

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

BE IT REMEMBERED that on the 18th day of August, 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 and PLEDGE OF ALLEGIANCE

Dale Mitchell	Mayor	Melissa Byrne Vossmer	City Manager
Ron Smith	Mayor ProTem	Sandra Barton	City Secretary
Rich Raley	Council Member	Barbara Boulware-Wells	City Attorney
Kevin Sullivan	Council Member	David Harrell	Dev. Services Dir.
Stephanie Smith	Council Member	Danny Smith	Police Chief
Ed Tidwell	Council Member	Mark Cote	Golf Course Manager
Suzanne Bland	Council Member	Gary Graham	Interim PW Director
		Starr Lockwood	Finance Director

Mayor Dale Mitchell called the Regular Meeting to order and recognized that all Council Members were present. Rev. Dale Chrisman, Trinity Anglican Church gave the Invocation and Mayor Mitchell led the Pledge of Allegiance.

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

CITIZEN COMMENTS

Jimmy Lynam, 6407 Lynn Lane to make comments regarding getting a warning from the Code Enforcement Officer for his water running after 10 o'clock at night, then the very next day he is driving down Dawn and the water is on at 11 o'clock in the morning. He also expressed concerns regarding this month's water bill being higher than his electric bill, and a question regarding the processing fee. Asked if the lead and copper levels have been on checked since 2012. (Mayor Mitchell explained the process). He also asked about access to the swimming pool at Tessera. (Melissa Vossmer explained the process).

PUBLIC HEARING AND ACTION

1. **SUB 1117-** Consideration by the City Council of a re-plat for Lots 14-15, Block D, Tessera on Lake Travis Phase 1A from a total of two (2) existing lot to eleven (11) lots.

Mayor Mitchell stated that the Public Hearing was opened at the last Council meeting on August 4 and was held open until this Council meeting.

David Harrell, Development Services Director provided a brief overview of the request and some background information. The Public Hearing was closed at 6:45 p.m.

On a motion by Councilman Raley, seconded by Mayor Mitchell, the Council voted unanimously to approve the re-plat as requested.

ITEMS TAKEN OUT OF ORDER

WORK SESSION

5. Presentation of Tessera PID overview.

Melissa Byrne Vossmer gave a brief overview to Council.

Darlene Louk, provided an oral presentation and slide show of the project summary.

They currently have three production builders under contract. They have 43 homes completed to date and have sold 119 lots to builders.

Jeffries, Bond Underwriters also addressed Council to go over the PID bond basics and what they can finance. He stated the only obligation that the City has is that, if people don't pay their property taxes, and their special assessment, you have to foreclose on the property.

Councilman Raley asked if the administration costs are paid for through the bond? Jeffries representative said yes, the administration is paid for by the PID.

Robert Clemon, Attorney for Hines also was present to provide an overview of the PID and answer questions.

Mark Tippetts expressed his concerns regarding the special assessment plan.

6. Presentation Tessera PID Bond Overview.

Jana Edwards, McCall, Parkhurst & Horton, Bond Counsel to the City, provided an overview of the PID Bond and explained the general concept and the benefits and risks.

Sheryl Speckmann asked if there was a time period that the improvement benefits must be implemented by.

2. Discussion, Consideration and Action, if any, Regarding a Vote on Adoption of a Proposal to Set a 2016 Tax Rate of \$.65 for the City of Lago Vista and Schedule Public Hearings and Take Necessary Action.

Barbara Boulware-Wells, City Attorney addressed questions regarding the maximum tax rate amount that can be set and explained that in order to effectively give notice of what your tax rate is, you set it at the highest amount that you would be authorized to, short of rollback.

After you have your public hearings then you can lower it to whatever you want to or you can keep it. If you find that your tax rate will go higher than what you have noticed, then you would have to notice it again and if it's over the rollback rate, then at that point, wherever you go above that, you are subject to rollback election.

On a motion by Councilman Tidwell, seconded by Councilman Sullivan, the Council voted unanimously to adopt the proposed 2016 tax rate of \$.65 for the City of Lago Vista and set hearings and take necessary action. The hearings will be set for September 1 and September 8, 2016.

Dave Williams asked a question, but could not be heard by City Secretary.

Marilyn Stanford asked is Council thought we would have the same issue with it being so packed. Mayor said that at last year's budget process, we did not have any great audience as we went through this budget process.

3. ***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 2016/2017 commencing October 1, 2016 and ending September 30, 2017.

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 2016/2017 Budget will raise more total property taxes than last year's budget by an estimated \$ 391,330 or 8.85% and of this amount \$ 126,917 is tax revenue to be raised from new property added to the tax roll in January 2015/2016.

The Public Hearing was opened at 7:50 p.m.

Jane Brunclik asked a question but could not be heard by City Secretary.

Jimmy Lynam asked if the Golf Course Manager has any ideas on how to make up the shortfall, if so, he would like to hear them. Mayor said that at the last meeting, Mark Cote, the Golf Manager gave the Council some updates of his three months on the job and this is a concern for everybody.

At this time, the Mayor left the public hearing opened and moved to item #9 on the agenda. Councilman Sullivan expressed that he would like us to have a plan with very specific things and we are going to execute that plan to build revenues.

Melissa Byrne Vossmer advised that we have two interns from Texas A&M to do a road survey for us. They have finished all the road evaluations except for Lohman, Boggy Ford and Bark-K. After putting all the information into a model, the model will show recommendations on how we will move forward with street improvements.

After hearing discussion on item #9, the public hearing was closed at 9:05 p.m.

9. Presentation and Discussion of the Golf Course Advisory Committee Bi-Annual Report.

Kevin Jackson, Golf Course Advisory Committee Chair gave an overview of the Bi-Annual Report and addressed questions. He addressed the status of the courses physical condition, financial status, summary of Sub-Committee activities and recommendations and a proposed program for the next six months and addressed questions.

Mark Cote made comments regarding the grass conditions on the courses. He also spoke about the list of ideas that he spoke about at the last meeting and addressed questions.

Councilman Raley asked Mark how much of his day is spent explaining that the golf course is still losing money as opposed to trying to turn the golf course around.

Mark said he is working everything that he's got to try and turn the golf courses around, so he doesn't dwell on that.

Councilwoman Bland asked how the Committee refocusing and what are their objectives moving forward.

Melissa advised that she and Mark had a conversation with a company to talk about the golf course and the economic impact that they have as a whole to the City. They will send us a scope of services of what the impact analysis would actually look at.

Mayor Pro Tem Smith asked if anybody has ever looked at cutting expenses at the golf course.

Councilwoman Bland suggested that the Council direct the Golf Course Advisory Committee direct their energies towards driving events, driving activities to generate revenue for the golf courses, also go out and get some federal grants.

Kevin Jackson also expressed that he would like Mark to decide what he wants and needs out of the Golf Course Committee, when they need to meet and where they can help.

10. Discussion and Possible Direction Concerning the Golf Course Advisory Committee.

Mayor Pro Tem Smith gave some background information of how the Committee came to be and thinks the Committee has run its course and thinks we need to let Mark run the golf courses.

Councilwoman Smith thanked the Committee and is in concurrence and said this is why we hired Mark and he shouldn't have to go through anyone.

Councilman Sullivan also said that this is why we hired Mark and let him do his job.

Mayor asked why do we continue to have advisory committees for the Library and the Airport if we have Department Heads like the Librarian who is qualified to run the Library.

They get involved with reaching plans and were involved in the extension of the library. They meet quarterly.

Sheryl Speckmann said the question is conceptual, does the concept of any advisory council have meaning to you all. Are they helping you? If they are, let's keep them, if they are not, then do away with them.

The Golf Course Advisory Committee will meet with Mark Cote and develop a plan going forward.

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.

4. Approval of the following minutes:

July 7, 2016 Special Called meeting;

On a motion by Mayor Pro Tem Smith, seconded by Councilman Sullivan the Council voted five (5) ayes (Ron Smith, Ed Tidwell, Kevin Sullivan, Dale Mitchell and Stephanie Smith) to approve the minutes from July 7 as presented.

July 18, 2016 Special Called meeting and

On a motion by Councilman Tidwell, seconded by Councilwoman Smith, the Council voted five (5) ayes (Ed Tidwell, Dale Mitchell, Rich Raley, Kevin Sullivan and Stephanie Smith) to approve the minutes from July 18 as presented.

July 21, 2016 Regular meeting

On a motion by Councilman Sullivan, seconded by Councilwoman Smith the Council voted four (4) ayes (Rich Raley, Kevin Sullivan, Dale Mitchell and Stephanie Smith) to approve the minutes from July 21 as presented.

7. Discussion regarding potential Rezoning in areas north of the Airport.

David Harrell, Development Service Director provided a brief overview of the future land use map that approved when the 2030 Comprehensive Plan was approved by Council. The Planning and Zoning Commission recommended rezoning areas which mostly border the following roadways: Rolling Hills to Rawhide to Running Brook, to City limits, back to Rolling Hills to administrative rezoning. Council directed Staff to proceed.

11. Update on Camille/Dawn Drive Traffic issues.

Gary Graham, City Engineer provided an oral presentation regarding options and a brief review from the meeting in March.

None of the four alternatives that were presented were acceptable.

He checked with both Alliance Transportation Group and HDR Engineers regarding utilizing mirrors and was advised that they could not place mirrors on a public street as a traffic control device. TXDOT also advised that mirrors were not recognized by the Manual of Uniform Traffic Control Devices and legally could not be used as a traffic control device.

Susan Nillson-Weiscott commented regarding issues with that intersection and doesn't want signs put up. She would like the City to do something.

Gary will look into putting up stop signs and look into changing the speed limit, and sensors and bring back the first meeting of October.

8. Discussion on appointed of Council Liaisons to Boards, Commissions and Committees.

Melissa Byrne Vossmer advised Council that currently we do have a Council Liaison vacancy on the Airport Advisory Board since Rodney Cox's resignation.

Council Sullivan and Councilwoman Bland have discussed and agree that Councilwoman Bland would like to be the Parks and Recreation Advisory Committee Council Liaison and Councilman Sullivan will be the Airport Advisory Board Council Liaison. The only change is that the Parks and Recreation Advisory Committee now meets on the second Wednesday of each month.

12. Departmental Reports

A. Airport Report

B. Development Services – Mayor Pro Tem Smith commented that we had 96 permitted homes. Melissa Byrne Vossmer stated that actually we have issued 105 permits.

C. Financial Report

D. Golf Course Report

E. Library Report

F. Municipal Court Report

G. Police Department

- H. Public Works Reports
 - a. Street Department
 - b. Water Loss Report
 - c. Water/Wastewater Treatment
 - d. Utility Department (Water/Wastewater Services)
 - e. Swimming Pool Report – Mayor Pro Tem commented that about 60 people a day visit the pool and higher than he thought it was. Melissa said the pool will need to be replastered real soon and we are now taking bids.

Council Sullivan asked about the effluent disposal for Cedar Breaks. It is so small that it does not register.

Mayor Pro Tem Smith asked when we will add WTP #3 to the charts on the monthly reports. Gary said it should be next month.

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

- a. May 25, 2016 Airport Advisory Board meeting minutes
- b. June 23, 2016 Planning and Zoning Commission minutes
- c. June 23, 2016 Airport Plan Advisory Committee minutes
- d. August 11, 2016 KLVB minutes

No comments

FUTURE MEETINGS

14. Consider schedule and items for future Council meetings.

September 15 – Report from Mark Cote, Chickens, Budget adoption, Kelly Purkey, Balcones Refuge Manager

October 6 – Camille/Dawn Drive

EXECUTIVE SESSION

15. At 10:35 p.m. the Council convened into Executive Session pursuant to Sections 551.071 (Advice of Counsel), 551.072 (Real Property), 551,074 (Personnel), Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:

- A. Consultation with legal counsel regarding real property and possible issues and questions related to acquisition, sale or lease.
- B. Consultation with legal counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.
- C. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Brian Atlas v. City of Lago Vista*, Travis County 200th District Court.
- D. Consultation with legal counsel regarding upcoming election measures.

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

16. At 11:30 p.m. the Council reconvened from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:

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

No action

B. Consultation with legal counsel regarding contractual claims or possible claims or charges, contractual modifications, and questions related thereto.

No action

C. Pending or threatened litigation pertaining to Cause No. D-1-GN-16-002483, *Brian Atlas v. City of Lago Vista*, Travis County 200th District Court.

No action

D. Consultation with legal counsel regarding upcoming election measures.

No action

ADJOURNMENT

Mayor Dale Mitchell adjourned the meeting at 11:31 p.m.



ATTEST:

Sandra Barton

Sandra Barton, City Secretary

Respectfully submitted,

Dale Mitchell

Dale Mitchell, Mayor

On a motion by Councilman Ed Tidwell, seconded by Councilman Rich Raley, the above and foregoing instrument was passed and approved this 15th day of September, 2016.