

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
FEBRUARY 18, 2016**

BE IT REMEMBERED that on the 18th day of February, A.D., 2016, 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

Dale Mitchell	Mayor	Melissa Byrne Vossmer	City Manager
Ron Smith	Mayor Pro Tem	Danny Smith	Police Chief
Rich Raley	Council Member	David Harrell	Development Services Director
Stephanie Smith	Council Member	Sandra Barton	City Secretary
Rodney Cox	Council Member	Gary Graham	Public Works Director
Jason Shoumaker	Council Member	Starr Lockwood	Finance Director
(arrived at 6:31 p.m.)			
Ed Tidwell	Council Member	Barbara Boulware-Wells	City Attorney
(arrived after roll call at 6:52 p.m.)			

Mayor Dale Mitchell called the Regular Meeting to order and recognized that all Council Members were present except for Ed Tidwell. Reverend David Hintze, Christ Our Savior Lutheran Church gave the Invocation and Mayor Mitchell led the Pledge of Allegiance. Councilman Shoumaker arrived at 6:31 p.m. Councilman Ed Tidwell arrived after roll call at 6.52 p.m.

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

PUBLIC COMMENTS

None

PRESENTATIONS

1. Mayor Mitchell to present the Lago Vista Area Volunteers' Volunteer of the Year Award for 2015.

Mayor Mitchell gave brief background information of the services and assistance provided by the Lago Vista Volunteers. Mayor recognized Jerry Algers, the current President and presented the Volunteer of the Year, John Franz and introduced the outgoing President, Jack Currier who served for two years.

2. Presentation of the Lohman Ford / Boggy Ford Intersection Traffic Study by Alliance Transportation Group.

Gary Graham, City Engineer introduced Clint Jumper with Alliance Transportation Group who gave the Council an oral presentation of the signal warrant study. No action taken.

3. Receive and discuss monthly update on Water Treatment Plant #3 by Shay Ralls Roalson, PE, HDR and Gary Graham, PE, Public Works Director.

Shay Ralls Roalson, PE with HDR and Gary Graham appeared and provided the update for the Council and addressed questions from Council.

THE FOLLOWING ITEMS WERE TAKEN OUT OF ORDER

12. Consideration of Resolution No. 16-1640; A Resolution by the City Council of the City of Lago Vista, Texas authorizing the use of City streets for the 25th Annual La Primavera Lago Vista Bicycle Race to be held March 5 & 6, 2016.

Elaine Hughes, Executive Director of the Chamber of Commerce appeared to ask for the support of the Council and permission to use city streets for this event and provided some history and background information.

On a motion by Council Member Rodney Cox, seconded by Council Member Jason Shoumaker, the Council voted unanimously to approve Resolution No. 16-1640, authorizing the use of city streets for the 25th Annual La Primavera Bike Race.

13. Discussion, Consideration and if Appropriate Adopting Resolution No. 16-1641, A Resolution by the City Council of the City of Lago Vista, Texas, Establishing a Capital Metro (CAPMETRO) Study Committee to Evaluate, Report, and Make Recommendations Concerning Capital Metro Services in Lago Vista; Providing for Appointment of Members; Specifying the Scope of Study for Such Study Committee; Providing for a Temporary Term and Dissolution of Such Study Committee; Requiring Compliance with the Open Meetings Act; and Providing for Related Matters.

Melissa Byrne Vossmer, City Manager briefly provided a list of the tasks of the Committee and recommends that one representative be from the Comprehensive Plan Advisory Committee, one representative from Lago Vista Independent School Board or trustee, one representative from Lago Vista Property Owners Association and four members will be from applications.

On a motion by Council Member Jason Shoumaker, seconded by Council Member Stephanie Smith, the Council voted unanimously to approve Resolution No. 16-1641, establishing a CAPMETRO Study Committee as presented.

Thomas Gordon d'Avila, 10617 Deer Canyon, Jonestown, appeared and wished to gift the City with a yearly sculpture for a citizen who supports community awareness and diversity. Steven Curik, asked how many ride the bus.

Robert Asacar, 21523 Coyote Trail, Lago Vista, appeared to speak in favor of keeping CAPMETRO bus service.

Ms. Polk spoke to show support and is in favor of keeping CAPMETRO bus service and will submit an application.

Ms. Johnson spoke in favor of keeping the bus service.

Bertha Cruz spoke about having better notification to citizens about meetings.

10. Consideration of Resolution No. 16-1636; A Resolution supporting Panorama Ridge, L.P. in submitting an application to the Department of Housing and Community Affairs for a 2016 competitive 9% Housing Tax Credits for the creation of Panorama Ridge Apartments.

David Harrell, Development Services Director introduced the applicant Ina Spokas who provided a presentation and overview of the proposed project and asked for Council support to continue the application process.

Megan Davis, 20801 Fawn Ridge Dr., Lago Vista spoke regarding concerns with this project. Mark Taylor, 6620 Panorama Ridge, spoke regarding clarification on property rental and sales concerns about traffic.

David Williams, 20703 Deede Drive, Lago Vista, expressed his concerns with this project. Patricia Umbarger, 6502 Avenida Ann, expressed her opposition for the project and school crowding.

Kingsberry Otto, 21005 Fawn Ridge Dr., Lago Vista expressed her concerns for the project and the zoning process.

Barbara Waldo, P O Box 4331, Lago Vista, expressed her concerns and her support for the project.

Marilyn Stanford, asked if a town meeting could be held.

Council Member Rich Raley motioned to approve Resolution 16-1636 supporting Panorama Ridge in submitting an application as presented. Motion was seconded by Council Member Stephanie Smith. Voting in favor: Stephanie Smith, voting in opposition: Rich Raley, Jason Shoumaker, Ed Tidwell, Ron Smith, Mayor Mitchell and Rodney Cox. Motion denied.

THE COUNCIL TOOK A FIVE MINUTE BREAK BEFORE CONTINUING

17. Review of Community Event Sign Policy and Procedure.

David Harrell, provided a brief overview of current policy.

JoAnn Smith, 20609 Oak Ridge, Lago Vista addressed the Council and asked the Council if there was a limit of seven days for items so that non-profits and other organizations can have use of the sign.

The Council and Staff discussed other options such as electronic signs and banners. Staff will research banner options and making amendments to current policy.

18. Review of Banner Sign Standards.

Item discussed by Council and Staff.

Individuals are invited to speak to David Harrell regarding sign variances.

4. Overview from City Engineer regard update on Montechino Development.

Gary Graham, City Engineer provided a status report and an update of the list of items under discussion with Mr. Atlas including rebates and certificates of occupancy.

Mr. Atlas addressed the Council with his concerns regarding pending issues.

The Council discussed. Next Subcommittee meeting scheduled for the first week of March.

CONSENT AGENDA

All matters listed under Consent Agenda, are to be considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

6. Approval of the following minutes:
January 7, 2016 Special called meeting;
January 14, 2016 Joint meeting with GCAC; and
January 21, 2016 Regular meeting

On a motion from Ed Tidwell, seconded by Rich Raley, the Council voted unanimously to approve the consent agenda items as presented.

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

6. Discuss, Consider and Take Action, if Appropriate, on an Amendment to the Release and Compromise Settlement Agreement between the City of Lago Vista and Brian Atlas and Villa Montechino, LP approved on October 15, 2015.

Melissa Byrne Vossmer, City Manager provided background information regarding the original agreement and the proposed amendments.
The Council discussed the prior agreement. City Attorney advised to take this matter into Executive Session.

EXECUTIVE SESSION TAKEN OUT OF ORDER

EXECUTIVE SESSION

25. At 11:01 p.m. the Council convened into Executive Session pursuant to Sections 551.071 and 551.072, Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:

Consultation with legal counsel regarding real property and possible issues and questions related to acquisition, sale or lease.

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

26. At 12:09 a.m. the Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

Consultation with legal counsel regarding real property and possible issues and questions related to acquisition, sale or lease.

On a motion by Councilman Jason Shoumaker, seconded by Councilman Ed Tidwell, the Council voted unanimously that the City of Lago Vista no longer authorize the City Manager and Staff to lease the property currently known as Otwell place at this time until further notice.

Consultation with legal counsel regarding the Amendment to the Release and Compromise Settlement Agreement.

Councilman Rodney Cox motioned to accept the amendment on the contract with Mr. Atlas as written by the City Attorney. This motion was seconded by Rich Raley. Voting in favor: Mayor Mitchell, Rich Raley, Rodney Cox and Ed Tidwell. Voting in opposition: Jason Shoumaker, Ron Smith and Stephanie Smith.

7. Consideration of Ordinance No. 16-02-18-01; An Ordinance of the City of Lago Vista, Texas, Ordering a Public Hearing concerning Amending Ordinance No. O-29-14 and Table 1, set out in Appendix "A," Sec. 6.100, Code of Ordinances of Lago Vista; providing Open meeting and effective date provisions; and providing for related matters as it pertains to Impact Fees.

Gary Graham, City Engineer provided a brief overview of the proposed Ordinance. On a motion by Councilman Jason Shoumaker , seconded by Councilman Rich Raley, the Council voted unanimously to approve Ordinance No. 16-02-18-01 as presented.

8. Consider and approve, if appropriate City of Lago Vista Ordinance No. 16-02-18-02; Creating a Full-Time Position of Golf Course Superintendent for the City of Lago Vista Golf Courses.

On a motion by Councilman Jason Shoumaker, seconded by Councilwoman Stephanie Smith, the Council voted unanimously to table this item until March 3, 2016 Special Called meeting.

9. Consideration of Ordinance No. 16-02-18-03; An Ordinance of the City of Lago Vista authorizing the reinstatement and extension of Ordinance No. 84-09-24-01 which authorized a Franchise Agreement with Pedernales Electric Cooperative, by and through a Letter Agreement until June 30, 2016 or until the City and Pedernales Electric Cooperative are able to negotiate a new Franchise Agreement.

On a motion by Councilman Rodney Cox, seconded by Councilwoman Stephanie Smith, the Council voted unanimously to approve Ordinance No. 16-02-18-03 as presented.

11. Consideration of Resolution No. 16-1639; A Resolution authorizing the City Manager, on behalf of the City, to enter into an agreement with the Lower Colorado River Authority (LCRA) establishing a framework that defines how the LCRA will partner with the City in offering an irrigation technology rebate program to the City's water customers.

On a motion by Councilman Rodney Cox, seconded by Councilman Jason Shoumaker, the Council voted unanimously to approve Resolution No. 16-1639 as presented.

14. Consideration of Resolution No. 16-1642; A Resolution establishing an Airport Plan Advisory Committee.

The Council discussed briefly. On a motion by Councilman Rodney Cox, seconded by Councilman Rich Raley, the Council voted unanimously to approve Resolution No. 16-1642 as presented.

15. Consideration of Ordinance No. 16-02-18-04; An Ordinance of the City of Lago Vista, Texas, repealing in its entirety Section 9.400, Keep Lago Vista Beautiful Board, Article 9, Personnel, Lago Vista Code of Ordinances, establishing the Keep Lago Vista Beautiful Board; providing an effective date; providing for open meetings; and providing for related matters.

On a motion by Councilman Jason Shoumaker, seconded by Councilman Rodney Cox, the Council voted unanimously to approve Ordinance No. 16-02-18-04 as presented.

WORK SESSION

16. Discussion concerning the legality of assessing a fee for credit card transactions and current practices.

The Council and Staff discussed. No action taken.

19. Discussion Concerning the Temporary Pro Shop at Highland Lakes Golf Course and Approved Planned Development District (PDD).

On a motion by Councilman Jason Shoumaker, seconded by Councilman Rodney Cox, the Council voted unanimously to table this item until the March 17, 2016 council meeting for discussion and to receive additional information.

20. Re-visitation, discussion and action on formalizing a process of addressing appointed Board vacancies for Staff.

On a motion by Mayor Mitchell, seconded by Councilman Rich Raley, the Council voted unanimously to table this item until April.

21. Discussion regarding 18001 Marshall's Point.

The item was not discussed. Gary Graham, City Engineer will submit a written report to Council.

22. Departmental Reports

- A. Airport Report – Councilman Jason Shoumaker asked a question regarding no business at the Lago Airport and asked City Manager to inform the Council about information before it is announced publicly.
- B. Development Services
- C. Financial Report
- D. Golf Course Report
- E. Library
- F. Municipal Court
- G. Police Department
- H. Public Works Reports
 - a. Street Department
 - b. Utility Department (Water/Wastewater Services)

- c. Water Loss Report – Councilman Cox advised that the water loss report was not included nor the compliance report. Gary Graham was asked to include a reclaim report to the monthly reports.
- d. Water/Wastewater Treatment

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

- a. September 22, 2015 Board of Adjustment regular meeting minutes
- b. October 1, 2015 Planning and Zoning Commission minutes
- c. November 18, 2015 Airport Advisory Board minutes.
- d. November 20, 2015 Comprehensive Plan Advisory Committee minutes
- e. December 10, 2015 Planning and Zoning Commission minutes
- f. January 12, 2016 Golf Course Advisory Committee minutes
- g. January 14, 2016 Keep Lago Vista Beautiful minutes

No comments or questions.

FUTURE MEETINGS

24. Consider schedule and items for future Council meetings.

Councilman Ron Smith asked to add: consideration of ordinance for property owner notification when someone submits and application for funding, address code for flood lights on homes and the budget amendment to reclaim the water transfer to golf and put it back on the water side.

ADJOURNMENT

Mayor Dale Mitchell adjourned the meeting at 1:19 a.m.

Respectfully submitted,


Dale Mitchell, Mayor

ATTEST:


Sandra Barton, City Secretary

On a motion by Council Member Rich Raley, seconded by Council Member Rodney Cox, the above and foregoing instrument was passed and approved this 17th day of March, 2016.