, Melissa Byrne Vossmer introduced Nelisa Heddin and provided a brief background and some changes that have taken place since last presentation in March. Nelisa Heddin provided an oral and visual presentation for the Council members to discuss. Ms. Hedden and staff also addressed questions from Council. No action taken on this item.

ADJOURNMENT

Mayor Randy Kruger adjourned the meeting at 5:31 p.m.

Respectfully submitted,

ATTEST:

Randy Kruger, Mayor

Sandra Barton, City Secretary

On a motion by Council Member _____, seconded by _____,
the above and foregoing instrument was passed and approved this _____ day of _____,
2015.

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
JULY 16, 2015**

BE IT REMEMBERED that on the 16th day of July, A.D., 2015, 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	Melissa Byrne Vossmer	City Manager
Darrel Hunt	Mayor Pro Tem	Danny Smith	Police Chief
Ron Smith	Council Member	David Harrell	Development Services Director
Rodney Cox	Council Member	Sandra Barton	City Secretary
D'Anne Gloris	Council Member	Gary Graham	Engineer, Walker Partners
Dale Mitchell	Council Member	Starr Lockwood	Accounting Manager
		Barbara Boulware Wells	City Attorney

Mayor Randy Kruger called the Regular Meeting to order and recognized that all Council Members were except Jason Shoumaker. Also, present, Librarian, Jan Steele, Fire Chief and members of ESD. Reverend Judy Loehr gave the Invocation and Mayor Kruger led the Pledge of Allegiance.

The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.

PUBLIC COMMENTS

Betty Houghton, 20907 Twisting Trail, who serves on the Lago Vista Golf Course Advisory Committee, appeared to express her concerns on behalf of herself, Kevin Sullivan regarding the decision made by the Council regarding spending money to cover the deck at Highland Golf Course instead of improvements to the golf course. She also advised the Council of issues on the cart path and the bridge.

Susan Nelson Ascott, Camille Court, address the Council regarding some traffic issues on Dawn Drive.

PRESENTATION

1. Receive and discuss monthly update on Water Treatment Plant #3 by Shay Ralls Roalson, PE, HDR.

Katy Walker, Civil Engineer with HDR appeared and provided the update for the Council and addressed questions from Council.

2. Presentations and request for funds from area art, culture and tourism organizations.
 - a. Bob Billington with the Lago Vista & Jonestown Area Chamber of Commerce & CVB requested \$48,000.
 - b. Sharon Mackett with Friends of Balcones Canyonlands National Wildlife Refuge requested fund for the Songbird Festival held in April in the amount of \$5,500.
 - c. Nancy Meierhoff with Hill Country Singers requested \$3,500.
 - d. June Freeman with Lago Vista Players requested 5,000.
 - e. No one appeared on behalf of North Shore Heritage and Cultural Society, Inc.
 - f. Judy Loehr with Lake Travis Music Theatre, Inc. requested \$10,000.
 - g. No other requestors not listed above appeared.

No action taken on this item at this time.

PUBLIC HEARINGS

3. ***PUBLIC HEARING*** Consideration by the City Council of a conditional use to allow for an increase in height from 18' to 20' for a 1,925 (55' x 35') square foot partially constructed building (RV Storage) in accordance with Chapter 14, Article 14.100, Section 6.10 (B)(4)(d).

The public hearing was opened at 7:17 p.m. David Harrell AICP Director gave a brief overview of the proposed request and provided the Council with background information. Staff does recommend approval. The Planning and Zoning Commission heard this request at its meeting on July 9, 2015 and with a vote of 4 to 0, recommends approval of the request. Ira Weasman, the project manager appeared to address any questions from Council. Keith Billington with Silverton Custom Homes appeared and expressed that he would like variances of this type to be allowed. After no further comments, the public hearing was closed at 7:29 p.m.

4. Discussion, consideration, action if any regarding a request of a conditional use to allow for an increase in height from 18' to 20' for a 1,925 (55' x 35') square foot partially constructed building (RV Storage) in accordance with Chapter 14, Article 14.100, Section 6.10 (B)(4)(d).

Following a brief discussion, Darrell Hunt motion to approve the request for conditional use to allow for an increase in height to 20' as requested. The motion was seconded by D'Anne Gloris. Voting in favor; Hunt, Kruger, Mitchell, Gloris and Cox. Voting in opposition; Smith. Motion carried.

CONSENT AGENDA

5. Approval of the following minutes:
June 18, 2015 Regular Meeting
June 22, 2015 Special Called meeting

On a motion by D'Anne Gloris, seconded by Rodney Cox, the Council unanimously voted to approve the minutes of the
June 18, 2015 Regular meeting; and
June 22, 2015 Special called meeting

Dale Mitchell requested that the title of each agenda item be listed in the minutes.

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

6. Discussion, consideration, action if any regarding Resolution No. 15-1612; A Resolution to approve submission of an application for construction of pedestrian and bicycle safety improvements to the Texas Department of Transportation's Transportation Enhancement Program administered by the Capital Area Council of Governments.

David Harrell, AICP Director addressed the Council to provide a brief overview of the proposed Resolution which allows the City to submit an application to CAPCOG which administers the TXDOT Transportation Enhancement Program and also the City will commit to a matching amount equal to thirty percent (30%) of the total amount of funds requested, plus the cost of project engineering and program management. City Manager, Melissa Byrne Vossmer introduced Mr. Gandolf Burris, who appeared to provide a brief overview of the proposed resolution, a time frame for the application, and address any questions from Council. On a motion from D'Anne Gloris, seconded by Rodney Cox, the Council voted unanimously to approve Resolution No. 15-1612 as presented.

7. Discussion, consideration, action if any regarding Resolution No. 15-1613; An Interlocal Agreement between the City of Lago Vista and the Travis County Emergency Services District (ESD) #1 to provide a fire code official and fire code enforcement services for the city.

David Harrell, AICP Director provided a brief overview and background of the proposed resolution. The Fire Chief also addressed Council to provide additional information and address questions from Council and City Manager, Melissa Byrne Vossmer.

On a motion from Darrell Hunt, seconded by Dale Mitchell, the Council voted unanimously to adopt Resolution No. 15-1613, authorizing the City Manager to sign and interlocal agreement for services as between the City of Lago Vista and Travis Co. ESD #1.

8. Discussion, consideration, action if any regarding Ordinance No. 15-07-16-01; An Ordinance amending Chapter 5, Article 5.100, Section 5.101 adoption of International Fire Code, Code of Ordinances, in order to adopt the 2012 Edition of the International Fire Code; adopting certain appendices to same; providing for fees to be payable for permits, approvals and inspections; requiring a permit or approval for certain hazardous uses and activities; providing for civil penalties for violations; providing for administration of the Fire Code and authorizing the Fire Chief and his/her designee to administer and enforce the code; authorizing entry onto property to conduct inspections; authorizing stop work ordinances for work performed in violation of the Fire Code; providing for appointment of an appellate body and for appeals from decisions of the Fire Chief; repealing Article 5.300, Fire Marshal, 5.400 fireworks and 5.500, outdoor burning; providing for severability and an effective date.

David Harrell, AICP Director presented the Council with a brief overview of the proposed Ordinance. Barbara Boulware-Wells, City Attorney, addressed questions from Council regarding the codes and appeals. The Council discussed.

On a motion from Darrel Hunt, seconded by Rodney Cox the Council unanimously voted to adopt Ordinance No. 15-07-16-01 as presented.

9. Discussion, consideration, action if any regarding Pedernales Electric Cooperative Franchise Agreement.

City Manager, Melissa Byrne Vossmer, addressed the Council and provided a brief overview of the proposed agreement and after speaking with PEC requests approval of an extension of the franchise agreement as it stands right now through the end of the calendar year. PEC is working on a standardized franchise agreement for the service area and continues to make payments. This action requires action on Ordinance No. 15-07-16-02.

On a motion by Dale Mitchell, seconded by Ron Smith, the Council voted unanimously to approve Ordinance No. 15-07-16-02 granting an extension to the franchise agreement.

10. Discussion, consideration, action if any regarding Retail Recruitment & Retention – Buxton.

City Manager, Melissa Byrne Vossmer, gave a brief overview of the agreement and recognized Lisa Hill-McCay, Vice President of Buxton who was present. City Manager also recognized the Chamber of Commerce who committed \$5,000 a year for three years for a total of \$15,000; Duke with Tessera has committed \$2,500 a year for three years for a total of \$7,500, Cedar Park Regional Medical Center who committed \$2,000 the first year and Alex Tan who committed \$10,000 a year. Ms. Hill-McCay gave a brief overview of the services provided by Buxton and addressed questions from Council. Keith with the Chamber of Commerce addressed the Council with comments in support of this agreement.

On a motion from Darrel Hunt, seconded by D'Anne Gloris, the Council voted unanimously to approve execution of the contract with Buxton for retail recruitment.

WORK SESSION

11. Update and discussion concerning LCRA actions and other Lake Travis water issues.

Councilman Ron Smith provided a presentation regarding the update from LCRA.

12. Departmental Reports

Councilman Dale Mitchell asked why the utility reports provided went all the way back to 1999. Staff will work on cleaning up the reports for next month. Councilman Rodney Cox asked about a Blue Poly class action lawsuit.

- A. Municipal Court
- B. Water/Wastewater Department
- C. Street Department
- D. Development Services
- E. Police Department
- F. Library
- G. Golf Course

13. Reports/Minutes from City Boards, Committees and Commissions

Councilman Cox commented that the Council was not aware of the reports regarding safety issues at the golf courses. Council discussed the safety issues. No action taken at this time.

- a. May 14, 2015 Planning and Zoning regular meeting minutes
- b. June 11, 2015 KLVV meeting minutes
- c. KLVV Report 09July15
- d. June 15, 2015 Charter Review Committee minutes
- e. June 29, 2015 Charter Review Committee DRAFT minutes
- f. June 9, 2015 Golf Course Committee DRAFT minutes

FUTURE MEETINGS

14. Consider schedule and items for future Council meetings.

Mayor Kruger suggested revisiting the Dawn traffic hazard situation, possibly a work session item.

EXECUTIVE SESSION

15. At 8:56 p.m. Mayor Kruger announced that the Council will convene into executive session pursuant to Sections 551.071, 551.072 and/or 551.074 Texas Government Code, and/or Section 1.05, Texas Disciplinary Rules of Professional Conduct regarding:

- a. Consultation with attorney to deliberate the acquisition of real property and possible use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding a 2.286 acre tract, more or less, out of a 6.91 acre tract located in Travis County, Texas owned by James Otwell.
- b. Consultation with attorney regarding claims or possible claims arising in Cause No. D-1-GN-13-002224, James Otwell v. City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;
- c. Consultation with attorney regarding claims or possible claims arising in Cause No. D-1-GN-15-000294, James Otwell v. Brian Atlas, Villa Montechino LP and City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;

ACTION ITEMS

16. At 10:38 p.m. the Council reconvened from executive session into open session to take action as deemed appropriate in the City's Council's discretion regarding:

- a. The acquisition of real property and possible use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding a 2.286 acre tract, more or less, out of a 6.91 acre tract located in Travis County, Texas owned by James Otwell.

No action taken.

- b. Claims or possible claims arising in Cause No. D-1-GN-13-002224, James Otwell v. City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas;

No action taken.

- c. Claims or possible claims arising in Cause No. D-1-GN-15-000294, James Otwell v. Brian Atlas, Villa Montechino LP and City of Lago Vista, filed in the 98th Judicial District in Travis County, Texas.

No action taken.

ADJOURNMENT

Mayor Randy Kruger adjourned the meeting at 10:40 p.m.

Respectfully submitted,

ATTEST:

Randy Kruger, Mayor

Sandra Barton, City Secretary

On a motion by Council Member _____, seconded by _____,
the above and foregoing instrument was passed and approved this _____ day of _____,
2015.

DRAFT

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding: Vote on adoption of a proposal to set a 2015 Tax Rate of \$.65 for the City of Lago Vista and schedule Public Hearings and take any necessary action.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: **Mayor & City Council** **Council Meeting:** **August 20, 2015**

From: **Melissa Byrne Vossmer, City Manager**

Subject: **Adoption of the Proposed Tax Rate of \$.65 / \$100**

Request: **Business Item** **Legal Document:** **Other** **Legal Review:**

EXECUTIVE SUMMARY:

This item is placed on the City Council agenda to consider and vote on adoption of a proposal to set a 2015 Tax Rate for the City of Lago Vista; schedule for public hearings if required and take any necessary action.

The City Council has initiated review and consideration of the Proposed FY15/16 Budget. This item is brought forth as required by law. Similar to last year, the Travis Central Appraisal District (TCAD) is working through a number of appeals including the protest submitted by the City of Austin. These actions have delayed their ability to provide Lago Vista with the certified tax values for 2015. As Council is aware, this information is due to the City within the next couple of weeks. The end result of this is that the City Council must consider and act on this item without the knowledge of whether this tax rate is sufficient to meet the needs / programs / services included in the Proposed FY15/16 Budget.

In the Proposed FY15/16 Budget, Staff has used the preliminary values as received from TCAD in April of this year. The City is fortunate that the preliminary values have grown by 1.91% over the current year. This can be stated as follows: FY14/15 - \$640,961,640 and Proposed FY15/16 - \$653,180,028. Based on preliminary values, this translates into \$79,419 in additional revenue.

In prior years, the TCAD Tax Rate Analysis was available for discussion. This has not yet been received from TCAD which makes this very difficult for the City as the Effective Tax Rate and Roll Back Tax Rate are not known so we don't know what the final tax rate should be to support the Proposed FY15/16 Budget. Due to the lack of

information from TCAD and the State mandated timeline for public hearings and adoption of a FY15/16 Budget prior to September 30 (Charter requirement as well), it is necessary to take a vote on a tax rate and schedule the public hearings.

Last year the City Council made the decision to hold the Tax Rate at \$.65 / \$100. Staff would make the recommendation to hold the Tax Rate at the same level for FY15/16. This provides for adequate flexibility to consider the entire budget. It should be remembered that the Tax Rate can be reduced as Council moves through the budget process but it cannot be increased.

Impact if Approved:

The Tax Rate would be set at \$.65 / \$100 giving the City the necessary flexibility to implement the Council's Goals and Objectives, meet service recommendations and plan for the future.

Impact if Denied:

The Tax Rate would not be set at \$.65 / \$100. A different Tax Rate would be identified by Council. If set lower, Staff would be tasked with reducing proposed expenditures.

Is Funding Required? Yes No If Yes, Is it Budgeted? Yes No N/A

Indicate Funding Source:

Suggested Motion/Recommendation/Action

Motion to:

Motion to:

Motion to:

Known As:

Move to: Vote on adoption of a proposal to set a 2015 Tax Rate of \$.65 for the City of Lago Vista; Schedule Public Hearings for Thursday, September 10, 2015 at 6:30 p.m. in the City Council Chambers (5803 Thunderbird, Lago Vista, TX 78645) and Thursday, September 17, 2015 at 6:30 p.m. in the City Council Chambers (5803 Thunderbird, Lago Vista, TX 78645) and Take any Necessary Action.

Agenda Item Approved by City Manager

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding Resolution No. 15-1615; A Resolution by the City Council of the City of Lago Vista, Texas, confirming the re-appointment of Judge Stephen S. Spindler as Associate Municipal Judge for the City of Lago Vista, Texas.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM City of Lago Vista

TO: Mayor & City Council

Council Meeting: August 20, 2015

FROM: Melissa Byrne Vossmer, City Manager

SUBJECT: Re-Appointment of Judge Stephen S. Spindler

Legal Review

- | | | | | |
|---|--|---|--|---|
| <input type="checkbox"/> BUSINESS ITEM | <input type="checkbox"/> BONDS | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> ORDINANCE | (<input type="checkbox"/>) |
| <input type="checkbox"/> CONSENT AGENDA | <input checked="" type="checkbox"/> APPOINTMENTS | <input type="checkbox"/> BID AWARD | <input checked="" type="checkbox"/> RESOLUTION | (<input checked="" type="checkbox"/>) |
| <input type="checkbox"/> WORKSHOP | <input type="checkbox"/> REPORT | <input type="checkbox"/> OTHER | <input type="checkbox"/> CONTRACT | (<input type="checkbox"/>) |
| | | | <input type="checkbox"/> BONDS | (<input type="checkbox"/>) |

EXECUTIVE SUMMARY: *(Attach additional pages if necessary)*

<p>Impact if Approved: A total of four (4) Municipal Court Judges would be available.</p> <p>Impact if Denied: The number of Associate Municipal Court Judges would not increase at this time.</p>
--

1. IS FUNDING REQUIRED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	2. IF YES, INDICATE IF BUDGETED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<p>INDICATE FUNDING SOURCE: Municipal Court Department. Judges get paid \$1,000 a year. All costs associated with this are in the Proposed FY2015/16 Budget.</p>	

SUGGESTED MOTION/RECOMMENDATION/ACTION: Approve Resolution #R- -15 Confirming the Appointment of Stephen S. Spindler as a City of Lago Vista Associate Municipal Court Judge.

<p>Motion to enact/approve Ordinance 35T, known as. 35T</p> <p>Motion to deny Ordinance 35T, known as 35T.</p> <p>Motion to table Ordinance 35T , known as 35T .</p>	
Administration: 35T Initials	Submitted by: Melissa Byrne Vossmer, City Manager
<input type="checkbox"/> FORWARDED TO CC	<input type="checkbox"/> Listing of Supporting Materials Attached:

Vote: Shoumaker ____; Hunt ____; Kruger ____; Mitchell ____; Gloris ____; Smith ____; Cox ____

Motion Carried: Yes _____; No _____

CITY OF LAGO VISTA, TEXAS

RESOLUTION 15-1615

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, CONFIRMING THE RE-APPOINTMENT OF STEPHEN S. SPINDLER AS ASSOCIATE MUNICIPAL JUDGE FOR THE CITY OF LAGO VISTA, TEXAS.

WHEREAS, a majority of the voters of the City of Lago Vista, Texas, voted in favor of adopting a home rule charter at the November 2, 2004 election (the “Charter”);

WHEREAS, Section 4.03 of the Charter provides that the Municipal Judge and any Associate Municipal Judges deemed necessary shall be appointed by the City Manager, subject to approval by the Council; and

WHEREAS, the City Manager does hereby re-appoint Stephen S. Spindler as Associate Municipal Judge for the City of Lago Vista, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

THAT, the City Council of the City of Lago Vista, Texas does hereby confirm the re-appointment of Stephen S. Spindler as Associate Municipal Judge for the City of Lago Vista, Texas with a term ending August 2017.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED this 20th day of August, 2015.

Randy Kruger, Mayor

ATTEST:

Sandra Barton, City Secretary

On a motion by Council Member _____, seconded by Council Member _____, the above and foregoing instrument was passed and approved.

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding Resolution No. 15-1616; A Resolution by the City Council of the City of Lago Vista, Texas, confirming the appointment of Judge Robert R. Durbin and Judge Bradley H. Medlin as Associate Municipal Judges for the City of Lago Vista, Texas.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM
 City of Lago Vista

TO: Mayor & City Council

Council Meeting: August 20, 2015

FROM: Melissa Byrne Vossmer, City Manager

SUBJECT: Appointment of Judge Robert R. Durbin and Judge Bradley H. Medlin

Legal Review

- | | | | | |
|---|--|---|--|---|
| <input type="checkbox"/> BUSINESS ITEM | <input type="checkbox"/> BONDS | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> ORDINANCE | (<input type="checkbox"/>) |
| <input type="checkbox"/> CONSENT AGENDA | <input checked="" type="checkbox"/> APPOINTMENTS | <input type="checkbox"/> BID AWARD | <input checked="" type="checkbox"/> RESOLUTION | (<input checked="" type="checkbox"/>) |
| <input type="checkbox"/> WORKSHOP | <input type="checkbox"/> REPORT | <input type="checkbox"/> OTHER | <input type="checkbox"/> CONTRACT | (<input type="checkbox"/>) |
| | | | <input type="checkbox"/> BONDS | (<input type="checkbox"/>) |

EXECUTIVE SUMMARY: *(Attach additional pages if necessary)*

Impact if Approved: A total of four (4) Municipal Court Judges would be available.
Impact if Denied: The number of Associate Municipal Court Judges would not increase at this time.

1. IS FUNDING REQUIRED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	2. IF YES, INDICATE IF BUDGETED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--	--

INDICATE FUNDING SOURCE: Municipal Court Department. Judges get paid \$1,000 a year. All costs associated with this are in the Proposed FY2015/16 Budget.

SUGGESTED MOTION/RECOMMENDATION/ACTION: Approve Resolution #15-1616 Confirming the Appointment of Judge Robert R. Durbin and Judge Bradley H. Medlin as City of Lago Vista Associate Municipal Court Judges.

Motion to enact/approve Ordinance 35T, known as. 35T	
Motion to deny Ordinance 35T, known as 35T.	
Motion to table Ordinance 35T , known as 35T .	
Administration: 35T Initials	Submitted by: Melissa Byrne Vossmer, City Manager
<input type="checkbox"/> FORWARDED TO CC	<input type="checkbox"/> Listing of Supporting Materials Attached:

Vote: Shoumaker ____; Hunt ____; Kruger ____; Mitchell ____; Gloris ____; Smith ____; Cox ____

Motion Carried: Yes _____; No _____

Robert R. Durbin
P.O. Box 4675, Lago Vista, Texas 78645
(512) 422-2493 telephone, (512) 267-0223 facsimile
rdurbin@durbinlawfirm.com

Objective A position where I can use my experience and talents to improve the application of laws within the community where I live and play a crucial role in protecting the rights, privileges, ordinances, laws and constitutions applicable here in Lago Vista.

Summary

- **Over 26 years, litigated many jury and court trials in a wide assortment of cases in over 30 different counties in Texas as well as the 1st and 14th Courts of Appeals, Texas Supreme Court & Texas Court of Criminal Appeals**
 - **Resolved hundreds of disputes of all types by negotiation and minimizing acrimony**
 - **Represented successfully many people and companies with respect to flawed application or enforcement of various laws, ordinances and governmental actions**
 - **Acquired extensive knowledge of employment standards, environmental standards, real property acquisition, and development of that real estate, both of the surface and the minerals below**
 - **Obtained approval for planned developments, drilling permits, road repair permits, consistent with a wide variety of ordinances implemented in DFW area**
 - **Demonstrated substantial management experience, as a CEO of a public company, as a regional manager of a computer software development and cloud based applications, and as an officer in small oil and gas exploration business**
-

Employment	<p>Attorney, Law Offices of Robert R. Durbin, Lago Vista, Texas Exclusive practice in oil & gas, litigation and acted as general counsel to several small independent oil and gas exploration companies.</p> <p>CEO, Imperial Resources, Inc., Austin, Texas Restructured company from a closely held mining shelf corporation to an oil and gas exploration and oil field services company. Over all responsibility for all aspects of the company, set policy, guidelines, and oversaw all aspects of the corporation.</p> <p>General Counsel, Star of Texas Energy Services, Inc., Lago Vista, Texas Responsible for all legal matters for the company, set company policy in many areas, supervised out-sourced litigation, managed regulatory matters before the Texas Railroad Commission and led the industry in municipal permit compliance in DFW Barnett Shale development.</p> <p>Attorney, Law Offices of Robert R. Durbin, Houston, Texas Litigated hundreds of cases involving employment & constitutional law, governmental overreach, and regulatory matters as providing safe passage for clients through large transactions and mergers and acquisitions.</p> <p>Regional Manager, APL Services, Inc., Houston, TX Managed profit center for central United States responsible for all software development and shared database applications. Led sales team as well as supervised technical and administrative functions.</p>	<p>2003-present</p> <p>2010-present</p> <p>2002-2003</p> <p>1987-2002</p> <p>1979-1986</p>
Education	<p>Juris Doctor, South Texas College of Law, Houston, Texas</p> <p>B.S., Air Commerce and Transportation Technology, Florida Institute of Technology, Melbourne, Florida</p>	<p>1987</p> <p>1978</p>
Community Involvement	<p>Board of Adjustments & Building Committee, City of Lago Vista, Lago Vista, Texas</p> <p>Volunteer, Houston SPCA, Houston, Texas</p>	

3505 Hamilton Avenue
Lago Vista, TX 78645

July 27, 2015

Melissa Byrne Vossmer
City Manager
City of Lago Vista
PO Box 4727
Lago Vista, TX 78645

Dear Ms. Byrne Vossmer:

It was a pleasure meeting with you last week to discuss Magistrate appointment for the City of Lago Vista. Please know that I am interested in volunteering as one of the Magistrates for the City. Please find attached my Summary Biography.

I am confident that my legal experience will enable me to effectively carry out Magistrate duties. Moreover, my longstanding commitment and compliance with Disciplinary Rules of Ethical Conduct provides an excellent foundation to transition to meeting the tenants of the Texas Code of Judicial Conduct.

As indicated during our meeting, I view serving as one of the City of Lago Vista's Magistrates as an excellent civic duty opportunity; and I will do so in a fair, impartial and just manner in accordance with the law.

Very truly yours,



Bradley H. Medlin

Enclosure (1)

Summary Biography - Bradley H. Medlin - July 27, 2015

Bradley H. Medlin ("Brad") is currently employed by Lewis Contractors, Inc. in Leander, Texas serving as its Vice President and General Legal Counsel. As General Counsel for Lewis Contractors, Inc. Brad handles company legal affairs and manages outside litigation counsel.

In 1997, Brad earned a Juris Doctorate from the University of Kansas School of Law. While in law school, Brad, (Golden Key Honor Society Member and recipient of the Cali Award for law and economics), served as a Graduate Teaching Assistant teaching Business Law at the University of Kansas School of Business.

Brad was admitted to practice law in the State of Kansas and the United States District of Kansas in 1997 and has maintained active status with both courts since that time.

During the years 1997 to 2005, Brad was in private practice in Olathe, Kansas. Brad's general practice included representing defendants in State, Federal and Municipal Courts for a wide range of causes of actions including traffic, driving under the influence, drug and paraphernalia and other criminal matters; administrative law actions, plaintiff's personal injury actions, quiet title actions, eminent domain, domestic relations, child in need of care, protection from abuse, juvenile, probate and landlord-tenant. A significant part of Brad's practice was focused on insolvency law and debtor/creditor relations including bankruptcy and reorganization.

In 2005, Brad's family relocated to Florida and then Georgia working as the Contracts Manager for R.B. Baker Construction, Inc. (\$250M Annual Revenue) near Savannah, Georgia. Brad's responsibilities included negotiating terms and conditions for prime contracts, subcontracts and purchase orders as well as advising the company concerning disputes and claims. Brad also counseled Project Managers and Area Managers concerning contract interpretation.

In 2008, Brad returned to Kansas and the private practice of law as lead trial attorney for Cloon Legal Services in Baldwin City, Kansas. During the year 2008 through 2012, Brad's practice included bankruptcy, bankruptcy litigation, real estate, tax resolution, eminent domain and probate.

In 2012 Brad and his wife, Kristi (married 28 years this September) moved to Texas to be closer in proximity to their son Taylor.

Brad and Kristi made Lago Vista their home in 2013. Since becoming residents of Lago Vista, both have become extremely impressed with the beauty, amenities and friendly people that Lago Vista has to offer.

Whereas, Brad and Kristi believe that they have found their ultimate permanent home in Lago Vista, Brad plans to soon submit an application with the Texas Board of Law Examiners to be admitted by motion to the Texas Bar.

CITY OF LAGO VISTA, TEXAS

RESOLUTION 15-1616

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, CONFIRMING THE APPOINTMENT OF ROBERT R. DURBIN AND BRADLEY H. MEDLIN AS ASSOCIATE MUNICIPAL JUDGES FOR THE CITY OF LAGO VISTA, TEXAS.

WHEREAS, a majority of the voters of the City of Lago Vista, Texas, voted in favor of adopting a home rule charter at the November 2, 2004 election (the “Charter”);

WHEREAS, Section 4.03 of the Charter provides that the Municipal Judge and any Associate Municipal Judges deemed necessary shall be appointed by the City Manager, subject to approval by the Council; and

WHEREAS, the City Manager does hereby appoint Robert R. Durbin and Bradley H. Durbin as Associate Municipal Judges for the City of Lago Vista, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

THAT, the City Council of the City of Lago Vista, Texas does hereby confirm the appointment of Robert R. Durbin and Bradley H. Durbin as Associate Municipal Judges for the City of Lago Vista, Texas with a term ending August 2017.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED this 20th day of August, 2015.

Randy Kruger, Mayor

ATTEST:

Sandra Barton, City Secretary

On a motion by Council Member _____, seconded by Council Member _____, the above and foregoing instrument was passed and approved.

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding Resolution No. 15-1617; A Resolution of the City Council of the City of Lago Vista, Texas Authorizing the City Manager to sign the State assisted Routine Airport Maintenance Program Grant for the Lago Vista Rusty Allen Airport.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: **Council Meeting:**

From:

Subject:

Request: **Legal Document:** **Legal Review:**

EXECUTIVE SUMMARY:

The grant will reimburse the City for fifty percent (50%) of the overall maintenance costs associated with the Airport. This will reimburse a portion of the City's expenses from September 1, 2014 – August 30, 2015.

Impact if Approved:

The City will sign the paperwork and receive reimbursement from the State.

Impact if Denied:

The City will NOT sign the paperwork and WILL NOT receive reimbursement from the State.

Is Funding Required? Yes No **If Yes, Is it Budgeted?** Yes No N/A

Indicate Funding Source:

N/A

Suggested Motion/Recommendation/Action

Motion to:

Motion to:

Motion to:

Known As:

the State RAMP Grant Reimbursement.

Agenda Item Approved by City Manager

RESOLUTION 15-1617

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS AUTHORIZING THE CITY MANAGER TO SIGN THE STATE ASSISTED ROUTINE AIRPORT MAINTENANCE PROGRAM GRANT FOR THE LAGO VISTA RUSTY ALLEN AIRPORT.

WHEREAS, the City of Lago Vista, Texas (“City”) has participated in the State Assisted Routine Airport Maintenance Program (“RAMP”) with Texas Department of Transportation (“TxDOT”) for the past several years and it continues to provide for the maintenance of the Airport; and

WHEREAS, the State, by and through TxDOT, will provide financial assistance in the amount of fifty percent (50%) or \$50,000, whichever is less to the City for maintenance purposes; and

WHEREAS, it is in the City’s interest to pursue this grant in order to seek reimbursement for part of the maintenance costs and reduce the burden on the City’s taxpayers for maintenance of the Airport.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. The above recitals are hereby found to be true and correct and incorporated herein for all purposes.

SECTION 2. The City Council of the City of Lago Vista, Texas does hereby authorize the signature on the Agreement with TxDOT as shown in Exhibit “A” and further authorizes the City Manager or her designee to take all steps necessary to comply with its terms.

SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, ON THE 20th DAY OF AUGUST, 2015.

CITY OF LAGO VISTA

Randy Kruger, Mayor

ATTEST

Sandra Barton, City Secretary

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding Resolution No. 15-1618; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the City Manager to sign an agreement for Professional Planning Services for Development of a Comprehensive Plan.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: Mayor & City Council Council Meeting: August 20, 2015

From: David Harrell, AICP, Director

Subject: Resolution authorizing the City Manager to sign an agreement for a professional planning services for development of a comprehensive plan.

Request: Business Item **Legal Document:** Resolution **Legal Review:**

EXECUTIVE SUMMARY:

On May 22, 2015, the Comprehensive Plan Selection Committee consisting of members of the City Council, Planning & Zoning Commission, and City Staff recommended Freese & Nichols be chosen as the consultant to enter into services for the update to the Comprehensive Master Plan. This item is the formal contract needed to enter into those services.

The Comprehensive Plan has several different basic elements such as community profile, land use, transportation, economic development, city services, parks/recreation, housing and neighborhood livability. Also staff has asked that infill, annexation, and environmental be additional elements to the Plan. The basic elements and the additional elements to the Plan bring the total contractual cost to \$138,000 with one half payable this fiscal year and the other half payable the next fiscal year.

Impact if Approved:

The City will sign the agreement and the update of the Comprehensive Master Plan will begin.

Impact if Denied:

The City will NOT sign the agreement and the update of the Comprehensive Master Plan will NOT begin.

Is Funding Required? Yes No If Yes, Is it Budgeted? Yes No N/A

Indicate Funding Source:

Funding source received back from the development of the Lago Vista High School.

Suggested Motion/Recommendation/Action

Motion to: **Approve Resolution**

Motion to: **Deny Resolution**

Motion to: **Table Resolution**

Known As:

the Agreement for Professional Services for updating the Comprehensive Plan.

Agenda Item Approved by City Manager

CITY OF LAGO VISTA, TEXAS

RESOLUTION 15-1618

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA,
TEXAS AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT FOR
PROFESSIONAL PLANNING SERVICES FOR DEVELOPMENT OF A
COMPREHENSIVE PLAN**

WHEREAS, the City has not fully updated their Comprehensive Master Plan since 2008 and has not hired a professional city planning firm for a full update since 2001, and

WHEREAS, the City and its Extraterritorial Jurisdiction has and continues to have growth in regards to residential and commercial developments that needs to be better addressed through updating of elements and additions of new elements to the Comprehensive Plan, and

WHEREAS, the north-side of the metropolitan Austin area has grown significantly since the last full professional update in 2001 and partial update in 2008, and this has not been taken into consideration in so far as changing the demographics and development patterns of the City and its Extraterritorial Jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF LAGO VISTA, TEXAS:**

THAT, the City Council of the City of Lago Vista, Texas, does hereby authorize the City Manager to sign an agreement for professional planning services for development of a comprehensive plan.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED this 20th day of August, 2015.

Randy Kruger, Mayor

ATTEST:

Sandra Barton, City Secretary

On a motion by Council Member _____, seconded by Council Member _____, the above and foregoing instrument was passed and approved.

AGREEMENT FOR PROFESSIONAL PLANNING SERVICES

This Agreement is entered into between the City of Lago Vista, Texas (the “Owner”) and Freese and Nichols, Inc. (the “Consultant”), acting by and through their duly authorized representatives, to be effective as of the 20th day of August, 2015.

WHEREAS, the Owner desires to employ the Consultant to provide certain professional Consulting services in connection with the development of the Comprehensive Plan, (the “Project”);

NOW, THEREFORE, for and in consideration of the mutual agreements, promises and undertakings herein set forth, the parties hereby agree as follows:

1. Contractual Relationship

1.1 The Owner agrees to employ the Consultant, and the Consultant agrees to perform, as an independent contractor, certain professional Consultant services as specified herein in connection with the Project (the “Services”), and for having rendered such Services, the Owner shall pay to the Consultant compensation as stated in the sections to follow.

1.2 The relationship of the Owner and the Consultant under this Agreement and otherwise shall be that of independent contractors. The Consultant is not, by the terms of this Agreement or otherwise, an agent, employee or representative of the Owner. Any direction or instruction by the Owner or any of its authorized representatives in respect to the Services provided by Consultant shall relate to the results the Owner desires to obtain from the Services, and Consultant shall be solely responsible for determining how the work shall be performed.

1.3 The Consultant agrees to satisfy all claims for labor, material and equipment employed or used in anyway in connection with the Services, and not to permit any liens to be fixed upon or against the property of the Owner by its laborers, mechanics, materialmen, suppliers or subconsultants and agrees to indemnify, protect and save the Owner harmless from and against all such claims and liens.

2. The Consultant’s Obligations

2.1 The Consultant shall provide to the Owner the Services and incidental materials specified in *Exhibit A*, Scope of Services, attached hereto and made a part hereof.

2.2 By its execution of this Agreement below, the Owner hereby authorizes the Consultant to proceed with the performance of the Services pursuant to the terms of this Agreement.

2.3 The Consultant agrees that it is experienced and fully qualified to perform the Services contemplated by this Agreement, and that it is properly licensed pursuant to applicable law to perform such Services. All Services shall be performed with due diligence and in accordance with the standard of care required by this Agreement. The standard of care

for all professional Consulting and related Services performed or furnished by the Consultant under this Agreement will be the professional care and skill ordinarily used by prudent registered professional Consultants practicing under similar conditions at the same time and in the same locality. The Consultant shall be responsible, in accordance with that professional standard, for the completeness and accuracy of the Consultant's drawings and specifications, subject to the terms of this Agreement.

2.4 If, after the construction has begun, an error or omission is discovered and the item can still be provided in the sequence of construction without additional costs to the Owner, the Owner will pay for this item just as if it had been included in the original design documents. If this error or omission is discovered out of sequence with the construction timetable, then the Consultant will pay for the additional costs to have this item corrected or included, while the Owner will pay for this item as if it had been included in the original documents.

2.5 The Consultant shall comply with current interpretations of all applicable laws, rules and regulations. Further, the Consultant will see to it that its documents and specifications comply with all legal requirements (including applicable codes and regulations and interpretations thereof) in effect at the time of their submittal to the Owner.

2.6 The Consultant shall perform the Services in a timely fashion so as to comply with the Owner's requirements and in accordance with the schedule as defined in Exhibit A.

2.7 The Consultant shall submit for Owner's approval a project organization chart setting out the Consultant's personnel and their responsibilities in connection with the Services that the Consultant proposes to use for the performance of the Services, together with an identification of any consultants or outside firms which the Consultant proposes to use in connection with the performance of the Services. If at any time after entering into this Agreement, the Owner has any reasonable objection to any such person or entity, the Consultant shall promptly propose substitutes to whom the Owner has no reasonable objection, and the Consultant's compensation shall be equitably adjusted to reflect any difference in the Consultant's costs occasioned by such substitution; however, no increase in the Consultant's compensation thereunder shall be allowed for any such substitution unless the Consultant has acted promptly and responsively in submitting names as required by this Section.

2.8 The Owner shall at all times have reasonable access to the files and personnel of the Consultant relating to the Project in order to answer any questions the Owner may have relating to the Consultant's performance on the Project.

2.9 Throughout the course of the Services under this Agreement, the Consultant will: (a) keep the Owner informed of the Services including, without limitation, submitting to the Owner, at appropriate intervals, written reports monitoring the progress of the Consultant's Services, (b) attend meetings as reasonably required by the Owner relative to the Consultant's Services, (c) coordinate its Services hereunder with the services of any other consultants separately engaged by the Owner and (d) when requested by the Owner after reasonable notice, meet with the Owner

and the other consultants engaged by the Owner regarding the Project.

3. The Owner's Responsibilities

3.1 The Owner shall provide to the Consultant all of its available criteria and requirements for the Project and all available information pertinent to the Project including previous reports. The Consultant may reasonably rely upon such information; keeping in mind, however, that the Owner does not represent, guarantee or warrant to the Consultant the accuracy or completeness of such information.

3.2 The Owner, with the assistance of the Consultant, shall arrange for access to and make all provisions for the Consultant to enter upon public and private property as required for the Consultant to perform Services under this Agreement.

3.3 The Owner will examine the Consultant's studies, reports, sketches, drawings, specifications, proposals and other information submitted by the Consultant; consult with others as the Owner deems appropriate; and render timely written approvals and decisions to the Consultant.

3.4 The Owner shall give prompt written notice to the Consultant whenever the Owner becomes aware of any development that affects the scope or timing of the Consultant's Services or of any defect or nonconformance in the Services of the Consultant.

4. Consultant's Compensation

4.1 As compensation for all of the Services, the Owner shall pay to the Consultant the compensation described on Exhibit B.

4.2 Invoices for Services performed and expenses incurred will be submitted to the Owner by the Consultant. Invoices are due and payable on receipt. The Consultant shall submit invoices in sufficient detail for the Owner to verify the Services performed and expenses incurred. Each invoice shall constitute a representation of the Consultant to the Owner made under this Agreement that the proportion of the Services has been fully performed in accordance with this Agreement, that the expenses have been properly incurred and that payment of the indicated amount has been earned by, and is properly due and payable to, the Consultant in accordance with this Agreement. Notwithstanding the presentation of any invoice to the Owner, the amount reflected thereon shall be due and payable to the Consultant only to the extent earned by the Consultant in accordance with the terms of this Agreement.

4.3 If the Owner fails to make any payment due the Consultant within 30 days after receipt of the Consultant's invoice, the amounts due the Consultant will be increased at the rate of 1.5% per month (or the maximum rate of interest permitted by law, if less) from said 30th day; and, in addition, the Consultant may, after giving 7 days' written notice to the Owner, suspend Services under this Agreement until the Consultant has been paid in full all amounts due. Payments will be credited first to interest and then to principal.

4.4 In the event of a disputed or contested billing, only that portion so contested may be withheld from payment, and the undisputed portion will be paid. No interest will accrue on any contested portion of the billing until mutually resolved. The Owner will exercise reasonableness in contesting any billing or portion thereof. Notwithstanding anything contained in this Agreement to the contrary, the Owner shall not be obligated to make any payment to the Consultant if any one or more of the following conditions exist: (a) the Consultant is in default of any one or more of its obligations under this Agreement or otherwise in default under this Agreement; (b) any part of such payment is attributable to Services which are not performed in accordance with this Agreement; provided, however, that payment shall be made as part thereof attributable to Services which were performed in accordance with this Agreement; (c) the Consultant has failed to make payments promptly to consultants or other third parties used in connection with the Services for which the Owner has made payment to the Consultant where the Consultant has no good faith reason to withhold such funds; or (d) the Owner, in its good faith judgment, determines that the portion of the compensation then remaining unpaid for a particular phase of the Services of the Consultant shall not be sufficient to complete such phase in accordance with the Agreement, no additional payments will be due the Consultant unless and until the Consultant, at its sole cost, performs a sufficient portion of the Services so that such portion of the compensation then remaining unpaid is reasonably determined by the Owner to be sufficient to so complete the Services. No partial or final payment by the Owner to the Consultant is to be treated as a waiver of any of the Owner's rights, nor is the acceptance of any partial payment or final payment by the Consultant from the Owner a waiver of any of the Consultant's rights.

4.5 The Owner may make changes to the Scope of Services to be provided by Consultant pursuant to the terms of this Agreement. If such changes affect the Consultant's cost of or time required for performance of the Services, an equitable adjustment will be made through an amendment to this Agreement.

5. **Indemnification**

5.1 With respect to claims brought by third parties against either the Consultant or the Owner relating to the property or facilities with respect to which this Agreement pertains, the Consultant and the Owner agree as follows:

a. The Consultant will indemnify and hold harmless the Owner, its directors, officers, agents and employees against all claims, demands or causes of action; and all costs, administrative costs, judgments and settlements, losses, liabilities, expenses, settlements, interest and judgments incurred in connection therewith, including attorneys' fees and court costs, brought by any of the Consultant's employees or representatives, by any governmental entity or by any other third party, based upon, in connection with, to the extent or degree on a comparative basis of fault resulting from or arising out of the negligent acts or omissions of the Consultant or the willful misconduct of Consultant. However, the Consultant's contractual obligation of indemnification shall not extend to the sole negligence or other fault of the Owner or strict liability imposed upon the Owner as a matter of law (including strict liability imposed upon the Owner as a result of the condition of the property or facilities with respect to which this Agreement pertains).

b. To the extent permitted by applicable law, including the Constitution of the State of Texas, the Owner will indemnify and hold harmless the Consultant, its directors, officers, agents, employees and subcontractors against claims, demands or causes of action; and all costs, losses, liabilities, expenses, interest and judgments incurred in connection therewith, including attorneys' fees and court costs, brought by any of the Owner's employees or representatives, by any governmental entity or by any other third party, based upon, in connection with, to the extent or degree on a comparative basis of fault resulting from or arising out of the negligent acts or omissions of the Owner. However, the Owner's contractual obligation of indemnification shall not extend to the direct or indirect consequences of the Consultant's negligence or other fault or to strict liability imposed upon the Consultant as a matter of law.

c. In the event that both the Owner and the Consultant are adjudicated negligent or otherwise at fault or strictly liable without fault with respect to damage or injuries sustained by the claimant, each shall be responsible for its own costs of litigation and pro-rata share of damages as determined by the proceedings.

5.2 It is a condition precedent to the indemnitor's contractual obligation of indemnification under this Agreement that the party seeking indemnity shall provide written notice of a third party claim, demand or cause of action within 30 days after such third party claim, demand or cause of action is received by the party seeking indemnity. It is a further condition precedent to the indemnitor's contractual obligation of indemnification under this Agreement that the indemnitor shall thereafter have the right to participate in the investigation, defense and resolution of such third party claim. In addition, the terms and provisions of Section 6.1 and this Section 6.2 shall survive the expiration or earlier

termination of this Agreement.

6. Insurance

6.1 The Consultant shall obtain and maintain, throughout the term of the Agreement, insurance of the types and in the minimum amounts set forth below.

6.2 The Consultant shall, upon its execution of this Agreement, furnish certificates of insurance to the Owner evidencing compliance with the insurance requirements hereof. Certificates shall indicate name of the Consultant, name of insurance company, policy number, term of coverage and limits of coverage. When any required insurance, due to the attainment of a normal expiration date or renewal date, shall expire, the Consultant will supply the Owner with certificates of insurance and, if applicable, amendatory riders or endorsements that clearly evidence the continuation of all coverage in substantially the same manner, limits of protection and scope of coverage as was provided by the previous policy. The Consultant shall cause its insurance companies to provide the Owner with at least 30 days' prior written notice of any reduction in the limit of liability by endorsement of the policy, cancellation or non-renewal of the insurance coverage required under this Agreement. The Consultant shall obtain such insurance from such companies having a Best's rating of A-/VI or better, licensed or approved to transact business in the state in which the Services shall be performed, and shall obtain such insurance of the following types and minimum limits:

a. Workers' Compensation insurance in accordance with the laws of the State of Texas, or state of hire/location of Services, and Employer's Liability coverage with a limit of not less than \$500,000 each employee for Occupational Disease; \$500,000 policy limit for Occupational Disease; and Employer's Liability of \$500,000 each accident.

b. Commercial General Liability insurance including coverage for Products/ Completed Operations, Blanket Contractual, Contractors' Protective Liability, Broad Form Property Damage, Personal Injury/Advertising Liability, and Bodily Injury and Property Damage with limits of not less than:

\$2,000,000 General Aggregate Limit

\$1,000,000 Each Occurrence, combined single limit

\$ 1,000,000 Aggregate Products, combined single limit

\$ 1,000,000 Aggregate Personal Injury/Advertising Liability

\$ 50,000 Fire Legal Liability

\$5,000 Premises Medical

c. Business Automobile Liability coverage applying to owned, non-owned and hired automobiles with limits not less than \$1,000,000 each occurrence combined single limit for Bodily Injury and Property Damage combined.

d. Umbrella Excess Liability insurance written as excess of Employer's Liability, with limits not less than \$1,000,000 each occurrence combined single limit.

e. Professional Liability insurance with limits not less than \$1,000,000 each claim/annual aggregate, which insurance shall be maintained for a period that will cover claims made within three (3) years after the substantial completion of the Project.

6.3 The Owner and the Owner's agents, directors, officers and employees shall be added as additional insureds to all coverages required above, except for those requirements in paragraphs "a" and "e." All policies written on behalf of the Consultant shall contain a waiver of subrogation in favor of the Owner and the Owner's agents and employees, with the exception of insurance required under paragraph "e."

6.4 If the Consultant fails to furnish and maintain the insurance required by this Agreement, the Owner may purchase such insurance on behalf of the Consultant, and the Consultant shall pay the cost thereof to the Owner upon demand and shall furnish to the Owner any information needed to obtain such insurance. Consultant shall within ten (10) days notify Owner of any change in the insurance coverage amounts or the insurance companies used by Consultant in conjunction with this Agreement.

7. Termination

7.1 This Agreement may be terminated by Owner for convenience upon notice to Consultant. Consultant may terminate the Agreement for breach of the Agreement after giving City thirty (30) days' notice to cure any breach.

7.2 Upon delivery of such notice the Consultant shall, unless the notice states otherwise, immediately discontinue all Services, proceed to cancel promptly all existing orders and contracts insofar as such orders or contracts are chargeable to the Services, and deliver to the Owner all instruments of service produced under this Agreement. Upon termination, the Owner will owe the Consultant only for all compensation earned under this Agreement to date of termination.

7.3 In the event of any termination under this Article 8, the Consultant consents to the Owner's selection of another Consultant of the Owner's choice to assist the Owner in completing the Project. The Consultant further agrees to cooperate and provide any information and documentation including but not limited to change, modification, adjustment to plates, etc. requested by the Owner in connection with the completion of the Project and consents to and authorizes the making of any reasonable changes to the design of the Project by the Owner and such other Consultant as the Owner may desire; provided however, that the Consultant shall have no liability to the Owner or any third party for any changes or services made or performed by another Consultant. Any services provided by the Consultant which are requested by the Owner after termination shall be fairly compensated to

the Consultant by the Owner.

8. Inspections and Audits

The Owner shall have the right to perform, or cause to be performed, audits of all books, documents, receipts, expenditures, deposits, ledgers and records and any other available information or document of the Consultant as necessary to verify the accuracy of the Consultant's billings and inspections of all places where Services were undertaken, provided that the Consultant shall not be required to keep such books and records longer than 3 years after the termination of this Agreement. If an audit of the Consultant's books, payrolls and records indicates that the Owner has overpaid the Consultant, the Consultant shall pay the Owner the amount of such overpayment promptly upon demand, with interest at the rate of 10% per annum. The terms of this Section shall survive the termination or expiration of this Agreement. If an audit of the Consultant's books, payrolls and records indicates that the Owner has underpaid the Consultant, the Owner shall pay the Consultant the amount of such underpayment promptly upon demand.

9. Reuse of Documents

9.1 All documents including, but not limited to, reports, drawings and specifications provided or furnished by the Consultant pursuant to this Agreement are instruments of service in respect of the Project, whether or not the Project is completed, and are not intended or represented to be suitable for reuse by the Owner or others on extensions of the Project or on any other project.

9.2 The Owner shall, at its request, be given all data files, text, specifications, reports, documents, or other forms of information that were used, prepared, conceived, drafted, acquired, coordinated or in any way part of the Services rendered by Consultant. . However, due to the potential that the information set forth on the computer disks and/or magnetic tapes can be modified by the Owner or other persons, unintentionally or otherwise, the Consultant reserves the right to remove all indicia of its ownership and/or involvement from each electronic display. For documentation purposes, the original computer files will be retained by the Consultant for a period not to exceed five (5) years after completion of the Services. Notwithstanding anything to the contrary contained in this Article 9, the Owner and its successors and assigns shall have (and the Consultant hereby grants to the Owner and its successors and assigns) a perpetual, irrevocable, royalty- free license to use, copy, reproduce, display, perform, and make derivative works from, all documents and all other works of authorship prepared, authored, conceived or furnished by the Consultant in respect to the Project or otherwise prepared, authored, conceived or furnished by the Consultant pursuant to this Agreement, for or in connection with the use of the Project, or for or in connection with any addition to, or expansion of, the Project. The Consultant agrees to procure and furnish to the Owner any and all such licenses, in form and substance reasonably acceptable to the Owner, but otherwise consistent with the foregoing, from third parties (such as but not limited to Consultants, photographers, or other consultants) whose services have been engaged by or for the Consultant, which may be necessary or appropriate to vest in the Owner and its successors and assigns, the rights contemplated hereby to works of authorships of such third parties. The Consultant also agrees to execute or cause to be executed, and deliver to the Owner, such additional documentation

as may be reasonably requested by the Owner in order to carry out the purposes and intents of this Paragraph. The Consultant agrees to indemnify, defend and hold harmless the Owner and its successors and assigns (individually and collectively the “Indemnified Parties”), from and against any and all claims, demands, actions, causes of action, damages, losses, liabilities and expenses (including without limitation reasonable attorneys’ fees, court costs and pre- and post-judgment interest), asserted against, or suffered or incurred by, the Indemnified Parties to the extent arising from any infringement or claim of infringement by the Consultant or its agents in connection with the documents or any other works of authorship referred to in this Section.

10. Waiver

No consent or waiver, express or implied, by either party to this Agreement, to or of any breach or default by the other in the performance of any obligations under this Agreement shall be deemed or construed to be a consent or waiver to or of any other or future breach or default by such party. Failure on the part of any party to this Agreement to complain of any act or failure to act of the other party or to declare the other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder.

11. Limitations on Rights and Remedies

11.1 The Consultant and the Owner agree that neither of them shall be responsible or liable to the other for the consequences of events that are beyond the reasonable control of the other party such as the interference by third parties, changed conditions that are not reasonably foreseeable, labor strikes, fires, thefts or other losses, or acts of God.

11.2 The Consultant and the Owner agree that neither of them shall be entitled to recover from the other for any indirect, special or consequential damages, injuries or losses sustained as a result of the others’ negligent actions, inactions or omissions under this Agreement or otherwise including, but not limited to, lost profits, lost opportunities, and/or delay damages.

12. No Third Party Rights

12.1 The Services to be performed by the Consultant under this Agreement are solely for the benefit of the Owner. This Agreement shall not be construed as creating any contractual relationship of any kind between the Consultant and any third party. It is the intent of the Consultant that there are no third party beneficiaries of this Agreement. The fact that the Owner may enter into other agreements with third parties which provide the Consultant the authority to observe the work being performed by the third party shall not give rise to any duty or responsibility on the part of the Consultant in favor of such third party.

13. Miscellaneous

13.1 This Agreement shall be effective upon its execution by the Consultant and the Owner, and shall remain in force until all obligations under this Agreement have been fulfilled, unless sooner terminated as provided herein.

13.2 This Agreement shall be construed and enforced for all purposes pursuant to the laws of the State of Texas. All claims, counterclaims, disputes, and other matters in question between the Owner and the Consultant arising out of or relating to this contract or the breach thereof shall be decided in a court of competent jurisdiction in Travis County, Texas.

13.3 Neither the Consultant nor the Owner shall assign, sublet or transfer the interest in this Agreement without the prior written consent of the other; provided, however, the Owner may assign or transfer its interest herein to any express third-party beneficiary of this Agreement and to an affiliate of the Owner or any entity which controls, is under common control with or is controlled by the Owner. The obligations of the Consultant hereunder are joint and several.

13.4 This Agreement (including all documents incorporated by reference or attached as exhibits hereto) represents the entire agreement between the Consultant and the Owner with respect to the subject matter hereof and supersedes and merges all prior negotiations, representations, discussions or agreements, either written or oral, with respect to the subject matter hereof.

13.5 This Agreement may be amended only by written instrument signed by duly authorized representatives of both the Consultant and the Owner.

13.6 If a provision of this Agreement, or the application thereof to any person or circumstances, is rendered or declared illegal for any reason or shall be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall be not affected thereby, but shall be enforced to the greatest

extent permitted by applicable law. The parties agree to negotiate in good faith for a proper amendment to this Agreement in the event any provision hereof is declared illegal, invalid or unenforceable.

13.7 All notices required or permitted hereunder shall be in writing and shall be deemed delivered 3 days after deposit with the United States Postal Service (certified mail, return receipt requested), addressed to the respective other party at the addresses shown below:

If to Consultant: Freese and Nichols, Inc.
2711 Haskell Avenue, Suite 3300
Dallas, Texas 75204
Erica Craycraft-Bartlett, AICP
Email Address: egc@freese.com

If to Owner: City of Lago Vista
P.O. Box 4727
Lago Vista, TX 78645
Attention: David Harrell
Email Address: dharrell@lago-vista.org

13.8 Time is of the essence of the performance of the parties' obligations pursuant to this Agreement.

13.9 If either party places the enforcement of this Agreement, or any part hereof, or the exercise of any remedy herein provided, in the hands of an attorney who institutes an action or proceeding upon the same (either by direct action or counterclaim), the non-prevailing party shall pay to the prevailing party its reasonable attorneys' fees and costs of court. In addition to the foregoing award of attorneys' fees to the prevailing party, the prevailing party shall be entitled to its attorneys' fees incurred in any post-judgment proceeding or action to collect or enforce the judgment. This provision is separate and several and shall survive the expiration or earlier termination of this Agreement or the merger of this Agreement into any judgment on such instrument.

13.10 In the event there is a conflict between any of the provisions hereof and any proposals, general conditions, specifications or other agreements which may have been executed by the parties hereto in connection with the subject matter hereof, it is understood and agreed that the provisions hereof shall be controlling. The parties acknowledge and represent that this Agreement has been jointly drafted by the parties and that each of them has read, understood, and approved the language and terms set forth herein. This Agreement may be executed in multiple counterparts, each of which shall constitute but one agreement.

13.11 The Consultant expressly waives any right to payment for any Services or Reimbursable Expenses incurred if not billed as Services or Reimbursable Expenses within ninety (90) calendar days following the date such services were rendered or such expenses

were incurred,

13.12 Each person who signs this Agreement states that he has the express authority to sign this Agreement and to bind the entity he represents to all of the terms and conditions stated herein.

IN WITNESS WHEREOF, this Agreement is hereby executed as of the date first above set forth.

CONSULTANT:

FREESE AND NICHOLS, INC.

By: Brian C. Coltharp
Name: Brian C. Coltharp
As Its: Vice President

OWNER:

CITY OF LAGO VISTA

By: _____
Name: Melissa Byrne-Vossmer
As Its: City Manager

EXHIBIT “A” SCOPE OF SERVICES AND WORK SCHEDULE

ARTICLE I

BASIC SERVICES: FNI shall render the following professional services in connection with the development of the Project:

Public Involvement Plan

Involved Entities:

- CPAC
- City staff
- City Council
- Planning & Zoning Commission
- Public

Target Audiences:

- Families
- Seniors
- Business owners
- Absentee property owners
- Visitors
- School kids

Outreach Tools:

Project Website

FNI will develop and maintain a project website throughout the span of the project. The website may be linked from the City’s website.

Visual Character Survey

A Visual Character Survey will be conducted at the Town Hall meeting and available on the website for the community to view and participate in the survey.

Social Media

FNI will provide brief updates every two weeks for City Staff to update the City’s Facebook and Twitter pages. City Staff is responsible for updating and monitoring the social media pages.

Flyers

FNI will prepare one (1) half-page flyer before each Town Hall meeting delivered in electronic format for City Staff to print and distribute to the local schools and other community locations. The purpose of the flyers is to encourage the community to attend the upcoming meeting and/or visit the website to participate in the process.

Meetings

FNI will host meetings with the public, CPAC, Planning & Zoning Commission, and City Council as outlined in the following section. City Staff is responsible for contacting the attendees and coordinating the meeting facilities. Unless the City authorizes an alternative plan, Dan Sefko and Erica Craycraft-Bartlett will attend all project meetings.

Communication Plan:

FNI will send monthly one page reports with the invoice outlining the progress and any outstanding issues.

FNI’s Point of Contact: Erica Craycraft-Bartlett

Preferred Method of Communication: Email

City’s Point of Contact: David Harrell

Preferred Method of Communication: Email

Meeting Outline

Meeting #1: Planning & Zoning Commission & Comprehensive Plan Advisory Committee (CPAC) Joint Guiding Principles | September

Discuss the Planning & Zoning Commission's and CPAC's vision and purpose for the new plan. FNI will work with them to identify approximately five (5) overarching goals or priorities that should guide the plan's development.

Meeting #2: Lago Vista High School Input | September

FNI will meet with students at Lago Vista High School for up to one (1) hour to tell the students about the Comprehensive Plan and ask for their input on what they would like to see in Lago Vista. This meeting will take place in the afternoon on the same day as the CPAC meeting (preferably #4 but alternately #5).

Meeting #3: Town Hall | September

Invite the community to attend a Town Hall meeting. Attendees will be informed of the process and encouraged to ask questions and provide input on a range of topics related to the Comprehensive Plan. The Visual Character Survey will take place during this meeting, in addition to other interactive exercises. City Staff and the CPAC members are encouraged to attend this meeting. This meeting will occur in the evening on the same day as Meeting #2.

Meeting #4: CPAC Issues and Innovation | October

Interactive input meeting with the CPAC members. FNI will present the information collected from the Planning & Zoning Commission and during the Town Hall meeting, and ask the CPAC for any additional issues that should be addressed. FNI will begin providing some general ideas for the CPAC members to consider.

FNI will develop the first draft of the plan, sending sections of the document to City Staff to review as they are completed. City Staff will provide one set of consolidated comments on the draft, which will be incorporated before the next meeting.

Meeting #5: CPAC Draft Review | January

Once FNI has completed a first draft of the plan, we will meet with the CPAC to review the draft and ask for initial feedback. CPAC members should be encouraged to submit any additional comments after the meeting to City Staff, which can be forwarded to FNI.

Meeting #6: Town Hall | February

Invite the community to attend a second Town Hall meeting to review the proposed recommendations. City Staff and the CPAC are encouraged to attend this meeting.

FNI will revise the draft and suggest top priorities for the CPAC's consideration.

Meeting #7: CPAC Revised Draft Review and Prioritizing | March

Final meeting with the CPAC to review the revised draft and rank the top priorities. It is anticipated that the CPAC will provide a recommendation of adoption to the Planning & Zoning Commission and the City Council at this meeting.

Meeting #8: Planning & Zoning Commission Work Session | April

Work session with the Planning & Zoning Commission to review the plan, ask questions, and provide input. This meeting will occur in the afternoon on the same day as Meeting #9.

Meeting #9: City Council Work Session | April

Work session with the City Council to review the plan, ask questions, and provide input. This meeting will occur in the evening on the same day as Meeting #8.

Meeting #10 Planning & Zoning Commission Public Hearing | May

Planning & Zoning Commission to consider adoption of the new Comprehensive Plan. This meeting will occur in the afternoon on the same day as Meeting #11.

Meeting #11 City Council Public Hearing | May

City Council to consider adoption of the new Comprehensive Plan. This meeting will occur in the evening on the same day as Meeting #10.

Additional meetings may be held at the City's request and will be billed for time and expenses according to Attachment CO.

Project Scope

COMMUNITY PROFILE AND DEMOGRAPHICS

FNI will collect demographic data that will be analyzed and graphically depicted to convey an understandable story of who Lago Vista is today. Much of this data already exists in the 2008 Plan but will be updated. Additionally, the community's history, population growth trends, existing land use and other physical and environmental factors will be examined.

HISTORIC TRENDS, POPULATION GROWTH AND DEMOGRAPHIC PROFILE

In terms of social and economic characteristics, a discussion of the following will be conducted:

- Historical population and related growth trends
- Demographic profile (age, race, income, household type)
- Current population estimate (City staff will be responsible for providing residential building permit data since April 1, 2010 and/or water meter data)

EXISTING LAND USE ANALYSIS

An inventory of existing land use will be conducted and will include:

- Analysis of the types of existing land uses (color-coded by category; quantified by acres)
- Discussion of existing development patterns
- Discussion of existing land use relationships, both positive and negative

PHYSICAL CONSTRAINTS

The following are the specific elements to be documented in order to describe the existing physical environment:

- Documentation of the City's current municipal boundaries and regulatory controls
- Analysis of the City's major topographic features, open spaces, prominent physical features and drainage basins

PLANNING CONTEXT

The following are elements to be documented in order to establish the planning context:

- Existing planning documents
- Past and ongoing planning efforts conducted by the City
- Regional initiatives
- On-going updates to other plans

FUTURE LAND USE

Lago Vista's Future Land Use Plan is a policy document, which is intended to guide City staff and officials, as they make decisions on where, when and how the City should grow. A land use plan that is understandable to citizens, City staff, the Planning and Zoning Commission and City Council will ensure that a cohesive and unified vision is presented to developers and property owners as future development occurs within the community.

FUTURE LAND USE PLAN MAP

We understand the City updated the Future Land Use Plan (FLUP) map in its 2008 Plan. We will work with the City to identify any proposed revisions to the map. The map will consider the following:

- Location of future residential, nonresidential, and public land uses
- Location of environmentally sensitive areas or open spaces that should be considered when making future development decisions
- Special considerations for the Rusty Allen Airport
- Data collected through the Buxton study regarding the market assessment

FUTURE LAND USE TYPES DEFINED

A key component of the FLUP is the definition and discussion of future land use types, including any new types of land use that may be applicable within the City's planning area. Discussions of the types of land uses will include associated character guidelines, preferred locations, general economic development strategies, and general density guidelines (for residential uses). These land use types will be developed to support the FLUP map. We will provide strategies to improve the walkability of the community through subdivision design, cross-sections that enhance the pedestrian realm, connections to the trail system, creating clusters of density and other methods.

RESPONSIBLE GROWTH

Encouraging responsible growth is an important component of the future land use plan. FNI will develop general recommendations related to alternative energy sources, water conservation techniques, natural stormwater controls, and other green infrastructure.

Additionally, using information gathered through the planning process, FNI will work with City staff to identify areas where growth may best be accommodated within the City. Optimal areas for growth will consider existing public facilities and coverage by such facilities in addition to infrastructure expansion capabilities. We will develop appropriate annexation strategies and priorities to guide the City toward a possible Annexation Plan. Detailed engineering assessments are not included.

LAND USE PROJECTIONS

Land use projections, based upon projected growth scenarios, will be calculated. Land use projections will define the acreage by land use type as reflected within the FLUP Map.

ULTIMATE CAPACITY AND POPULATION PROJECTIONS

The ultimate capacity of Lago Vista will be calculated based upon the FLUP Map in order to provide a new general carrying capacity. Additionally, FNI will develop projected growth scenarios through 2035 based on historical growth patterns and the identified vision for Lago Vista.

TRANSPORTATION

Land use and transportation decisions are interrelated. As much of the City's built environment is already in place, the transportation systems will be addressed with consideration given to existing development patterns.

EXISTING CONDITIONS

FNI will conduct a general overview of the existing thoroughfare system to serve as a basis for plan revisions. We understand the City has updated the Transportation Plan Map in 2008; therefore, this work effort will focus on development of a plan to support the map. Elements of this assessment will include:

- Revise the existing Transportation Plan Map
- Existing functional classification
- Planned transportation improvements
- Existing and future major traffic generators, as provided by the City
- Existing daily traffic volumes (TxDOT, City), as provided by City
- Recent accident history, as provided by the City

TRANSPORTATION PLAN

FNI will revise the Transportation Plan as necessary to complement the Transportation Plan Map. In addition to examining both existing and future vehicular considerations, the Transportation Plan will also examine alternative modes of transportation, such as the pedestrian/bicycle accommodations, by identifying key areas and corridors within the City where such enhancements may be desired or possible. This plan will also include traditional and innovative considerations for roadway design.

PARKS, RECREATION AND OPEN SPACE

This component of the Plan will be styled around the activities important to the citizens of Lago Vista rather than acreage standards alone. Additionally, we understand that many of the existing parks have been developed by the Property Owners' Associations (POAs) and are only accessible to the residents of the POA. This element of the Plan will document an inventory of existing facilities as identified by City staff, then FNI will identify opportunities for passive and limited active areas for recreation. A high-level trail and open space plan will be developed that can realistically be integrated into the overall fabric of existing neighborhoods and other developed areas.

CITY FACILITIES AND SERVICES

This element of the Comprehensive Plan will address the expectations that Lago Vista's residents have regarding certain public services and the facilities needed to provide these services. FNI will conduct an analysis on existing public facilities, including a general inventory of departments housed in each building and the general conditions of each building. City Staff will be responsible for providing information related to the existing facilities. FNI will also provide a general assessment of the present levels of service provided by such services to residents.

Examples of public services that will be examined include the following:

- Police protection
- Fire protection
- City Hall
- City administration
- Library services
- Community facilities

HOUSING AND NEIGHBORHOOD LIVABILITY

During this task, FNI will define and create recommendations on what the City of Lago Vista should consider to maintain and improve the quality of life for its residents. Input gathered from the Visual Character Survey, the CPAC, and other public input will be utilized as the basis for identifying and defining the amenities desired by residents for Lago Vista.

CURRENT PLANNING TRENDS

FNI will examine and provide current, applicable planning trends, which may be utilized as tools for infill development or as tools for new development on remaining vacant land. Design principles may include:

- Platted lot reuse
- Low-impact development
- Mixed-use and nodal centers
- Life-cycle housing

DESIGN ENHANCEMENTS

FNI will provide recommendations on the following design characteristics within Lago Vista:

- Pedestrian and street design enhancements
- Landscaping, screening, and buffering techniques
- Optimal or desired neighborhood layouts
- Land use integration
- Neighborhood integrity strategies

IDENTIFICATION OF INFILL OPPORTUNITIES

FNI will conduct an analysis of existing residential infill development areas within the community and create a graphic depiction of infill areas with access to City infrastructure in order to highlight areas where infill development may be optimal. Associated infill strategies and prototypes appropriate for infill development will be provided to guide future efforts, development negotiations, and zoning decisions. Use of topographical data, existing location of utilities, and street conditions to guide this element.

IMPLEMENTATION

A meaningful implementation plan is critical to realizing the community's vision. The Plan will provide a very important tool for City staff and civic leaders to use in making sound planning decisions regarding the long-term growth and development of Lago Vista.

IMPLEMENTATION MATRIX AND TOP PRIORITIES

The Implementation Matrix will provide a coordinated action program so that City leaders, staff and other decision-makers can easily identify the steps that are necessary to achieve the vision for the city that is described within the Comprehensive Plan. Action items will be organized into a matrix describing the "who, what, when and how" for implementing or carrying out the action. The matrix will be created in Excel in a format that can be used and updated in the future by City Staff.

FNI and City staff will utilize the guiding principles based on the City Council's input to rank the top ten action items. This offers guidance in seeing that each recommendation is related to the City's overall goals for the Comprehensive Plan.

ECONOMIC DEVELOPMENT COORDINATION

Based on the market assessment information provided by Buxton (not included in this scope), FNI will develop a concept layout and 3D rendering for one (1) development site up to three (3) acres in area, which could be applied to multiple sites as identified by Buxton's study. These graphics are intended to assist the City at the ICSC retail conference in November. Note that this item will be conducted as a supplemental task from the remainder of the Comprehensive Plan, however corresponding economic development strategies will be incorporated into the Future Land Use Plan.

Deliverables

FNI strives to create reports that are succinct, visually-pleasing, and easy to understand. Final project deliverables will include five (5) hardcopies of the plan document in a spiral binding and all electronic files (Microsoft Word and ArcGIS) necessary to reproduce the document.

ARTICLE II

ADDITIONAL SERVICES: Additional Services to be performed by FNI, if authorized by CITY, which are not included in the above described basic services, are described as follows:

- A. Making revisions to drawings, specifications or other documents when such revisions are 1) not consistent with approvals or instructions previously given by CITY or 2) due to other causes not solely within the control of FNI.
- B. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications.
- C. Assisting CITY in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this AGREEMENT. Such services, if any, shall be furnished by FNI on a fee basis negotiated by the respective parties outside of and in addition to this AGREEMENT.
- D. Visits to the City in excess of the number of trips included in Article I for periodic site visits, coordination meetings, or contract completion activities.
- E. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the CITY.
- F. Preparing statements for invoicing or other documentation for billing other than for the standard invoice for services attached to this professional services agreement.

ARTICLE III

TIME OF COMPLETION: FNI is authorized to commence work on the Project upon execution of this AGREEMENT and agrees to complete the services in accordance with the following schedule: While the majority of the effort is anticipated to occur within approximately nine (9) months, FNI agrees to complete the above scope of services within twelve (12) months from the date of contract execution unless the City extends the project timeline.

If the Consultant fails to perform its duties in a reasonable and competent manner, the City shall give written notice to the Respondent of the deficiencies and the successful Respondent shall have thirty (30) days to correct such deficiencies. If the Respondent fails to correct the deficiencies within the thirty (30) days, the City may terminate the agreement by giving the Respondent written notice of termination and the reason for the termination.

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in CITY or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this AGREEMENT and in Exhibit B.

If the agreement is terminated, for any reason, respondent shall turn over all material, records and deliverables created to date within fifteen (15) working days after completion of duties through the termination date along with an invoice for all services and material, records and deliverables created which the City shall pay within (15) working days after City receives invoice.

EXHIBIT "B"
COMPENSATION

Compensation to FNI shall be the lump sum fee of One Hundred Thirty-Eight Thousand Dollars (\$138,000), with one-half (1/2) to be paid in Fiscal Year 2014-2015 and the other half (1/2) to be paid in Fiscal Year 2015-2016. If FNI sees the Scope of Services changing so that additional services are needed, including but not limited to those services described as Additional Services in Attachment SC, FNI will notify OWNER for OWNER'S approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Schedule of Charges:

<u>Position</u>	<u>Min</u>	<u>Max</u>
Professional - 1	60	102
Professional - 2	78	131
Professional - 3	83	160
Professional - 4	121	195
Professional - 5	155	214
Professional - 6	147	390
Construction Manager - 1	76	174
Construction Manager - 2	92	133
Construction Manager - 3	114	142
Construction Manager - 4	143	194
CAD Technician/Designer - 1	50	88
CAD Technician/Designer - 2	79	114
CAD Technician/Designer - 3	102	146
Corporate Project Support - 1	37	85
Corporate Project Support - 2	62	152
Corporate Project Support - 3	67	295
Intern/ Coop	31	57

Rates for In-House Services

Technology Charge

\$8.50 per hour

Travel

Standard IRS Rates

Bulk Printing and Reproduction

Black and White	\$0.10 per copy
Color	\$0.25 per copy
Plot - Bond	\$2.50 per plot
Plot - Color	\$5.75 per plot
Plot - Other	\$5.00 per plot
Binding	\$0.25 per binding

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.15. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

MEETING DATE: August 20, 2015

AGENDA ITEM: Discussion, consideration, action if any regarding recommendations from the Planning sub-committee as proposed by the Golf Course Advisory Committee.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Shoumaker _____; Hunt _____; Kruger _____; Mitchell _____;

Gloris _____; Smith _____; Cox _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: **Council Meeting:**

From:

Subject:

Request: **Legal Document:** **Legal Review:**

EXECUTIVE SUMMARY:

As Council is aware, an ordinance creating the Golf Course Advisory Committee (Committee) was approved by Council in March. With the Committee appointments completed on April 16th, the Committee had its' first meeting April 28th. At their second meeting on May 12th, a series of Sub-Committees were established.

At the August 11th Committee meeting, the Planning Sub-Committee (Frank Robbins, Jim Speckmann & Pat Albus) presented a preliminary report to the Committee. The report identifies and prioritizes improvements - both capital and non-capital - for Council consideration. Specific recommendations in the report include golf cart paths replacement at Highland Lakes, a multi-year fertilization program, a series of facility improvements for the FY15/16 budget, a multi-year Tee Box leveling program and a includes a listing of all recommended improvements. The report provided to the Golf Course Advisory Committee is attached.

This recommendation is brought forward for Council discussion and direction.

Impact if Approved:

Staff would begin to implement Council direction and incorporate, as directed and appropriate, into the Proposed FY15/16 Budget.

Impact if Denied:

These identified improvements may not move forward at this time.

Is Funding Required? **Yes** **No** **If Yes, Is it Budgeted?** **Yes** **No** **N/A**

Indicate Funding Source:

Golf Fund / Construction Fund

Suggested Motion/Recommendation/Action

Motion to:

Approve Item

Motion to:

Motion to:

Known As:

Recommendation from the Golf Course Advisory Committee Planning Sub-Committee for Improvements to be included in the FY2015/16 Budget.

Agenda Item Approved by City Manager

Memo

To: Mayor and City Council

From: Golf Advisory Committee

Subject: Golf Courses Physical Improvement Plan

August 11, 2015

RECOMMENDATIONS:

A. The Golf Advisory Committee recommends that the city council add the following to the FY 2015-16 budget for the golf department:

1. Golf courses fertilization and weed programs be initiated on an incremental and experimental basis for a total \$25,000 for both courses (not \$25,000 for each course). This will enable about six holes to be improved during FY 15-16. Annual budgets after FY 15-16 for these programs could be considered if the results are positive.

2. Highland Lakes cart paths be added to the city Capital Improvement Plan (CIP). Estimated cost: \$300,000.

3. The following be added to the golf budget and list of items to be accomplished in FY 15-16:

a. Steps in front of Lago clubhouse:	\$5,000
b. Ramp at Lago clubhouse:	9,600
c. Steps on Lago #6:	3,000
d. Install yardage markers at both:	1,000
e. Warm up screen and mat at Highlands:	1,000
f. Remove stumps on #7 at Highlands:	<u>400</u>
TOTAL:	\$20,000.

4. Tee box leveling at Lago be started in FY 15-16 for \$7,500. Tee box leveling is about \$2,500 per tee box. Annual budgets after FY 15-16 for this program could be considered if the results are positive.

Total recommended additional FY 15-16 Golf Department Funding: \$22,500.

FY 15-16 CIP budget and later years for Highland cart paths TBD by city council.

B. The Golf Advisory Committee recommends the following improvements be completed in FY 15-16:

5. The public works department strip streets where golf carts cross.

6. The effluent department expand irrigation on #'s 4 and 18 at the Lago course.

THE GOLF PHYSICAL IMPROVEMENT CHART

Attached is a spreadsheet showing all items compiled by the committee and staff and ranked by staff and the subcommittee. The first rank is by the golf manager. The second set of rankings on the right side of the spreadsheet are (in the columns) items used to rank and evaluate timing of funding by the subcommittee. An explanation of that ranking is attached.

This is not a chart of capital improvements as most items are operating and maintenance items.

The chart will be continually reevaluated and refined. It is hoped to be of use to decision makers and others in their own evaluation of projects that should be completed and funding timing.

BACKGROUND/HISTORY

May 12, 2015: Subcommittees formed.

Early June 2015: Planning subcommittee compiles improvement list and provides list to staff.

June 9, 2015: Planning subcommittee submits to committee an improvement list, process, and ranking system. Committee approves.

July 7, 2015: Staff provides to subcommittee a revised list and many cost estimates.

July 14, 2015: Planning subcommittee presents to committee draft improvement list and partial ranking. Committee recommends safety improvement at Highlands' #1 and 4 cart paths and #14 bridge be accomplished now.

August 11, 2015: Committee makes recommendations to city council.

Attachments:

1. Courses' Improvement Spreadsheets
2. Golf Courses' Improvement Ranking Explanation

Add flags to blind holes	No	N/A	We already have signs in place. Delete.																
Match up hole yardages	No Cost	N/A	We can do this in house just cost of labor																
Add rocks on cart paths	No	N/A	Would create more maintenance																
Yardage Markers on sprinklers	No	N/A	Too many different types of sprinkler heads and this would be a constant replacemer Delete																
Total	\$222,800		PW means by Street Dpt. EFL is Effluent Dpt.																F means Friends of Golf Courses

Golf Course Improvements For Highland Lakes Golf Course				Ranking			A 3 is neutral								
Item	Cost	Rank	Definition	Fund			Play			In			O&M		
				Safe	Cost	Src	Easy	Dmd	Impct	come +	Need	More	Total		
Bridge	\$3,500	1	Install a low water crossing on #14 GAC recommended do now.	5	Override										
Cart Paths 1 and 4	\$9,500	1	Replace asphalt cart paths with concrete paths. GAC recommended now.	5	Override										
Stripe streets at cart crossings		1	Add striping where carts cross the street. Maybe by PW.	4	3	5	4.5	4	3.5	2	4	4	34		
Fertilization Program	\$40,000	2	To fertilize entire golf course 3 times a year. Annual cost.	3	2.5	3	4	4.5	5	4	5	3.5	35		
Weed eradication program	\$30,000	2	To get on a regular spraying program to eradicate weeds on a yearly basis	3	2.5	4	4	4.5	5	4	5	3.5	36		
Add sod ¹	\$5,000	3	Add sod to bare areas	3	4.5	3.5	4	4.5	4	3.5	3.5	3.5	34		
Remove tree stumps	\$400	4	Tree stump removal on number 7	3	5	3	3.5	2.5	3	3	4	3	30		
Signage to Golf Courses	\$1,000	5	To replace all old wooden signs giving direction to the courses with new one	3	4	3	3.5	3	3	3.5	3.5	3	30		
Repaint/Replace signs & posts	\$1,000	6	Replace all other signs	3	4	3	3.5	3.5	4	3	4	3	31		
Yardage Markers	\$500	7	Install markers at 100, 150, and 200 yards out on all holes except par 3's	3.5	4.5	3	3.5	4	4.5	3	4.5	3.5	34		
Foul Weather Siren	\$8,000	8	Siren to alert golfers when lightning is present. Delete.												
Bag Drop Signs ¹	\$100	9	Bag drop signs for golfers to drop off bags in front of pro shop. By FGC	3	5	3	4	3	3	3	4	3	31		
Warm up Mats and Screen	\$1,000	10	Install a 10' X 10' X 10' enclosed screen with mat for practice. Maybe by FGC	3	5	5	3	5	5	4	5	3	38		
Cart Paths	\$300,000	11	This is to replace all existing asphalt cart paths with concrete paths	4.5	1.5	4	2	5	4	3.5	5	2	32		
			Comment: City CIP item. Could be multiyear program with lower annual impact.												
Add sand to bunkers ¹	\$30,000		Along with installing bunker drainage. Maybe some to grass. ¹	3.5	2.5	4	3.5	4.5	4.5	4.5	5	2	34		
Install drainage in bunkers ¹			Along with adding sand (\$2500 per bunker). Some to grass. ¹	3.5	3	3	2.5	4.5	4.5	3.5	5	2.5	32		
Improve Parking Lot ¹	?		Need more info												
Landscaping enhancements ¹	?		Need more info												
Landscape tee box ¹	?		Need more info												
Landscape cart parking areas ¹	?		Need more info												
Match up hole yardages	No Cost		We can do this in house just cost of labor												
Add flags to blind holes	No		Don't need this we have signs telling people. Delete.												
Add rocks on cart paths	No		More rocks on par 3's will create more labor time to weedeat around. Delete.												
Putting Green	N/A		We have putting green back												
Permanent Clubhouse ¹			Committee recommended in building with restaurant and hotel.												
Golf Cart staging area ¹			We have upper parking lot area now												
Yardage Markers on sprinklers	No		Too many different types of sprinkler heads and this would be a constant replacement. Delete												
Total	\$430,000		PW is Public Works Dpt. FGC is Friends of Golf Courses.												¹ Is Highland Lakes Master Plan

Golf Courses' Improvement Ranking Explanation

Items were ranked with a 3 being neutral, 1 and 2 being negative, and 4 and 5 positive.

Items can be ranked 1 to 5 with highest being 5. Ranking criteria items can be given a weight, such as by an increased or decreased percentage.

The criteria can simply be used in the thought process for setting priorities and in which year(s) the item would be funded. Example: A lower ranked item by staff that is inexpensive and improves play would be funded earlier.

Ranking criteria:

1. Safety.
2. Cost (High or low). If it is high, the rank is low.
3. Funding source. Those not funded by course revenue or general fund may go ahead in time or earlier than others or be ranked higher.¹ Fund Src column on spreadsheet.
4. Easy or hard (easy is a 5). Works well when there is a clear consensus.
5. Demand (Weak is a 1). Dmd column on spreadsheet.
6. Impact on play improvement. Play Impct column on spreadsheet.
7. Increases play/revenue (can be cost benefit). Income column.
8. Need (badly broken is a 5).
9. O&M cost impacts (If it causes O&M costs to go up, the rank goes down).
10. Override. So important no ranking is necessary.

Some can be combined for cost efficiency or cost benefit.

¹ Golf courses capital items could be (made) eligible for developer/platter funds that are required of new subdivisions/plats for recreational areas and facilities. Only one item recommended for funding would qualify. That is Highland's cart paths.

A blank in the cost column means the cost estimate was not provided by staff, and, or additional detail is needed.