



The City of Lago Vista

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

AMENDED AGENDA CITY COUNCIL REGULAR MEETING AND EXECUTIVE SESSION THURSDAY, NOVEMBER 17, 2016

NOTICE IS HEREBY GIVEN that the Lago Vista City Council will hold a Regular Meeting and Executive Session on Thursday, November 17, 2016, beginning at 5:15 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

1. Convene 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. Consideration of applicants for filling the remaining term of Council Member Place 1.
2. Reconvene from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:
 - A. Appointment of new Council Member Place 1 by City Council.

The Regular Meeting will convene directly after the Executive Session, Item A only, at approximately 6:30 p.m.

PLEDGE OF ALLEGIANCE, INVOCATION

3. City Secretary to administer the Statement of Officer and Oath of Office to newly appointed Council Member.

CITIZEN COMMENTS: In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

PUBLIC HEARINGS

4. The City Council will receive comments from the public regarding Ordinance No. 16-11-17-01 regarding removal of chickens from the requirements of a Special Use Permit,

clarification on allowance of chickens, additions and changes to Chapter 14 and Chapter 2 for definitions and limits on chickens.

- A. Staff Presentation
- B. Open Public Hearing
- C. Close Public Hearing
- D. Council Discussion

5. The City Council will receive comments from the public regarding Ordinance No. 16-11-17-02 regarding revisions to Chapter 14, Article 14.100, Section 6 concerning accessory buildings.

- A. Staff Presentation
- B. Open Public Hearing
- C. Close Public Hearing
- D. Council Discussion

ACTION ITEMS

6. Consideration of Ordinance No. 16-11-17-01; An Ordinance of the City of Lago Vista, Texas, amending Chapter 14, Zoning, Exhibit A, Part III, Zoning Districts, Section 6, Supplementary requirements, Subsection 6.35, Livestock, Poultry and Pets, and Part IV, administration and enforcement, Section 18.20, applicability and uses and structures requiring a Special Use Permit (SUP), Item L, and Chapter 2, Animal Control, Article 2.200, Animal Control Generally, all of the Lago Vista Code of Ordinances; adding provisions relating to definitions, regulations concerning Chickens; distances from private residences and public buildings in new Section 2.238; providing a savings clause, effective date, and Open Meetings clauses; and providing for related matters.
7. Consideration of Ordinance No. 16-11-17-02; An Ordinance amending Chapter 14, Zoning, Article 14.100, Section 6, supplementary requirements, Subsection 6.10 Accessory Buildings and use of the Lago Vista Code of Ordinances; clarifying language; adding landscape and architectural standards; adding restrictions on maximum floor area; providing a savings clause, effective date, and open meetings clauses; and providing for related matters.
8. Consider Ordinance No. 16-11-17-03; An Ordinance of the City of Lago Vista, Texas, amending Chapter 4, Article 4.800, Section 4.801 Definitions; Chapter 4, Table A; adding language to Temporary Community Event Sign; removing some standards regarding temporary banner signs; providing a savings clause, effective date, and Open Meetings Clauses; and providing for related matters.
9. Consider Resolution No. 16-1666; A Resolution of the City of Lago Vista, Texas, adopting the Texas Department of Transportation's Federally approved Disadvantaged Business Enterprise Program and authorizing the City's Authorized Responsible Person in Charge (RPIC) and City's Local Government Projects procedures Qualified Person (QP) in all matters pertaining to the City's participation in the aforementioned program.

10. Consider Resolution No. 16-1667; A Resolution of the City of Lago Vista, Texas, authorizing the City Manager to enter into a Professional Services Agreement with Cobb-Fendley and Associates, Inc. for purposes of design, phasing, surveying, TDLR Coordination, bid phase, and construction phasing for the Lago Vista Middle School Safe Routes to Schools (SRTS) Project.

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:

September 29, 2016 Special Called meeting minutes
October 20, 2016 Regular meeting minutes

12. Departmental Reports

- A. Development Services Reports
- B. Golf Course Report
- C. Library Monthly Report
- D. Municipal Court Report
- E. Police Department
- F. Public Works Reports
 - a. Pool Revenue
 - b. Street Department
 - c. Utility Department (Water/Wastewater Services)
 - d. Water Loss Report
 - e. Water/Wastewater Treatment

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

- a. September 6, 2016 Planning and Zoning Commission Special Called meeting minutes
- b. September 22, 2016 Planning and Zoning Commission Special Called meeting minutes
- c. October 11, 2016 Golf Course Advisory Committee meeting DRAFT minutes
- d. November 10, 2016 KLVB Bullet Point Report

FUTURE MEETINGS

14. Consider schedule and items for future Council meetings.

EXECUTIVE SESSION

15. Convene 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:

- B. Consultation with legal counsel regarding LVISD subsequent user fees and questions related to payment thereof.
- C. Consultation with legal counsel regarding Rusty Allen Airport plans and possible revisions thereto.
- D. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.
- E. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and issues and questions related thereto.
- F. 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.

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

- 16. Reconvene from Executive Session into open session to take action as deemed appropriate in City Council's discretion regarding:
 - B. Consultation with legal counsel regarding LVISD subsequent user fees and questions related to payment thereof.
 - C. Consultation with legal counsel regarding Rusty Allen Airport plans and possible revisions thereto.
 - D. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.
 - E. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and issues and questions related thereto.
 - F. 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.

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 14th day of November, 2016.

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.

**REMOVED FROM
BULLETIN BOARD:**

Date: _____

Time: _____

By: _____

MEETING DATE: November 17, 2016

CALL TO ORDER:

AGENDA ITEM: CALL TO ORDER, CALL OF ROLL

Comments:

ADJOURN:

TURN RECORDER OFF

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

MEETING DATE: November 17, 2016

AGENDA ITEM: EXECUTIVE SESSION

Comments:

A. Consideration of applicant for filling the remaining term of Council Member Place 1.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; **Sullivan** _____; **Tidwell** _____; **R. Smith** _____;

Mitchell _____; **S. Smith** _____; **Bland** _____

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



**CITY OF LAGO VISTA
APPLICATION FOR CITY COUNCIL, PLACE 1 COUNCIL MEMBER**

Mark J. Tippetts 22313 Cape Travis Bend, Lago Vista, TX 78645

Name

Address

City, State, Zip

512-249-8756

713-819-8879

Home phone:

Cell phone:

Business phone:

Tippettsmark@hotmail.com

Email address:

Education*

See Attached Resume

Employment*

See Attached Resume

Areas of Interest*

Aviation, Education, Controlled growth, business development, parks + recreation and public works

Experiences, characteristics, or other factors that would contribute to your ability to serve on the City Council.*

See Attached Resume

Statement of interest in Council Place 1 vacancy.*

I am interested in Council Place 1 because I am invested in the future of Lago Vista. Attending the Council meetings has been an interesting experience. I feel I can bring an unbiased voice of reason to the Council. My experience in so many areas that touch on Lago Vista's needs will help me to be an effective Council Member.

Signed:

Date:

11/8/16

*You may attach additional sheets as needed.

QUALIFICATIONS

All candidates for City elective office shall:

1. Meet all the requirements for the office prescribed by state law;
2. Be a United States citizen;
3. Be at least 21 years of age by the date of the election;
4. Have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote;
5. Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;
6. Be a registered voter residing in the City or annexed area for at least one (1) year prior to the date of the election;
7. Hold no other elected public office if elected;
8. Not be a City employee;
9. Not be in financial arrears to the City for any reason; and
10. Not file for more than one (1) office per election.

"I, Mark Tippett, of Travis County, Texas, swear that I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgement of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote."

"I further swear that the forgoing statements included in my application are in all things true and correct."



Signature of Candidate

Sworn to and subscribed before me on this 8 day of November 2016.

Sandra Barton
Signature of Officer Administering Oath

City Secretary
Title of Officer Administering Oath

MARK JAY TIPPETTS

22313 Cape Travis Bend • Lago Vista, TX 78645
H: (512) 249-8756 • M: (713) 819-8879 • tippettsmark@hotmail.com

EXECUTIVE

Results-focused and dynamic professional, with diverse experience steering and directing various aspects of operations, business development, sales and marketing, and organizational alignment with strong working background in International Business, Law, Import and Export, Manufacturing, and Power Generation industries. Recognized for consistently achieving company goals, and exceptional ability to deliver profitable solutions, and propel company growth. Efficient and highly motivated with working knowledge of the principles and techniques of effective supervision and training. Proactive with excellent interpersonal and communication skills, fluent in English and Spanish, experienced in working with different teams and personalities including clients and vendors as well as working on own initiative.

Core Competencies

Business Development • Project Management • Strategic Planning & Development • Sales & Marketing
Public Relations • Performance Management • Staff Training and Development

CAREER SKILLS & HIGHLIGHTS

- Successful in directing multi-million-dollar projects, from inception through completion.
 - Experienced in managing and developing staff; recruiting and retaining top performers, and contracting local workforces and delegating tasks effectively.
 - Effective in simultaneously managing 2 to 3 businesses and serving as Senior Partner of the law firm (DALISA) in Monterrey, Mexico within 10 years.
 - Proficient in sales and marketing of concepts, products and services, and negotiating in private and public sectors.
 - Highly knowledgeable with import and export policies and procedures between the United States, Mexico, and Central, and South America.
-

PROFESSIONAL EXPERIENCE

DALISA Abogados, S.C. (DALISA) • Monterrey, N.L., Mexico 2001 - Present
Attorney / Senior Managing Partner

Manage representation and coordination of international civil litigation involving Mexican plaintiffs injured in accidents involving defective products. Oversee daily operations of the firm and establish lines of credit for relevant operations.

- Establish all organization and operational functions on all departments including accounting, investigation, research, legal, and secretarial.
- Interface with clients and prospective clients to ensure proper representation.
- Prepare cases for litigation or referral, including gathering all necessary information and documentation to establish a cause of action, preparing documentation for suit or referral of a particular case, legal research, litigation, negotiations, and settlements.

Belize Hydroelectric Development & Management Company Limited • Belize, Central America 2005 - 2011
President / Project Development Manager

Directed research and development of hydroelectric projects in the Toledo District of Belize, through grants from the CARICOM Secretariat (renewable energy section).

- Handled contracting of services in several disciplines, including legal, accounting, surveying, hydrological and environmental areas.
- Performed analysis on all laws and regulations involving the generation of electricity in Belize.
- Prepared all contracts and documentation; wrote bids and selected contractors for site work on preliminary elements.
- Developed and delivered proposals and presentations to private firms and numerous governmental entities, including the Prime Minister.
- Negotiated terms of various standard and special agreements, licenses, leases, permits and clearances.

Hydro Maya Limited • Belize, Central America

1994 - 2010

President / Project Development Manager

Established and operated a 3.5 MW Hydroelectric Plant in the Toledo District of Belize, Central America. Directed the company's overall development and management from conception to design, construction and operation.

- Contracted services in legal, accounting, surveying, hydrological and environmental areas. Wrote bids and selected contractors for site work.
- Oversaw and coordinated engineering design, hydrological studies, topographical surveys and property, road, and easement surveys.
- Coordinated with Department of the Environment and several private consultants to prepare a complete Environmental Impact Assessment of the project.

Bianchi & LaGarde, P.C. • Houston, TX

2000 - 2002

International Case Director

Handled civil litigation representing plaintiffs in product liability cases. Provided holistic and comprehensive case management services to all clients.

Super Chomak S.A. • Quintana Roo, Mexico

1993 - 1996

General Manager

Directed all elements of importing goods from the US and other countries. Oversaw import procedures of large quantities of specific goods for wholesale supply to the Quintana Roo Tourist Corridor including purchasing millions in goods annually.

- Completely restructured and computerized the retail store's operational functions.
- Supervised consultants in the installation of SAE business system, linking inventory, POS, accounting, purchasing and payroll.

Additional Experience • US, Mexico and Latin America

1982 - 1993

Export Representative

Coordinated Latin American export of BMC products (industrial and rough terrain cranes). Solicited dealers and analyzed candidates' financial backgrounds to determine eligibility for establishing dealerships in the territory as well as provide full line of technical and sales training for new dealers.

Sales Manager

Directed sales efforts and maintained stock of equipment, handling business primarily in Mexico and in Spanish. Represented several major manufacturers of agricultural, construction and industrial machinery and implements.

Paralegal / Federal Court Interpreter / Translator

Handled appointments from district court as special investigator for both defense and prosecuting attorneys in criminal and civil cases.

Translated legal documents; and provided courtroom interpretation in Spanish and English for proceedings in magistrate and district courts in two counties.

Successfully interpreted numerous cases, none were appealed based on the interpreting quality.

EDUCATION AND CREDENTIALS

Bachelor of Law

Mexican Law Degree; *Professional License Number 6822775*

Masters in Administration

Mexican Masters; *Professional License Number 08731935*

Bilingual / Bicultural – English / Spanish – USA / Mexico

TECHNICAL SKILLS

Good computer skills in most office and business programs

Familiar with accounting and business management software, and architectural and engineering programs

Mark Tippetts – City Council Place 6~~1~~



My name is Mark Tippetts and I offer myself for the consideration of the citizens of Lago Vista as a candidate for City Council Place 6~~1~~. I am running on a platform of fiscal responsibility, promoting managed growth, fair representation, due consideration of all points of view and, above all, common sense. I carefully listen to and consider all sides of any issue and always try to make intelligent, informed and financially sound decisions. I have a background in law, business, project development and project management. I have a Bachelors of Law and a Masters in Administration from San Luis Potosi, Mexico.

In July 2015, my family and I were drawn to Lago Vista because of the great schools and quality of life. My wife, Jeri, is a Special Education Teaching Assistant at Leander High School. Our two older daughters, Jennifer and Emily, are in college. Our two younger children, Melanie and Andrew, are a senior and junior at Lago Vista High School. In addition to the outstanding schools, other reasons that drew us to the Lago area are the airport, being on Lake Travis, the Hill Country and those beautiful sunsets, as well as the safety and security that are an appealing part of the Lago lifestyle.

Over the past 25 years I have established, developed and operated several companies, including a Hydro Electric Plant in Belize, Central America and a Law Firm in Monterrey, Mexico, which are both operational today.

Throughout my career I have effectively communicated and successfully partnered with many private, and government entities, including: legal, engineering, environmental, electric and water commissions, natural resource departments, lands departments, road and bridge departments as well as municipalities and villages. In the legal field I have been successful in negotiating international grants, concessions, land leases, water rights, contracts, as well as litigating numerous cases. These are skills I would very much like to use to benefit the Lago Vista community.

In all of my endeavors I have been financially responsible, fair minded and operated within a budget. I have always tried to make well-informed, intelligent and common sense decisions. It is this accumulation of knowledge, skills and experience that I will bring to the Lago Vista City Council.

Contact Information:
Cell: 713-819-8879
Home: 512-249-8756
tippettsmark@hotmail.com



RECEIVED

NOV 14 2016

Per _____

**CITY OF LAGO VISTA
APPLICATION FOR CITY COUNCIL, PLACE 1 COUNCIL MEMBER**

Eric Hutchins 2503 Ford Cove Lago Vista, TX 78645
Name Address City, State, Zip

(512) 350-1158
Home phone: Cell phone: Business phone:

eric.hutchins23@yahoo.com
Email address:

B.S. Business Management
officer Candidate School Academic Honor Graduate
Education*

US Army 28 1/2 yrs
Employment*

Project Management, Military Intelligence
Areas of Interest*

Experiences, characteristics, or other factors that would contribute to your ability to serve on the City Council.*
Leadership, problem-solving, open-minded, experienced working with diverse groups of people, budget forecasting, resource management

Statement of interest in Council Place & vacancy.*
Resident of 15 yrs, I truly want to support Lago Vista through better communication and representing the community as a whole. My priorities are growth opportunities and maintained beautification of Lago Vista.

Signed: Eric Hutchins Date: 14 NOV 16

*You may attach additional sheets as needed.

QUALIFICATIONS

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2. Be a United States citizen;
3. Be at least 21 years of age by the date of the election;
4. Have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote;
5. Have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;
6. Be a registered voter residing in the City or annexed area for at least one (1) year prior to the date of the election;
7. Hold no other elected public office if elected;
8. Not be a City employee;
9. Not be in financial arrears to the City for any reason; and
10. Not file for more than one (1) office per election.

"I, Eric Hutchins, of Travis County, Texas, swear that I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgement of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote."

"I further swear that the forgoing statements included in my application are in all things true and correct."


Signature of Candidate

Sworn to and subscribed before me on this 14 day of November, 2016.


Signature of Officer Administering Oath


Title of Officer Administering Oath

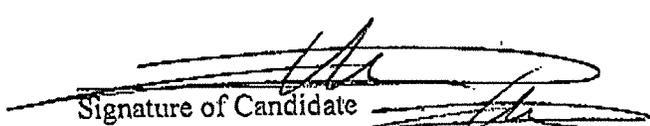
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All candidates for City elective office shall:

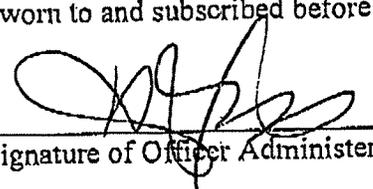
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"I, ANDREW ROURKE, of Travis County, Texas, swear that I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote."

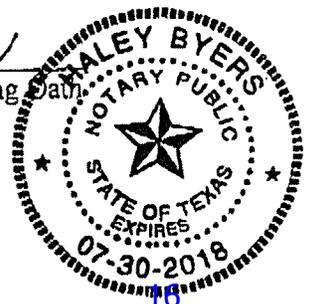
"I further swear that the forgoing statements included in my application are in all things true and correct."


Signature of Candidate

Sworn to and subscribed before me on this 14th day of NOVEMBER 2016.


Signature of Officer Administering Oath

Notary Public
Title of Officer Administering Oath





**CITY OF LAGO VISTA
APPLICATION FOR CITY COUNCIL, PLACE 1 COUNCIL MEMBER**

JAMES HALE 21123 NORTHLAND DR LAGO VISTA TX 78645
 Name Address City, State, Zip

8325676723

Home phone:

Cell phone:

Business phone:

JIM@JIMANDNURIA.COM

Email address:

Education*

MBA, VANDERBILT; BA UNIV OF THE SOUTH,
 COM LAUDE; CPA certificate 1978-2004

Employment*

*see attached

Areas of Interest*

*

Experiences, characteristics, or other factors that would contribute to your ability to serve on the City Council.*

*

Statement of interest in Council Place 1 vacancy.*

*

Signed:

James Hale

Date:

11/14/16

*You may attach additional sheets as needed.

James Hale

Employment:

- Currently Retired
- Director of Planning and financial analysis, FleetPride 2002-2013
- CFO (7 yrs) and Treasurer (16 yrs) Tetra Technologies 1985-2002
- Vice President of Planning First City Bancorporation 1976-1985
- CEO and owner RARE Brands, Inc. (Small Business) 2004-2009

Areas of Interest:

- Forecasting
- Cash Management
- Budgeting
- Capital project planning
- Financial accounting systems
- Databases

Experiences:

As CFO of an Oil and Gas service company I successfully guided the company through the last major oil and gas downturn in 1986 and helped take the company public in 1990. Today Tetra is a successful billion company listed on the NY stock exchange.

As founder and CEO of Rare Brands I guided the development, production and marketing of bath and beauty products.

In the course of my career I have designed, programmed and run a number of financial reporting and profit planning systems.

My work experience has honed cash management, accounting, planning and IT skills that I believe would be useful as a city council member.

Developing my own company has given me insights into the challenges faced by small business owners.

Statement of interest

During the candidate forum I came to appreciate the unique skill sets the current council members bring to the table. I believe my experience and skills can complement those of existing members by helping to deepen the financial expertise available to the city.

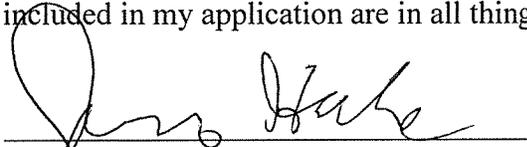
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6. Be a registered voter residing in the City or annexed area for at least one (1) year prior to the date of the election;
7. Hold no other elected public office if elected;
8. Not be a City employee;
9. Not be in financial arrears to the City for any reason; and
10. Not file for more than one (1) office per election.

"I, JAMES HALE, of Travis County, Texas, swear that I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgement of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote."

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Signature of Candidate

Sworn to and subscribed before me on this 14 day of November 2016.


Signature of Officer Administering Oath

City Secretary
Title of Officer Administering Oath



CITY OF LAGO VISTA
APPLICATION FOR CITY COUNCIL, PLACE 1 COUNCIL MEMBER

MICHAEL 20106 LAGO VISTA,
ZAYDEL VICTORIA CHASE RD TEXAS 78645

Name Address City, State, Zip
512 267-1981 512 560-8814 512 560 8814

Home phone: Cell phone: Business phone:
MZAYDEL99@GMAIL.COM

Email address:

Education* SEE ATTACHED RESUME

Employment* SEE ATTACHED RESUME

Areas of Interest* SEE ATTACHED LETTER

Experiences, characteristics, or other factors that would contribute to your ability to serve on the City Council.*

- GOOD JUDGEMENT & COMMON SENSE
- DECISION MAKING, LEADERSHIP, INTERPERSONAL SKILLS
- ANALYTICAL/PROBLEM SOLVING SKILLS
- BUSINESS MANAGEMENT/OPERATIONS EXPERIENCE
- PLANNING, BUDGETING, FINANCIAL ANALYSIS SKILLS

Statement of interest in Council Place 1 vacancy.*

SEE ATTACHED LETTER

Signed: Michael V. Zaydel Date: 11/13/16

*You may attach additional sheets as needed.

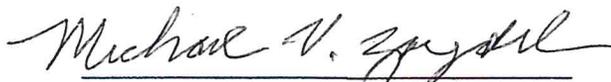
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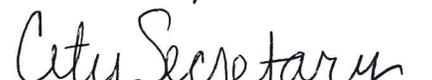
"I, MICHAEL ZAYDEL, of Travis County, Texas, swear that I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgement of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote."

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Signature of Candidate

Sworn to and subscribed before me on this 14 day of November, 2016.


Signature of Officer Administering Oath


Title of Officer Administering Oath

Michael V. Zaydel

November 13, 2016

*The Honorable Dale Mitchell, Mayor
& Lago Vista City Council
5803 Thunderbird
Lago Vista, Tx 78645*

Re: Application for appointment to City Council, Place 1

I am applying for appointment to the open seat on the City Council. I believe that everyone has a duty to serve the public in a country that is "of the people, by the people, and for the people." If appointed for the remainder of the Place 1 term, I will stand for election next year.

My view is the main role of local government is to provide fundamentals like clean water, adequate sewage, decent roads, and public safety in a fiscally responsible manner.

As a City Councilmember, I would expect to represent the views of all residents while attempting to seek the most efficient use taxpayer monies.

MY background in the private sector involved management/operations decision making & leadership, analysis & problem solving, and financial planning & budgeting, using good judgement and common sense. I would bring to bear this skill set to the challenges offered as a Council member.

Sincerely,



Michael V. Zaydel

MICHAEL V. ZAYDEL, CPA

20106 Victoria Chase
Lago Vista, Texas 78645

(512) 560 - 8814

IT and Financial Executive

Information Technology

Finance and Accounting

Project Management

Executive with broad operational / line leadership experience leading staffs of 60, in IT and accounting / financial management. Includes several enterprise wide system rollouts, merger and acquisition system integration projects, and outsourcing transition.

KEY COMPETENCIES

- Poised, action oriented leader brings calm stability to chaotic, ever changing environments
- Dynamic leader of multi-cultural teams with track record of key player retention
- Political savvy with proven relationship building and conflict management skills.
- Experienced in identifying and solving systems, process, and control issues

PROFESSIONAL EXPERIENCE

RRI ENERGY / RELIANT ENERGY, HOUSTON, TX.

Senior Manager – IT

2001-2009

Managed IT staff of 15, for application development / ongoing operations. Provided consulting, project management, & technical resources for system enhancements and maintenance. Managed relationships / Interface with senior executive leadership and external business partners.

- Revamped business support model transitioning from 100% in-house support to combined outsourced off-shore, on-shore model to lower costs without any major impact to business operations achieving lower operating cost targets
- Played key leadership role in complex systems separation / integration in divestiture of two corporate entities achieving on time completion within budget.
- Directed team of Project Managers, Business Analysts, Programmers, and contractors to upgrade SAP v4.6 to ECC 6.0 within budget and ahead of schedule
- Managed SOX control compliance and adherence without material violations

CENTERPOINT ENERGY, HOUSTON, TX.

IT Director, Enterprise Financial Systems

1999-2001

Led and mentored staff of 25 IT systems support professionals. Established IT strategy; served as client relationship manager with senior operational leadership and external business partners. Provided consulting and project management support

- Designed and revamped IT organizational support (including newly adopted SAP R/3 ERP software) during IPO company separation assuring smooth transition.
- Stabilized organization during period of widespread uncertainty. Successfully retained talent pool of competent and knowledgeable staff

Project Manager

1997-1999

Selected for leadership role in a \$350M SAP Enterprise wide implementation. FICO team lead (functional, ABAP, and basis resources) for design, configuration, testing, and installation of SAP R/3 software and all interfaced systems resulting in a highly successful implementation.

- Served on executive leadership team managing merger of four corporate entities including systems integration and business process redesign.
- Successfully launched five rollouts of SAP ERP software without major impacts to business operations.
- Drove process mapping out strategy, technology solution, and execution timeline.
- Played leadership / key role on teams charged with design & implementation of SAP enterprise wide software design, development, and testing

Information Technology Administrator

1995-1997

Managed IT applications development and systems maintenance resources. Established IT strategy, promoted use / justified spending to senior management for technologies that contribute to productivity increases;

- Championed installation of leading edge technologies resolving long standing proliferation of system technologies and reduction of ongoing support costs. Collaborated with other IT leadership and laid groundwork for infrastructure to support corporate growth
- Served as key player on cross company / cross functional team evaluating alternatives to SAP R/3 and making recommendation to senior company Officers for purchase of SAP R/3 Enterprise software

Manager, Administrative Accounting

1993-1995

Managed the reporting to the Securities & Exchange Comm. (10K, 10Q), quarterly press releases to the financial community, and other regulatory reporting to the Federal Energy Regulatory Comm., Texas Public Utility Comm., and U S Dept of Energy. Responsible for internal financial statements / reports to management and Board of Directors. Managed the financial closing process and relationship with external auditors.

- Introduced process changes reducing monthly financial closing cycle time by 50%
- Provided leadership for accounting integration of wholly owned subsidiary into parent company and restatement of external accounting reports
- Successfully completed several Texas PUC regulatory dockets and concurrent operational expectations without increase in staffing.

Manager, Plant and Property Accounting

1988-1993

Managed 60 person staff for Corporate capital spending / asset policies, procedures, and systems for accounting control. Interpreted / communicated accounting policies throughout the company and reviewed company capital spending for policy compliance. Managed Texas Public Utility Comm. regulatory dockets including accounting schedules, pre-filed witness testimony, and responses to interveners during discovery phase

-
- Reduced operating expenses over 33% by re-engineering internal processes. Collaborated with other operating units for additional process efficiencies.
 - Implemented company wide practices standardizing application of capitalization policies.
 - Introduced / initiated alternate work schedules increasing employee morale and retention.

Project Controller

1980-1987

Managed staff of 25 for construction project related accounting / financial functions including financial controls, cost reporting, budgets / forecasts, vendor bids and contract evaluations, contractor audits, accounts payable and receivable. Prime interface with senior management in plant operations, construction, engineering, and procurement.

- Developed administrative infrastructure / business model to support new accounting function and alignment with rapidly changing business needs. Created policies, job / system descriptions, and procedures.
- Fostered relationships and built critical alliances with operating management to further the adoption of good financial practices.

PRIOR EXPERIENCE

CHRYSLER CORPORATION, HIGHLAND PARK, MICHIGAN.

Held positions in Treasury, Accounting, and Auditing including Treasury Administrator, International Credit Analyst, Vendor Auditor, Accountant, and Billing Specialist

EDUCATION

University of Detroit, Graduate School of Business, Detroit, Michigan
MBA Program, Finance
University of Detroit, College of Business & Administration, Detroit, Michigan
BBA, Accounting, *Cum Laude*

CONTINUING EDUCATION

Continual annual education to maintain CPA license
Advanced Management Program
Duke University, Fuqua School of Business, Durham, North Carolina
Management II Program
Texas A & M University, College Station, Texas

PROFESSIONAL ACCREDITATION

Certified Public Accountant, Texas

MEETING DATE: November 17, 2016

AGENDA ITEM: RECONVENE FROM EXECUTIVE SESSION

Comments:

A. Appointment of new Council Member Place 1 by City Council.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

MEETING DATE: November 17, 2016

CALL TO ORDER:

AGENDA ITEM: PLEDGE OF ALLEGIANCE AND INNOVATION

Comments:

ADJOURN:

TURN RECORDER OFF

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

MEETING DATE: November 17, 2016

AGENDA ITEM: City Secretary to administer the Statement of Officer and Oath of Office to newly re-elected Council Members and newly appointed Council Member.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

MEETING DATE: November 17, 2016

AGENDA ITEM: CITIZEN COMMENTS

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____, Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____



AGENDA ITEM

City of Lago Vista

To: Mayor & City Council Council Meeting: November 17, 2016

From: David Harrell, AICP, Director

Subject: **ORDINANCE 16-11-17-01; AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14, ZONING, EXHIBIT A, PART III, ZONING DISTRICTS, SECTION 6, SUPPLEMENTARY REQUIREMENTS, SUBSECTION 6.35, LIVESTOCK, POULTRY AND PETS, AND PART IV, ADMINISTRATION AND ENFORCEMENT, SECTION 18.20, APPLICABILITY AND USES AND STRUCTURES REQUIRING A SPECIAL USE PERMIT (SUP), ITEM L, AND CHAPTER 2, ANIMAL CONTROL, ARTICLE 2.200, ANIMAL CONTROL GENERALLY, ALL OF THE LAGO VISTA CODE OF ORDINANCES; ADDING PROVISIONS RELATING TO DEFINITIONS, REGULATIONS CONCERNING FOWL, FUR BEARING ANIMALS AND OTHER DOMESTICATED ANIMALS; DISTANCES OF FROM PRIVATE RESIDENCES AND PUBLIC BUILDINGS IN NEW SECTION 2.238; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

Request: Public Hearing Legal Document: Ordinance Legal Review:

EXECUTIVE SUMMARY:

This item was heard in a workshop format at your October 20, 2016 meeting. From that meeting we have modified the distance requirement from fifty feet to twenty-five feet for the coop enclosure and distance from the golf course.

On November 10, 2016 the Planning & Zoning Commission heard this item. At their hearing they recommend denial of the changes by a vote of 4-1 with 1 abstention. Some of the Commissions concerns involved allowing by right chickens in an suburbanizing area, potential predators, and keeping it a Special Use Right so as to rate each case on its individual merits.

Impact if Approved:

Chickens and other animals will be removed from the Special Use Requirements and this will make chickens allowed by right with additional regulation within the animal control section of the Ordinance.

Impact if Denied:

Chickens and other animals will still be regulated as a Special Use and permission must be sought for the Use on an individual basis.

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:

Enact Ordinance

Motion to:

Deny Ordinance

Motion to:

Table Ordinance

Known As:

Ordinance 16-11-17-_____ - Modified Animal Control Ordinance

Agenda Item Approved by City Manager



Development Services Department STAFF REPORT

Date: August 30, 2016

DEVELOPMENT SERVICES DEPARTMENT COMMENTS

In April, the City Council wanted Staff to bring code changes forward to allow for chickens and potentially other types of livestock. These were brought forward to the Commission in May. Based on Commission input Staff has modified the Ordinance request to exclude all other animals except Chickens. Staff will summarize the changes to the present Ordinance below:

1. Excludes chickens from the Special Use Permit (SUP) requirements while retaining all other farm birds as an SUP or allowed by right within the PDD zoning.
2. Sets numbers of chickens as defined in the Animal Control Ordinance
3. Exempts maximum numbers of chickens for up to six (6) months if approved by an SUP.
4. Gives definitions for chickens in the Animal Control Section.
5. Requires these animals be kept in enclosures.
6. Prohibits male species of chickens.
7. Prohibits enclosures closer than twenty-five (25') feet of any building or dwelling inhabited by human beings or golf course.
8. Required moving provisions for enclosures closer than twenty-five (25) feet if a building or dwelling inhabited by human beings appears after installation; this becomes a removal provision if the enclosure cannot be moved on the property to keep it further than twenty-five (25') feet from a building or dwelling inhabited by human beings within one (1) year of such non-compliance.

Staff has also included news clipping from a local newspaper that discussed neighboring communities' animal related ordinances.

ORDINANCE

Leander to update animal ordinances

Could include changes to chicken regulations

By Caitlin Perrone

Multiple Leander residents have spoken before City Council over the past three months to request a change to a city animal ordinance.

A handful of citizens have asked council members to institute a new limit for the distance chickens are required to be kept from a residence. The current ordinance states that animals such as chickens cannot be kept within 200 feet of any residence or within 500 feet of any building.

Some residents told council members the ordinance has made it difficult to own chickens. During a June 2 meeting, Rosie Miller, an Emerald Isle Drive resident, told the council she previously owned 13 chickens and spoke of the positive benefit the animals had on her family.

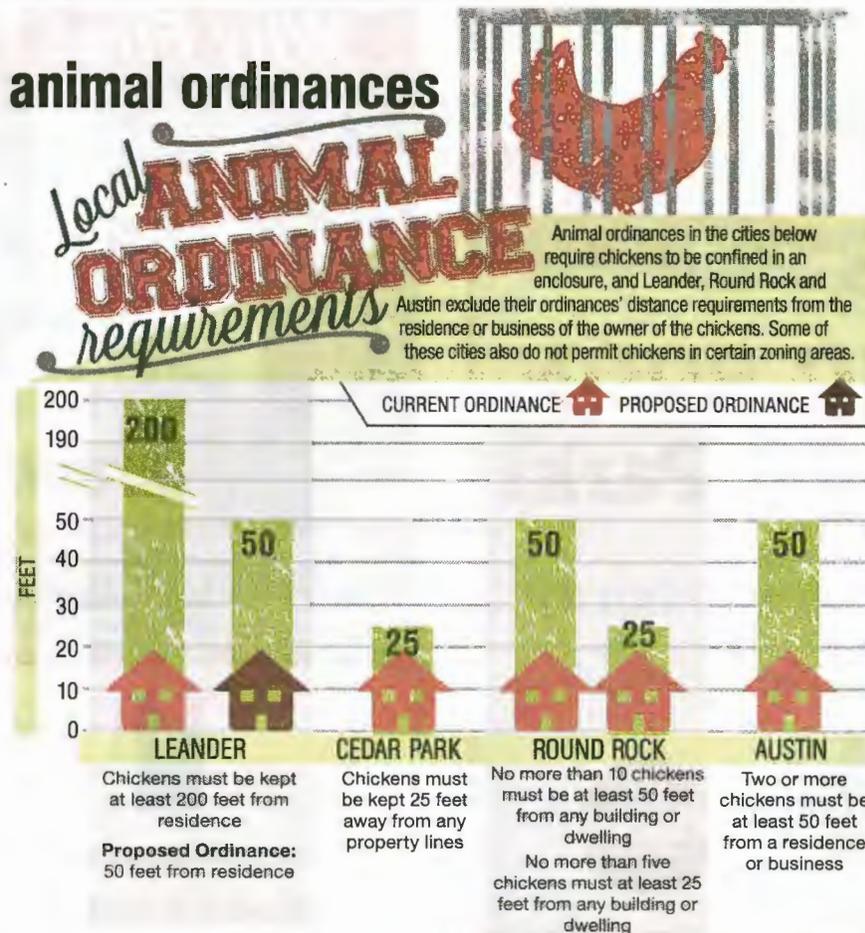
“My kids would take a red fire wagon, load it up with the veggies from our garden and chicken eggs, and we would go around and give eggs to neighbors,” she said. “So we started to build relationships; it really built community; it was a great opportunity for my kids.”

Department of Animal Services Supervisor Edna Stambaugh said the department has reviewed all the ordinances, but has suggested few changes. Some other possible animal ordinance alterations include changing the pet registration ordinance to allow micro-chipping a pet as a form of registration.

The department sent the first draft of possible new ordinances to the city manager’s office in May and followed up with a revised version in the beginning of June. City Manager Kent Cagle said he hopes to bring the revised ordinances before council at its July 21 meeting, which could be followed by public hearings.

Leander Police Chief Greg Minton said the city has been in the process of changing its animal control ordinances, including the chicken ordinance, prior to citizens communicating their concerns to council.

The animal ordinances were last updated in 2003, and Minton said he wanted to ensure city staff is knowledgeable



understandable for our citizens when they read them,” she said. “So that they do understand what is required of them as pet owners and livestock owners.”

One contradiction is seen in article 2.03.008, which states all chickens, or fowl, shall be kept within a pen, coop or hutch that must be at least 50 feet from a residence. However, article 2.03.011 states that chickens must be kept 200 feet away from a residence.

“So [the chickens] have to be kept in a pen, coop or hutch 50 feet from a residence, but the chickens themselves have to be kept 200 feet from any residence,” Stambaugh said. “You can’t do that—you can’t meet keeping the coop 50 feet [away] and putting the chickens 200 feet away when they have to be in that coop.”

Stambaugh said she hopes to lower the distance requirement for chickens from 200 feet to 50 feet. She said the animal control office researched an optimal distance and checked ordinances of other nearby cities and determined 50 feet as the best option for residents who want chickens and for those who prefer some space from their neighbor’s birds.

“We have both types of citizens in our city. We have—just to be frank—our

Cedar Park ALSO CHANGES ANIMAL ORDINANCE AMENDMENT

The Cedar Park City Council amended an animal control ordinance that involves dangerous dogs and cats in June.

During a public hearing June 9, City Attorney J.P. LeCompte said a few recent cases involving dangerous dogs highlighted the need for clarification of a portion of the ordinance that involves a municipal court’s seizure warrant authority and hearing processes. LeCompte said the proposed amendment clarifies the following:

- How and when municipal court judges can issue warrants to seize animals
- The ways in which a hearing can be set to determine whether a dog or cat is dangerous
- Allows municipal judges to order continued impoundment after the hearing until an owner has complied with court-mandated safety precautions

City staff added a provision regarding false reports to the amendment and council approved the changes during a June 23 meeting.

distance requirement in the chicken ordinance until new ordinances are adopted. In general, however, he said his department is willing to work

ORDINANCE NO. 16-11-17-01

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14, ZONING, EXHIBIT A, PART III, ZONING DISTRICTS, SECTION 6, SUPPLEMENTARY REQUIREMENTS, SUBSECTION 6.35, LIVESTOCK, POULTRY AND PETS, AND PART IV, ADMINISTRATION AND ENFORCEMENT, SECTION 18.20, APPLICABILITY AND USES AND STRUCTURES REQUIRING A SPECIAL USE PERMIT (SUP), ITEM L, AND CHAPTER 2, ANIMAL CONTROL, ARTICLE 2.200, ANIMAL CONTROL GENERALLY, ALL OF THE LAGO VISTA CODE OF ORDINANCES; ADDING PROVISIONS RELATING TO DEFINITIONS, REGULATIONS CONCERNING CHICKENS; DISTANCES FROM PRIVATE RESIDENCES AND PUBLIC BUILDINGS IN NEW SECTION 2.238; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, Chapter 14, Zoning, Exhibit A, Part III, Zoning Districts, Section 6, Supplementary Requirements, Subsection 6.35, Livestock, Poultry and Pets, City of Lago Vista Code of Ordinances (“Ordinances”) has previously allowed animals that meet the definition of the term “Livestock” within the Ordinances, only in areas granted a Specific Use Permit or within a Planned Development District; and

Whereas, Chapter 14, Zoning, Exhibit A, Part IV, Administration and Enforcement, Section 18.20, Applicability and Uses and Structures Requiring a Special Use Permit (SUP), Item L, provides for description of those items that require a Special Use Permit and presently includes “Livestock and/or poultry keeping, caring or shelters”; and

Whereas, the Planning and Zoning Commission of the City of Lago Vista has undertaken a review of such regulations and forwarded a recommendation to the City Council and thereafter, the City Council has considered the requests of some residents and hereby desires to modify such Zoning provisions; and

Whereas, Chapter 2, Animal Control, Article 2.200, Animal Control Generally, set out in the Ordinances defines “Livestock” and needs to be modified to address more fully animals that the City desires to allow within certain areas of the City and therefore must define and regulate them separately; and

Whereas, it is necessary for the City to amend all of the Sections set out above, as well as add an additional section pertaining specifically to the allowance of such specific.

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the amending or addition of rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amending Chapter 14, Zoning, Exhibit A, Part III, Zoning Districts, Section 6, Supplementary Requirements, Subsection 6.35, Livestock, Poultry and Pets, City of Lago Vista Code of Ordinances Subsection 6.35(A), Section 6, Chapter 14, Exhibit A, Lago Vista Code of Ordinances is hereby amended to read as follows:

6.35 Livestock, Poultry and Pets.

(A) No animals, livestock or poultry of any kind, except as set forth below, shall be raised, bred or kept outside or in a structure designed to feed them, unless permitted by SUP or PDD. Dogs, cats or other household pets may be kept. At no time shall any animals be kept or used for provided there is no commercial breeding purpose and they ~~may~~ are not kept in quantities which create an annoyance or nuisance. The above exceptions must fully comply with all regulations of the City of Lago Vista and with state law.

(B) Exceptions are as follows:

- (1) Horses are allowed on lot 1980, Lago Vista Estates, Section 6.
- (2) Farm operations that have been in existence for at least one year before October 1, 2009, annexed after October 1, 2009, and are exempt from city regulation in accordance with Chapter 215 of the Texas Agricultural Code.
- (3) Chickens (females only) may be kept in numbers and within enclosures defined in the Animal Control Ordinance throughout the City; all other domestic farm birds must be permitted by SUP or PDD.
- (4) Chickens may be kept in larger numbers than those allowed in the Animal Control Ordinance for educational agricultural purposes (FFA or 4-H) for a period not to exceed six (6) months if permitted by SUP.

Section 3. Amending Chapter 14, Zoning, Exhibit A, Part IV, Administration and Enforcement, Section 18.20, Applicability and Uses and Structures Requiring a Special Use Permit (SUP), Item L, Lago Vista Code of Ordinances. Section 18.20, Part IV, Administration and Enforcement, Chapter 14, Zoning, Exhibit A, Lago Vista Code of Ordinances is hereby amended to read as follows:

(L) Livestock and/or poultry keeping, except chickens (female only), caring or shelters.

Section 4. Amending Chapter 2, Animal Control, Article 2.200, Animal Control Generally, to define “Chickens,” found therein Lago Vista Code of Ordinances. Section 2.201, Definitions is hereby added to read as follows:

Chickens. Any particular domesticated farm or ranch animal of the particular fowl family, Gallus domesticus developed in a number of breeds for its flesh, eggs, and feathers but does not include ducks, geese, turkeys, or other domesticated fowl.

Section 5. Amending Chapter 2, Animal Control, Article 2.200, Animal Control Generally, to add Section 2.238 pertaining to Chickens within the city limits.

Article 2.200, Animal Control Generally, is modified to add Section 2.238 pertaining to the allowance of Chickens within the City limits with regulations as follows:

Sec. 2.238 Chickens within City Limits

(a) Running at-large prohibited. It shall be unlawful for any person owning chickens to permit such chickens to run at-large within the corporate limits of the city.

(b) Male Chickens. It shall be unlawful for any person to own and/or raise any male chickens within the corporate limits of the city.

(c) Enclosure requirements. No person shall maintain chickens within the city limits unless the following requirements are met:

(1) There shall be a minimum of two (2) square feet for each small chicken (Bantams) or three (3) square feet for light breeds (white leghorn) kept in the city limits. An enclosure shall be provided on the premises which shall be no closer than twenty-five feet (25') to any building or dwelling occupied and/or used by human beings or nearer than twenty-five feet (25') to any portion of the golf course. The enclosure must be of such construction as will allow for ease in cleaning and airing and kept in such a manner as not to become offensive to adjacent neighbors or the public. No more than ten (10) Bantams or six (6) light breed chickens may be maintained on any single lot or tract.

(2) It shall be the duty of every person raising, keeping, or harboring any chickens to keep the premises and/or pen or other enclosure in a sanitary condition.

(d) Should such chickens be kept on a lot in the City and such surrounding area is later developed to bring it closer to any building or dwelling occupied and used by human beings closer than twenty-five feet (25'), such enclosure may be required to be moved to keep in compliance or if unable to keep in compliance, such animals shall be required to be removed from such premises within one (1) year of such non-compliance.

(e) Chickens, other fowl and rabbits may be kept on property zoned and used for veterinary hospitals or educational facilities for such purposes such as FFA or 4-H in larger numbers than allowed provided such location has sought and obtained a special use permit (SUP) from the City’s Planning and Zoning Commission.

Section 6. Amendment of Ordinances. Chapter 14, Subsection 6.35 and 18.20 and Chapter 2, Animal Control, Section 2.201 are hereby amended in their entirety as provided in this Ordinance, and 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 7. Savings Clause. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting animals, licensing and registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 8. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 9. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this _____ day of _____, 2016.

ATTEST:

CITY OF LAGO VISTA, TEXAS

Sandra Barton, City Secretary

Dale Mitchell, Mayor



AGENDA ITEM

City of Lago Vista

To: Mayor & City Council Council Meeting: November 17, 2016

From: David Harrell, AICP, Director

Subject: ORDINANCE 16-11-17-02, AN ORDINANCE AMENDING CHAPTER 14, ZONING, ARTICLE 14.100, SECTION 6, SUPPLEMENTARY REQUIREMENTS, SUBSECTION 6.10 ACCESSORY BUILDINGS AND USE OF THE LAGO VISTA CODE OF ORDINANCES; CLARIFYING LANGUAGE; ADDING LANDSCAPE AND ARCHITECTURAL STANDARDS; ADDING RESTRICTIONS ON MAXIMUM FLOOR AREA; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Request: Public Hearing Legal Document: Ordinance Legal Review:

EXECUTIVE SUMMARY:

This item was heard in a workshop format on October 20, 2016, there have been no changes since that meeting. On November 10, 2016 the Planning & Zoning Commission heard this item and recommended approval by a vote of 6-0 with the following addition "The roof shall be the same material and as on the principal building" and "in perspective". These have been added to Subsection (4)(c)(3).

Impact if Approved:

The Zoning Ordinance will be amended to offer further protections concerning maximum floor area and additional landscaping standards for residential accessory buildings.

Impact if Denied:

The Zoning Ordinance will NOT be amended to offer further protections concerning maximum floor area and additional landscaping standards for residential accessory buildings.

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:

16-11-17-_____ - Modified Residential Accessory Building Standards.

Agenda Item Approved by City Manager



Development Services Department

STAFF REPORT

Date: August 30, 2016

Reasons for Proposed Changes

There are currently accessory buildings under construction within the City that several citizens have expressed concerns due to the size and materials on these buildings. The attached Code changes are designed to address these issues. Several new additions include the following:

- 1) Established maximum floor area sizes for accessory buildings based on the floor area of the principal building which will limit the size.
- 2) Established additional landscaping standards on the street side façade requiring landscaping to soften a wide building parallel to the street, including mandatory irrigation systems for vegetation.
- 3) Begin regulation of façade materials on all accessory buildings by requiring materials match the principal building.
- 4) Provide additional regulation on façade colors by requiring they match the principal building versus being similar to the principal building.

Staff has provided current and proposed changes in a table format with anything in a ~~red-cross-thru~~ being removed from the current code; with additions indicated in red underline.

For purposes of legal requirements, the Ordinance is attached reflecting the actual code changes. This is in case the Commission desired to recommend approval of the Ordinance.

Staff has also included a past staff report showing proposed code changes from 2011 which changed the Ordinance to our present Code as currently shown in subsection 6.10(B)(4). At that time the Commission had recommended approval of a different option and shown as blue dashes.

<u>Current Code</u>	<u>Proposed Code</u>
<p>6.10 Accessory Buildings and Uses. Construction, placement, operation, and maintenance of accessory buildings and uses shall comply with the following standards and procedures.</p> <p>(A) Accessory uses and buildings shall not be permitted on a lot or parcel in the absence of a principal use or building on the lot or parcel except as provided in Section 4.90 (commercial resorts), Section 17 (conditional uses) of this chapter, or the lots or parcels with the principal and accessory use(s) or building(s) are platted into one lot. Once an accessory use such as an accessory building, boat dock or fence exists on a replatted or single lot, it cannot be subdivided until (1) a principal use or building is established on the lot containing the accessory building or use[;] or (2) the accessory use or building has been removed from the lot, unless otherwise approved in accordance with Section 17, conditional uses, of this chapter.</p> <p>(B) <u>Residential Districts</u>. In zoning districts permitting one- or two-family dwellings, accessory buildings and uses are permitted according to the following:</p> <p>(1) <u>Number</u>. No more than two (2) accessory buildings shall be permitted on a lot or parcel.</p> <p>(2) <u>Screening and Landscaping</u>. For accessory buildings to be located on property (a) adjacent to a one- or two-family use or a zoning district that allows one- or two-family use[;] and (b) for which a wall or walls face and are closer than 25 feet to adjoining property, the accessory building wall shall be screened as follows:</p> <p>(a) One shrub, cactus, tall ornamental grasses, dwarf palm or combination thereof that is/are at least two feet tall or from a five-gallon bucket shall be planted within four feet of the wall to be screened for every three feet or fraction thereof wall to be screened; and</p> <p>(b) One tree at least 1-1/2 inches in diameter at 3.5 feet above the ground shall be planted within 10 feet of the wall to be screened for every 25 feet or fraction thereof wall to be screened.</p> <p>(c) Existing shrubs or other low screening plants that are at least two feet tall and trees may be used to meet the screening requirement.</p> <p>(d) In lieu of landscape screening, the accessory building wall may be screened by a solid fence or hedgerow that is at least six feet tall.</p> <p>(e) If the adjoining property to be screened has an existing solid fence or hedgerow that is at least six feet tall, screening of the accessory building is not required.</p>	
<p>(3) <u>Accessory buildings smaller than 120 sq. ft.</u></p>	<p>(3) Accessory buildings smaller than 120 sq. ft. <u>and smaller</u></p>
<p>(a) <u>Placement and setback</u>. These buildings shall not be placed within the front yard. They may be placed within the side and rear yard, but no closer than five feet to a side</p>	

<p>or rear lot line. Setback from a corner side lot line shall be at least 15 feet.</p> <p>(b) <u>Height</u>. These buildings shall be no taller than nine feet measured from the ground below the building and no taller than six feet at the eaves.</p>	
<p style="text-align: center;">Current Code</p>	<p style="text-align: center;">Proposed Code</p>
<p>(4) Accessory buildings 120 sq. ft. and larger.</p>	<p>(4) Accessory buildings <u>larger than</u> 120 sq. ft. and larger.</p>
<p>(a) <u>Placement and setback</u>. These buildings shall meet the same front, side and rear setback standards as the principal building, except any accessory building in a side yard or where the setback is less than 20 feet that is designed to store a vehicle with four or more wheels (a garage or RV storage building for instance) shall be setback at least 20 feet from a street right-of-way.</p>	<p>(a) <u>Placement and setback</u>. These buildings shall meet the same front, side and rear <u>yard</u> setback standards as the principal building, except any accessory building in a side yard or where the setback is less than 20 feet that is designed to store a vehicle with four or more wheels (a garage or RV storage building for instance) shall be setback at least 20 feet from a street right-of-way. <u>or accessory building shall have a minimum front yard setback of 20', whichever results in the greatest front yard setback.</u></p>
<p>(b) <u>Front-yard accessory garages</u>. The only type of accessory building permitted in the front yard is a garage and it shall be at least 250 sq. ft. in size. They shall meet the same front setback standard as the principal building. At least 25% of the front-yard garage must be masonry that is the same type, material, color, and texture as that on the principal building. The other material/siding must be the same as on the principal building. The roof pitch should be similar to that of the principal building and the roof shall be the same material and color as the roof on the principal building. These accessory buildings shall not be taller than the principal building. Screening is not required.</p>	<p>(b) <u>Additional Regulations on Front-yard accessory garages</u>. The only type of accessory building permitted in the front yard is a garage and it shall be at least 250 sq. ft. in size. They shall meet the same front setback standard as the principal building. At least 25% of the front yard garage must be masonry that is the same type, material, color, and texture as that on the principal building. The other material/siding must be the same as on the principal building. The roof pitch should be similar to that of the principal building and the roof shall be the same material and color as the roof on the principal building. These accessory buildings shall not be taller than the principal building. Screening is not required. <u>must meet landscaping and standards prescribed in subsection (e)(2).</u></p>
<p>(c) <u>Architecture and material</u>.</p> <ol style="list-style-type: none"> 1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the main building. 2. For accessory buildings other than front-yard accessory garages, other types of siding or facade material of the accessory building is unregulated and may be metal, except the facade shall be of a similar color as that of the principal building. 3. The roof pitch should be similar to that of the principal building. 	<p>(c) <u>Architecture and material</u>.</p> <ol style="list-style-type: none"> 1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the <u>main-principal</u> building. 2. For accessory buildings other than front-yard accessory garages, other types of siding or the facade material <u>and colors</u> of the accessory building is unregulated and may be metal, except the facade shall be of a similar color as that of the principal building. <u>must match the principal building.</u> 3. <u>The roof shall be the same material and color as on the principal building.</u> The roof pitch should be similar <u>in perspective</u> to that of the principal building.
<p>(d) <u>Height</u>. The maximum height shall be 18 feet measured from the ground below the accessory building.</p>	

(e) Additional Restrictions

1. The floor area of the accessory building cannot exceed fifty percent (50%) of the floor area of a principal building.

2. The accessory building must be screened with landscaping from any street side with xeriscape evergreen shrubs a minimum of two (2) feet in height at time of plantings and maximum of three (3) feet on center. This excludes portions of the façade with pedestrian doors, vehicular access doors, and areas of the façade with two (2) feet or less between any doors and/or end of the façade. Plantings shall be located near the building walls to the satisfaction of the City. Plantings shall be maintained and replaced as necessary to maintain this standard.

3. Placement of permanent irrigation will be required for any plantings in this subsection. Irrigation shall be maintained and replaced as necessary to maintain function of the system.

Current Code

(5) Carports. Carports are allowed in manufactured home zoning but only by conditional use permit in other zoning districts. In manufactured home districts, they may be attached or detached and there are no architecture or material standards.

(C) Commercial Districts.

(1) Accessory buildings incident to any of the listed commercial uses shall be allowed, provided that such be not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance, or not in compliance with Local, State, or Federal laws. No accessory building shall be constructed upon a lot until the construction of the main-use building has actually commenced, nor shall an accessory building be used unless the main use building on the lot is also being built or used.

(2) Setback. All accessory buildings must comply with the setback restrictions for the district in which the main-use building is located, as stated in [Table A](#), Table of Development Standards.

(3) Height. Height shall not exceed 18 feet measured from the ground below the accessory building.

(D) All Districts.

(1) Temporary buildings erected during the term of construction, including tents, shacks, shanties or other structures, or trailers or mobile homes, shall not be placed on any lot except for uses incidental to construction work on commercial projects. All temporary buildings shall be removed upon the completion or abandonment of construction work. Trailers or mobile

Proposed Code

homes shall not be permitted on lots during construction of residential buildings, unless authorized in writing by the city manager or his designee and may be permitted if a residential building that was significantly damaged or destroyed and is being rebuilt, replaced by another residential building or repaired.

(2) Boat docks and boathouses.

(a) Boat docks and boathouses anchored in the lake below the 681 elevation are exempt from number, location, setback, material, and screening standards.

(b) Boat docks and boathouses are not eligible for conditional use application without a principal building on the same or nearby lot that is owned by the boat dock owner.

(3) Aircraft parking. Improved parking pads or lots for aircraft on property that has direct aircraft ground access to an airport may be constructed without a principal building on the property.

(4) Exceptions, Conditional Use Permit. A property owner may apply for a conditional use permit in accordance with the procedures of this chapter for any exception to any accessory building standard stated in this section, such as number, height, setback, screening, and architecture and material. The planning and zoning commission may recommend and the city council may decide to approve with additional conditions and restrictions a conditional use permit exception if a satisfactory aesthetic outcome would be achieved rather than following a standard herein.

(5) Accessory buildings for which a city permit was issued before September 1, 2011 that does not conform to the above standards shall be considered legally nonconforming, also known as “grandfathered.”

Current Code

Proposed Code

Memo

To: Mayor and City Council

From: Frank Robbins

Cc. Bill Angelo

Subject: Accessory Building and Use Ordinance

Date: July 25, 2011

Metal siding. It appeared in June that the only issue was associated with the large accessory building material rules, whether metal would be allowed or not. The P&Z recommended draft is attached.

That provision on page 3 of the P&Z recommended draft ordinance follows:

(c) Architecture and material. These accessory buildings should look similar to the principal building. To accomplish this the following standards apply:

- 1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the main building.*
- 2. Other siding or façade of the building shall be the same material and color as that on the principal building.*
- 3. Accessory buildings of this size may not have an exterior of metal unless the principal building has a metal exterior.*
- 4. The roof shall be the same material and color as that on the principal building. The roof pitch should be similar to that of the principal building.*

The alternative to that was as follows:

(c) Architecture and material:

- 1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the main building.*
- 2. Other siding or façade of the building is unregulated and may be metal.*
- 3. The roof pitch should be similar to that of the principal building.*

Item approved by
Council. Reflected
in present Code

Council held a public hearing on the draft on July 21, 2011. A vote was not taken.

Carports. There was a consensus at the public hearing to allow carports as a conditional use. The draft ordinance attached has been modified to enable that and is shown in track change format.

1 attach: as

wheels (a garage or RV storage building for instance) shall be setback at least 20 feet from a street right-of way.

(b) Front yard accessory garages. The only type of accessory building permitted in the front yard is a garage and it shall be at least 250 sq. ft. in size. They shall meet the same front setback standard as the principal building. Front yard accessory building garages shall have the same proportion and type of masonry as the principal building. These accessory buildings shall not be taller than the principal building. Screening is not required.

(c) Architecture and material. These accessory buildings should look similar to the principal building. To accomplish this the following standards apply:

1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the main building.
2. Other siding or façade of the building shall be the same material and color as that on the principal building.
3. Accessory buildings of this size may not have an exterior of metal unless the principal building has a metal exterior.
4. The roof shall be the same material and color as that on the principal building. The roof pitch should be similar to that of the principal building.

(d) Height. The maximum height shall be 18 feet measured from the ground below the accessory building.

Pre-2011 Code
before above
approved changes

(5) Carports. Carports are allowed in manufactured home zoning but only by conditional use permit in other zoning districts. In manufactured home districts, they may be attached or detached and there are no architecture or material standards.

Deleted: only

Deleted: .

Deleted: Elsewhere, carports are not permitted.

(C) Commercial and Multi-family Districts.

(1) Accessory buildings incident to any of the listed commercial or multi-family uses shall be allowed, provided that such be not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance, or not in compliance with Local, State, or Federal laws. No accessory building shall be constructed upon a lot until the construction of the main-use building has actually commenced, nor shall an accessory building be used unless the main use building on the lot is also being built or used.

Deleted: ;

(2) Setback. All accessory buildings must comply with the setback restrictions for the district in which the main-use building is located, as stated in Table A, Table of Development Standards.

(3) Height. Height shall not exceed 18 feet measured from the ground below the accessory building.

(D) All Districts.

(1) Temporary buildings erected during the term of construction, including tents, shacks, shanties or other structures, or trailers or mobile homes, shall not be placed on any lot except for uses incidental to construction work on commercial projects. All temporary buildings shall be removed upon the completion or abandonment of construction work. Trailers or mobile homes shall not be permitted on lots during construction of residential buildings.

(2) Boat docks and boat houses.

(a) Boat docks and boat houses anchored in the lake below the 681 elevation are exempt from number, location, setback, material, and screening standards.

(b) Boat docks and boat houses are not eligible for conditional use application without a principal building on the same or nearby lot that is owned by the boat dock owner.

(3) Aircraft parking. Improved parking pads or lots for aircraft on property that has direct aircraft ground access to an airport may be constructed without a principal building on the property.

ORDINANCE NO. 16-11-17-02

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14, ZONING, ARTICLE 14.100, SECTION 6, SUPPLEMENTARY REQUIREMENTS, SUBSECTION 6.10 ACCESSORY BUILDINGS AND USE OF THE LAGO VISTA CODE OF ORDINANCES; CLARIFYING LANGUAGE; ADDING LANDSCAPE AND ARCHITECTURAL STANDARDS; ADDING RESTRICTIONS ON MAXIMUM FLOOR AREA; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, Chapter 14, Zoning, Article 14.100, Section 6, Supplementary Requirements, Subsection 6.10, Accessory Buildings and Use, City of Lago Vista Code of Ordinances (“Ordinances”) has previously set no maximum floor area ratio, set limited architectural and landscaping related elements, and lacked clarity of regulation; and

Whereas, the Planning and Zoning Commission of the City of Lago Vista has undertaken a review of such regulations and forwarded a recommendation to the City Council and thereafter, the City Council has considered the requests and hereby desires to modify such Zoning provisions; and

Whereas, it is necessary for the City to amend all of the Sections set out below.

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the amending or addition of rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amending Chapter 14, Zoning, Article 14.100, Section 6 Supplementary Requirements, Subsection 6.10 Accessory Buildings and Uses, City of Lago Vista Code of Ordinances is hereby amended to read as follows:

6.10 Accessory Buildings and Uses. Construction, placement, operation, and maintenance of accessory buildings and uses shall comply with the following standards and procedures.

(A) Accessory uses and buildings shall not be permitted on a lot or parcel in the absence of a principal use or building on the lot or parcel except as provided in [Section 4.90](#) (commercial resorts), [Section 17](#) (conditional uses) of this chapter, or the lots or parcels with the principal and accessory use(s) or

building(s) are platted into one lot. Once an accessory use such as an accessory building, boat dock or fence exists on a replatted or single lot, it cannot be subdivided until (1) a principal use or building is established on the lot containing the accessory building or use[;] or (2) the accessory use or building has been removed from the lot, unless otherwise approved in accordance with [Section 17](#), conditional uses, of this chapter.

(B) Residential Districts. In zoning districts permitting one- or two-family dwellings, accessory buildings and uses are permitted according to the following:

(1) Number. No more than two (2) accessory buildings shall be permitted on a lot or parcel.

(2) Screening and Landscaping. For accessory buildings to be located on property (a) adjacent to a one- or two-family use or a zoning district that allows one- or two-family use[;] and (b) for which a wall or walls face and are closer than 25 feet to adjoining property, the accessory building wall shall be screened as follows:

(a) One shrub, cactus, tall ornamental grasses, dwarf palm or combination thereof that is/are at least two feet tall or from a five-gallon bucket shall be planted within four feet of the wall to be screened for every three feet or fraction thereof wall to be screened; and

(b) One tree at least 1-1/2 inches in diameter at 3.5 feet above the ground shall be planted within 10 feet of the wall to be screened for every 25 feet or fraction thereof wall to be screened.

(c) Existing shrubs or other low screening plants that are at least two feet tall and trees may be used to meet the screening requirement.

(d) In lieu of landscape screening, the accessory building wall may be screened by a solid fence or hedgerow that is at least six feet tall.

(e) If the adjoining property to be screened has an existing solid fence or hedgerow that is at least six feet tall, screening of the accessory building is not required.

(3) Accessory buildings 120 sq. ft. and smaller

(a) Placement and setback. These buildings shall not be placed within the front yard. They may be placed within the side and rear yard, but no closer than five feet to a side or rear lot line. Setback from a corner side lot line shall be at least 15 feet.

Deleted: (f) Screening of accessory vehicular garages permitted in the front yard of a principal building is not required.¶

Deleted: smaller than

(b) Height. These buildings shall be no taller than nine feet measured from the ground below the building and no taller than six feet at the eaves.

(4) Accessory buildings larger than 120 sq. ft.

Deleted: and larger.

(a) Placement and setback. These buildings shall meet the same front, side and rear yard setback standards as the principal building, or accessory building shall have a minimum front yard setback of 20', whichever results in the greatest front yard setback.

Deleted: except any accessory building in a side yard or where the setback is less than 20 feet that is designed to store a vehicle with four or more wheels (a garage or RV storage building for instance) shall be setback at least 20 feet from a street right-of-way.

(b) Additional Regulations on Accessory Garages. It shall be at least 250 sq. ft. in size. These accessory buildings shall not be taller than the principal building. Screening must meet landscaping and standards prescribed in subsection (e)(2).

Deleted: The only type of accessory building permitted in the front yard is a garage and i

(c) Architecture and material.

Deleted: They shall meet the same front setback standard as the principal building. At least 25% of the front-yard garage must be masonry that is the same type, material, color, and texture as that on the principal building. The other material/siding must be the same as on the principal building. The roof pitch should be similar to that of the principal building and the roof shall be the same material and color as the roof on the principal building.

1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the principal building.

2. For accessory buildings the facade material and colors of the accessory building must match the principal building.

Deleted: is not required.

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3. The roof shall be the same material and color as on the principal building. The roof pitch should be similar in perspective to that of the principal building.

Deleted: other than front-yard accessory garages, other types of siding or

Deleted: is unregulated and may be metal, except the facade shall be of a similar color as that of the principal building.

(d) Height. The maximum height shall be 18 feet measured from the ground below the accessory building.

(e) Additional Restrictions

1. The floor area of the accessory building cannot exceed fifty percent (50%) of the floor area of a principal building.

2. The accessory building must be screened with landscaping from any street side with xeriscape evergreen shrubs a minimum of two (2) feet in height at time of plantings and maximum of three (3) feet on center. This excludes portions of the façade with pedestrian doors, vehicular access doors, and areas of the façade with two (2) feet or less between any doors and/or end of the façade. Plantings shall be located near the building walls to the satisfaction of the City. Plantings shall be maintained and replaced as necessary to maintain this standard.

3. Placement of permanent irrigation will be required for any plantings in this subsection. Irrigation shall be maintained and replaced as necessary to maintain function of the system.

(5) Carports. Carports are allowed in manufactured home zoning but only by conditional use permit in other zoning districts. In manufactured home districts, they may be attached or detached and there are no architecture or material standards.

(C) Commercial Districts.

(1) Accessory buildings incident to any of the listed commercial uses shall be allowed, provided that such be not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance, or not in compliance with Local, State, or Federal laws. No accessory building shall be constructed upon a lot until the construction of the main-use building has actually commenced, nor shall an accessory building be used unless the main use building on the lot is also being built or used.

(2) Setback. All accessory buildings must comply with the setback restrictions for the district in which the main-use building is located, as stated in [Table A](#), Table of Development Standards.

(3) Height. Height shall not exceed 18 feet measured from the ground below the accessory building.

(D) All Districts.

(1) Temporary buildings erected during the term of construction, including tents, shacks, shanties or other structures, or trailers or mobile homes, shall not be placed on any lot except for uses incidental to construction work on commercial projects. All temporary buildings shall be removed upon the completion or abandonment of construction work. Trailers or mobile homes shall not be permitted on lots during construction of residential buildings, unless authorized in writing by the city manager or his designee and may be permitted if a residential building that was significantly damaged or destroyed and is being rebuilt, replaced by another residential building or repaired.

(2) Boat docks and boathouses.

(a) Boat docks and boathouses anchored in the lake below the 681 elevation are exempt from number, location, setback, material, and screening standards.

(b) Boat docks and boathouses are not eligible for conditional use application without a principal building on the same or nearby lot that is owned by the boat dock owner.

(3) Aircraft parking. Improved parking pads or lots for aircraft on property that has direct aircraft ground access to an airport may be constructed without a principal building on the property.

(4) Exceptions, Conditional Use Permit. A property owner may apply for a conditional use permit in accordance with the procedures of this chapter for any exception to any accessory building standard stated in this section, such as number, height, setback, screening, and architecture and material. The planning and zoning commission may recommend and the city council may decide to approve with additional conditions and restrictions a conditional use permit exception if a satisfactory aesthetic outcome would be achieved rather than following a standard herein.

(5) Accessory buildings for which a city permit was issued before September 1, 2011 that does not conform to the above standards shall be considered legally nonconforming, also known as “grandfathered.”

Section 6. Amendment of Ordinances. Chapter 14, Zoning, Article 14.100, Section 6 Supplementary Requirements, Subsection 6.10 Accessory Buildings and Uses are hereby amended in their entirety as provided in this Ordinance, and 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 7. Savings Clause. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting animals, licensing and registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 8. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 9. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this _____ day of _____, 2016.

ATTEST:

THE CITY OF LAGO VISTA, TEXAS

Sandra Barton, City Secretary

Dale Mitchell, Mayor

MEETING DATE: November 17, 2016

Consideration of Ordinance No. 16-11-17-01; An Ordinance of the City of Lago Vista, Texas, amending Chapter 14, Zoning, Exhibit A, Part III, Zoning Districts, Section 6, Supplementary requirements, Subsection 6.35, Livestock, Poultry and Pets, and Part IV, administration and enforcement, Section 18.20, applicability and uses and structures requiring a Special Use Permit (SUP), Item L, and Chapter 2, Animal Control, Article 2.200, Animal Control Generally, all of the Lago Vista Code of Ordinances; adding provisions relating to definitions, regulations concerning Chickens; distances from private residences and public buildings in new Section 2.238; providing a savings clause, effective date, and Open Meetings clauses; and providing for related matters.

A copy of Ordinance No. 16-11-17-01 is attached.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

ORDINANCE NO. 16-11-17-01

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14, ZONING, EXHIBIT A, PART III, ZONING DISTRICTS, SECTION 6, SUPPLEMENTARY REQUIREMENTS, SUBSECTION 6.35, LIVESTOCK, POULTRY AND PETS, AND PART IV, ADMINISTRATION AND ENFORCEMENT, SECTION 18.20, APPLICABILITY AND USES AND STRUCTURES REQUIRING A SPECIAL USE PERMIT (SUP), ITEM L, AND CHAPTER 2, ANIMAL CONTROL, ARTICLE 2.200, ANIMAL CONTROL GENERALLY, ALL OF THE LAGO VISTA CODE OF ORDINANCES; ADDING PROVISIONS RELATING TO DEFINITIONS, REGULATIONS CONCERNING CHICKENS; DISTANCES FROM PRIVATE RESIDENCES AND PUBLIC BUILDINGS IN NEW SECTION 2.238; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, Chapter 14, Zoning, Exhibit A, Part III, Zoning Districts, Section 6, Supplementary Requirements, Subsection 6.35, Livestock, Poultry and Pets, City of Lago Vista Code of Ordinances (“Ordinances”) has previously allowed animals that meet the definition of the term “Livestock” within the Ordinances, only in areas granted a Specific Use Permit or within a Planned Development District; and

Whereas, Chapter 14, Zoning, Exhibit A, Part IV, Administration and Enforcement, Section 18.20, Applicability and Uses and Structures Requiring a Special Use Permit (SUP), Item L, provides for description of those items that require a Special Use Permit and presently includes “Livestock and/or poultry keeping, caring or shelters”; and

Whereas, the Planning and Zoning Commission of the City of Lago Vista has undertaken a review of such regulations and forwarded a recommendation to the City Council and thereafter, the City Council has considered the requests of some residents and hereby desires to modify such Zoning provisions; and

Whereas, Chapter 2, Animal Control, Article 2.200, Animal Control Generally, set out in the Ordinances defines “Livestock” and needs to be modified to address more fully animals that the City desires to allow within certain areas of the City and therefore must define and regulate them separately; and

Whereas, it is necessary for the City to amend all of the Sections set out above, as well as add an additional section pertaining specifically to the allowance of such specific.

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the amending or addition of rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amending Chapter 14, Zoning, Exhibit A, Part III, Zoning Districts, Section 6, Supplementary Requirements, Subsection 6.35, Livestock, Poultry and Pets, City of Lago Vista Code of Ordinances Subsection 6.35(A), Section 6, Chapter 14, Exhibit A, Lago Vista Code of Ordinances is hereby amended to read as follows:

6.35 Livestock, Poultry and Pets.

(A) No animals, livestock or poultry of any kind, except as set forth below, shall be raised, bred or kept outside or in a structure designed to feed them, unless permitted by SUP or PDD. Dogs, cats or other household pets may be kept. At no time shall any animals be kept or used for provided there is no commercial breeding purpose and they mayare not kept in quantities which create an annoyance or nuisance. The above exceptions must fully comply with all regulations of the City of Lago Vista and with state law.

(B) Exceptions are as follows:

- (1) Horses are allowed on lot 1980, Lago Vista Estates, Section 6.
- (2) Farm operations that have been in existence for at least one year before October 1, 2009, annexed after October 1, 2009, and are exempt from city regulation in accordance with Chapter 215 of the Texas Agricultural Code.
- (3) Chickens (females only) may be kept in numbers and within enclosures defined in the Animal Control Ordinance throughout the City; all other domestic farm birds must be permitted by SUP or PDD.
- (4) Chickens may be kept in larger numbers than those allowed in the Animal Control Ordinance for educational agricultural purposes (FFA or 4-H) for a period not to exceed six (6) months if permitted by SUP.

Section 3. Amending Chapter 14, Zoning, Exhibit A, Part IV, Administration and Enforcement, Section 18.20, Applicability and Uses and Structures Requiring a Special Use Permit (SUP), Item L, Lago Vista Code of Ordinances. Section 18.20, Part IV, Administration and Enforcement, Chapter 14, Zoning, Exhibit A, Lago Vista Code of Ordinances is hereby amended to read as follows:

(L) Livestock and/or poultry keeping, except chickens (female only), caring or shelters.

Section 4. Amending Chapter 2, Animal Control, Article 2.200, Animal Control Generally, to define “Chickens,” found therein Lago Vista Code of Ordinances. Section 2.201, Definitions is hereby added to read as follows:

Chickens. Any particular domesticated farm or ranch animal of the particular fowl family, Gallus domesticus developed in a number of breeds for its flesh, eggs, and feathers but does not include ducks, geese, turkeys, or other domesticated fowl.

Section 5. Amending Chapter 2, Animal Control, Article 2.200, Animal Control Generally, to add Section 2.238 pertaining to Chickens within the city limits.

Article 2.200, Animal Control Generally, is modified to add Section 2.238 pertaining to the allowance of Chickens within the City limits with regulations as follows:

Sec. 2.238 Chickens within City Limits

(a) Running at-large prohibited. It shall be unlawful for any person owning chickens to permit such chickens to run at-large within the corporate limits of the city.

(b) Male Chickens. It shall be unlawful for any person to own and/or raise any male chickens within the corporate limits of the city.

(c) Enclosure requirements. No person shall maintain chickens within the city limits unless the following requirements are met:

(1) There shall be a minimum of two (2) square feet for each small chicken (Bantams) or three (3) square feet for light breeds (white leghorn) kept in the city limits. An enclosure shall be provided on the premises which shall be no closer than twenty-five feet (25') to any building or dwelling occupied and/or used by human beings or nearer than twenty-five feet (25') to any portion of the golf course. The enclosure must be of such construction as will allow for ease in cleaning and airing and kept in such a manner as not to become offensive to adjacent neighbors or the public. No more than ten (10) Bantams or six (6) light breed chickens may be maintained on any single lot or tract.

(2) It shall be the duty of every person raising, keeping, or harboring any chickens to keep the premises and/or pen or other enclosure in a sanitary condition.

(d) Should such chickens be kept on a lot in the City and such surrounding area is later developed to bring it closer to any building or dwelling occupied and used by human beings closer than twenty-five feet (25'), such enclosure may be required to be moved to keep in compliance or if unable to keep in compliance, such animals shall be required to be removed from such premises within one (1) year of such non-compliance.

(e) Chickens, other fowl and rabbits may be kept on property zoned and used for veterinary hospitals or educational facilities for such purposes such as FFA or 4-H in larger numbers than allowed provided such location has sought and obtained a special use permit (SUP) from the City’s Planning and Zoning Commission.

Section 6. Amendment of Ordinances. Chapter 14, Subsection 6.35 and 18.20 and Chapter 2, Animal Control, Section 2.201 are hereby amended in their entirety as provided in this Ordinance, and 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 7. Savings Clause. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting animals, licensing and registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 8. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 9. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this _____ day of _____, 2016.

ATTEST:

CITY OF LAGO VISTA, TEXAS

Sandra Barton, City Secretary

Dale Mitchell, Mayor

MEETING DATE: November 17, 2016

Consideration of Ordinance No. 16-11-17-02; An Ordinance amending Chapter 14, Zoning, Article 14.100, Section 6, supplementary requirements, Subsection 6.10 Accessory Buildings and use of the Lago Vista Code of Ordinances; clarifying language; adding landscape and architectural standards; adding restrictions on maximum floor area; providing a savings clause, effective date, and open meetings clauses; and providing for related matters.

A copy of Ordinance No. 16-11-17-02 is attached.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

ORDINANCE NO. 16-11-17-02

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14, ZONING, ARTICLE 14.100, SECTION 6, SUPPLEMENTARY REQUIREMENTS, SUBSECTION 6.10 ACCESSORY BUILDINGS AND USE OF THE LAGO VISTA CODE OF ORDINANCES; CLARIFYING LANGUAGE; ADDING LANDSCAPE AND ARCHITECTURAL STANDARDS; ADDING RESTRICTIONS ON MAXIMUM FLOOR AREA; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, Chapter 14, Zoning, Article 14.100, Section 6, Supplementary Requirements, Subsection 6.10, Accessory Buildings and Use, City of Lago Vista Code of Ordinances (“Ordinances”) has previously set no maximum floor area ratio, set limited architectural and landscaping related elements, and lacked clarity of regulation; and

Whereas, the Planning and Zoning Commission of the City of Lago Vista has undertaken a review of such regulations and forwarded a recommendation to the City Council and thereafter, the City Council has considered the requests and hereby desires to modify such Zoning provisions; and

Whereas, it is necessary for the City to amend all of the Sections set out below.

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the amending or addition of rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amending Chapter 14, Zoning, Article 14.100, Section 6 Supplementary Requirements, Subsection 6.10 Accessory Buildings and Uses, City of Lago Vista Code of Ordinances is hereby amended to read as follows:

6.10 Accessory Buildings and Uses. Construction, placement, operation, and maintenance of accessory buildings and uses shall comply with the following standards and procedures.

(A) Accessory uses and buildings shall not be permitted on a lot or parcel in the absence of a principal use or building on the lot or parcel except as provided in [Section 4.90](#) (commercial resorts), [Section 17](#) (conditional uses) of this chapter, or the lots or parcels with the principal and accessory use(s) or

building(s) are platted into one lot. Once an accessory use such as an accessory building, boat dock or fence exists on a replatted or single lot, it cannot be subdivided until (1) a principal use or building is established on the lot containing the accessory building or use[;] or (2) the accessory use or building has been removed from the lot, unless otherwise approved in accordance with [Section 17](#), conditional uses, of this chapter.

(B) Residential Districts. In zoning districts permitting one- or two-family dwellings, accessory buildings and uses are permitted according to the following:

(1) Number. No more than two (2) accessory buildings shall be permitted on a lot or parcel.

(2) Screening and Landscaping. For accessory buildings to be located on property (a) adjacent to a one- or two-family use or a zoning district that allows one- or two-family use[;] and (b) for which a wall or walls face and are closer than 25 feet to adjoining property, the accessory building wall shall be screened as follows:

(a) One shrub, cactus, tall ornamental grasses, dwarf palm or combination thereof that is/are at least two feet tall or from a five-gallon bucket shall be planted within four feet of the wall to be screened for every three feet or fraction thereof wall to be screened; and

(b) One tree at least 1-1/2 inches in diameter at 3.5 feet above the ground shall be planted within 10 feet of the wall to be screened for every 25 feet or fraction thereof wall to be screened.

(c) Existing shrubs or other low screening plants that are at least two feet tall and trees may be used to meet the screening requirement.

(d) In lieu of landscape screening, the accessory building wall may be screened by a solid fence or hedgerow that is at least six feet tall.

(e) If the adjoining property to be screened has an existing solid fence or hedgerow that is at least six feet tall, screening of the accessory building is not required.

~~(f) — Screening of accessory vehicular garages permitted in the front yard of a principal building is not required.~~

(3) Accessory buildings ~~smaller than~~ 120 sq. ft. and smaller

(a) Placement and setback. These buildings shall not be placed within the front yard. They may be placed within the side and rear

yard, but no closer than five feet to a side or rear lot line. Setback from a corner side lot line shall be at least 15 feet.

(b) Height. These buildings shall be no taller than nine feet measured from the ground below the building and no taller than six feet at the eaves.

(4) Accessory buildings larger than 120 sq. ft. ~~and larger.~~

(a) Placement and setback. These buildings shall meet the same front, side and rear yard setback standards as the principal building, or accessory building shall have a minimum front yard setback of 20', whichever results in the greatest front yard setback, except any accessory building in a side yard or where the setback is less than 20 feet that is designed to store a vehicle with four or more wheels (a garage or RV storage building for instance) shall be setback at least 20 feet from a street right of way.

(b) Additional Regulations on Accessory Garages. ~~The only type of accessory building permitted in the front yard is a garage and it shall be at least 250 sq. ft. in size. They shall meet the same front setback standard as the principal building. At least 25% of the front yard garage must be masonry that is the same type, material, color, and texture as that on the principal building. The other material/siding must be the same as on the principal building. The roof pitch should be similar to that of the principal building and the roof shall be the same material and color as the roof on the principal building.~~ These accessory buildings shall not be taller than the principal building. Screening must meet landscaping and standards prescribed in subsection (e)(2).~~is not required.~~

(c) Architecture and material.

1. At least 25% of the building facade shall be masonry. This masonry shall be the same material, size, color, shape, and texture as that on the principal main building.

2. For accessory buildings ~~the other than front yard accessory garages, other types of siding or facade material and colors~~ of the accessory building must match the principal building.~~is unregulated and may be metal, except the facade shall be of a similar color as that of the principal building.~~

3. The roof pitch should be similar to that of the principal building.

(d) Height. The maximum height shall be 18 feet measured from the ground below the accessory building.

(e) Additional Restrictions

1. The floor area of the accessory building cannot exceed fifty percent (50%) of the floor area of a principal building.

2. The accessory building must be screened with landscaping from any street side with xeriscape evergreen shrubs a minimum of two (2) feet in height at time of plantings and maximum of three (3) feet on center. This excludes portions of the façade with pedestrian doors, vehicular access doors, and areas of the façade with two (2) feet or less between any doors and/or end of the façade. Plantings shall be located near the building walls to the satisfaction of the City. Plantings shall be maintained and replaced as necessary to maintain this standard.

3. Placement of permanent irrigation will be required for any plantings in this subsection. Irrigation shall be maintained and replaced as necessary to maintain function of the system.

(5) Carports. Carports are allowed in manufactured home zoning but only by conditional use permit in other zoning districts. In manufactured home districts, they may be attached or detached and there are no architecture or material standards.

(C) Commercial Districts.

(1) Accessory buildings incident to any of the listed commercial uses shall be allowed, provided that such be not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance, or not in compliance with Local, State, or Federal laws. No accessory building shall be constructed upon a lot until the construction of the main-use building has actually commenced, nor shall an accessory building be used unless the main use building on the lot is also being built or used.

(2) Setback. All accessory buildings must comply with the setback restrictions for the district in which the main-use building is located, as stated in [Table A](#), Table of Development Standards.

(3) Height. Height shall not exceed 18 feet measured from the ground below the accessory building.

(D) All Districts.

(1) Temporary buildings erected during the term of construction, including tents, shacks, shanties or other structures, or trailers or mobile homes, shall not be placed on any lot except for uses incidental to

construction work on commercial projects. All temporary buildings shall be removed upon the completion or abandonment of construction work. Trailers or mobile homes shall not be permitted on lots during construction of residential buildings, unless authorized in writing by the city manager or his designee and may be permitted if a residential building that was significantly damaged or destroyed and is being rebuilt, replaced by another residential building or repaired.

(2) Boat docks and boathouses.

(a) Boat docks and boathouses anchored in the lake below the 681 elevation are exempt from number, location, setback, material, and screening standards.

(b) Boat docks and boathouses are not eligible for conditional use application without a principal building on the same or nearby lot that is owned by the boat dock owner.

(3) Aircraft parking. Improved parking pads or lots for aircraft on property that has direct aircraft ground access to an airport may be constructed without a principal building on the property.

(4) Exceptions, Conditional Use Permit. A property owner may apply for a conditional use permit in accordance with the procedures of this chapter for any exception to any accessory building standard stated in this section, such as number, height, setback, screening, and architecture and material. The planning and zoning commission may recommend and the city council may decide to approve with additional conditions and restrictions a conditional use permit exception if a satisfactory aesthetic outcome would be achieved rather than following a standard herein.

(5) Accessory buildings for which a city permit was issued before September 1, 2011 that does not conform to the above standards shall be considered legally nonconforming, also known as “grandfathered.”

Section 6. Amendment of Ordinances. Chapter 14, Zoning, Article 14.100, Section 6 Supplementary Requirements, Subsection 6.10 Accessory Buildings and Uses are hereby amended in their entirety as provided in this Ordinance, and 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 7. Savings Clause. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting animals, licensing and registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and

criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 8. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 9. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this _____ day of _____, 2016.

ATTEST:

THE CITY OF LAGO VISTA, TEXAS

Sandra Barton, City Secretary

Dale Mitchell, Mayor



AGENDA ITEM

City of Lago Vista

To: **Council Meeting:**

From:

Subject:

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

EXECUTIVE SUMMARY:

This item is being brought forward due to a request from the business community. The changes redefine the definition of "temporary community event sign" and add the definition of "community farmers market" to reflect community farmers market. Also, the temporary banner sign location provisions have been loosened to allow anywhere on premises versus now where it is on buildings or above street only. This should ease anyone needing a temporary sign at the street for temporary uses or holiday sales. Also, we are eliminating the 30 day standard within Table A on the banner sign due to a discrepancy within the Code allowing 60 cumulative days.

The Building Committee will provide a recommendation on the code changes on this item and Staff will provide this recommendation at the Council Public Hearing.

Impact if Approved:

The Sign code will be amended to include the above changes which will loosen some regulatory requirements on temporary sign age.

Impact if Denied:

The Sign code will NOT be amended and the current more stringent temporary sign age regulations will remain in place.

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:

ORDINANCE 16-11-17-_____ : AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 4, ARTICLE 4.800, SECTION 4.801 DEFINITIONS; CHAPTER 4, TABLE A; ADDING LANGUAGE TO TEMPORARY COMMUNITY EVENT SIGN; REMOVING SOME STANDARDS REGARDING TEMPORARY BANNER SIGNS; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Agenda Item Approved by City Manager

ORDINANCE NO. 16-11-17-03

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 4, ARTICLE 4.800, SECTION 4.801 DEFINITIONS; CHAPTER 4, TABLE A; ADDING LANGUAGE TO TEMPORARY COMMUNITY EVENT SIGN; REMOVING SOME STANDARDS REGARDING TEMPORARY BANNER SIGNS; PROVIDING A SAVINGS CLAUSE, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, Chapter 4, Article 4.800, Section 4.801 Definitions, City of Lago Vista Code of Ordinances (“Ordinances”) has previous not defined “community farmers market” as an option within the definition of “temporary community event signs”; and

Whereas, Chapter 4, Table A, City of Lago Vista Code of Ordinances (“Ordinances”) has only allowed banner signs to be displayed on locations above the street or on the building; and

Whereas, the Building Committee of the City of Lago Vista has undertaken a review of such regulations and forwarded a recommendation to the City Council and thereafter, the City Council has considered the requests and hereby desires to modify such Sign provisions; and

Whereas, it is necessary for the City to amend all of the Sections set out below.

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the amending or addition of rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amending Chapter 4, Article 4.800, Section 4.801 Definitions, City of Lago Vista Code of Ordinances is hereby amended to read as follows:

Temporary Community Event Signs. A temporary sign placed on a removable stake or wire for special community events such as those associated with civic, institutional, philanthropic and educational purposes. This meaning shall also include community farmers market. (Ordinance 11-09-15-02, sec. 1, adopted 9/15/11)

Community Farmers Market. - A community farmers market is a public and recurring assembly of farmers or their representatives, which operates multiple times per year and

is organized for the purpose of facilitating personal connections that create mutual benefits for local farmers, shoppers, and communities and through which farmers are able to sell directly to consumers food which they have produced themselves.

Section 3. Amending Chapter 4, Table A, City of Lago Vista Code of Ordinances is hereby amended to read as shown in Exhibit “A”

Section 4. Amendment of Ordinances. Chapter 4, Article 4.800, Section 4.801 and Chapter 4, Table A are hereby amended in their entirety as provided in this Ordinance and in Exhibit “A”, and 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. Savings Clause. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting animals, licensing and registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 7. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this _____ day of _____, 2016.

ATTEST:

THE CITY OF LAGO VISTA, TEXAS

Sandra Barton, City Secretary

Dale Mitchell, Mayor

Sign type	R-0, R-1, RR-A	R-2	R-4	C-1	C-2 and C- 6	U-1	C-3
Freestanding, single business⁴							
Number allowed per platted lot	Not allowed	Not allowed	Not allowed	1 *	1 *	Not allowed	1'
Location (distance from property line)	Not allowed	Not allowed	Not allowed	10'	10'	Not allowed	10'
Maximum height above grade	Not allowed	Not allowed	Not allowed	8'	8'	Not allowed	8'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	32	32	Not allowed	32
Freestanding, multitenant⁴							
Number allowed per platted lot	Not allowed	Not allowed	Not allowed	1 *	1 *	Not allowed	1'
Location (distance from property line)	Not allowed	Not allowed	Not allowed	10'	10'	Not allowed	10'
Maximum height above	Not	Not	Not	10'	10'	Not allowed	10'

grade	allowed	allowed	allowed				
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	32	32	Not allowed	32
ID or logo							
Number allowed per business	Not allowed	Not allowed	Not allowed	1 *	1 *	Not allowed	Not allowed
Location	Not allowed	Not allowed	Not allowed	attached to bldg within facade	attached to bldg within facade	Not allowed	Not allowed
Maximum height above grade	Not allowed	Not allowed	Not allowed			Not allowed	Not allowed
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	144	144	Not allowed	Not allowed
Site Development							
Number allowed per business	Not allowed	Not allowed	1	1	1	Not allowed	Not allowed
Location (distance from	Not	Not	10'	10'	10'	Not allowed	Not allowed

property line)	allowed	allowed					
Maximum height above grade	Not allowed	Not allowed	8'	8'	8'	Not allowed	Not allowed
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	64	64	64	Not allowed	Not allowed
Projecting wall							
Number allowed per business	Not allowed	Not allowed	1 *	1 *	1 *	Not allowed	1'
Location	Not allowed	Not allowed	attached to bldg	attached to bldg	attached to bldg	Not allowed	attached to bldg
Maximum height above grade	Not allowed	Not allowed	8'	8'	8'	Not allowed	12
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	12	12	12	Not allowed	6'
Sign type	R-0, R-1, RR-A	R-2	R-4	C-1	C-2 and C-6	U-1	C-3
Hanging wall (see Section 4.808)							

Number allowed per business	Not allowed	Not allowed	1 *	1 *	1 *	Not allowed	1'
Location	Not allowed	Not allowed	attached to bldg	attached to bldg	attached to bldg	Not allowed	attached to bldg
Maximum height above grade	Not allowed	Not allowed	8'	8'	8'	Not allowed	12'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	24	24	24	Not allowed	24
Residential subdivision/ subdivision devel.							
Number allowed per subdivision	1 *	1 *	1 *	1 *	1 *	Not allowed	Not allowed
Location (distance from property line)	10'	10'	10'	10'	10'	Not allowed	Not allowed
Maximum height above grade	8'	8'	8'	8'	8'	Not allowed	Not allowed
Maximum display surface area (sq. ft.)	24	24	24	24	24	Not allowed	Not allowed

Temporary banner (no more than 30 days per year)							
Number allowed per platted lot or event	Not allowed	Not allowed	1	1	1	1	1
Location	Not allowed	Not allowed	on bldg <u>On Premises</u>	on bldg or above street <u>On Premises</u>			
Min. height above grade (if on bldg.)	Not allowed	Not allowed	6'	6'	6'	6'	6'
Min. height above grade (if above street)	Not allowed	Not allowed	18'	18'	18'	18'	18'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	180	180	180	180	180
Sign type	R-0, R-1, RR-A	R-2	R-4	C-1	C-2 and C-6	U-1	C-3
Residential real estate (for sale, lease, rent)							

Number allowed per platted lot (not adjacent to a golf course) ¹	1	1	1	1	1	1	1
Number allowed per platted lot (adjacent to a golf course)	2	2	2	2	2	2	2
Location (distance from property line)	5'	5'	5'	5'	5'	5'	5'
Maximum height above grade	5'	5'	5'	5'	5'	5'	5'
Maximum display surface area (sq. ft.)	3	3	3	3	3	3	3
<p>“Open House” signs not more than one (1) per intersection leading to the location of the house may be placed off-premises beginning at 4:00 p.m. on Fridays through Sunday and on Mondays during three-day weekends.</p>							
<p>One “open house” sign may be placed at the location of the open house on Mondays until 4:00 p.m. on Fridays provided a representative of the owner or a realtor is present during public viewing hours.</p>							
<p>¹ A thru lot may have a one sign on the rear street and one sign on the front street.</p>							
Window sign							

Number allowed per leased premises	Not allowed	Not allowed	Not allowed	1	1	1	1
Location	Not allowed	Not allowed	Not allowed	on a window or door but not both	on a window or door but not both	on a window or door but not both	on a window or door but not both
Maximum display surface area (sq. ft)	Not allowed	Not allowed	Not allowed	24	24	24	24
Awning, canopy and marquee sign (lettering)							
Number allowed per business	Not allowed	Not allowed	Not allowed	1	1	1	1
Location	Not allowed	Not allowed	Not allowed	on a canopy, awning or marquee			
Minimum height above grade	Not allowed	Not allowed	Not allowed	8'	8'	8'	8'
Public information sign	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed

Political							
Number allowed per lot per candidate	1	1	1	1	1	1	1
Location (distance from property line)	10'	10'	10'	10'	10'	10'	10'
Maximum height above grade	8'	8'	8'	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	36	36	36	36	36	36	36
Sign type	R-0, R-1, RR-A	R-2	R-4	C-1	C-2 and C-6	U-1	C-3
Commercial real estate (site development or for sale)							
Number allowed per platted lot ¹	Not allowed	Not allowed	Not allowed	1	1	Not allowed	1
Location (distance from property line)	Not allowed	Not allowed	Not allowed	10'	10'	Not allowed	10'

Maximum height above grade	Not allowed	Not allowed	Not allowed	8'	8'	Not allowed	8'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	24	24	Not allowed	24
Government, utility, institutional							
Number allowed per platted lot	Not allowed	Not allowed	Not allowed	1	1	1	1
Location (distance from property line)	Not allowed	Not allowed	Not allowed	10'	10'	10'	10'
Maximum height above grade	Not allowed	Not allowed	Not allowed	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	32	32	32	32
Sandwich board							
Number allowed per business	Not allowed	Not allowed	Not allowed	1	1	Not allowed	1
Location (distance from	Not	Not	Not	10'	10'	Not allowed	10'

property line)	allowed	allowed	allowed				
Maximum height above grade	Not allowed	Not allowed	Not allowed	6'	6'	Not allowed	6'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	6 per side	6 per side	Not allowed	6 per side
Menu board							
Number allowed per platted lot	Not allowed	Not allowed	Not allowed	1 per drive-thru lane	1 per drive-thru lane	1 per drive-thru lane	1 per business
Location (distance from property line)	Not allowed	Not allowed	Not allowed	10'	10'	10'	10'
Maximum height above grade	Not allowed	Not allowed	Not allowed	6'	6'	6'	6'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	8	8	8	8
Residential nameplate							
Number allowed per residence	1	1	1	1	1	1	1

Location (distance from property line)	10'	10'	10'	10'	10'	10'	10'
Maximum height above grade	5'	5'	5'	5'	5'	5'	5'
Maximum display surface area (sq. ft.)	2	2	2	2	2	2	2
Sign type	R-0, R-1, RR-A	R-2	R-4	C-1	C-2 and C-6	U-1	C-3
Billboards	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
Distinctive directional sign							
Located on city easements along road	6'	6'	6'	6'	6'	6'	6'
Maximum height above grade	10" x 36"	10" x 36"	10" x 36"	10" x 36"	10" x 36"	10" x 36"	10" x 36"
Maximum individual display surface area	2.5	2.5	2.5	2.5	2.5	2.5	2.5
Maximum total display	6'	6'	6'	6'	6'	6'	6'

surface area (sq. ft.)							
Electronic sign²							
Number allowed per platted lot	Not allowed	Not allowed	Not allowed	1	1	1	1
Location (distance from property line if freestanding)	Not allowed	Not allowed	Not allowed	10'	10'	10'	10'
Location (if hanging or projecting wall sign)	Not allowed	Not allowed	Not allowed	attached to bldg	attached to bldg	attached to bldg	attached to bldg
Location (if window sign)	Not allowed	Not allowed	Not allowed	on window or door but not both			
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	12	12	12	12
Maximum height above grade if freestanding sign	Not allowed	Not allowed	Not allowed	6'	6'	6'	6'
Portable Sign	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed

Temporary community event sign³							
Number allowed per lot or tract per event	1	1	1	1	1	1	1
Maximum display surface/side (sq. ft.)	3	3	3	3	3	3	3
Maximum height above grade	42 inches						

² The message shall have a display time of at least one minute and cannot be intermittent or have flashing or moving lights.

³ Such sign shall be erected no sooner than 14 days preceding the event and shall be removed no later than one day following the event. The property owner on which the sign is located must give permission to post the sign. These signs shall not be placed in public or private street right-of-way or on public property without the permission of the city council.

⁴ All ground signs shall display postal address numbers a minimum four inches (4") tall at the top of the sign.

Sign type	C-4	G-1	P, P-1, P-2	CR Resorts	PDD	LI	ETJ and TR-1
Freestanding, single business					Unless otherwise stated within the PDD text		

Number allowed per platted lot	Not allowed	2	Not allowed	1*	1	1	1
Location (distance from property line)	Not allowed	10'	Not allowed	10'	10'	10'	10'
Maximum height above grade	Not allowed	8'	Not allowed	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	Not allowed	32'	Not allowed	32'	32'	32'	32'
Freestanding, multitenant					Unless otherwise stated within the PDD text		
Number allowed per platted lot	Not allowed	Not allowed	Not allowed	1*	1	1	1
Location (distance from property line)	Not allowed	Not allowed	Not allowed	10'	10'	10'	10'
Maximum height above grade	Not allowed	Not allowed	Not allowed	10'	10'	10'	10'
Maximum display surface	Not	Not	Not	32	32	32	32

area (sq. ft.)	allowed	allowed	allowed				
ID or logo					Unless otherwise stated within the PDD text		
Number allowed per business	1	Not allowed	Not allowed	Not allowed	Not allowed	1	Not allowed
Location (distance from property line)	runway side only	Not allowed	Not allowed	Not allowed	Not allowed	attached to bldg within facade	Not allowed
Maximum display surface area (sq. ft.)	within facade 144	Not allowed	Not allowed	Not allowed	Not allowed	144	Not allowed
Site Development					Unless otherwise stated within the PDD text		
Number allowed per business	Not allowed	Not allowed	Not allowed	1	1	1	1
Location (distance from	Not	Not	Not	10'	10'	10'	10'

property line)	allowed	allowed	allowed				
Maximum height above grade	Not allowed	Not allowed	Not allowed	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	64	64	64	64
Projecting wall					Unless otherwise stated within the PDD text		
Number allowed per business	1	1	1	1	1	1	1
Location (distance from property line)	attached to bldg	attached to bldg	attached to bldg	attached to bldg	attached to bldg	attached to bldg	attached to bldg
Maximum height above grade	8'	8'	8'	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	12	12	12	12	12	12	12
Sign type	C-4	G-1	P, P-1, P-2	CR Resorts	PDD	LI	ETJ and TR-

							1
Hanging wall (see Section 4.808)					Unless otherwise stated within the PDD text		
Number allowed per business	1	1	1	1	1	1	1
Location	attached to bldg	attached to bldg	attached to bldg				
Maximum height above grade	12'	12'	12'	12'	12'	12'	12'
Maximum display surface area (sq. ft.)	24	24	24	24	24	24	24
Residential subdivision/ subdivision devel.					Unless otherwise stated within the PDD text		
Number allowed per subdivision	Not allowed	Not allowed	Not allowed	1	1	Not allowed	1

Location (distance from property line)	Not allowed	Not allowed	Not allowed	10'	10'	Not allowed	10'
Maximum height above grade	Not allowed	Not allowed	Not allowed	8'	8'	Not allowed	8'
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	Not allowed	24	24	Not allowed	24
Political					Unless otherwise stated within the PDD text		
Number allowed per lot per candidate	1	1	1	1	1	1	1
Location (distance from property line)	10'	10'	10'	10'	10'	10'	10'
Maximum height above grade	8'	8'	8'	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	36	36	36	36	36	36	36
Commercial real estate					Unless		

(site development or for sale)					otherwise stated within the PDD text		
Number allowed per platted lot ¹	1	1	Not allowed	1	1	1	1
Location (distance from property line)	10'	10'	Not allowed	10'	10'	10'	10'
Maximum height above grade	8'	8'	Not allowed	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	24	24	Not allowed	24	24	24	24
Government, utility, institutional					Unless otherwise stated within the PDD text		
Number allowed per platted lot	1	1	Not allowed	1	1	1	1
Location (distance from property line)	10'	10'	Not allowed	10'	10'	10'	10'

Maximum height above grade	8'	8'	Not allowed	8'	8'	8'	8'
Maximum display surface area (sq. ft.)	32	32	Not allowed	32	32	32	32
Sandwich board					Unless otherwise stated within the PDD text		
Number allowed per business	Not allowed	1	Not allowed	1	1	1	1
Location (distance from property line)	Not allowed	10'	Not allowed	10'	10'	10'	10'
Maximum height above grade	Not allowed	6'	Not allowed	6'	6'	6'	6'
Maximum display surface area (sq. ft.)	Not allowed	6 per side	Not allowed	6 per side	6 per side	6 per side	6 per side
Sign type	C-4	G-1	P, P-1, P-2	CR Resorts	PDD	LI	ETJ and TR-1

Menu board					Unless otherwise stated within the PDD text		
Number allowed per platted lot	Not allowed	1 per business	Not allowed	1 per drive-thru lane	1 per drive-thru lane	1 per drive-thru lane	1 per drive-thru lane
Location (distance from property line)	Not allowed	10'	Not allowed	10'	10'	10'	10'
Maximum height above grade	Not allowed	6'	Not allowed	6'	6'	6'	6'
Maximum display surface area (sq. ft.)	Not allowed	8	Not allowed	8	8	8	8
Temporary banner (no more than 30 days per year)					Unless otherwise stated within the PDD text		
Number allowed per platted lot or event	1	1	1	1	1	1	1

Location	on bldg <u>On Premises</u>	on bldg or above street <u>On Premises</u>					
Minimum height above grade (if on bldg.)	6'	6'	6'	6'	6'	6'	6'
Minimum height above grade (if above street)	18'	18'	18'	18'	18'	18'	18'
Maximum display surface area (sq. ft.)	180	180	180	180	180	180	180
Residential real estate (for sale, lease, rent)					Unless otherwise stated within the PDD text		
Number allowed per platted lot (not adjacent to a golf course) ¹	1	1	Not allowed	1	1	Not allowed	1
Number allowed per platted lot (adjacent to a	2	2	Not allowed	2	2	Not allowed	2

golf course)							
Location (distance from property line)	5'	5'	Not allowed	5'	5'	Not allowed	5'
Maximum height above grade	5'	5'	Not allowed	5'	5'	Not allowed	5'
Maximum display surface area (sq. ft.)	3	3	Not allowed	3	3	Not allowed	3
<p>“Open House” signs not more than one (1) per intersection leading to the location of the house may be placed off-premises beginning at 4:00 p.m. on Fridays through Sunday and on Mondays during three-day weekends.</p>							
<p>One “open house” sign may be placed at the location of the open house on Mondays until 4:00 p.m. on Fridays provided a representative of the owner or a realtor is present during public viewing hours.</p>							
<p>¹ A thru lot may have a one sign on the rear street and one sign on the front street.</p>							
Sign type	C-4	G-1	P, P-1, P-2	CR Resorts	PDD	LI	ETJ and TR-1
Window sign					Unless otherwise stated within the PDD text		

Number allowed per leased premises	1	1	1	1	1	1	1
Location	on a window or door but not both	on a window or door but not both	on a window or door but not both	on a window or door but not both	on a window or door but not both	on a window or door but not both	on a window or door but not both
Maximum display surface area (sq. ft)	24	24	24	24	24	24	24
Awning, canopy and marquee sign					Unless otherwise stated within the PDD text		
Number allowed per business	1	1	1	1	1	1	1
Location	on a canopy, awning or marquee	on a canopy, awning or marquee	on a canopy, awning or marquee				
Minimum height above grade	8'	8'	8'	8'	8'	8'	8'

Public information sign					Unless otherwise stated within the PDD text		
Number allowed per platted lot	Not allowed	Not allowed	1	Not allowed	1	1	Not allowed
Location (distance from property line)	Not allowed	Not allowed	10'	Not allowed	10'	10'	Not allowed
Maximum height above grade	Not allowed	Not allowed	8'	Not allowed	8'	8'	Not allowed
Maximum display surface area (sq. ft.)	Not allowed	Not allowed	32	Not allowed	32	32	Not allowed
Residential nameplate					Unless otherwise stated within the PDD text		
Number allowed per residence	1	1	Not allowed	1	1	Not allowed	1
Location (distance from	10'	10'	Not	10'	10'	Not allowed	10'

property line)			allowed				
Maximum height above grade	5'	5'	Not allowed	5'	5'	Not allowed	5'
Maximum display surface area (sq. ft.)	2	2	Not allowed	2	2	Not allowed	2
Billboards	Not allowed	Not allowed	Not allowed	Not allowed	Unless otherwise stated within the PDD text Not allowed		Not allowed
Distinctive directional sign					Unless otherwise stated within the PDD text		
Located on city easements along road	6'	6'	6'	6'	6'	6'	6'
Maximum height above grade	10" x 36"	10" x 36"	10" x 36"				

Maximum individual display surface area	2.5	2.5	2.5	2.5	2.5	2.5	2.5
Maximum total display surface area (sq. ft.)	6'	6'	6'	6'	6'	6'	6'
Sign type	C-4	G-1	P, P-1, P-2	CR Resorts	PDD	LI	ETJ and TR-1
Electronic sign²					Unless otherwise stated within the PDD text		
Number allowed per platted lot	Not allowed	2	Not allowed	2	2	2	2
Location (distance from property line if freestanding)	Not allowed	10'	Not allowed	10'	10'	10'	10'
Location (if hanging or projecting wall sign)	Not allowed	attached to bldg	Not allowed	attached to bldg	attached to bldg	attached to bldg	attached to bldg
Location (if window sign)	Not allowed	On window or door but	Not allowed	on window or door but not	on window or door but not	on window or door but not both	on window or door but not both

		not both		both	both		
Maximum display surface area (sq. ft.)	Not allowed	12	Not allowed	12	12	12	12
Maximum height above grade if freestanding sign	Not allowed	6'	Not allowed	6'	6'	6'	6'
Portable Sign	Not allowed	Not allowed	Not allowed	Not allowed	Unless otherwise stated within the PDD text Not allowed	Not allowed	Not allowed
Temporary community event sign³					Unless otherwise stated within the PDD text		
Number allowed per lot or tract per event	1	1	1	1	1	1	1
Maximum display surface/side (sq. ft.)	3	3	3	3	3	3	3

Maximum height above grade	42 inches						
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² The message shall have a display time of at least one minute and cannot be intermittent or have flashing or moving lights.

³ Such sign shall be erected no sooner than 14 days preceding the event and shall be removed no later than one day following the event. The property owner on which the sign is located must give permission to post the sign. These signs shall not be placed in public or private street right-of-way or on public property without the permission of the city council.

⁴ All ground signs shall display postal address numbers a minimum four inches (4") tall at the top of the sign.

(Ordinance O-03-15 adopted 1/15/15)



AGENDA ITEM

City of Lago Vista

To: **Mayor & City Council** **Council Meeting:** **November 17, 2016**

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

Subject: **RESOLUTION 16-1666: A RESOLUTION OF THE CITY OF LAGO VISTA, TEXAS, ADOPTING THE TEXAS DEPARTMENT OF TRANSPORTATION'S FEDERALLY APPROVED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AND AUTHORIZING THE CITY'S AUTHORIZED RESPONSIBLE PERSON IN CHARGE (RPIC) AND CITY'S LOCAL GOVERNMENT PROJECTS PROCEDURES QUALIFIED PERSON (QP) IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE AFOREMENTIONED PROGRAM.**

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

EXECUTIVE SUMMARY:
This is an item that Gandolf Burris, Grant Development Services, our consultant on the Safe Routes to Schools (SRTS) has recommended we adopt to proceed further on the project. This will adopt the Texas Department of Transportation's Federally Approved Disadvantaged Business Enterprise (DBE) Program since the City does not have its own standards. It will also designate the City Manager as the City's Authorized Representative and Responsible Person In Charge. It also designates the City Engineer as the City's Local Government Projects Procedures Qualified Person (QP). The City Manager and City Engineer will be administratively represented by Grant Development Services in their decision making on this process.

Impact if Approved:

This will further allow the continuance of the SRTS project under the administration of TXDOT standards for DBE.

Impact if Denied:

The City will need to come up with its own standards for DBE.

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:

Resolution 16-_____ - A RESOLUTION OF THE CITY OF LAGO VISTA, TEXAS, ADOPTING THE TEXAS DEPARTMENT OF TRANSPORTATION'S FEDERALLY APPROVED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AND AUTHORIZING THE CITY'S AUTHORIZED RESPONSIBLE PERSON IN CHARGE (RPIC) AND CITY'S LOCAL GOVERNMENT PROJECTS PROCEDURES QUALIFIED PERSON (QP) IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE AFOREMENTIONED PROGRAM.

Agenda Item Approved by City Manager

CITY OF LAGO VISTA, TEXAS

RESOLUTION NO. 16-_____

A RESOLUTION OF THE CITY OF LAGO VISTA, TEXAS, ADOPTING THE TEXAS DEPARTMENT OF TRANSPORTATION'S FEDERALLY APPROVED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AND AUTHORIZING THE CITY'S AUTHORIZED RESPONSIBLE PERSON IN CHARGE (RPIC) AND CITY'S LOCAL GOVERNMENT PROJECTS PROCEDURES QUALIFIED PERSON (QP) IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE AFOREMENTIONED PROGRAM.

WHEREAS, the City Council of the City of Lago Vista ("City Council") finds it to be in the public interest, and necessary for the public health, safety and welfare to participate in a federal program providing funding to local governments for certain transportation improvements; and

WHEREAS, the City desires, through the Lago Vista Middle School Safe Routes to School Project CSJ # 0914-04-301, to construct safe, accessible and welcoming pedestrian and traffic improvements within and adjacent to the Lago Vista Middle School campus; and;

WHEREAS, the Disadvantaged Business Enterprise Program Memorandum of Understanding will enable the City to memorialize the obligations, expectations and rights to each party has to meet the federal requirements; and

WHEREAS, the City desires to appoint certain City staff in official positions of authority related to Project CSJ # 0914-04-301.

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

1. That the City adopts the Texas Department of Transportation's Federally Approved Disadvantaged Business Enterprise Program; and,
2. That the City Council directs and designates the City Manager as the City's Authorized Representative and Responsible Person In Charge (RPIC) to act in all matters in connection with this Program.

3. That the City Council directs and designates the City Engineer as the City's Local Government Projects Procedures Qualified Person (QP) to act in all matters in connection with this Program.
4. That it be further resolved that the City Council directs City staff to cooperate fully with the Texas Transportation Commission, Texas Department of Transportation, and Federal Highway Administration as necessary to complete Project CSJ # 0914-04-301.
5. That it be further resolved that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

AND, IT IS SO RESOLVED

PASSED & APPROVED this, the _____ day of _____ 2016.

Dale Mitchell, 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.



**MEMORANDUM OF UNDERSTANDING REGARDING THE ADOPTION OF
THE TEXAS DEPARTMENT OF TRANSPORTATION'S FEDERALLY-
APPROVED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM BY
THE CITY OF LAGO VISTA**

This Memorandum of Understanding (MOU) is by and between the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)**, an agency of the State of Texas; and the [City of Lago Vista](#), a political subdivision of the State of Texas.

Whereas, from time to time the [City of Lago Vista](#) receives federal funds from the Federal Highway Administration (FHWA) through TxDOT to assist the [City of Lago Vista](#) with the construction and design of projects partially or wholly funded through FHWA; and

Whereas, the [City of Lago Vista](#), as a sub-recipient of federal funds, is required by 49 CFR 26, to implement a program for disadvantaged business enterprises (DBEs), as defined by 49 CFR 26 (DBE Program); and

Whereas, TxDOT has implemented a Disadvantaged Business Enterprise Program (DBE Program) that is approved by the FHWA pursuant to 49 CFR part 26; and

Whereas, certain aspects of the [City of Lago Vista](#) 's procurement of construction and design services are subject to review and/or concurrence by TxDOT as a condition of receiving federal funds from FHWA through TxDOT; and

Whereas, the [City of Lago Vista](#) and TxDOT undertake substantially similar roadway construction projects and design projects and construct and design their respective projects using substantially the same pool of contractors; and

Whereas, the [City of Lago Vista](#) desires to implement a federally compliant DBE Program by adopting the TxDOT approved program, as recommended by FHWA; and

Whereas, TxDOT and the [City of Lago Vista](#) find it appropriate to enter into this MOU to memorialize the obligations, expectations and rights each has as related to the [City of Lago Vista](#)'s adoption of the TxDOT DBE's Program to meet the federal requirements;

Now therefore be it resolved, TxDOT and the [City of Lago Vista](#), in consideration of the mutual promises, covenants and conditions made herein, agree to and acknowledge the following:

- (1) TxDOT has developed a DBE Program and annually establishes a DBE goal for Texas that is federally approved and compliant with 49 CFR 26 and other applicable laws and regulations.
- (2) The [City of Lago Vista](#) is a sub-recipient of federal assistance for construction projects and design projects and, in accordance with 49 CFR § 26.21, must comply with a federally approved DBE Program. The [City of Lago Vista](#) receives its federal assistance through TxDOT. As a sub-recipient, the [City of Lago Vista](#) has the option of developing its own program or adopting and operating under TxDOT's federally approved DBE Program. The FHWA recommends that sub-recipients, such as the [City of Lago Vista](#) adopt the DBE program, administered through TxDOT, and the [City of Lago Vista](#) by its prescribed protocol adopted the TxDOT DBE Program as of the date when adoption occurred.
- (3) This MOU evidences FHWA's and TxDOT's consent to the adoption of the TxDOT DBE Program by the [City of Lago Vista](#) to achieve its DBE participation in federally assisted Construction and Design Projects.

- (4) The parties will work together in good faith to assure effective and efficient implementation of the DBE Program for the [City of Lago Vista](#) and for TxDOT.
- (5) The [City of Lago Vista](#) and TxDOT have agreed upon the following delegation of responsibilities and obligations in the administration of the DBE Program adopted by the [City of Lago Vista](#):
- (a) The [City of Lago Vista](#) will be responsible for project monitoring and data reporting to TxDOT. The [City of Lago Vista](#) will furnish to TxDOT any required DBE contractor compliance reports, documents or other information as may be required from time to time to comply with federal regulations. TxDOT will provide the necessary and appropriate reporting forms, to the [City of Lago Vista](#).
- (b) The [City of Lago Vista](#) will recommend contract-specific DBE goals consistent with TxDOT's DBE guidelines and in consideration of the local market, project size, and nature of the good(s) or service(s) to be acquired. The [City of Lago Vista](#)'s recommendation may be that no DBE goals are set on any particular project or portion of a project or that proposed DBE goals be modified. The [City of Lago Vista](#) and TxDOT will work together to achieve a mutually acceptable goal, however, TxDOT will retain final decision-making authority regarding DBE goals.
- (c) TxDOT will cooperate with the [City of Lago Vista](#) in an effort to meet the timing and other requirements of the [City of Lago Vista's](#) project.
- (d) The [City of Lago Vista](#) will be solely responsible for the solicitation and structuring of bids and bid documents to procure goods and services for its projects that use federal funds and will be responsible for all costs and expenses incurred in its procurements.
- (e) The DBEs eligible to participate on TxDOT construction projects or design projects also will be eligible to participate on the [City of Lago Vista's](#) construction projects or design projects subject to the DBE Program. The DBEs will be listed on TxDOT's website under the Texas Unified Certification Program (TUCP).
- (f) The [City of Lago Vista](#) will conduct reviews and provide reports with recommendations to TxDOT concerning any DBE Program compliance issues that may arise due to project specific requirements such as Good Faith Effort (GFE), Commercially Useful Function (CUF), etc. the [City of Lago Vista](#) and TxDOT will work together to achieve a mutually acceptable goal, however, TxDOT will retain final decision-making authority on those issues and reserves the right to perform compliance reviews. The [City of Lago Vista](#) shall provide TxDOT with a listing of sanctions that will be assessed against contractors for violation of federal DBE regulations and its procedures for investigation of violations and assessment of sanctions for documented violations. The [City of Lago Vista](#) will require contractors for its FHWA federally assisted projects to use the attached forms as follows:

Attachment 1 – Disadvantaged Business Enterprise (DBE) Program Commitment Agreement Form SMS 4901

Attachment 2 – DBE Monthly Progress Report Form SMS 4903

Attachment 3 – DBE Final Report Form SMS 4904

Attachment 4 – Prompt Payment Certification Form (Federal-air Projects) 2177

(g) The [City of Lago Vista](#) will designate a liaison office to coordinate efforts with TxDOT's DBE Program administrators and to respond to questions from the public and private sector regarding the [City of Lago Vista's](#) administration of the DBE Program through TxDOT.

(h) The [City of Lago Vista](#) will be responsible for providing TxDOT with DBE project awards and DBE Commitments, monthly DBE reports, DBE Final Reports, DBE shortfall reports, and annual and updated goal analysis and reports.

(i) TxDOT will be responsible for maintaining a directory of firms eligible to participate in the DBE Program, and providing business development and outreach programs. The [City of Lago Vista](#) and TxDOT will work cooperatively to provide supportive services and outreach to DBE firms in the [City of Lago Vista](#) area.

(j) The [City of Lago Vista](#) will submit DBE semi-annual progress reports to TxDOT.

(k) The [City of Lago Vista](#) will participate in TxDOT sponsored training classes to include topics on Title VI of the Civil Rights Act of 1964, DBE Annual Goals, DBE Goal Setting for Construction Projects and Design Projects, DBE Contract Provisions, and DBE Contract Compliance, which may include issues such as DBE Commitments, DBE Substitution, and Final DBE Clearance. TxDOT will include DBE contractors performing work on the [City of Lago Vista](#) projects in the DBE Education and Outreach Programs.

(l) The Executive Director (City Manager) of the [City of Lago Vista](#) will implement all federal requirements, including those stated in Attachments A through F, which are incorporated as though fully set out herein for all purposes.

(m) In accordance with 23 CFR 200.1 the [City of Lago Vista](#) shall develop procedures for the collection of statistical data (race, color, religion, sex, and national origin) of participants in, and beneficiaries of State highway programs, i.e., relocatees, impacted citizens and affected communities; develop a program to conduct Title VI review of program areas; and conduct annual reviews of special emphasis program areas to determine the effectiveness of program area activities at all levels. TxDOT, in accordance with federal law, may conduct compliance reviews by TxDOT's Office of Civil Rights (OCR).

(n) The [City of Lago Vista](#) will comply with 49 CFR 26.29 as stated in Attachment F.

(6) In the event there is a disagreement between TxDOT and [City of Lago Vista](#) about the implementation of the TxDOT DBE Program by the [City of Lago Vista](#) the parties agree to meet within ten (10) days of receiving a written request from the other party of a desire to meet to resolve any disagreement. The parties will make good faith efforts to resolve any disagreement as efficiently as is reasonably possible in consultation with FHWA. Non-compliance by the [City of Lago Vista](#) can result in restitution of federal funds to TxDOT and withholding of further federal

funds upon consultation with FHWA.

- (7) This MOU becomes effective upon execution by all parties and automatically renews each year unless a party notifies the other parties of its intent to terminate the agreement.
- (8) If this MOU is terminated for any reason, the [City of Lago Vista](#) will be allowed reasonable time in which to seek approval from FHWA for an alternative DBE Program, without being deemed non-compliant with 49 CFR Part 26.
- (9) This MOU applies only to projects for which the [City of Lago Vista](#) is a sub-recipient of federal funds through TxDOT. The [City of Lago Vista](#) may also implement a Minority and Women-Owned Small Business Enterprise (M/W/SBE) policy and program that applies to projects for which it is not a sub-recipient of federal funds through TxDOT and which are not subject to the TxDOT DBE Program. The [City of Lago Vista](#) may, at its option, use some aspects of the TxDOT DBE Program and other similar programs in implementing its other policies and programs for its non-federally funded projects.
- (10) The following attachments to this MOU are also incorporated as if fully set out herein for all purposes:

Attachment A – FHWA Memorandum HCR-1/HIF-1 (relating to access required by the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973);

Attachment B – SPECIAL PROVISION – LOCAL GOVERNMENT / RMA / NON-STANDARD CONTRACTS

Attachment C – 49 CFR §26.13 (contractual assurances)

Attachment D – DBE Program Compliance Guidance for Local Government Agencies

Attachment E – FHWA Form 1273

Attachment F – Texas Department of Transportation (TxDOT) Disadvantaged Business Enterprise (DBE) Program with attachments as follows:

Attachment F1 – DBE Regulations: 49 CFR Part 26

Attachment F2 – DBE Special Provisions 000-1966

Attachment F3 – TxDOT's Organizational Chart

Attachment F4 – Measurement and Payment Special Provision 009-007

Attachment F5 – Texas Unified Certification Program (TUCP) DBE directory example and website address to the directory

Attachment F6 – DBE Goal Methodology

Attachment F7 – DBE Bidder Certification

Attachment F8 – DBE Joint Check Approval Form

Attachment F9 – TUCP Standard Operating Procedures (SOP)

Attachment F10 – TUCP Memorandum of Agreement (MOA)

Attachment F11 – Forms list

- (11) The following procedure shall be observed by the parties in regard to any notifications:

(a) Any notice required or permitted to be given under this MOU shall be in writing and may be effected by personal delivery, by hand delivery through a courier or a delivery service, or by registered or certified mail, postage prepaid, return receipt requested, addressed to the proper party, at the following address:

City of Lago Vista
Gary Graham / Melissa Byrne Vossmer
City Engineer / City Manager

Hand Delivery:

5803 Thunderbird, Lago Vista, TX 78645

Registered or Certified Mail (Return receipt requested):

P.O. Box 4727, Lago Vista, TX 78645

TEXAS DEPARTMENT OF TRANSPORTATION

DBE Liaison
Office of Civil Rights
Address: 125 E. 11th Street
Austin, Texas 78701

(b) Notice by personal delivery or hand delivery shall be deemed effective immediately upon delivery, provided notice is given as required by Paragraph (a) hereof. Notice by registered or certified mail shall be deemed effective three (3) days after deposit in a U.S. mailbox or U.S. Post Office, provided notice is given as required by Paragraph (a) hereof.

(c) Either party hereto may change its address by giving notice as provided herein.

(12) This MOU may be modified or amended only by written instrument, signed by both the [City of Lago Vista](#) and the TxDOT and dated subsequent to the effective date(s) of this MOU. Except as authorized by the respective parties, no official, employee, agent, or representative of the parties has any authority, either express or implied, to modify or amend this MOU.

(13) The provisions of this MOU are severable. If any clause, sentence, provision, paragraph, or article of this MOU, or the application of this MOU to any person or circumstance is held by any court of competent jurisdiction to be invalid, illegal, or unenforceable for any reason, such invalidity, illegality, or unenforceability shall not impair, invalidate, nullify, or otherwise affect the remainder of this MOU, but the effect thereof shall be limited to the clause, sentence, provision, paragraph, or article so held to be invalid, illegal, or unenforceable, and the application of such clause, sentence, provision, paragraph, or article to other persons or circumstances shall not be affected; provided, however, the [City of Lago Vista](#) and TxDOT may mutually agree to terminate this MOU.

(14) The following provisions apply in regard to construction of this MOU:

(a) Words of any gender in this MOU shall be construed to include the other, and words in either number shall be construed to include the other, unless the context in this MOU clearly requires otherwise.

(b) When any period of time is stated in this MOU, the time shall be computed to exclude the first day and include the last day of the period. If the last day of any period falls on a Saturday, Sunday, or national holiday, or state or county holiday, these days shall be omitted from the computation. All hours stated in this MOU are stated in Central Standard Time or in Central Daylight Savings Time, as applicable.

(15) This MOU shall not be construed in any way as a waiver by the parties of any immunity from suit or liability that parties may have by operation of law, and the parties hereby retain all of their respective affirmative defenses.

EXECUTED in duplicate originals by TxDOT and City of Lago Vista, acting through each duly authorized official and effective on the latest date signed.

The signatories below confirm that they have the authority to execute this MOU and bind their principles.

TEXAS DEPARTMENT OF TRANSPORTATION

City of Lago Vista

By: _____
James M. Bass
Executive Director

By: _____
Dale Mitchell
Mayor

Date: _____

Date: _____



AGENDA ITEM

City of Lago Vista

To: Mayor & City Council Council Meeting: November 17, 2016

From: David Harrell, AICP, Director

Subject: RESOLUTION 16-1667: A RESOLUTION OF THE CITY OF LAGO VISTA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COBB-FENDLEY FOR PURPOSES OF DESIGN, PHASING, SURVEYING, TDLR COORDINATION, BID PHASE, AND CONSTRUCTION PHASING FOR THE LAGO VISTA MIDDLE SCHOOL SAFE ROUTES TO SCHOOLS (SRTS) PROJECT.

Request: Business Item Legal Document: Resolution Legal Review:

EXECUTIVE SUMMARY:

This is a professional services agreement between the City and one of our engineering firms of Cobb-Fendley & Associates Inc. to begin the engineering/design, surveying, TDLR/State Coordination, Bid Phasing, and the Construction Phasing for the Safe Routes to School (SRTS) project. The SRTS project is on a fast track time-frame as completed design plans must be submitted to the State by April 7, 2017.

Impact if Approved:

The SRTS project can continue forward and there is no risk to the project and construction funding

Impact if Denied:

The SRTS project CANNOT continue forward and there is risk to the project and construction funding.

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

Indicate Funding Source:

Capital Improvements Program - Project cost is \$175,783

Suggested Motion/Recommendation/Action

Motion to:

Motion to:

Motion to:

Known As:

RESOLUTION 16-_____ : A RESOLUTION OF THE CITY OF LAGO VISTA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COBB-FENDLEY FOR PURPOSES OF DESIGN, PHASING, SURVEYING, TDLR COORDINATION, BID PHASE, AND CONSTRUCTION PHASING FOR THE LAGO VISTA MIDDLE SCHOOL SAFE ROUTES TO SCHOOLS (SRTS) PROJECT.

Agenda Item Approved by City Manager

CITY OF LAGO VISTA, TEXAS

RESOLUTION NO. 16-_____

A RESOLUTION OF THE CITY OF LAGO VISTA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COBB-FENDLEY AND ASSOCIATES, INC. FOR PURPOSES OF DESIGN, PHASING, SURVEYING, TDLR COORDINATION, BID PHASE, AND CONSTRUCTION PHASING FOR THE LAGO VISTA MIDDLE SCHOOL SAFE ROUTES TO SCHOOLS (SRTS) PROJECT.

WHEREAS, the City will need to start design and engineering work associated with the Safe Routes to Schools Grant awarded to the City by the Capital Area Metropolitan Planning Organization (CAMPO), and

WHEREAS, the City desires, through the Lago Vista Middle School Safe Routes to School Project CSJ # 0914-04-301, to construct safe, accessible and welcoming pedestrian and traffic improvements within and adjacent to the Lago Vista Middle School campus; and;

WHEREAS, after this initial design and engineering it will be necessary to monitor the construction of the improvements within and adjacent to the Lago Vista Middle School campus for purposes of overview and quality.

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

1. That the City Council authorizes the City Manager to sign the Professional Services Agreement.

AND, IT IS SO RESOLVED

PASSED & APPROVED this, _____ day of _____ 2016.

Dale Mitchell, 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.

PROFESSIONAL SERVICES AGREEMENT

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

THIS AGREEMENT, is made and entered into this day by and between the City of Lago Vista, a municipal corporation, organized and existing under the laws of the State of Texas, acting by and through its duly authorized representative, and hereinafter referred to as the OWNER, and Cobb, Fendley, & Associates, Inc. acting by and through its duly authorized representative, hereinafter referred to as the ENGINEER.

WHEREAS, the OWNER has determined the need to undertake various projects that require general engineering services; and

WHEREAS, as a result of such apparent needs the OWNER has or will develop Work or Task Orders for specific Projects. Such Work or Task Orders will hereinafter be referred to as the PROJECT and will be attached hereto and incorporated herein as Attachment "A"; and

WHEREAS, to address the PROJECT needs, the OWNER requires professional engineering and associated services; and

WHEREAS, the ENGINEER, having professional and technical employees versed in fields of endeavor appropriate for the conduct of the PROJECT including employees duly licensed and registered to practice engineering in the State of Texas, and employees or Subconsultants duly licensed and registered in the State of Texas to provide land surveying and other required professional services, and has the professional abilities and expertise to undertake the required services; and

WHEREAS, the ENGINEER has agreed to provide professional engineering and related services for PROJECT, as is more fully set out in Attachment "A";

NOW THEREFORE, the OWNER and the ENGINEER, in consideration of their mutual covenants herein, agree in respect to the performance of the professional services to be furnished or rendered by the ENGINEER and to the payment for these services by the OWNER, as set forth above and hereinafter.

SECTION I

EMPLOYMENT OF THE ENGINEER AND PERFORMANCE OF SERVICES

A. GENERAL

The OWNER agrees to employ the ENGINEER and the ENGINEER agrees to perform the professional engineering and other professional services as stated in Attachment "A" and in the Sections to follow; and, in rendering such services, the OWNER agrees to compensate the ENGINEER as stated herein. The OWNER will generally employ ENGINEER as follows:

1. For a PROJECT that arises out of known needs and/or is covered by the current budget of OWNER, the City Manager may approve and assign such PROJECT; or
2. City Council and/or City Manager may award ENGINEER a PROJECT after receiving a statement of qualifications and scope of services that best serve the needs of OWNER.

Nothing in this AGREEMENT provides for an exclusive arrangement with ENGINEER for all the engineering services which may be needed by OWNER,

but an assignment of specific engineering services pursuant to Work or Task Orders which are or will be attached hereto and incorporated herein as Attachment "A" and hereinafter referred to as the PROJECT. ENGINEER shall report to OWNER'S designated representative for the PROJECT (see Section IV also). To the extent of any conflict between the terms of this AGREEMENT, and the provisions set forth in Attachment A, the terms of this AGREEMENT shall control.

B. PERFORMANCE OF SERVICES

The ENGINEER'S associated subconsultants to be utilized in the performance of the PROJECT professional services (as described in Section II following) are identified in Attachment "C." The persons identified as principal ENGINEER and the subconsultants shown in Attachment "C" shall not be changed except with the OWNER'S prior written acknowledgment and concurrence, which shall not be unreasonably withheld. If MBE/WBE participation is required by law or the terms of the grant used to fund the PROJECT, and in the event that the ENGINEER proposes the termination of an identified "Minority Business Enterprise" (MBE) or a "Women Business Enterprise" (WBE) certified subconsultant firm from its employ on this PROJECT, the ENGINEER shall substitute a subconsultant firm of like certification. If the ENGINEER is unable to substitute a subconsultant firm of like certification, the ENGINEER shall provide OWNER with documentation of their efforts to acquire the services of a MBE/WBE replacement firm. The OWNER'S MBE/WBE certifications shall solely apply to this AGREEMENT.

C. GEOTECHNICAL LABORATORY SERVICES

If geotechnical laboratory services are provided for the PROJECT through this AGREEMENT, either by the ENGINEER or its subconsultant(s), these services shall be performed by a laboratory accredited, in soils or geotechnical testing as appropriate, by the American Association of Laboratory Accreditation or by the American Association of State Highway and Transportation Officials. The ENGINEER agrees to provide evidence to the OWNER of such accreditation on an annual basis for the duration of this AGREEMENT.

SECTION II

BASIC PROJECT SERVICES OF THE ENGINEER

The ENGINEER shall serve as the OWNER'S professional consultant in those phases of the PROJECT to which this AGREEMENT applies; and, will give consultation and advice to the OWNER during the performance of its services.

The ENGINEER shall, in the scope of its work, perform the services described in Attachment "A" which shall be attached hereto and incorporated herein for all purposes as the PROJECT. ENGINEER shall only commence the work described in Attachment "A" as authorized by the OWNER (in subsequent written authorizations to proceed) as described hereinafter. All work performed in connection with this AGREEMENT shall be performed in accordance with high professional standards, and within the time periods for the completion of the services required by this AGREEMENT. Once ENGINEER is authorized to perform services, ENGINEER shall commence the performance of the services within ten (10) calendar days following authorization and shall diligently pursue the same to completion in a timely manner.

If a time period for performance of the services is not set out herein, OWNER and ENGINEER may hereafter agree upon the time period for the completion of services.

As part of its Basic Services, ENGINEER shall provide OWNER on completion of any design, or any phase of a design, with the number of sets of plans for OWNER's use agreed to by OWNER and ENGINEER, but in no event fewer than five (5) sets, and sufficient sets for the use of Contractors and subcontractors in bidding out the PROJECT. ENGINEER may establish a fee to Contractors or subcontractors for complete sets of plans to be used by them as part of the bid process in accordance with customary practice within the area in which the PROJECT is located. All plans provided in connection with this AGREEMENT shall be certified by the ENGINEER as complying with all applicable Federal, State and local laws, and shall be signed and sealed by the ENGINEER. All subconsultants that perform a component of the design services required under this AGREEMENT, shall similarly prepare a plan showing their portion of the design work, as appropriate, which is similarly certified to, signed and sealed by the subconsultant.

SECTION III

CHANGES IN WORKSCOPE

OWNER, without invalidating this AGREEMENT or the PROJECT, may order changes within the general scope of the PROJECT by altering, adding to and/or deleting or deducting from the PROJECT to be performed. If any changes made under this clause to the PROJECT cause an increase or decrease in the ENGINEER'S cost of, or the time required for, the performance of part of the PROJECT, an equitable adjustment will be made by mutual agreement and the PROJECT will be modified in

writing accordingly. Notwithstanding the foregoing, should the PROJECT be changed or amended due to some error on the part of the ENGINEER, the only equitable adjustment that will be made shall be to the benefit of the OWNER.

SECTION IV

ADDITIONAL SERVICES OF THE ENGINEER

If ENGINEER determines that services outside the scope of PROJECT (“Additional Services”) are required or recommended, or that ENGINEER is being asked by OWNER to perform services not covered by PROJECT, ENGINEER shall notify OWNER that such services are Additional Services, and the cost associated with their performance prior to undertaking them. Any provision in this Agreement to the contrary notwithstanding, OWNER shall not be liable to ENGINEER for the costs of any Additional Services in connection with the PROJECT unless OWNER has agreed in writing to the performance of the services, which have been identified to OWNER as Additional Services, including the cost for such services, prior to the commencement of such services.

SECTION V

THE OWNER'S RESPONSIBILITIES

The OWNER will:

- A. Provide full information as to its requirements for the PROJECT.
- B. Designate the OWNER'S REPRESENTATIVE for this PROJECT. ENGINEER understands and agrees that ENGINEER shall obtain instruction and direction of the services to be performed hereunder only from OWNER's designated

OWNER'S REPRESENTATIVE or other representative designated by OWNER in writing. ENGINEER shall not perform services directed or requested by any other person, unless approved by OWNER'S REPRESENTATIVE or other designated representative in writing. In the event ENGINEER is uncertain whether or not it is authorized to perform services, ENGINEER shall seek confirmation from OWNER'S REPRESENTATIVE or other designated representative.

- C. Assist ENGINEER by placing at its disposal available reports and other data relevant to the development of the PROJECT which OWNER has had performed in connection with the property or the PROJECT by other service providers.
- D. Assist ENGINEER in gaining entry to public and private property as may be required by the ENGINEER in the performance of their services under this AGREEMENT.
- E. Examine all studies, reports, sketches, estimates, proposals and other documents presented by the ENGINEER and render decisions pertaining thereto within a reasonable time so as not to unreasonably delay the services of the ENGINEER.
- F. Furnish, or direct ENGINEER (by way of written Supplemental Amendment to this AGREEMENT (see Section VI) to provide necessary Additional Services as stipulated in Section III of this AGREEMENT or other services as may be required by the OWNER.

SECTION VI

PAYMENTS TO THE ENGINEER

A. OWNER agrees to pay the ENGINEER as full compensation for the professional engineering and associated services herein contracted for as follows:

1. Basic Services: The total fee for all tasks identified in Attachment "A" shall not exceed the amount set out in Attachment "A" ("Basic Services Fee"). Unless otherwise agreed to by the parties in writing, reimbursable expenses, including, but not limited to copying charges, long-distance phone calls, travel expenses, will be included within the Basic Services Fee. If the parties agree that reimbursable expenses are to be billed separately, they shall also itemize the expenses that will be reimbursed and agree on a not-to-exceed amount for such reimbursable expenses.
2. Additional Services: Compensation will be charged based on the actual hours expended by ENGINEER'S personnel and billed at ENGINEER'S Standard Hourly Rates identified in Attachment "B" attached hereto and incorporated herein for all purposes. These rates shall be reviewed and renegotiated annually on the anniversary of the Agreement.
3. Reimbursable Expenses: Reimbursable expenses include transportation and subsistence, reproduction costs and similar items, as identified and agreed to by the parties hereto, and shall be invoiced at direct cost with no overhead mark-up.
4. OWNER agrees to pay ENGINEER a retainer in the amount of \$0.00 when this AGREEMENT is signed by OWNER. ENGINEER shall hold this retainer until completion or termination of this AGREEMENT. At

the time of completion or termination of this AGREEMENT, OWNER authorizes ENGINEER to apply the retainer to any unpaid invoices on this AGREEMENT and return the balance, if any, of the retainer to OWNER at OWNER'S address of record as set out above.

B. METHOD OF PAYMENT

1. Payments on account of ENGINEER'S work on the PROJECT shall be made to ENGINEER at its office, within thirty (30) calendar days after invoice is received and approved by OWNER for payment, subject to the terms of this AGREEMENT.
2. For all services rendered, payment for undisputed amounts is due as provided above, subject to the rights and remedies of OWNER. Invoices for payment of services shall not be submitted to OWNER more frequently than once per month. Billing shall include reasonable documentation of cost of services rendered during the previous month in such form and with such content as OWNER may reasonably require. Interest shall accrue on undisputed amounts which have not been paid in accordance with the provisions of this AGREEMENT and are past due, in accordance with the provisions of Section 2251.021 of the Texas Government Code, unless delay in payment is due to the fault of ENGINEER including improper, contested or inadequate billing procedures followed by the ENGINEER, or the exercise of any rights or remedies by OWNER under the terms of this AGREEMENT.
3. Invoice amounts in excess of the maximum not-to-exceed amount(s) identified above, incurred prior to OWNER'S written consent shall be at

ENGINEER'S risk and OWNER is not obligated to pay such billings or expenses. ENGINEER shall closely monitor the amount of their work and notify OWNER within five (5) working days when expenditures for any phase of work reaches eighty (80) percent of the maximum not-to-exceed amount(s) identified herein. Nothing herein shall be construed to require the OWNER to increase the approved maximum not-to-exceed contract amount(s) established under this AGREEMENT.

4. For all services rendered, ENGINEER'S payment to subconsultants is due within ten (10) calendar days after receipt of payment from the OWNER and, when appropriate, OWNER may issue joint checks to the ENGINEER and subconsultants.
5. Cost of services furnished by subcontractors or subconsultants on shall be reimbursed at invoice cost, unless otherwise agreed to by the parties in writing.

SECTION VII

TERMINATION AND DEFAULT

The OWNER shall have the right to terminate this AGREEMENT at any time after thirty (30) calendar days notice to the ENGINEER. OWNER shall pay the ENGINEER for services rendered and obligations incurred to date of termination and ENGINEER shall submit to the OWNER all Work and documents prepared to that point. Payment to the ENGINEER of lump-sum not-

to-exceed amounts shall be proportional to services performed to the date of termination.

In the event OWNER, through no fault of ENGINEER, fails to perform one or more of its obligations under the terms of this Agreement, ENGINEER shall provide OWNER with written notice of the default, and a reasonable opportunity to cure the same, but in no event shall such cure opportunity be less than thirty (30) calendar days. If OWNER fails to cure a material default, or to initiate appropriate action to cure a material default, within such cure period, then ENGINEER shall have the right, as its exclusive remedy, to terminate this Agreement, in which event OWNER shall be liable to ENGINEER for all services rendered and obligations incurred to date of termination and ENGINEER shall submit to the OWNER all Work and documents prepared to that point. Payment to the ENGINEER of lump sum not to exceed amounts shall be proportional to services performed to the date of termination.

In the event ENGINEER, through no fault of OWNER, fails to perform one or more of its obligations hereunder or defaults under the terms of this AGREEMENT, OWNER shall provide ENGINEER with notice of the default, and a reasonable opportunity, not to exceed thirty (30) days to cure the same. In the event a cure is not effected during such cure period, OWNER, in addition to any other rights and remedies provided by this AGREEMENT, shall have the right to pursue one or more of the following: (a) terminate this AGREEMENT, (b) withhold payments due to ENGINEER until the default is cured to OWNER's

satisfaction, or (c) pursue any rights and remedies available at law or equity. All rights and remedies provided by this AGREEMENT, or available at law or equity shall be cumulative and not exclusive, and may be exercised concurrently or successively.

SECTION VIII

SUCCESSOR AND ASSIGNS

This AGREEMENT shall be binding upon and inure to the benefit of the parties hereto and their respective successors, executors and assigns. The foregoing notwithstanding, the ENGINEER shall not assign or transfer its interest in this AGREEMENT without the prior written consent of the OWNER. Any transfer or assignment made without OWNER'S prior written consent shall not be binding upon OWNER unless expressly ratified by OWNER in writing, and shall not relieve ENGINEER of its obligations hereunder.

SECTION IX

OWNERSHIP AND USE OF DOCUMENTS

The ENGINEER agrees that items such as plans, drawings, photos, designs, studies, specifications, data, computer programs, schedules, technical reports, or other work products which are required or specified to be delivered under this AGREEMENT, and which are to be paid for by the OWNER, are subject to the rights of the OWNER in effect on the date of execution of this AGREEMENT. These rights include the right to use, duplicate and disclose such items, in whole or in part, in any manner and for whatever purpose; and, to have others do so, and to use such items in

connection with the PROJECT and any subsequent alterations thereto. If an item produced by the ENGINEER is copyrightable, the ENGINEER may copyright it, subject to the rights of the OWNER. The OWNER reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish, modify and use such items and to authorize others to do so. Without limiting the generality of the foregoing, if the services of ENGINEER are terminated under this AGREEMENT, OWNER shall have the right to use the work produced by ENGINEER, and to allow others to do so, in connection with the PROJECT. The ENGINEER shall include in its subconsultant contracts appropriate provisions to achieve the purpose of this Section VIII.

All such items furnished by the ENGINEER pursuant to this AGREEMENT are considered instruments of its services in respect to the PROJECT. It is understood that the ENGINEER does not represent such items to be suitable for reuse on any other project. If the OWNER reuses such items without the ENGINEER'S specific written verification or adaptation, such reuse will be at the risk of the OWNER, without liability to the ENGINEER. Any such verification or adaptation requested by the OWNER may entitle the ENGINEER to further compensation at an amount agreed upon between the OWNER and the ENGINEER.

SECTION X

ENGINEER'S RESPONSIBILITY AND LIABILITY

All services performed in connection with this AGREEMENT shall be performed in accordance with high professional standards, in a non-negligent manner, free from defects, and in accordance with the terms of this AGREEMENT. Acceptance and approval by the OWNER of the final PROJECT Report or other documents or services

produced by ENGINEER, shall not constitute nor be deemed a release of the responsibilities and liability of the ENGINEER for the accuracy and competency of the ENGINEER'S work products, design, or other documents, and services prepared/performed under this AGREEMENT. No approvals or acceptances by or on behalf of the OWNER shall be deemed to be an assumption of such responsibility by the OWNER for any defect, error or omission in said work products, design or other documents and services as prepared/performed by the ENGINEER or its subconsultants. Without limiting the generality of the foregoing, ENGINEER will assist OWNER in establishing a Fixed Construction Budget for the PROJECT, and in designing the PROJECT to fall within the Fixed Construction Budget. In the event that the PROJECT is let for bids, and the lowest responsible bid exceeds the Fixed Construction Budget, OWNER may (i) agree to proceed with the PROJECT as designed and pay the excess construction costs, (ii) terminate the PROJECT, or (iii) require the ENGINEER to redesign the PROJECT at no additional cost to OWNER, in accordance with design-criteria, specifications and plans approved by OWNER to fit within the Fixed Construction Budget. The ENGINEER'S opinions of probable construction costs provided for herein are to be made on the basis of the ENGINEER'S experience and qualifications and represent the ENGINEER'S best judgment as an experienced and qualified professional generally familiar with the industry. Although the ENGINEER has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the ENGINEER cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions

of probable construction cost prepared by the ENGINEER, the OWNER shall have the rights provided for in this Section.

The ENGINEER further agrees to correct programs or documents or re-execute services as may be required due to the ENGINEER'S development of programs or documents which are found to be in error or contain defects or omissions at no additional cost to the OWNER.

Redesigns required or occasioned for the convenience of the OWNER shall be paid for as provided and prescribed hereinbefore under Additional Services of the ENGINEER, but only if such Additional Services are required in writing by OWNER as required herein.

If the ENGINEER's scope of services includes contract administration in connection with the construction of the PROJECT, the ENGINEER shall be responsible for overseeing the Contractor's performance of its construction obligations, reviewing submissions required by the Contract Documents, responding to requests for clarification, reviewing applications for payment and advising OWNER whether to pay all or any portion of the same, reviewing the contractor's work for compliance with the Engineer's design and the Construction Documents, and reporting any problems or potential problems to the OWNER with regard to the construction, and keeping OWNER apprised of the Contractor's work, and assisting OWNER with disputes or claims with Contractor involving the work, all in a timely manner so as not to delay construction, and to prevent or mitigated consequences to OWNER of any of problem with the construction or Contractor's performance. The ENGINEER is not responsible for any failure of the Contractor to perform its contract obligations, but ENGINEER is responsible for the performance of ENGINEER's services in connection

with this AGREEMENT. The ENGINEER will also review the PROJECT prior to the expiration of any warranty period, and assist OWNER with identifying defects in material or labor and securing Contractor's repair or replacement of defective work.

ENGINEER understands that OWNER may require ENGINEER to temporarily suspend work. OWNER understands that the suspension of work by ENGINEER may cause ENGINEER to incur additional costs to resume work, whether on Basic or Additional Services, and OWNER agrees to reimburse ENGINEER for such reasonable and unavoidable additional costs in an amount to be agreed upon by ENGINEER and OWNER in writing at time ENGINEER has been given written notice of the suspension.

SECTION XI

PERIOD OF SERVICE

- A. The ENGINEER contracts and agrees to commence work provided for herein within five (5) working days from the date of OWNER'S written authorization to proceed for each phase of work identified in Attachment "A."
- B. This AGREEMENT shall remain in force for a period required for the completion of the PROJECT, including required extensions thereto and warranty period services, unless discontinued by any of the several provisions included elsewhere in this AGREEMENT.

SECTION XII

MAINTENANCE OF AND RIGHT OF ACCESS TO RECORDS

The ENGINEER agrees to maintain appropriate accounting records of costs, expenses and payrolls of employees working on the PROJECT together with documentation and evaluations and study results, for a period of five (5) years after final payment for completed services and all other pending matters concerning this AGREEMENT have been closed. The ENGINEER further agrees that the OWNER, or their duly authorized representative(s), shall have access to any and all books, documents, papers and records of the ENGINEER which are directly pertinent to the services to be performed under this AGREEMENT for the purposes of making audit, examination, excerpts and transcriptions.

SECTION XIII

VENUE

VENUE AND JURISDICTION OF ANY SUIT, RIGHT OR CAUSE OF ACTION ARISING UNDER OR IN CONNECTION WITH THIS AGREEMENT SHALL LIE, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE PARTIES CONSENT TO VENUE EXCLUSIVELY IN, COURTS OF COMPETENT JURISDICTION IN TRAVIS COUNTY, TEXAS, OR IN FEDERAL COURTS IN WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION.

SECTION XIV

INSURANCE REQUIREMENTS

The ENGINEER agrees to carry and maintain insurance in the following types and amounts for the duration of this AGREEMENT, and furnish certificates of

insurance and make available copies of policy declaration pages and policy endorsements as evidence thereof:

1. Workers' Compensation and Employers' Liability coverage with limits consistent with statutory benefits outlined in the Texas Workers' Compensation Act and minimum policy limits for employers Liability of \$100,000 bodily injury per accident, \$500,000 bodily injury disease policy limit and \$100,000 per disease per employee.
 - a. Waiver of Subrogation in favor of the OWNER, endorsement WC420304.
 - b. Thirty (30) Calendar Day Notice of Cancellation in favor of the OWNER, endorsement WC 420601.
2. Commercial General Liability with a combined single limit of \$500,000 per occurrence for coverages A&B including products/completed operations, where appropriate, with a separate aggregate of \$500,000. The policy shall contain the following provisions:
 - a. Blanket contractual liability coverage for liability assumed under the AGREEMENT and all contracts relative to the PROJECT.
 - b. Independent Contractors coverage.
 - c. OWNER listed as an additional insured, endorsement CG 2010.
 - d. Thirty (30) calendar day Notice of Cancellation in favor of the OWNER, endorsement CG 0205.
 - e. Waiver of Transfer of Rights of Recovery Against Others in favor of the OWNER, endorsement CG 2404.
3. Business Automobile Liability Insurance for all owned, non-owned and hired vehicles with a minimum combined single limit of \$500,000 per occurrence for

bodily injury and property damage. Alternate acceptable limits are \$250,000 bodily injury per person, \$500,000 bodily injury per occurrence and \$100,000 property damage liability per accident. The policy shall contain the following endorsements in favor of the OWNER:

- a. Waiver of Subrogation endorsement TE 2046A.
 - b. Thirty (30)-calendar day Notice of Cancellation, endorsement TE 0202A.
 - c. Additional Insured, endorsement TE 9901B.
4. Professional Liability Insurance with a minimum limit \$500,000 per claim and in the aggregate to pay on behalf of the assured all sums which the assured shall become legally obligated to pay as damages by reason of any negligent act, error, or omission committed or alleged to have been committed with respect to plans, maps, drawings, analyses, reports, surveys, change orders, designs, or specifications prepared or alleged to have been prepared by the assured. The policy shall provide for thirty (30) calendar day notice of cancellation in favor of the OWNER.

ENGINEER shall require each Subconsultant to maintain the same insurance with the same endorsements in favor of OWNER, unless otherwise agreed by OWNER in writing.

General Requirements

The ENGINEER shall be responsible for insurance premiums, deductibles and self-insured retentions, if any, stated in policies. All deductibles or self-insured retentions shall be disclosed on the certificates of insurance required above.

Applicable to all insurance policies: If coverage is underwritten on a claims-made basis, the retroactive date shall be coincident with or prior to the date of this

AGREEMENT and the certificate of insurance shall state that the coverage is claims made and the retroactive date. The ENGINEER shall maintain continuous coverage for the duration of this AGREEMENT and for not less than twenty-four (24) months following substantial completion of the PROJECT. Coverage, including any renewals, shall have the same retroactive date as the original policy applicable to the PROJECT. The ENGINEER shall, on at least an annual basis, provide the OWNER with a certificate of insurance as evidence of such insurance.

If insurance policies are not written for amounts specified above, the ENGINEER shall carry Umbrella or Excess Liability Insurance for any differences in amounts specified. If Excess Liability Insurance is provided, it shall follow the form of the primary coverage.

The ENGINEER shall not commence work under this AGREEMENT until they have obtained the required insurance and until such insurance has been reviewed by the OWNER. The ENGINEER shall not allow any subconsultants to commence work until the required insurance has been obtained and approved. Approval of insurance by the OWNER shall not relieve or decrease the liability of the ENGINEER hereunder.

Insurance shall be written by a company licensed to do business in the State of Texas at the time the policy is issued and shall be written by a company with an A. M. Best rating of B+VII or better.

Certificate of Insurance and all endorsements shall read:

City of Lago Vista
5803 Thunderbird St.
Lago Vista, Texas 78645
Attn: City Manager

The "other" insurance clause shall not apply to the OWNER where the OWNER is an additional insured shown on the policy. It is intended that policies required in

this AGREEMENT, covering both the OWNER and the ENGINEER, shall be considered primary coverage as applicable.

The OWNER shall be entitled, upon request and without expense, to receive copies of policies and endorsements thereto and may make any reasonable requests for deletion or revision or modification of particular policy terms, conditions, limitations, or exclusions except where policy provisions are established by law or regulations binding upon either of the parties hereto or the underwriter on any such policies and if such request for deletions, revisions, or modifications are commercially available.

The ENGINEER shall not cause any insurance required under this AGREEMENT to be canceled nor permit any insurance to lapse during the term of this AGREEMENT.

The OWNER reserves the right to review the insurance requirements of this section during the effective period of the AGREEMENT and to make reasonable adjustments to insurance coverages and their limits when deemed necessary and prudent by the OWNER based upon changes in statutory law, court decisions or the claims history of the industry as well as the ENGINEER (such adjustments shall be commercially available to the ENGINEER). If the implementation of such revised insurance coverages/limits would result in additional costs to the ENGINEER, the ENGINEER may request additional compensation from the OWNER under the provisions of Section V, Paragraph B herein.

Actual losses not covered by insurance as required by this AGREEMENT shall be paid by the ENGINEER.

The ENGINEER hereby expressly agrees to indemnify and hold harmless the OWNER and the OWNER'S officers, agents and

employees, from and against all expenses, claims, demands, costs, causes of action, and liability of every kind and nature, including reasonable attorney's fees for the defense of all claims and demands (collectively, "Costs"), arising directly from, or in any way connected with, but to the extent caused by, the negligent performance of services in connection with this AGREEMENT by the ENGINEER, its officers, agents, employees and parties with whom it contracts, including Subconsultants, and from all Costs in connection with injury or property damages arising from the performance of services under this Agreement by ENGINEER, its employees, agents, representatives and parties with whom it contracts, including Subconsultants.

OWNER and ENGINEER waive subrogation and hereby release each other, and their respective employees and officers, and representatives from liability for all damages, expenses and costs ("Costs"), to the extent, but only to the extent, that such amounts are covered by insurance proceeds actually paid and applied to the satisfaction of such Costs.

SECTION XV

POLLUTANTS AND HAZARDOUS WASTES

It is understood and agreed by both parties that ENGINEER has neither created nor contributed to the creation or existence of any hazardous, radioactive, toxic, irritant, pollutant, or otherwise dangerous substance or condition ("Hazardous Conditions") present at the PROJECT as of commencement of the work on the PROJECT ("Preexisting Hazardous Conditions), if any, and ENGINEER'S compensation hereunder is not commensurate with the potential risk of injury or loss that may be caused by exposure to such Hazardous Conditions. The parties agree that in performing the services required by the PROJECT and this AGREEMENT, ENGINEER does not take possession or control of the subject site and is not therefore responsible for the existence of any pollutant present on or migrating from the site, except for any Hazardous Conditions introduced, caused or created by ENGINEER or its representatives or subcontractors. ENGINEER shall have no responsibility for any

Preexisting Hazardous Condition during clean-up, transportation, storage or disposal activities related to those Pre-existing Hazardous Conditions, provided that ENGINEER has not acted in a way that has exacerbated any such Preexisting Hazardous Condition or increased the cost of or difficulty of removing such Preexisting Hazardous Condition and remediating the site. ENGINEER and its Representative and Subcontractors shall promptly inform OWNER of any Preexisting Hazardous Condition or other Hazardous Condition upon discovery.

SECTION XVI

COMPLIANCE WITH ALL LAWS

During the performance of the services provided by this AGREEMENT, the ENGINEER agrees to comply, and to require its Subconsultants to comply, with all Federal, State and local laws and regulations applicable to the services or the Project.

SECTION XVII

CERTIFICATE OF ENGINEER

The individual(s) signing this AGREEMENT, acting as duly authorized representative(s) of the firm of ENGINEER hereby certify that neither they nor any other members of the ENGINEER'S firm which they represent have:

- A. Agreed, as an expressed or implied condition for obtaining this AGREEMENT, to employ or retain the services of (1) any firm or person in the employ of the OWNER or, (2) an OWNER official, in connection with carrying out the work to be performed under this AGREEMENT.

- B. Paid or agreed to pay as an express or implied condition for obtaining this AGREEMENT (1) any firm or person in the employ of the OWNER or, (2) an OWNER official, any fee, contribution, donation or consideration of any kind for, or in connection with procuring or carrying out the work provided under the AGREEMENT.

The ENGINEER further acknowledges that this certification may be furnished to any Local, State and Federal Governmental Agencies of the United States in connection with this AGREEMENT and for portions of the PROJECT involving participation of Agency Grant funds and is subject to all applicable State and Federal laws, both criminal and civil.

SECTION XVIII

ADDITIONAL PROVISIONS

During the performance of the contract, ENGINEER agrees as follows:

- A. The Engineer will not discriminate against any employee or applicant for employment because of race, religion, color, gender, sexual orientation, gender identity, or national origin. The engineer will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, color, gender, sexual orientation, gender identity, or national origin.
- B. The Engineer will, in all solicitations or advertisements for employees place by or on behalf of the Engineer, state that all qualified applicants will receive consideration for employment without regard to race,

religion, color, gender, sexual orientation, gender identity, or national origin.

SECTION XIX

MISCELLANEOUS

A. SEVERABILITY

If any word, phrase, clause, sentence or provision of the AGREEMENT, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, invalid or unenforceable, such finding shall only effect such word, phrase, clause, sentence or provision, and such finding shall not effect the remaining portions of the AGREEMENT, this being the intent of the parties in entering unto this AGREEMENT; and all provisions of this instrument are declared to be severable for this purpose.

B. CONSTRUCTION OF AGREEMENT

Although the AGREEMENT is substantially drafted by one (1) party, it is the intent of the parties that all provisions be construed in a manner to be fair to both parties, reading no provisions more strictly against one party or the other.

C. ENGINEER'S PROJECT PURCHASES

All durable PROJECT equipment, tools, materials, etc., if any, purchased by the ENGINEER and invoiced to the OWNER shall be considered the property of the OWNER and shall be given over to the OWNER at the time of OWNER'S request or at the completion of the PROJECT.

D. FULL AND FINAL AGREEMENT

This AGREEMENT (consisting of this document and, where applicable, OWNER'S Request for Qualifications ("RFQ") which is incorporated herein by reference for all purposes to the extent that such RFQ is not inconsistent with this document and also including ENGINEER'S proposal and submittals, where applicable, to the extent that such proposal and submittals are not inconsistent with this document or the RFQ) constitutes the entire agreement of the parties concerning the subject matter hereof, and may only be amended by a written document signed by both parties. All prior and contemporaneous understandings, whether written or oral, are merged herein.

E. NOTICE

Any notice required to be given under the terms of this Agreement shall be in writing. Notice shall be deemed delivered, whether or not actually received, three (3) calendar days after it is deposited in the U.S. Mail, certified mail, return receipt requested, properly addressed as set forth below with correct postage, with a copy sent concurrently by facsimile. Notice given in any other way shall be effective when and if actually received.

Executed to be effective as of the ____ day of _____, 2015.

City of Lago Vista

By: _____
Melissa Byrne Vossmer
City Manager

Address for Notice:

Mailing address:

City of Lago Vista
5803 Thunderbird
Lago Vista, Texas 78645

ENGINEER

Cobb, Fendley & Associates, Inc.

By: _____

Name: Dan Warth, PE

Title: Regional Manager

Address for Notice:

505 E. Huntland Drive
Suite 100
Austin, Texas 78759

List of Attachments:

Attachment "A" -- Work or Task Orders ("PROJECT")

Attachment "B" -- Schedule of Hourly Rates for ENGINEER and its Subconsultants.

Attachment "C" --List of any Subcontractors/Subconsultants and whether
MBE/WBE

Attachment A

Work or Task Orders

SRTS Bar K Ranch Road

The City of Lago Vista is engaging in a Safe Routes to School Project along Bar K Ranch and within the Lago Vista Middle and High School areas. The project includes approximately 5,500 linear feet of 4' sidewalk improvements as illustrated on Exhibit 1. The following describes scope to provide Design, Bid, and Construction Phase Services for this project.

I. Sidewalk Design

I.A. Design Plans

This proposal assumes that sidewalk plans will be depicted on aerial imagery with direction to the Contractor on location of sidewalks and reference to sidewalk design standards to guide construction. However, based on initial field visits, several areas will require detailed engineered design drawings. These areas (described below) have either running or cross slopes that exceed TDLR standards and will require additional design. Refer to Exhibit 1 for a graphical description of the project areas. This proposal includes a design submittal at 60%, 90%, and 100% design completion.

- Area 1. Bar K Ranch Road. Steep slopes along the roadway will require survey to determine feasibility of including the sidewalk within the ROW. ROW survey along Bar K Ranch Road is also included.
- Area 2. Ball Field Access. If the City prefers to maintain the access drive in addition to the sidewalk it will require retaining walls to accommodate the 4' sidewalk and access drive. ROW survey along FM1431 has also been included. In addition, steep slopes along the south side of Bar K Ranch Road near FM1431 require survey to determine sidewalk design.
- Area 3. LVISD Ball Field Access. This area encompasses several subareas of steep slopes including around the parking spots, along the baseball field fence, and along the driveway.
- Area 4. LVISD Amphitheater. Steep slopes between the access drive and amphitheater could result in the need for retaining walls in this area.

Below is a detailed list of plan sheets included. Plans will be developed using TxDOT Standards.

- I.A1. Cover Sheet
- I.A2. Index Sheet
- I.A3. General Notes
- I.A4. Quantity Sheets.
- I.A5. Survey Control Sheet.

- I.A6. Legend / Typical Sections Sheet. This sheet will provide typical cross-sections to be referenced in the Sidewalk Layout Sheets. Anticipate creating a typical section for sidewalk next to rural roadway section, sidewalk next to curb and gutter roadway section, and sidewalk with swale.
 - I.A7. General Layout Sheet
 - I.A8. Sidewalk Layout Sheets. Schematic-level design over aerial imagery.
 - I.A8i. Bar K Ranch Road. 3,100 linear feet of new sidewalk design. 4 sheets.
 - I.A8ii. Pool Access Road. 500 linear feet of new sidewalk design. 1/2 sheet.
 - I.A8iii. Ball Field Access Road. 350 linear feet of new sidewalk design. 1/2 sheet schematic.
 - I.A8iv. Parking Lot Sidewalk Repair. 100 linear feet of sidewalk repair. 1 sheet schematic.
 - I.A8vi. LVISD Ball Field Access. 900 linear feet of new sidewalk design. 2 sheets schematic.
 - I.A8vii. LVISD Amphitheater Access. 150 linear feet of new sidewalk design. 1 sheet schematic.
 - I.A9. Sidewalk Detail Design Sheets. Specific area sidewalk design sheets.
 - I.A9i. Bar K Ranch Road. Detailed design at Bar K Ranch and Frontier Cove; details for ditch cross-section along Bar K Ranch Road from FM1431 to Chestnut Cove; and detail design at Bar K Ranch and FM1431 (3 sheets). Note that this proposal does not include detailed drainage design for the roadside drainage ditch.
 - I.A9ii. Ball Field Access Road. Detailed design for sidewalk design, roadway reroute, and potential retaining wall (1 sheet). Note that this proposal assumes that all retaining walls will be designed using TxDOT standards and will not require structural engineering design.
 - I.A9iii. LVISD Ball Field Access. Detailed design of sidewalk around parking spots; detailed design of sidewalk along ball field fence; and detailed design of sidewalk along driveway (3 sheets).
 - I.A9v. LVISD Amphitheater. Detailed design for sidewalk around amphitheater (1 sheet).
 - I.A10. Traffic Control Layout. Traffic control for sidewalk design will be presented in schematic with reference to standard details for device layout.
 - I.A11. Erosion and Sedimentation Control. Proposal assumes that TxDOT standard sheets (EPIC, SW3P Index, and SW3P Layout sheets) will be required for E&S.
 - I.A12. TxDOT Standards. Compile TxDOT standard detail sheets including sidewalk, traffic, drainage, and E&S).
- I.B. Specifications and Estimate.
- II.B1. Determine quantities for sidewalk, TCP, and drainage for each submittal for use in quantity sheets and bid form. The bid form will reference TxDOT standard bid items.
 - II.B2. CobbFendley will assemble a project manual. It is assumed that front end documents will be provided to CobbFendley and will be edited to be project-specific. Standard TxDOT Technical Specifications will be included for sidewalk design. A Table of Contents will be submitted at 60%. A complete project manual will be included with the 90% and 100% submittals.
 - II.B3. Cost Estimate. CobbFendley will prepare a cost estimate at each submittal.

I.C. QA/QC. An independent quality review check will be conducted prior to each submittal.

I.D. Project Management.

- I.D1. Coordination / Review Meetings. This proposal assumes three (3) meetings with the City of Lago Vista, three (3) meetings with TxDOT, three (3) meetings with LVISD, and three (3) meetings with the City's grant administrator. This proposal does not include any additional submittals, reports, or coordination that might be required for the administration of the grant.
- I.D2. Respond to reviewer comments. A formal written response will be returned to the reviewers at each submittal.
- I.D3. Project Management. Preparation of project status updates, coordination with consultants, and general project management.

II. Survey.

The project area will encompass topographic site survey of 4 areas as discussed above and shown in Exhibit 1. A right-of-way survey will be performed along RM 1431 and Bar-K Ranch Road. The topographic and right-of-way survey is described below.

II.A. Topographic survey of described areas.

- II.A1. Place a utility location request with "One Call" system designating of the underground utilities within the project limits.
- II.A2. Establish Horizontal and Vertical control for the project utilizing the National Geodetic Survey (NGS) recent realization of the North American Datum of 1983 (NAD83), 2011 Epoch 2010.00 and the North American Vertical Datum of 1988 (NAVD88), Geoid 12B with references to published monuments, if available. A "combined scale factor" to develop surface values will be derived for coordinate conversion purposes based on the county average CSF established by the Texas Department of Transportation (TxDOT).
- II.A3. Collect spot elevations and grade breaks within the project area at intervals of no greater than 50' and conducive to DTM generation.
- II.A5. Collect topographic data that will include curbs, gutters, culverts, driveways, portions of parking areas, visible utilities and/or "one call" markings, drainage features, trees (as set forth in the City of Lago Vista. Zoning Ordinance, Chapter 14, Part IV, Section 20 Tree Preservation and Landscaping Requirements) and any improvements within the defined area. The Engineer shall generate a 1 foot contour interval DTM file of the project area. NOTE: reasonable attempts for measurements at silted drainage structures will be performed. Significant excavation of silt could result in seeking of additional fees for data acquisition.

II.B. Perform a Right-of-Way Boundary Survey for:

- II.B1. RM 1431 from the east boundary line of Lago Vista High School to the west boundary line of the Lago Vista City Pool.

II.B2. Bar-K Ranch Road from RM 1431 to Frontier Cove.

Survey Deliverables

1. ASCII point file
2. AutoCad file with the right-of-way information in DWG format
3. AutoCad file with contours in DWG format
4. Digital Terrain Model with associated TIN file

III. TDLR Coordination

Altura Solutions will assist the project with TDLR Coordination. The scope of services will include registering the project with TDLR, reviewing the project plans, and inspecting the project after construction. Refer to the proposal from Altura Solutions, dated May 10, 2016 for a detailed scope of services.

IV. Bid Phase Services

CobbFendley will assist the City of Lago Vista in bid phase services. This scope assumes that Lago Vista will engage the services of a bid-phase assistance center for distribution of bid documents. CobbFendley's services are as described below:

- IV.A. Prepare advertisement.
- IV.B. Conduct pre-bid meeting.
- IV.C. Answer Contractor questions.
- IV.D. Prepare addendum. This proposal assumes preparation of one(1) addenda.
- IV.E. Conduct bid opening.
- IV.F. Evaluate bids.
- IV.G. Provide recommendation of award. This proposal assumes execution of contract documents will be performed by the City.

V. Construction Phase Services

CobbFendley will provide construction management and inspection services. Due to the nature of the plans it is assumed that field engineering will be required to determine exact layouts of sidewalk in some areas. This proposal assumes a 3-month construction duration. Construction management services are as described below.

- V.A. Conduct preconstruction meeting.
- V.B. Attend environmental pre-con in the field.
- V.C. Submittal Review. Review Contractor shop drawings and maintain submittal log. Assumes twenty (20) submittals to be reviewed not more than twice each. If subsequent reviews are required they will be conducted as an additional service at the cost of the Contractor.
- V.D. Construction Meetings. This proposal assumes bi-weekly construction meetings for a total of six (6) meetings.
- V.E. Site Visits. CobbFendley is assuming weekly site visits to address issues as they arise in the field. Duration of field visits is assumed as 4 hours. Total number of field visits is twelve (12).

- V.F. Requests for Information (RFIs). Respond to Contractor RFIs and maintain RFI log. Proposal assumes ten (10) RFIs.
- V.G. Change Orders. Assist the City in negotiating and preparing change orders. Proposal assumes one (1) change order.
- V.H. Pay Applications. Review and approve pay applications for City processing. Assumes three (3) pay applications.
- V.I. Final Walkthrough. Attend final walkthrough and assist in preparation of punch list.
- V.J. Record Drawings. Prepare record drawings based on Contractor and Inspector markups.
- V.K. Construction Inspection. Construction inspection services will be provided by D.L. Dial & Associates. Refer to proposal, dated May 11, 2016, for a detailed scope of services.

CobbFendley is proposing to perform these services for the lump sum fee of 175,783.00 Below is a breakdown by task of the fee estimate.

Scope	Fee
I. Design Phase	\$96,142.00
II. Survey	\$20,137.00
III. TDLR Coordination	\$2,427.00
IV. Bid Phase	\$4,856.00
V. Construction Phase	\$52,221.00
Total Project Fee	\$175,783.00

Principal / Chief Engineer	\$260.00/HR
Senior Engineer	\$245.00/HR
Senior Project Manager	\$215.00/HR
Project Manager	\$190.00/HR
Senior Hydrologist	\$190.00/HR
Project Engineer IV	\$155.00/HR
Project Engineer III	\$135.00/HR
Project Engineer II	\$115.00/HR
Project Engineer I	\$95.00/HR
Senior Technician	\$130.00/HR
Technician III	\$110.00/HR
Technician II	\$100.00/HR
Technician I	\$80.00/HR
Licensed State Land Surveyor	\$210.00/HR
Registered Professional Land Surveyor	\$150.00/HR
4-Man Survey Crew	\$170.00/HR
3-Man Survey Crew	\$150.00/HR
2-Man Survey Crew	\$130.00/HR
1-Man Survey Crew	\$110.00/HR
Construction Manager	\$175.00/HR
Senior Field Construction Observer	\$110.00/HR
Field Construction Observer	\$95.00/HR
Senior Utility Specialist	\$150.00/HR
Utility Specialist	\$100.00/HR
Telecommunications Designer	\$100.00/HR
Telecommunications Fieldman	\$80.00/HR
GIS Manager	\$150.00/HR
GIS Analyst	\$100.00/HR
Right-of-Way Agent	\$115.00/HR
Administrative	\$90.00/HR
Clerical	\$70.00/HR
GPS	\$35.00/HR/Receiver

(Continued)

SUBSURFACE UTILITY ENGINEERING

One-Man Designating Crew (4-Hour Minimum)	\$90/HR
Two-Man Designating Crew (4-Hour Minimum)	\$150/HR
Vacuum Excavation Truck with 2 Technicians (Vac 3000 & 4000) (4-Hour Minimum)....	\$260/HR
Vacuum Excavation Truck with 2 Technicians (Vac 6000) (4-Hour Minimum)	\$280/HR
Ground Penetrating Radar with 1 Technician (4-Hour Minimum)	\$250/HR
Traffic Control Officer	@ Cost + 10%
Traffic Control (Lane Closures, etc.).....	To Be Negotiated
Permits (Local, State, etc.).....	@ Cost + 10%
Designation & Traffic Control Vehicles	\$3.40/Mile
Location Vehicles.....	\$6.80/Mile

REIMBURSABLE EXPENSES

Technology Fee (*)	\$3.75/HR
Consultant or Specialty Contractor (Outside Firm)	@ Cost + 10%
Courier, Special Equipment Rental	@ Cost + 10%
Reasonable Out of Town Travel Expenses (Air, Hotel, Rental, etc.).....	@ Cost
Mileage (Standard Car or Truck).....	IRS Approved Rate
Per Diem for Out of Town Travel (Per Day/Person)	\$36/Day
Title Plant Charges	@ Cost + 10%
Other Misc. Expenses Related to the Project	@ Cost + 10%

In-House Reproduction:

- Copies (Up to 11" x 17").....\$0.15/Each
- Color Prints (Up to 11" x 17")
- Color Prints (Larger than 11" x 17")
- Bluelines (All Sizes)
- Bond Prints (All Sizes)
- Mylar Prints.....
- Vellum Prints

(*) Technology charges added to each billable man-hour.

Attachment C Subconsultants

Subconsultant	Expertise	MBE/WBE Status
Arias Geoprosessionals	Geotechnical investigation, pavement design	MBE
aci consulting	Environmental consulting	WBE
DL Dial & Associates	Construction inspection	Small business
Altura Solutions	TDLR Review and Inspection	MBE

MEETING DATE: November 17, 2016

AGENDA ITEM: CONSENT AGENDA

Comments:

Approval of the following minutes:

September 29, 2016 Special Called meeting

October 20, 2016 Regular meeting

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

**MINUTES OF THE CITY COUNCIL
SPECIAL CALLED MEETING
THURSDAY, SEPTEMBER 29, 2016**

BE IT REMEMBERED that on the 29th day of September, A.D., 2016, the City Council held a Special Called 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, PLEDGE OF ALLEGIANCE

Dale Mitchell	Mayor (Via Skype)	Melissa Byrne Vossmer	City Manager
Ron Smith	Mayor Pro Tem	Barbara Boulware-Wells	City Attorney
Rich Raley	Council Member	Danny Smith	Police Chief
Kevin Sullivan	Council Member	David Harrell	Development Services Director
Stephanie Smith	Council Member	Sandra Barton	City Secretary
Suzanne Bland	Council Member	Starr Lockwood	Finance Director
		Gary Graham	City Engineer
		Mark Cote	Golf Manager
		Dave Street	IT Manager

Mayor Pro Tem Ron Smith called the Special Called Meeting to order and recognized that all Council Members were present except for Councilman Ed Tidwell. Also present were Donna Clark, Utilities and Elaine Hughes, Chamber of Commerce Executive Director. Mayor Mitchell led the Pledge of Allegiance.

CITIZEN COMMENTS: In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

Cher Coleman, 21205 Mt. View Circle appeared to ask if someone could look into some road repairs in front of her home. Work was started in June, but it has stopped. Mayor Mitchell indicated that there will be a presentation on October 20 regarding all streets. City Manager, Melissa Vossmer will also speak with the Street department and get an update.

Jackie Goodwin, 4501 Nettle Lane, said she had heard about Rich Raley moving out of the City and how and when this position will be filled. Mayor Mitchell said Rich Raley has not yet submitted his resignation so when and if he does, we will address at the next regular meeting and we will use the same process as used before.

Dan Deveze, 18908 Kelly Drive, Point Venture, appeared to express his concerns regarding discrimination, harassment, retaliation and wrongful termination from the City of Lago Vista.

PRESENTATION

1. Police Department Citation Writer Program

Dave Street, IT Manager provided an oral and visual presentation. The ticket writers will eliminate issues with legibility, eliminate discrepancies and improve timeliness of citation data begin submitted to Court. This has been in the research and test phase and is at the point of bringing forward for approval. The Court Technology Funds will be used for the funding

of the ticket writers, printers and Incode maintenance costs. Anticipated completion date is at the end of this calendar year.

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

2. A. Consider approval of Ordinance No. 16-09-29-01, An Ordinance of the City of Lago Vista, Texas adopting a Budget for the Fiscal Year beginning October 1, 2016, and ending September 30, 2017; appropriating the various amounts thereof, and repealing all Ordinances or parts of Ordinances in conflict therewith; and providing for an effective date.

Melissa Byrne Vossmer, City Manager advised that the direction that Staff has received from Council at prior work sessions have been incorporated into the proposed budget document. Mayor Mitchell thanked Staff for preparing the budget in the first week of July and provided introductory remarks and background information of the budget process. Council discussed the Golf Course budget and possible options to monitor the Golf Course expenditures and have benchmarks during the fiscal year.

Jackie Goodwin asked what it will cost the city to get rid of the effluent if we do not have the golf courses.

Carol Hale thanked the Council for doing the best for our community and asked what causes the golf course to go over budget and offered suggestions.

Mayor Mitchell offered that the budget is out of balance on revenues that were projected and did not come about.

Mark Cote said the course conditions are not where they should be, therefor our reputation isn't where it should be and our marketing isn't where it should be and he will be working on these things in the coming year.

Elaine Hughes updated Council on marketing opportunities.

Mark Tippetts advised Council that Tessera does promote the golf courses, they receive emails and brochures all the time. He believes a study does need to be done to see the actual benefit that the golf courses have to the city.

Councilman Sullivan motioned to adopt Ordinance No. 16-09-29-01; and including an amendment that would indicate that for the golf course budget, the transfer of \$280,000, that \$150,000 of that be made available immediately to the golf courses and when that is expended, that the issue come before the Council to pass the additional \$100,000 onto the golf courses and when that has run out, if that happens, it comes back to the Council for a public hearing and vote. Councilwoman Bland seconded this motion.

Barbara Boulware-Wells advised that there is special language that has to be used for the adoption of a budget.

Councilman Sullivan withdrew this motion and Councilwoman Bland withdrew her second.

On a motion by Councilman Sullivan, seconded by Councilwoman Bland, the Council, with a roll call vote, voted 5 ayes (Dale Mitchell, Rich Raley, Kevin Sullivan, Stephanie Smith and Suzanne Bland) to 1 no (Ron Smith) for the approval of Ordinance No. 16-09-29-01 as amended adopting the Fiscal Year 2016/2017 Budget. Motion passed.

- B. Consider ratification of the portion of the FY 2016/17 budget reflecting an increase in property tax revenues.

On a motion by Councilman Sullivan, seconded by Councilwoman Bland, the Council voted unanimously to ratify the Ad Valorem property tax revenue increase reflected in the adopted 2016/2017 budget. Motion passed.

3. Consider approval of Ordinance No. 16-09-29-02, An Ordinance of the City of Lago Vista, Texas levying Ad Valorem Taxes for use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2016 and terminating September 30, 2017; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid.

Melissa Byrne Vossmer, City Manager advised that Council has not increased the tax rate from \$.65 per \$100 value. This will be the fourth year in a row. She also advised that out of the \$.65, \$.3850 pennies goes to Maintenance & Operations and \$.2650 goes to Interest & Sinking Fund which is our debt.

On a motion by Councilman Raley, seconded by Councilman Sullivan, the Council voted unanimously, by roll call vote, to adopt the property tax rate be increased by the adoption of a tax rate of \$.65 per \$100 valuation which is effectively a 6.84 % increase in the tax rate. Motion passed.

4. Discussion, consideration, action if appropriate regarding Ordinance No. 16-09-29-03; An Ordinance of the City Council of the City of Lago Vista, Texas pursuant to Vernon's Texas Codes annotated, Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 15-09-29-01, for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016; amendments to said Budget by Department are set forth in "Exhibit A" attached to this Ordinance.

Melissa Byrne Vossmer, City Manager advised that staff was trying to finish up August financials which several Council members have been requesting so attention was turned to this and we will be bringing this item to Council at the October 20 meeting.

On a motion by Mayor Pro Tem Smith, seconded by Councilman Sullivan, the Council voted unanimously to postpone Ordinance No. 16-09-29-03 until the regular Council meeting on October 20, 2016. Motion passed.

5. Discussion, Consideration, Action if appropriate regarding Resolution 16-1663; City of Lago Vista Fiscal & Budgetary Policy Statements for FY16/17.

Melissa Byrne Vossmer, City Manager advised Council that the Policy Statements will be reviewed with Council as part of the budget process each year. The documents presented are pretty much the same as last year with changes to dates that we presently have in place.

Councilman Sullivan stated that he loves the policy document but one thing that is does not address a situation in which a particular fund falls short on its revenues by more than \$40,000, what can the City Manager approve and thinks this should be addressed in the policy statement. Melissa stated that some language will be added and will bring back to Council to look at.

On a motion by Councilman Sullivan, seconded by Mayor Mitchell, the Council voted unanimously to table this item until October 20 meeting. Motion passed.

WORK SESSION

6. Discussion on proposed modifications to animal control related portions of the City Code.

David Harrell, Development Services Director provided a brief overview and background information. Some of the changes to the zoning code regarding chickens are taking chickens out of the Special Use Permit requirements, which currently, in order to have these animals would have to have to ask for a SUP, which is a special approval. The Commission would have to recommend to Council and Council would have to approve. Other changes: sets numbers of chickens, exempts maximum numbers of chickens for up to six months, gives definitions in the animal control section, requires animals to be kept in enclosures, prohibits male species, prohibits enclosures closer than fifty feet of any building or dwelling inhabited by humans or golf course. He also advised the Commission, on September 2, voted denial of it by a vote of 5 to 1.

Mayor Pro Tem asked if this requires a super majority vote in this case? Barbara Boulware-Wells, City Attorney stated that yes, it would require a super majority to overrule the action of P&Z on this item.

Councilman Raley stated that the Planning & Zoning Commission did not even want to send a proposal, but felt like the Council had asked that they make a proposal so they wrote the proposal as best as they could.

Melissa stated that even if this fails, it does not mean that a resident cannot have chickens, it just means there is a different process the SUP is still in place.

Following a discussion by Council and Staff, Councilwoman Bland requested that this item be on the next agenda for Council action.

7. First Session to discuss proposed changes to Chapter 10 (Subdivision Ordinance).

David Harrell, Development Services Director gave an oral presentation of the proposed changes. He presented an overview of the major changes to Council and stated that the Planning & Zoning Commission, at their meeting on September 22, made a unanimous recommendation for approval of the Ordinance.

Mayor Pro Tem requested a flow chart of changes. David Harrell will share a document that was used. The Council discussed and Staff addressed questions from Council. Staff will coordinate put a schedule together for smaller groups to meet to discuss the proposed changes.

FUTURE MEETINGS

8. Consider schedule and items for future Council meetings.

Proposed items for the October 20 meeting are: monthly update on Marshall's Point, presentation from Veteran's Memorial Park Committee, update on retail development, public hearing on accessory buildings, resolution on possible changes to the Golf Course Advisory Committee, ordinance on improvements to Camille/Dawn intersection, conditional use permit for a boat dock, City Council Economic Development Committee, Reimbursement Resolution for CIP expenses, discussion on LV Golf Course Grill operations, discussion on CIP program,

Airport Master Plan, Tessera PID, budget amendments, budgetary policy statements, street evaluation report, discussion on Tessera Phase 3A & phase 3B.

Mayor Pro Tem Smith requested some revisions to the sign ordinance that deals with political signs for a future agenda item.

EXECUTIVE SESSION

9. At 9:15 p.m. the Council convened into Executive Session pursuant to Sections 551.071 (Advice of Counsel) and 551.072 (Real Property), Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:

- A. Consultation with legal counsel regarding LVISD subsequent user fees and questions related to payment thereof.
- B. Consultation with legal counsel regarding Walters Wedding and real property issues and questions related to acquisition, sale or lease.
- 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.

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

10. At 10:37 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 LVISD subsequent user fees and questions related to payment thereof.

No action taken

- B. Consultation with legal counsel regarding Walters Wedding and real property issues and questions related to acquisition, sale or lease.

No action taken

- 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 taken

ADJOURNMENT

Mayor Mitchell adjourned the meeting at 10:37 p.m.

Respectfully submitted,

Dale Mitchell, Mayor

ATTEST:

Sandra Barton, City Secretary

On a motion by _____, seconded by _____, the above and foregoing instrument was passed and approved this 20th day of October, 2016.

DRAFT

**OFFICIAL MINUTES OF THE CITY COUNCIL
LAGO VISTA, TEXAS
OCTOBER 20, 2016**

BE IT REMEMBERED that on the 20th day of October, 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
Ed Tidwell	Council Member	Barbara Boulware-Wells	City Attorney
Kevin Sullivan	Council Member	David Harrell	Dev. Services Dir.
Stephanie Smith	Council Member	Danny Smith	Chief of Police
		Mark Cote	Golf Course Manager
		Starr Lockwood	Finance Director

Mayor Dale Mitchell called the Regular Meeting to order and recognized that all Council Members were present except Councilwoman Bland. Rev. David Hintze, Christ our Savior Lutheran 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

Melissa Byrne Vossmer, City Manager announced that the City's AA rating has been affirmed. Selma Harbison, 19820 Dos Amigo Drive, who started the Farmer's Market in Lago Vista, addressed the Council with concerns regarding signage restrictions and asked for the City's help in having directional signs on the day of the event. This item will be on the November 3 Council agenda.

Gene Griffin, 20800 Mohawk Street, appeared to ask a questions regarding commercial businesses in Lago Vista and address commercial buildings and getting them up to code. He would also like to see more Economic Development in the City.

Dan Deveze, 18908 Kelly Drive, appeared to address the Council with his concerns regarding his goals of creating businesses within the communities to include using the vacant commercial building across from the Middle School and creating a recreation center and an emergency shelter next to the Airport. He also expressed his feelings of discrimination and numerous other allegations against the City and City personnel.

Larry Levy, 13710 Vinery Lane, Cypress, TX appeared to make a comment to the Mayor asking the Mayor to consider removing himself to a different role within the City and letting someone else take the role as Mayor. Also made comments regarding the Marshall's Point Property and the City taking a loss from the purchase of this property.



PRESENTATIONS

1. Presentation of Veterans Memorial Advisory Committee's Proposed Plan for Improvements to Veterans Memorial Park.

Richard Bohn provided some background information regarding the Veteran's Park and the formation of the Committee. Jim Thornton, Committee Member, presented the power point presentation of the proposed recommendations for the Veteran's Memorial Park. The total estimate costs are \$45,000.

Melissa Byrne Vossmer, City Manager stated that the \$20,000 for the City's contribution is in current year Capital Improvement Program and it will be brought to Council for approval.

2. Presentation on Lago Vista Retail Development Efforts.

Elaine Hughes, Executive Director of the Chamber of Commerce provided an update and a power point presentation to provide an overview of the Buxton process, target retailers, methods of networking and other ways to attract visibility to Lago Vista.

Jennifer Levy, 21433 Lakefront Drive, LV, asked what the City has done to support and incentivize the small business owners and current business owners.

Mayor Mitchell advised that the City gave tax incentives to the Super S, which is now Lowes, and Ace Hardware.

Robert McNease, 21102 National Drive, asked if there were any plans to bring other businesses out here that hire larger amounts of people?

Jim Awalt asked with the proximity to the school, can the center serve alcohol beverages there? Elaine Hughes suggested checking with TABC for the answer.

Steve Curik, asked why some of these people came to live here if they want it to be like Austin.

THESE ITEMS TAKEN OUT OF ORDER

10. Discussion and Consideration of Accepting the Resignation of Councilman Richard Raley, Council Place 1 and Declaring a Vacancy.

Melissa Byrne Vossmer advised that Rich Raley let everyone know that he was going to be moving out of the city limits and upon closing on the property and moving, he submitted his resignation on October 3.

On a motion by Mayor Mitchell, seconded by Councilman Tidwell, the Council voted unanimously to accept the resignation of Rich Raley, declaring a vacancy and setting a process and schedule to interview applicants at the November 17 regular meeting.

Applications will be accepting from October 24 through November 11.

8. Recommendation on Dawn and Camille Intersection Improvements.

Gary Graham, Public Works Director provided some background information of the issue at hand. To alleviate the problem, the proposal that he offers is to remove the bullnose from the corner of Dawn and Camille so that you would be able to see about 125 ft. from the intersection down the hill. This would also entail acquisition of a small amount of property,

about 650 square feet on one lot and construction of a retaining wall. To improve further, he recommends to remove the planter box. He estimates that the work would run about \$50,000. Councilman Sullivan stated that this would help with people coming up the hill, but not the people going down the hill, is there a solution for that. He also suggested stop signs again. Gary said he could look into stop signs but they have to meet warrants just like signals at an intersection. He doubts that we will meet the warrants.

James LeBlanc, City Street Supervisor, explained that they do a number of repairs to the planter from people running into it.

Mayor Mitchell suggested putting a directional sign at the bottom of the hill.

Susan Nillson-Wiscott and Jerry Nillson-Wiscott, 5900 Camille Court, thanked Council for continuing to look into this issue and would be in support of stop signs.

Ron Smith asked if speed bumps require a warrant. Gary Graham does not recommend speed bumps and they do require a safety study to be done.

14. Discussion Concerning the Golf Course Advisory Committee.

Melissa Byrne Vossmer gave some brief background information.

Mark Cote, Golf Manager said that he appreciates the feedback that he receives from the Committee and the dialogue they have. He feels that the Committee is an important part of our process and recommends to keep the Committee alive and going.

Councilwoman Smith said she thought Mark was going to be giving them some tasks of what they were going to be doing.

Mark stated he thought that's what he was going to be doing but wasn't sure if we were going to have the Committee or not and wanted to be efficient with his time management and wanted to do what the Council wanted him to do.

Councilwoman Smith said that her thoughts were that the Committee was constructed to get heat off Mayor Kruger and Eric and they were supposed to generate a marketing plan. Now Mark is here and that's what we hired him to do.

Councilman Sullivan would like to see Mark work directly with the Council to achieve things and not use the Committee as a buffer.

Dave Williams, 20703 DeeDee, suggested that the Committee change its functions or roles to help work with the Council and Mark.

Jim Awalt commented on how citizens use the Airport Advisory Committee.

Sheryl Speckmann, member of the Library Advisory Board provided an overview of the services that their Committee provides.

Councilman Sullivan requested that this item be on the next agenda again, for action not just discussion. Councilwoman Smith seconded this request.

Gina Williams, 20703 DeeDee, commented that anybody is able to serve on the Golf Course Advisory Committee.

This item will be on the November 3 agenda.

3. Report on the Pavement Management System for the City of Lago Vista.

Melissa Byrne Vossmer provided some brief background information

Will Parnell, Engineer with Walker Partners provided a power point presentation for Council that shows the rehabilitation methods and recommendations on how the streets should be prioritized and updated information showing a \$1.5 million plan.

Marilyn Stanford, made comments regarding fixing roads that are old and concerns regarding drainage on streets.

Will also provided information regarding if the City did some of the smaller projects ourselves. This would probably not happen until 2018.

James LeBlanc, Street Supervisor offered some information regarding work that was done in the past to roads and addressed questions from Council.

This item will be brought back with the CIP projects for Council approval.

PUBLIC HEARING

4. ***PUBLIC HEARING*** The City Council will conduct a Public Hearing to consider an application for Conditional Use from Ch. 14, Art. 14.200, Sec. 6.10 in order to allow an accessory use (boat dock and facility) to be placed on a lot without a principal use.

The Public Hearing was opened at 9:55 p.m.

David Harrell, Development Services Director provided a brief overview and background information regarding the proposed request. Staff recommends approval and the Planning and Zoning Commission, after hearing item at their September 22 meeting, unanimously recommended approval.

The applicant, Bruce Bickley appeared to address questions from Council.

The Public Hearing was closed at 10:05 p.m.

On a motion by Councilman Sullivan, seconded by Councilman Tidwell, the Council voted unanimously to approve the application for Conditional Use permit as presented. Motion passed.

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

5. Discussion and consider approval of Resolution No. 16-1663; City of Lago Vista Fiscal & Budgetary Policy Statements for FY 16/17.

On a motion by Councilman Sullivan, seconded by Councilwoman Smith, the Council voted unanimously to remove this item from the table. Motion passed.

Councilman Sullivan asked that something a little more concrete be added to item 3B8 regarding revenue monitoring so that the City Manager will know when to bring something back to Council.

On a motion by Councilman Sullivan, seconded by Mayor Pro Tem Smith, the Council voted unanimously to approve Resolution No. 16-1663 with one adjustment to the Budgetary Policy Statement, Section III, item B8 bullet point three, instead of “as necessary”, it should say “when there is a 5% variance”. Motion passed.

6. Discussion and consider approval of Ordinance No. 16-10-20-01; An Ordinance of the City of Lago Vista, Texas adopting the “Lago Vista Rusty Allen Airport Action Plan”; providing for related matters; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law.

The Public Hearing was left open from the September 15, 2016 Council meeting.

David Harrell, Development Services Director advised that there have been some changes made since the last meeting.

Derrick Mayo, provided a power point presentation with the proposed changes.

The one major change that was made on the north end where the 400 ft. runway extension that was proposed in the main document. Mr. Penn was worried about how this extension would affect his property. A compromise might be to extend the runway an additional 400 ft. from the previous 400 ft. extension and TXDOT said they would justify an additional length if that provided access to needed City facilities. The Penns mentioned a possibility of donating additional land, not only for the runway extension but also for the City owned tie downs, with the idea being that there would likely be, with negotiation of the donation of land, access for hangars to be off the City property but onto the private property, and have access to the tie down.

David Harrell advised Council of the Height Hazard Zoning Ordinance that was passed in 1999, RPZ zone was put down per FAA guidelines, you extend the runway out, you extend the RPZ zone out from the end of the runway.

Mr. Penn spoke about how this will impact his property. He stated that he did not know about the RPZ or the object free zone and this affects him putting up hangars.

The biggest problem he has at the moment is that he is talking to major developers about a primary destination resort on his property. The Height Hazard Zone limits the ability put anything very tall on the ridge. He is not for this Master Plan at this time.

Jim Awalt and Jill Rowe also made comments regarding issues and concerns with the Height Hazard Zone.

Councilman Sullivan suggested that this item be tabled again until the November 3 Council meeting to allow Barbara Boulware-Wells, City Attorney, to do some investigating.

The item will continue to be tabled and the public hearing will be left open until November 3, 2016.

7. Discussion and consider approval of Ordinance No. 16-10-20-02; An Ordinance of the City Council of the City of Lago Vista, Texas pursuant to Vernon's Texas Codes annotated. Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 15-09-29-01, for the fiscal year beginning October 1, 2015 and ending September 30 2016; amendments to said Budget by Department are set forth in "Exhibit A" attached to this Ordinance.

Melissa Byrne Vossmer, City Manager gave a brief explanation of the process of the budget amendments that are done each year.

On a motion by Councilman Tidwell, seconded by Mayor Dale Mitchell, the Council voted unanimously to remove this item from the table. Councilman Sullivan did not vote.

Starr Lockwood, Finance Director provided a brief overview of the proposed budget amendments presented to Council and addressed questions from Council.

Mayor Pro Tem Smith had a question regarding the transfer of funds to golf and the Highland Lakes modular building showing an increase.

Mayor Pro Tem Smith expressed that he is proud of all the other departments that stay inside their budget.

On a motion by Councilman Tidwell, seconded by Mayor Mitchell, the Council voted unanimously to approve Ordinance No. 16-10-20-02 as presented. Motion passed.

9. Discussion and possible action regarding the Lago Vista Golf Course Grill operations.

Mark Cote, Golf Manager addressed discussion questions from Council regarding the items on the menu or reducing the menu.

Mark stated that the Chef is also a food and beverage manager, he assists Mark in stocking and did catering for the Lions Club and MGA.

Councilwoman Smith commented that the menu is too big. She would like to get another RFP sent out.

Mark said he thought we would wait until the repairs to the clubhouse were done to do this.

Mark stated that he hopes to get a liquor license and this would impact revenues.

Barbara Boulware-Wells explained the process of acquiring a mixed beverage license and the time table to get one.

Andrea Febbo, 3110 Point Cove, commented about the Grill. She works for KC Hair Studio and they utilize the golf course grille a minimum of three times a week or more.

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:

September 1, 2016 Special Called meeting;
September 8, 2016 Special Called meeting and
September 15, 2016 Regular meeting

On a motion by Mayor Pro Tem Smith, seconded by Councilman Tidwell, the Council voted unanimously to approve all the minutes as listed above. Motion passed.

Mayor Mitchell made a request to correct the September 1 minutes to reflect that Mayor Pro Tem Smith adjourned the meeting and not Mayor Mitchell. The minutes were corrected before the Council meeting.

WORK SESSION

12. Discussion regarding Infill Incentives Program Area #1.

David Harrell, Development Services Director provided an oral summary of the program.

Chris Martinez, attended the meeting and was available to address any questions.

Karen Beechum, commented that we made an assumption that 100% of the lots will be built, she thinks that is a mistake, she thinks we need to look at a range that the City has a better picture of what the commitment will be.

Council and Staff discussed, no action taken.

13. Workshop concerning changes to the Zoning Ordinance concerning accessory buildings.

David Harrell, Development Services Director provided a brief overview of the proposed changes to the accessory building standards. The Planning and Zoning Commission heard this item at their September 22, 2016 meeting and unanimously recommended approval.

No action taken.

15. Departmental Reports

- A. Airport Report
- B. Development Services
- C. Financial Report – August
- D. Golf Course
- 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

No comments or questions

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

- a. February 1, 2016 Board of Adjustment minutes
- b. July 25, 2016 Library Advisory Board minutes
- c. August 3, 2016 Airport Advisory Board minutes
- d. August 16, 2016 Planning and Zoning Commission minutes
- e. August 17, 2016 Planning and Zoning Commission minutes
- f. August 25, 2016 Airport Plan Advisory Committee minutes
- g. August 25, 2016 Planning and Zoning Commission minutes
- h. September 8, 2016 KLVB Bullet Report
- i. September 13, 2016 Golf Course Advisory Committee minutes
- j. September 14, 2016 Parks and Rec Advisory Committee minutes
- k. October 13, 2016 KLVB Bullet Report

No comments or questions.

FUTURE MEETINGS

17. Consider schedule and items for future Council meetings.

November 3: Golf Course Advisory Committee for action, signage, CIP, Economic Development, Airport Master Plan. Melissa will send out an updated list of items.

EXECUTIVE SESSION

18. At 1:07 a.m. the Council convened into Executive Session pursuant to Sections 551.071 (Advice of Counsel), 551.072 (Real Property), Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:

- A. Consultation with legal counsel regarding LVISD subsequent user fees and questions related to payment thereof.
- B. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.
- 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 claims or possible claims or contractual claims or possible claims or charges, and possible issues and questions.

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

19. At 2:40 a.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 LVISD subsequent user fees and questions related to payment thereof.

No action taken

- B. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.

No action taken

- 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 taken

- D. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and possible issues and questions.

No action taken

ADJOURNMENT

Mayor Dale Mitchell adjourned the meeting at 2:41 a.m.

Respectfully submitted,

Dale Mitchell, Mayor

ATTEST:

Sandra Barton, City Secretary

On a motion by _____, seconded by Councilman _____, the above and foregoing instrument was passed and approved this 17th day of November, 2016.

DRAFT

MEETING DATE: November 17, 2016

AGENDA ITEM: WORK SESSION (no action may be taken on the following agenda items):

Comments:

Departmental Reports

- A. Development Services Reports
- B. Golf Course Report
- C. Library Monthly Report
- D. Municipal Court Report
- E. Police Department
- F. Public Works Reports
 - a. Pool Revenue
 - b. Street Department
 - c. Utility Department (Water/Wastewater Services)
 - d. Water Loss Report
 - e. Water/Wastewater Treatment

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; **Sullivan** _____; **Tidwell** _____; **R. Smith** _____;

Mitchell _____; **S. Smith** _____; **Bland** _____

Motion Carried: Yes _____; No _____



Permits By Type

Lago Vista

From: 10/01/2016

To: 10/31/2016

Description	Permit Number	Contractor	Address	Type	Issued Date	Square Footage	Construction Cost
Residential Permits	2778	TODCO, LLC.	6606 S. Shady lane	Residential Single Family	10/5/2016	2377	\$145000.00
	2792	Casa Rio Builders	21709 Surrey Lane	Residential Single Family	10/11/2016	2219	\$200000.00
	2802	Vista Verde Custom	21819 Surrey Lane	Residential Single Family	10/19/2016	3457	\$200000.00
	2815	Highland Homes, LLC	7406 Pace Ravine Drive	Residential Single Family	10/25/2016	5046	\$537377.00
						13099	\$1082377.00

Homes Permitted in Tessera



Permits By Type

Lago Vista

From: 10/01/2016

To: 10/31/2016

Description	Permit Number	Contractor	Address	Type	Issued Date	Square Footage	Construction Cost
Miscellaneous Permits	2786	Zachary Taylor Homes	3601 Rockefeller Cove	Residential Accessory	10/3/2016	0	\$0.00
	2442	Homeowner	4705 Navajo Cove	Permit Fee	10/3/2016	0	\$40000.00
	2794	Homeowner	21110 Northland Drive	Home Occupation Permit	10/4/2016	0	\$0.00
	2782	Anthony & Sylvan Pools	4501 Silverhill Cir	Pool Permit	10/5/2016	1090	\$30000.00
	2798	SG Billings	20213 Continental Drive	Permit Fee	10/5/2016	0	\$0.00
	2791	St. Mary's Catholic Church	6100 Lohman Ford Road	Residential Accessory	10/7/2016	0	\$0.00
	2763	Builders & Landscaping Services Inc	20007 ColumbusLn	Sprinkler System	10/10/2016	0	\$2000.00
	2770	Lago Vista Fence	20401 Gilbert Cove	Fences, Driveways,	10/10/2016	0	\$3800.00
	2804	CountryScapes, LLC	8213 Cannon Ct	Sprinkler System	10/10/2016	0	\$0.00
	2797	Express Key Service	4101 Constitution	Home Occupation Permit	10/12/2016	0	\$0.00
	2799	GAEA Inc,	20712 Hayes Cove	Home Occupation Permit	10/12/2016	0	\$0.00
	2806	Lago Vista Renovations, Inc.	7302 Cowpoke Trail	Home Occupation Permit	10/12/2016	0	\$0.00
	2808	Lago Vista Fence	20603 National Drive	Fences, Driveways,	10/12/2016	0	\$4700.00
	2793	Best of texas landscapes	7313 Pace Ravine Lane	Sprinkler System	10/17/2016	0	\$2800.00
	2813	Far West Construction	20705 Leaning Oak	Home Occupation Permit	10/17/2016	0	\$0.00
	2811	Cody Pools	21505 Mount View Dr	Pool Permit	10/19/2016	662	\$57000.00
	2807	Allied Outdoor Solutions	20513 Highland Lakes	Fences, Driveways,	10/19/2016	0	\$10000.00
	2697	Homeowner	21401 Lakefront Dr.	Boat Docks, Decks, and	10/21/2016	0	\$0.00
	2821	Homeowner	21206 Boggy Ford Rd.	Residential Accessory	10/21/2016	0	\$0.00
	2819	Tuff Shed	21206 Boggy Ford Rd.	Residential Accessory	10/25/2016	0	\$5000.00
	2822	BR Builder LLC	20108 Victoria Chase	Boat Docks, Decks, and	10/26/2016	0	\$38000.00
	2820	Canyon Builders Inc.	21202 Stillwood Ct.	Boat Docks, Decks, and	10/27/2016	0	\$12500.00
	2826	Homeowner	5104 Sundown	Fences, Driveways,	10/28/2016	0	\$2000.00
	2835	Lago Vista Fence	21302 Choctaw Cove	Fences, Driveways,	10/31/2016	0	\$0.00
	2836	Texas Shed Co.	6605 Avenida Ann St.	Residential Accessory	10/31/2016	0	\$2035.50
							1752



Permits By Type

Lago Vista

From: 10/01/2016

To: 10/31/2016

Description	Permit	Contractor	Address	Type	Issued Date
Electrical Trade Permits	2702	Austin Lanehart Electric	21700 Ticonderoga Ave.	Residential Electrical	10/4/2016
	2702	Powerhouse Electric	21700 Ticonderoga Ave.	Residential Electrical	10/4/2016
	2704	Austin Lanehart Electric	2401 Farragret Cove	Residential Electrical	10/4/2016
	2704	Powerhouse Electric	2401 Farragret Cove	Residential Electrical	10/4/2016
	2772	Canyon Electric	21510 Sierra Trail	Residential Electrical	10/5/2016
	2723	Page Electric Company	3938 Outpost Trace	Residential Electrical	10/10/2016
	2749	Saavana Electric	2403 Patriot Drive	Residential Electrical	10/10/2016
	2814	McKee Electric Inc.	20803 1/2 Ridgeview Rd	Minor Electrical Repairs	10/14/2016
	2792	Emil's Electric	21709 Surrey Lane	Residential Electrical	10/17/2016
	2787	Powerhouse Electric	3005 Drake Cove	Minor Electrical Repairs	10/18/2016
	2773	Martinez Electric	20102 Byrd Ave	Residential Electrical	10/19/2016
Mechanical Trade Permits	2795	Blue Air LLC	5501 Country Club Drive	Minor Mechancial Repairs	10/3/2016
	2656	CHRISTIANSON A/C	21203 Packsaddle Trl	Residential Mechanical	10/4/2016
	2689	G & S Mechanical	3907 Clinton Lane	Residential Mechanical	10/5/2016
	2690	Adams Engineering	20504 Bear Rd	Residential Mechanical	10/12/2016
	2686	Casa Mechanical	1919 Owens Ln	Residential Mechanical	10/13/2016
	2696	G & S Mechanical	3905 Clinton Lane	Residential Mechanical	10/14/2016
	2723	DR Services	3938 Outpost Trace	Residential Mechanical	10/24/2016
Plumbing Trade Permits	2749	J David Plumbing	2403 Patriot Drive	Residential Plumbing	10/3/2016
	2765	Central Texas Plumbing	21003 Dodge Trl	Residential Plumbing	10/5/2016
	2772	Lantz's Lakeside Plumbing	21510 Sierra Trail	Residential Plumbing	10/5/2016
	2706	GC Plumbing	21677 High Drive	Residential Plumbing	10/10/2016
	2746	Casa Mechanical	7426 Pace Ravine Drive	Residential Plumbing	10/11/2016
	2816	Fast Plumbing	21475 Coyote Trail	Minor Plumbing Repairs	10/18/2016
	2786	GC Plumbing	3601 Rockefeller Cove	Minor Plumbing Repairs	10/21/2016
	2824	RSC Quality Plumbing	21404 High Dr.	Minor Plumbing Repairs	10/24/2016



Certificate of Occupancy Report

Permit Number	Cert. Of Occupancy	Owner Name	Location	Permit Type	Contract Value
2370	10/06/2016	C & A Homes	20901 Oak Ridge Lago Vista TX 78645	Residential Single Family	\$200,000.00
2527	10/26/2016	Mark Rachel Farrington	21007 Post Oak Drive Lago Vista TX 78645	Residential Single Family	\$225,000.00
2534	10/11/2016	MHI	8213 Cannon Court Lago Vista TX 78645	Residential Single Family	\$181,794.00
2545	10/26/2016	Lawless Enterprises	21434 Lakefront Drive Lago Vista TX 78645	Residential Single Family	\$222,000.00
2578	10/26/2016	Vista Verde Custom Homes	8004 Flintlock Circle Lago Vista TX 78645	Residential Single Family	\$190,000.00
2580	10/10/2016	Casa Rio Builders	7822 Dakota Circle Lago Vista TX 78645	Residential Single Family	\$225,000.00
2591	10/26/2016	Highland Homes LLC	22206 Cape Travis Bend Lago Vista TX 78645	Residential Single Family	\$468,584.00
2624	10/17/2016	Casa Rio Builders	21710 Surrey Lane Lago Vista TX 78645	Residential Single Family	\$210,000.00
2642	10/07/2016	Pinaki Ghosh	21302 Choctaw Cove Lago Vista TX 78645	Residential Single Family	\$30,219.00

Homes completed in Tessera



Zoning and Subdivision Report

Lago Vista

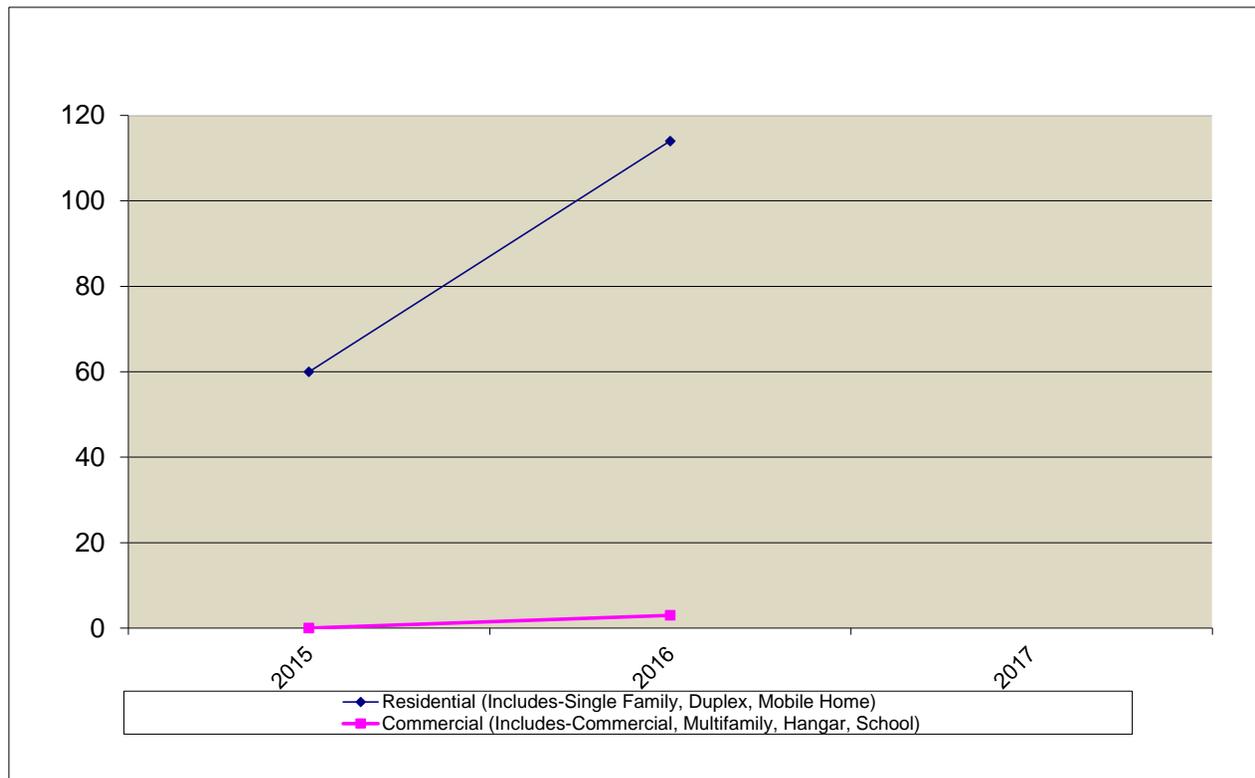
From: 10/01/2016

To: 10/31/2016

Description	Permit Number	Address	Type	Creation Date
Platting	SUB-1136	2700 & 2702 Newton Dr.	Amending Plat	10/24/2016
Zoning	ZON-1065	6102 Lynn Lane	Variance	10/24/2016

**Development Services
Fiscal Year to Date Three Year Comparison
New Residential and Commercial Building Permits
October-September**

Fiscal Year to Date Three Year Comparison October-September			
Permit Type	2015	2016	2017
Residential	60	114	4
Commercial		3	0
Totals	60	117	



Code Enforcement Cases by Date

10/1/2016 to 10/31/2016

Generated 11/1/2016

District	Type	Permit Number	Address	Issued Date	Expiration Date	Status
District 1	Boat Parked On Improved Lot	CE-6061	20603 Ridgeview Rd.	10/28/2016	11/16/2016	Open
		1				
	Brush on Improved Lot	CE-5921	21600 Cheyenne Cove	10/10/2016	10/17/2016	Open
		1				
	Construction w/o permit	CE-5898	7505 Bar K Ranch Rd.	10/5/2016	10/12/2016	Open
		1				
	Disconnected Water Service Delinquent	CE-5892	21455 Coyote Trail	10/5/2016	10/12/2016	Open
		1				
	Garage/Estate Sale sign violation	CE-5974	20601 FM 1431	10/14/2016	10/14/2016	Closed
		1				
	Garage/Estate Sale Sign Violation on City Property	CE-5864	17624 Stacey Lane	10/3/2016	10/3/2016	Closed
		1				
	High Grass/Weeds on Improved Lot	CE-5857	21202 Diamond Cove	10/3/2016	10/13/2016	Open
		CE-5858	21131 Northland Dr.	10/3/2016	10/13/2016	Open
		CE-5859	21108 Dodge Trail	10/3/2016	10/16/2016	Open
		CE-5895	21455 Coyote Trail	10/5/2016	10/15/2016	Open
		CE-5917	21403 Surrey Lane	10/7/2016	10/17/2016	Open
		CE-5918	21406 Surrey Lane	10/7/2016	10/17/2016	Open
		CE-5919	21503 surrey Lane	10/7/2016	10/17/2016	Closed
		CE-5935	7301 Crossbow Trail	10/11/2016	10/21/2016	Open
		CE-5936	20803 Oak Hill Lane	10/11/2016	10/23/2016	Open
		CE-5944	21707 Sierra Trail	10/11/2016	10/18/2016	Open
		CE-5988	7402 Little Oak Cir.	10/18/2016	10/28/2016	Open
		CE-6008	8623 BLUFF RIDGE TRAIL	10/20/2016	10/30/2016	Open
		CE-6026	7307 Cowpoke Trail	10/24/2016	11/3/2016	Open
		13				
	High Grass/Weeds on Unimproved Lot	CE-6078	21416 Coyote Trail	10/31/2016	11/15/2016	Open
		1				
	Home Occupation Violation Non-Permitted	CE-6004	20904 Little Lane	10/20/2016	10/28/2016	Open
		1				
	Illegal Dumping Violation Unimproved Lot	CE-5914	21924 Surrey Lane	10/7/2016	10/7/2016	Closed
		CE-5915	21921 Surrey Lane	10/7/2016	10/7/2016	Closed
		2				
	Junked Vehicle On Improved Lot	CE-5893	21455 Coyote Trail	10/5/2016	10/15/2016	Open
		CE-6081	20805 Trapper Lane	10/31/2016	12/16/2016	Open
		2				
	Junked Vehicle On Unimproved Lot	CE-5998	5917 Lago Vista Way	10/19/2016	11/4/2016	Open
		1				
	Mobile Home Violation Skirting	CE-5896	21455 Coyote Trail	10/5/2016	10/15/2016	Open
		1				
	Other Zoning violations	CE-5993	21485 Coyote Trail	10/18/2016	11/9/2016	Open
		CE-6061	20603 Ridgeview Rd.	10/28/2016	11/11/2016	Open
		2				
	Political Sign Violation Less Than 10ft From Roadway	CE-5984	7301Cowpoke Trail	10/17/2016	10/17/2016	Closed
		1				
	Political Sign Violation More Than One per	CE-6048	6325 La Mesa St.	10/26/2016	10/26/2016	Closed
		1				

Code Enforcement Cases by Date

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Property Maintenance violation	CE-5894	21455 Coyote Trail	10/5/2016	10/12/2016	Open
	CE-5982	7302 Bar K Ranch Rd. #B	10/17/2016	10/22/2016	Open
	CE-5992	21465 Coyote Trail	10/18/2016	10/20/2016	Open
	CE-6015	7201 Comstock Cove	10/21/2016	10/25/2016	Open
	CE-6018	21473 Coyote Trail	10/21/2016	10/24/2016	Open
	CE-6020	21475 Coyote Trail #2B	10/24/2016	11/4/2016	Open
	CE-6046	6106 Cimmaron Trail	10/26/2016	10/29/2016	Open
	CE-6047	6106 Cimmaron Trail	10/26/2016	10/29/2016	Open
	CE-6067	21506 Horseshoe Loop	10/28/2016	10/28/2016	Open
	CE-6069	7800 Diamond Trail	10/28/2016	11/4/2016	Open
10					
Sign in Right-of-Way	CE-5928	19902 Alfalfa Dr.	10/10/2016	10/10/2016	Closed
	1				
Solid Waste Container Violation In Late	CE-5916	21403 Surrey Lane	10/7/2016	10/7/2016	Closed
	CE-5920	7808 Diamond Trail	10/7/2016	10/7/2016	Closed
	CE-5968	6326 La Mesa St.	10/14/2016	10/14/2016	Open
	CE-5969	21459 Coyote Trail #A4	10/14/2016	10/14/2016	Open
	CE-5971	8005 Bar K Ranch Rd.	10/14/2016	10/14/2016	Closed
	CE-5972	8005 Bar K Ranch Rd.	10/14/2016	10/14/2016	Closed
	CE-5973	8005 Bar K Ranch Rd.	10/14/2016	10/14/2016	Closed
	CE-6014	7201 Comstock Cove	10/21/2016	10/21/2016	Open
	CE-6016	21459 Coyote Trail #B2	10/21/2016	10/21/2016	Open
	CE-6017	21475 Coyote Trail #3B	10/21/2016	10/21/2016	Open
	CE-6063	21455 Coyote Trail	10/28/2016	10/28/2016	Open
	CE-6064	21465 Coyote Trail #B	10/28/2016	10/28/2016	Open
	CE-6065	21465 Coyote Trail	10/28/2016	10/28/2016	Open
	CE-6066	21506 Horseshoe Loop	10/28/2016	10/28/2016	Open
14					
Solid Waste Container Violation Out Early	CE-5981	21455 Coyote Trail	10/17/2016	10/19/2016	Open
	CE-6019	7316 Crossbow Trail	10/21/2016	10/21/2016	Open
2					
Solid Waste Container Violation Recycle In Late	CE-5970	21461 Coyote Trail #2	10/14/2016	10/14/2016	Open
	CE-6063	21455 Coyote Trail	10/28/2016	10/28/2016	Open
	CE-6066	21506 Horseshoe Loop	10/28/2016	10/28/2016	Open
3					
Solid Waste Container Violation Recycle Out Early	CE-5980	21455 Coyote Trail	10/17/2016	10/18/2016	Open
	CE-6019	7316 Crossbow Trail	10/21/2016	10/21/2016	Open
2					
Stop Work Order No Permit	CE-5897	7305 Bar K Ranch Rd.	10/5/2016	10/12/2016	Open
	1				
Trailer Parked On Improved Lot	CE-5942	7106 Cowpoke Trail	10/11/2016	10/18/2016	Open
	CE-5983	7106 Cowpoke Trail	10/17/2016	10/19/2016	Open
	CE-6061	20603 Ridgeview Rd.	10/28/2016	11/16/2016	Open
3					
Trailer Parked On Unimproved Lot	CE-5934	6007 Cimmaron Trail	10/11/2016	10/24/2016	Open
	CE-6001	20904 Little Lane	10/20/2016	11/15/2016	Open
2					
Two Solid Waste Containers	CE-6049	6106 La Mesa St.	10/26/2016	11/4/2016	Open
	1				

Code Enforcement Cases by Date

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	Unsafe Structure	CE-6079	20805 Trapper Lane	10/31/2016	1/31/2017	Open
		1				
	Vehicle for Sale Improved Lot	CE-5979	6311 Lohman Ford Rd.	10/17/2016	10/17/2016	Open
		1				
	Vehicle on Lot Excess of 7 Days	CE-5933	6005 Cimmaron Trail	10/11/2016	10/23/2016	Open
		CE-5943	21314 Choctaw Cove	10/11/2016	10/18/2016	Open
		2				
	Vehicle Parked On Improved Lot	CE-5865	20707 Ridgeview Rd.	10/3/2016	10/10/2016	Open
		CE-5941	21475 Coyote Trail #1B	10/11/2016	10/15/2016	Open
		CE-5945	21103 Little Loop	10/12/2016	10/17/2016	Open
		CE-5987	7402 Little Oak Cir.	10/18/2016	10/20/2016	Open
		CE-6013	21415 Coyote Trail	10/21/2016	10/21/2016	Open
		CE-6060	6000 Cimmaron Dr.	10/27/2016	11/1/2016	Open
		6				
	Vehicle Parked On Unimproved Lot	CE-5999	20904 Little Lane	10/20/2016	11/15/2016	Open
		CE-6000	20904 Little Lane	10/20/2016	11/15/2016	Open
		CE-6002	20904 Little Lane	10/20/2016	11/15/2016	Open
		3				
	Vehicle repair in residential zone violation	CE-6003	20904 Little Lane	10/20/2016	10/21/2016	Open
		1				
Total	84					
District 2	Boat Parked On Unimproved Lot	CE-5900	3302 Constitution Dr.	10/6/2016	10/13/2016	Open
		CE-5902	4212 Rimrock Ct.	10/6/2016	10/9/2016	Open
		2				
	Brush on Improved Lot	CE-6057	20706 Camel Back	10/27/2016	11/5/2016	Open
		CE-6058	20707 Camel Back	10/27/2016	11/5/2016	Open
		CE-6059	3901 Lake Park Cove	10/27/2016	11/10/2016	Open
		3				
	Garage/Estate Sale sign violation	CE-6010	5801 Thunderbird St.	10/21/2016	10/21/2016	Closed
		1				
	Garage/Estate Sale Sign Violation on City Property	CE-5860	2311 American Dr.	10/3/2016	10/3/2016	Closed
		CE-5975	20100 Highland Lake Dr.	10/14/2016	10/14/2016	Closed
		CE-6070	20104 Highland Lake	10/28/2016	10/28/2016	Open
		CE-6072	20606 National Dr.	10/28/2016	10/28/2016	Closed
		4				
	High Grass/Weeds on Improved Lot	CE-5855	21513 Lakefront Dr.	10/3/2016	10/13/2016	Open
		CE-5869	2302 Newton Dr.	10/4/2016	10/14/2016	Open
		CE-5870	2806 Norton Ave.	10/4/2016	10/14/2016	Open
		CE-5873	21512 Pershing Ave. #A	10/4/2016	10/14/2016	Open
		CE-5874	21609 Pershing Ave.	10/4/2016	10/14/2016	Open
		CE-5875	3115 Point Cove	10/4/2016	10/14/2016	Open
CE-5876		21837 Tallahassee Ave.	10/4/2016	10/14/2016	Open	
CE-5877		21803 Tallahassee Ave.	10/4/2016	10/14/2016	Open	
CE-5880		21413 Patton Ave.	10/4/2016	10/14/2016	Open	
CE-5881		19801 Cabot Cove	10/5/2016	10/15/2016	Open	
CE-5882		19907 Constitution Cove	10/5/2016	10/15/2016	Open	
CE-5886		3111 MacArthur Ave.	10/5/2016	10/15/2016	Open	
CE-5888		2701 MacArthur Ave.	10/5/2016	10/15/2016	Open	
CE-5890		21635 Boggy Ford Rd.	10/5/2016	10/15/2016	Open	
CE-5901		21420 Lakefront Dr.	10/6/2016	10/16/2016	Open	

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	CE-5905	4200 Rockwood Dr.	10/7/2016	10/17/2016	Open
	CE-5908	20617 Oak Ridge	10/7/2016	10/17/2016	Closed
	CE-5949	21401 Santa Carlo Ave.	10/12/2016	10/23/2016	Open
	CE-5952	4120 Rockwood Dr.	10/12/2016	10/23/2016	Closed
	CE-5953	21109 Twisting Trail	10/12/2016	10/23/2016	Open
	CE-5961	3930 Outpost Trace	10/13/2016	10/23/2016	Open
	CE-5985	3115 Point Cove	10/17/2016	10/31/2016	Open
	CE-5990	3708 Parliament Cv.	10/18/2016	10/28/2016	Open
	CE-5991	21609 Pershing Ave	10/18/2016	10/28/2016	Open
	CE-6024	21507 Pershing Ave. #B	10/24/2016	11/3/2016	Open
	CE-6037	20711 Camel Back St.	10/26/2016	11/5/2016	Open
	CE-6038	20305 National Dr.	10/26/2016	11/5/2016	Open
	CE-6040	4003 Constitution Dr.	10/26/2016	11/5/2016	Open
	CE-6053	5102 Sundown St.	10/27/2016	11/9/2016	Open
	CE-6059	3901 Lake Park Cove	10/27/2016	11/10/2016	Open
	CE-6075	3920 Outpost Trace	10/28/2016	11/18/2016	Open
	31				
High Grass/Weeds on Unimproved Lot	CE-5931	3801 Annapolis Cv.	10/10/2016	10/24/2016	Open
	CE-5937	5800 Lago Vista Way	10/11/2016	11/18/2016	Open
	CE-6055	20615 Oak Ridge	10/27/2016	11/25/2016	Open
	CE-6056	20726 Camel Back	10/27/2016	11/26/2016	Open
	4				
Home Occupation Violation Permitted No Permit	CE-5967	4003 Constitution Dr.	10/14/2016	10/28/2016	Open
	1				
Illegal Dumping Violation Unimproved Lot	CE-5938	5800 Lago Vista Way	10/11/2016	11/18/2016	Open
	1				
Junked Vehicle On Improved Lot	CE-5903	4200 Rockwood Dr.	10/7/2016	11/11/2016	Open
	CE-5904	4200 Rockwood Dr.	10/7/2016	11/11/2016	Open
	CE-5911	5507 Thunderbird St. #B	10/7/2016	10/18/2016	Open
	CE-5912	5505 Thunderbird St. #A	10/7/2016	10/23/2016	Open
	CE-5977	3814 Capitol Ave	10/17/2016	11/5/2016	Open
	5				
Junked Vehicle On Unimproved Lot	CE-5997	5800 Lago Vista Way	10/19/2016	11/4/2016	Open
	1				
Mandatory Water Rationing Violation Allow Water Runoff	CE-5927	20524 Highland Lake Dr.	10/10/2016	10/10/2016	Closed
	CE-6054	21432 Lakefront Dr.	10/27/2016	10/27/2016	Open
	2				
Mandatory Water Rationing Violation Wrong Day	CE-5927	20524 Highland Lake Dr.	10/10/2016	10/10/2016	Closed
	CE-5989	3304 Parliament Cv.	10/18/2016	10/18/2016	Closed
	CE-6021	20711 Henry Ave.	10/24/2016	10/24/2016	Open
	CE-6032	20804 Boggy Ford Rd.	10/25/2016	10/25/2016	Open
	4				
Mandatory Water Rationing Violation Wrong Time	CE-5927	20524 Highland Lake Dr.	10/10/2016	10/10/2016	Closed
	CE-6021	20711 Henry Ave.	10/24/2016	10/24/2016	Open
	CE-6032	20804 Boggy Ford Rd.	10/25/2016	10/25/2016	Open
	CE-6052	5005 Thunderbird St.	10/27/2016	10/27/2016	Closed
	CE-6054	21432 Lakefront Dr.	10/27/2016	10/27/2016	Open
	5				
Other Building Violations	CE-5940	5800 Lago Vista Way	10/11/2016	11/18/2016	Open
	1				171

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Other Sign violations	CE-5939	5800 Lago Vista Way	10/11/2016	11/18/2016	Open	
	1					
	Other Zoning violations	CE-5884	19907 Constitution Cove	10/5/2016	10/15/2016	Open
		CE-6074	21412 Lakefront Dr.	10/28/2016	10/22/2016	Open
		2				
	Political Sign Violation Failure to Remove	CE-5932	3933 Outpost Trace	10/11/2016	10/24/2016	Open
		1				
	Political Sign Violation Less Than 10ft From Roadway	CE-5878	21803 Tallahassee Ave.	10/4/2016	10/4/2016	Closed
		CE-5887	3100 Horizon cove	10/5/2016	10/5/2016	Open
		CE-5924	20211 Highland Lake Dr.	10/10/2016	10/10/2016	Closed
CE-5925		20508 Highland Lake Dr.	10/10/2016	10/10/2016	Closed	
CE-5959		3604 Mount Laurel Rd.	10/13/2016	10/13/2016	Open	
CE-5960		3604 Mount Laurel Rd.	10/13/2016	10/13/2016	Open	
CE-5965		4500 Shoreline Ranch Rd.	10/14/2016	10/14/2016	Closed	
CE-5978		3604 Mount Laurel Rd.	10/17/2016	10/17/2016	Open	
CE-6005		2502 Mayflower Cove	10/20/2016	10/20/2016	Closed	
CE-6007		20531 Highland Lake Dr.	10/20/2016	10/20/2016	Closed	
CE-6009		5802 Thunderbird St.	10/21/2016	10/21/2016	Closed	
CE-6025		21518 Mount View Dr.	10/24/2016	10/24/2016	Closed	
12						
Political Sign Violation More Than One per Candidate	CE-5866	2800 Declaration Cir.	10/4/2016	10/4/2016	Open	
	CE-5879	3112 American Dr.	10/4/2016	10/4/2016	Open	
	CE-5899	20600 Highland Lake Dr.	10/6/2016	10/9/2016	Open	
	CE-5923	6300 Lohman Ford Rd.	10/10/2016	10/10/2016	Closed	
	CE-5932	3933 Outpost Trace	10/11/2016	10/24/2016	Open	
	5					
Prohibited Animal On Lot (Chickens)	CE-6076	19902 Victoria Chase	10/31/2016	11/17/2016	Open	
	1					
Property Maintenance violation	CE-5910	5507 Thunderbird St. #B	10/7/2016	10/14/2016	Open	
	CE-5922	6004 Lohman Ford Rd.	10/10/2016	10/13/2016	Open	
	CE-5962	3936 Outpost Trace	10/13/2016	10/27/2016	Open	
	CE-5986	21718 Ticonderoga Ave	10/17/2016	10/24/2016	Open	
	4					
Real Estate Off Premise Sign	CE-5861	2300 Nevins Cv.	10/3/2016	10/3/2016	Closed	
	CE-5862	2300 Nevins Cv.	10/3/2016	10/3/2016	Closed	
	CE-5867	2700 Conestoga Cove	10/4/2016	10/4/2016	Open	
	3					
Solid Waste Container Violation In Late	CE-5883	19907 Constitution Cove	10/5/2016	10/5/2016	Open	
	CE-5885	20039 Continental Dr.	10/5/2016	10/5/2016	Open	
	CE-5889	21009 Nantucket Cv.	10/5/2016	10/5/2016	Open	
	CE-5891	21102 Santa Ana Cv #B	10/5/2016	10/5/2016	Open	
	CE-5913	20312 Continental Dr.	10/7/2016	10/7/2016	Open	
	CE-5947	3229 Eisenhower Ave	10/12/2016	10/12/2016	Open	
	CE-5948	3111 MacArthur Ave. #A	10/12/2016	10/12/2016	Closed	
	CE-5951	20807 Boggy Ford Rd.	10/12/2016	10/12/2016	Closed	
	CE-5976	2734 Cody Ave.	10/14/2016	10/14/2016	Open	
	CE-5994	2810 Boone Dr.	10/19/2016	10/19/2016	Open	
	CE-5995	20308 Highland Lake Dr.	10/19/2016	10/19/2016	Open	
	CE-6006	2403 Grant Lane	10/20/2016	10/20/2016	Closed	
	CE-6011	5800 Thunderbird St. #1	10/21/2016	10/21/2016	Open	

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	CE-6022	21512 Pershing Ave. #A	10/24/2016	10/24/2016	Open
	CE-6039	4009 Constitution Dr.	10/26/2016	10/27/2016	Open
	CE-6043	21415 Boggy Ford Rd.	10/26/2016	10/26/2016	Closed
	CE-6044	21313 Boggy Ford Rd.	10/26/2016	10/26/2016	Closed
	CE-6045	20707 Boggy Ford Rd.	10/26/2016	10/26/2016	Closed
	CE-6062	5002 Country Club Dr.	10/28/2016	10/28/2016	Open
	CE-6071	20300 Highland Lake Dr.	10/28/2016	10/28/2016	Open
	20				
Solid Waste Container Violation Out Early	CE-5856	5609 Club House Dr.	10/3/2016	10/5/2016	Open
	CE-5871	3208 Poe Cove #A	10/4/2016	10/6/2016	Open
	CE-5957	19517 Boggy Ford Rd.	10/13/2016	10/13/2016	Open
	CE-6027	3100 Patriot Dr.	10/25/2016	10/27/2016	Open
	CE-6028	2808 Truman Cove	10/25/2016	10/27/2016	Open
	CE-6029	2402 Patriot Dr.	10/25/2016	10/27/2016	Open
	CE-6030	22027 Redbird Dr.	10/25/2016	10/27/2016	Open
	7				
Solid Waste Container Violation Recycle In Late	CE-5883	19907 Constitution Cove	10/5/2016	10/5/2016	Open
	CE-5891	21102 Santa Ana Cv #B	10/5/2016	10/5/2016	Open
	CE-6006	2403 Grant Lane	10/20/2016	10/20/2016	Closed
	3				
Solid Waste Container Violation Recycle Out Early	CE-5856	5609 Club House Dr.	10/3/2016	10/5/2016	Open
	CE-5872	3208 Poe Cove #A	10/4/2016	10/6/2016	Open
	CE-5889	21009 Nantucket Cv.	10/5/2016	10/5/2016	Open
	CE-5926	20312 Continental Dr.	10/10/2016	10/11/2016	Closed
	CE-5946	3702 Alamo Cove	10/12/2016	10/13/2016	Open
	CE-5958	19517 Boggy Ford Rd.	10/13/2016	10/13/2016	Open
	CE-6027	3100 Patriot Dr.	10/25/2016	10/27/2016	Open
	CE-6029	2402 Patriot Dr.	10/25/2016	10/27/2016	Open
	CE-6030	22027 Redbird Dr.	10/25/2016	10/27/2016	Open
	CE-6041	20903 Magellan Cv.	10/26/2016	10/26/2016	Closed
	CE-6042	21003 Boggy Ford Rd. #A	10/26/2016	10/26/2016	Closed
	11				
	Trailer Parked On Improved Lot	CE-5950	2201 American Dr.	10/12/2016	10/14/2016
CE-5954		21003 Boggy Ford Rd. #B	10/13/2016	10/20/2016	Open
CE-5964		3108 Patriot Dr.	10/14/2016	10/19/2016	Open
CE-5966		4003 Constitution Dr.	10/14/2016	10/21/2016	Open
CE-6012		21402 Polk Cove	10/21/2016	10/25/2016	Open
CE-6036		3803 Annapolis Cove	10/26/2016	10/31/2016	Open
6					
Trailer Parked On Unimproved Lot	CE-5868	20809 Henry Ave	10/4/2016	10/6/2016	Open
	CE-5900	3302 Constitution Dr.	10/6/2016	10/13/2016	Open
	CE-5902	4212 Rimrock Ct.	10/6/2016	10/9/2016	Open
	3				
Two Solid Waste Containers	CE-5863	3932 Outpost Trace	10/3/2016	10/12/2016	Open
	CE-5930	2701 MacArthur Ave.	10/10/2016	10/17/2016	Open
	CE-5963	3108 Patriot Dr.	10/13/2016	10/21/2016	Open
	CE-6033	2904 Hancock Ave.	10/25/2016	11/4/2016	Open
	CE-6034	2810 Boone Dr.	10/25/2016	11/4/2016	Open
	CE-6035	4010 Constitution Dr.	10/25/2016	11/4/2016	Open
	CE-6050	6102 Lakeshore Dr.	10/26/2016	11/4/2016	Unfunded

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		CE-6073	21603 Falcon Lane	10/28/2016	11/8/2016	Open
		8				
	Vehicle on Lot Excess of 7 Days	CE-5906	5211 Thunderbird St. #A	10/7/2016	10/14/2016	Open
		CE-5907	5211 Thunderbird St. #A	10/7/2016	10/14/2016	Open
		CE-5909	5305 Thunderbird St. #A	10/7/2016	11/1/2016	Open
		CE-5929	4903 Turnback St.	10/10/2016	10/17/2016	Open
		CE-5996	21631 Boggy Ford Rd. #A	10/19/2016	10/26/2016	Open
		5				
	Vehicle Parked On Improved Lot	CE-5955	21003 Boggy Ford Rd. #B	10/13/2016	10/20/2016	Open
		CE-5956	4124 Rockwood Dr.	10/13/2016	10/20/2016	Open
		2				
	Vehicle Parked On Unimproved Lot	CE-6023	3200 Plymouth Cove	10/24/2016	10/25/2016	Open
		1				
	Vehicle repair in residential zone violation	CE-6051	4903 Turnback St.	10/27/2016	10/31/2016	Open
		1				
		Total	161			
Not Set	High Grass/Weeds on Improved Lot	CE-6031	22027 Redbird Dr.	10/25/2016	11/4/2016	
		1				
	Total	1				
Total		246				



City of Lago Vista, Texas

November 3rd, 2016

Monthly Golf Operational report

Lago Vista GC & Highland Lakes GC

In the month of October the golf courses received 0.03 inches of rain. October was one of the hottest months on record for our area. There was an issue with one of the filters at the water treatment plant which caused solids to infiltrate our irrigation piping and clog up our sprinkler heads. As such we had to shut down our system and hand water greens until the problem was resolved. This also caused us to have several breaks in our piping. We then followed up and have been flushing the irrigation lines and cleaning heads. We have 450 heads at the Lago Golf Course. We are fortunate that this problem was unique only to the Lago Vista GC. We continued to treat the golf course with fungicide and herbicide and have started to notice positive changes in the course appearance and playability. We have also been applying fertilizer to both golf courses greens and are starting to notice an improvement in greens conditions. The deer although nice to look at do cause a problem by eating some of the weeds which cause chunking or holes in the greens. We have started to see the grass growth slow down as the night temperatures dip below 65 degrees. We have also begun to raise the height of cut to greens, fairways and tees in preparation for our first cold spells which will drastically tighten up the turf as the weather gets cooler. Our plan is to continue to work on reducing our coverage of weeds, our irrigation systems as well as many course projects over the course of the next 3 months. Players should be pleased with our results going forward and we should start to receive some positive feedback.

We are happy to have Chris Godwin as our head golf professional. I have been training and educating him on expectations, merchandising, programming etc. He is and will be an asset to our golf courses.

We hosted 3 tournaments and catered 4 events during the month of October. We look forward to building on these events and creating additional business opportunities.

We have created a family night theme with inexpensive dinner options as well as introduction to golf. We hope that this event will catch on and become popular in the future.

The golf courses generated \$102,096.48 in total revenue in October. This is +\$22,172.65 more than last October and +\$13,725.48 than last month. The Lago Vista Grill generated \$12,515.67 in food sales and \$6,609.09 in beer sales. Membership dollars collected for both courses was \$29,055.83 (this is included in total revenue). Rounds played for the month at Highlands were 1433 including 706 outside rounds. Rounds played at Lago Vista were 1613 including 992 outside rounds. Our membership count increased from 83 to 95.

Upcoming goals for the month continue to include course conditions, winter project plan, production of collateral pieces, implementing new programs for beginners, ladies and seniors, identifying local businesses and hotels, employee programs, and getting off property to make new contacts.

Will also be counting on volunteers to help pursue golf course markers and score card sponsorships.

As always, please feel free to contact me should you have any ideas, comments or concerns.

Hope to you all on the links!

Regards,

Mark Côté

PGA / CMAA

General Manager / Director of Golf





City of Lago Vista

Library Services Monthly Report FY2016-2017

Division and Services	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	6 Month Total	Apr 2017	May 2017	Jun 2017	Jul 2017	Aug 2017	Sep 2017	FY Total
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Library

Patron Visits to the Library	2,025													
New Patrons	26													
Patrons on File	7,304													
Patrons with Active Accounts	2,017													
Computer Users	455													
Wi-Fi Users	27													
Children's Programs	9													
Children's Programs Attendance	895													
Teen Programs	0													
Teen Program Attendance	0													
Adult Programs/Events	30													
Adult Programs/Events Attendance	350													
Materials Circulated	2,082													
Materials in Collection	14,307													
Interlibrary Loans	13													
Amount Saved by Patrons	\$30,927													
Volunteer Hours	314													
Friends of the Library Expenditures														

The reason for the high number of attendees at children's programs in October was the large turnout of parents and children who visited the special Halloween Open House Event on October 31.

LAGO VISTA MUNICIPAL COURT MONTHLY REPORT - FY 2016/2017

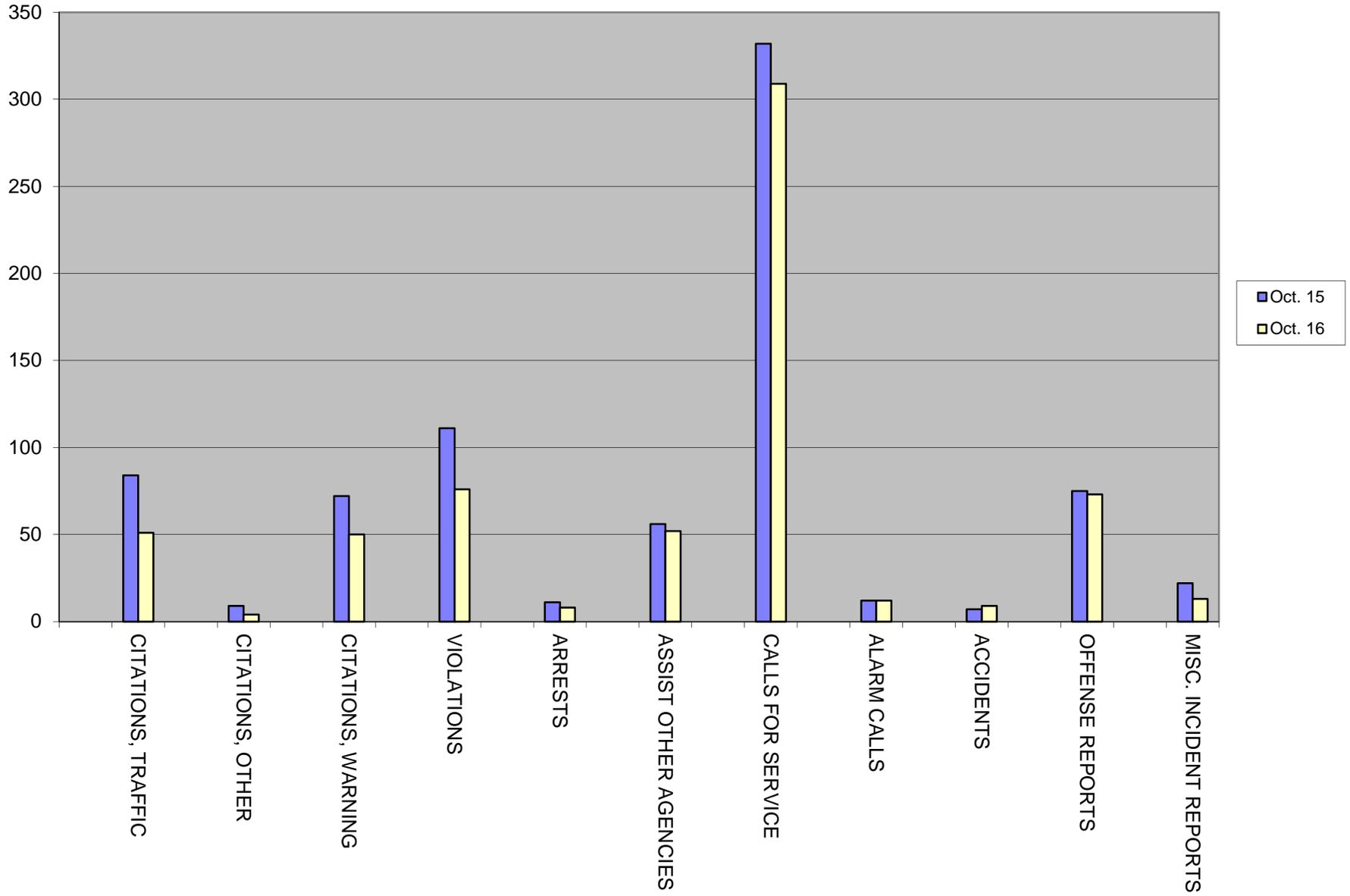
	Oct	Nov	Dec	Jan	**Feb	**Mar
VIOLATIONS	83					
GROSS REVENUE	\$ 10,539.50					
PORTION OF REVENUE FROM WARRANTS	\$ 1,024.00					
LESS TO STATE	\$ 4,168.77					
REVENUE TO CITY	\$ 6,370.73					
COMMUNITY SERVICE HOURS SERVED	40					
BUILDING SECURITY FUND	\$ 152.66					

** WARRANT ROUND-UP

	Apr	May	Jun	Jul	Aug	Sep
VIOLATIONS						
GROSS REVENUE						
PORTION OF REVENUE FROM WARRANTS						
LESS TO STATE						
REVENUE TO CITY						
COMMUNITY SERVICE HOURS SERVED						
BUILDING SECURITY FUND						

	Year-to-Date	Previous Year
VIOLATIONS	83	144
GROSS REVENUE	\$ 10,539.50	\$ 13,055.06
PORTION OF REVENUE FROM WARRANTS	\$ 1,024.00	\$ 3,254.50
LESS TO STATE	\$ 4,168.77	\$ 4,502.53
REVENUE TO CITY	\$ 6,370.73	\$ 8,552.53
COMMUNITY SERVICE SERVED	40	\$ - 0
BUILDING SECURITY FUND	\$ 152.66	\$ 147.65

OCTOBER
COMPARISONS
2015-2016
LAGO VISTA POLICE DEPARTMENT





LAGO VISTA POLICE DEPARTMENT													
MONTHLY REPORT - 2016													
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
CITATIONS													
Traffic	74	35	51	56	82	70	70	69	61	51			
Animal	5	6	2	2	2	1	1	1	3	3			
Other	16	5	20	8	3	9	19	1	4	1			
Warning	76	90	85	78	72	71	84	47	62	50			
Total Citations	171	136	158	144	159	151	174	118	130	105			
VIOLATIONS													
Traffic	82	43	61	67	99	87	83	87	71	67			
Other	24	18	28	11	7	12	23	2	13	9			
Total Violations	106	61	89	78	106	99	106	89	84	76			
ARRESTS	31	15	28	18	10	20	14	6	6	8			
ASSIST OTHER AGENCIES													
EMS	35	25	23	29	38	37	37	31	28	31			
NLTRF	3	7	8	6	10	7	7	7	10	18			
Other Law Enforcement	3	7	7	6	5	5	7	6	5	3			
Utility Dept	2	6	3	3	6	0	5	3	3	0			
Total Assist Other Agencies	43	45	41	44	59	49	56	47	46	52			
CALLS FOR SERVICE	277	258	264	273	325	256	266	261	295	309			
ALARM CALLS	20	15	15	12	13	10	15	21	18	12			
FALSE ALARMS	20	15	15	12	13	10	15	21	18	12			
ANIMAL CONTROL													
Animal Calls	16	22	23	12	21	17	9	13	21	19			
Animal Impounds	*4	*10	*6	*5	*7	*6	*2	*7	*4	*3			
ACCIDENTS	6	8	11	9	8	7	6	2	2	9			
OFFENSE REPORTS	80	86	76	82	86	67	79	93	69	73			
MISC. INCIDENT REPORTS	24	22	22	38	47	25	23	23	19	13			
TOTAL MILES PATROLLED	10,682	8,585	10,703	7,580	9,423	9,764	11,799	8,191	7,801	7,325			
Taken to PAWS: 0 Dogs 0 Cats		Taken to Vets: 0 Dogs 0 Cats											
*Kept at P.D.	*3 Dogs	0 Cats											
Returned to Owner:	3 Dogs	0 Cats											
Taken to Town Lake	0 Dogs	0 Cats											
Adopted:/Fostered	0 Dogs	0 Cats											
Taken to Williamson Co Humane:	0 Dogs	0 Cats											
Still at P.D. Impound	0 Dogs	0 Cats											

September 2016 Monthly Water Loss Report for WTP1, WTP2 & WTP3

WATER PRODUCED			
GALLONS OF WATER PRODUCED	37,679,000		
WATER PRODUCED TOTAL		37,679,000	100%

SOLD WATER			
RESIDENTIAL	20,831,100		55.29%
COMMERCIAL	3,028,900		8.04%
CITY IRRIGATION	2,804,900		7.44%
FIRE HYDRANT METERS	1,610,400		4.27%
CITY METERS Y & Z ROUTE	2,551,790		6.77%
WATER SOLD TOTAL		30,827,090	81.82%

UNSOLD WATER			
PLANNED WATER USAGE - UNSOLD			
WATER TREATMENT PLANTS	200,000		0.53%
WASTEWATER TREATMENT PLANT	200,000		0.53%
SYSTEM FLUSHING	100,000		0.27%
FIRE DEPARTMENT USE	50,000		0.13%
OTHER			0.00%
TOTAL		550,000	1%
UNPLANNED WATER USAGE - UNSOLD			
TANK OVERFLOWS	-		0.00%
EXCAVATION BREAKS	-		0.00%
REPAIRED LINEBREAKS	1,200,000		3.18%
TOTAL		1,200,000	3.18%
UNACCOUNTED WATER LOSS			
UNACCOUNTED WATER LOSS	5,101,910		13.54%
TOTAL		5,101,910	13.54%
UNSOLD WATER TOTAL		6,851,910	18.18%

CATEGORY TOTALS			
TOTAL WATER SOLD	30,827,090		81.82%
TOTAL WATER NOT SOLD	6,851,910		18.18%
PRODUCTION TOTAL		37,679,000	100.00%

TOTAL WATER NOT SOLD OR USED	5,101,910		13.54%
COST OF WATER NOT SOLD OR USED	\$0.00		

UNKNOWN LOSS GALLONS	5,101,910
UNKNOWN LOSS %	13.54%
NUMBER OF DAYS IN PERIOD	31
UNKNOWN LOSS PER DAY	164,578
UNKNOWN LOSS PER MINUTE (GPM)	114.29
UNKNOWN LOSS COST PER MONTH	\$ -

TCEQ WATER QUALITY STATUS 2016

	COMPLIANT WITH TCEQ (Y/N)		TCEQ VIOLATIONS (IF ANY)	
	WATER	SEWER	WATER	WASTEWATER
Feb-16	YES	YES	0	0
Mar-16	YES	YES	0	0
Apr-16	YES	YES	0	1*
May-16	YES	YES	0	0
Jun-16	YES	YES	0	0
Jul-16	YES	YES	0	0
Aug-16	YES	YES	0	0
Sep-16	YES	YES	0	0
Oct-16	YES	YES	0	0

*DRIVING RANGE LIFT STAION OVERFLOW APRIL 23, 2016.

CITY OF LAGO VISTA WATER & WASTEWATER REPORT

October 2016



Water Production

This Month		Total Production - 40.192 MG				
	Raw Water	Production	Efficiency	Highest Day	Average Day	Lowest Day
Water Plant 1	11.531 MG	10.706 MG	92.8%	0.434 MG	0.345 MG	0.264 MG
Water Plant 2	12.201 MG	11.584 MG	94.9%	0.519 MG	0.374 MG	0.278 MG
Water Plant 3	18.829 MG	17.901 MG	95.1%	0.664 MG	0.577 MG	0.493 MG
Combined	42.561 MG	40.192 MG	94.4%	1.464 MG	1.297 MG	1.088 MG

Past 12 Months		Total Production - 450.050 MG				
	Raw Water	Production	Efficiency	Highest Day	Average Day	Lowest Day
Water Plant 1	290.235 MG	280.637 MG	96.7%	1.771 MG	0.767 MG	0.243 MG
Water Plant 2	122.309 MG	115.629 MG	94.5%	0.676 MG	0.316 MG	0.079 MG
Water Plant 3	58.563 MG	53.784 MG	91.8%	1.511 MG	0.485 MG	0.000 MG
Combined	471.108 MG	450.050 MG	95.5%	2.457 MG	1.230 MG	0.546 MG

Waste Water Treatment

This Month		Total Treated - 11.182 MG		
	Treated	Highest Day	Average Day	Lowest Day
Waste Water Treatment Plant	11.182 MG	0.450 MG	0.361 MG	0.320 MG

Past 12 Months		Total Treated - 140.838 MG		
	Treated	Highest Day	Average Day	Lowest Day
Waste Water Treatment Plant	140.838 MG	0.777 MG	0.385 MG	0.150 MG

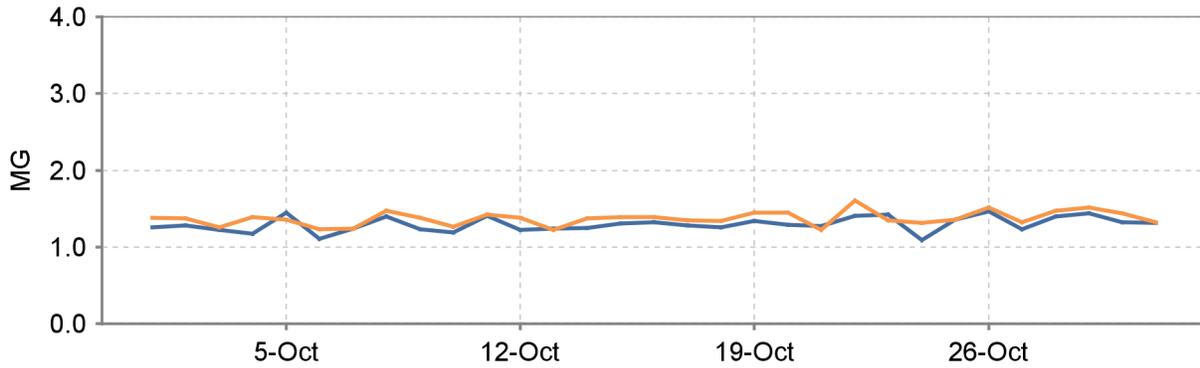
Effluent Disposal

This Month		WWTP Plant Permit Total - 8.394 MG		
	Total	Highest Day	Average Day	Lowest Day
Lago Vista Golf Course Permit	6.869 MG	0.450 MG	0.222 MG	0.000 MG
Cedar Breaks Permit	1.527 MG	0.174 MG	0.049 MG	0.000 MG
WWTP Plant Permit Total	8.394 MG	0.542 MG	0.271 MG	0.003 MG
Reclaimed Effluent 210 Permit	5.533 MG	0.387 MG	0.178 MG	0.000 MG

Past 12 Months		WWTP Plant Permit Total - 103.714 MG		
	Total	Highest Day	Average Day	Lowest Day
Lago Vista Golf Course Permit	80.715 MG	0.766 MG	0.221 MG	0.000 MG
Cedar Breaks Permit	22.996 MG	0.229 MG	0.063 MG	0.000 MG
WWTP Plant Permit Total	103.714 MG	0.827 MG	0.283 MG	0.000 MG
Reclaimed Effluent 210 Permit	42.673 MG	0.476 MG	0.117 MG	0.000 MG

Combined Water Production

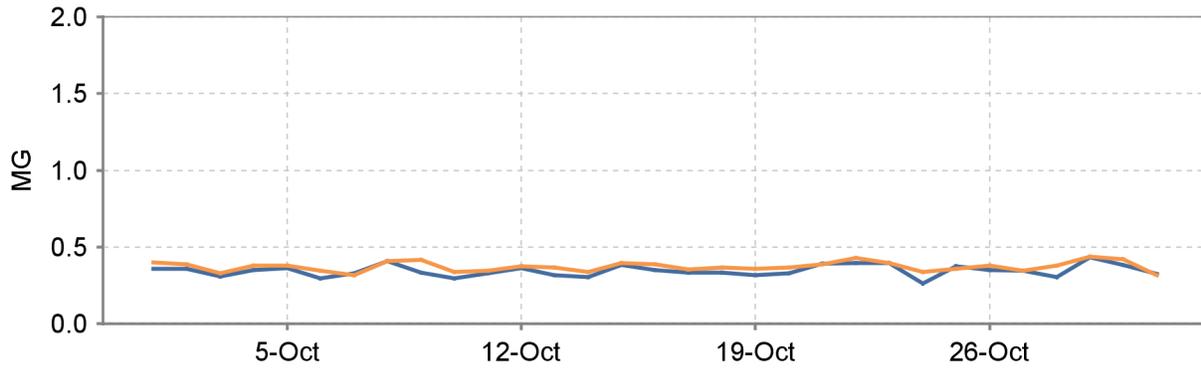
This Month



Date	WP1 Raw	WP2 Raw	WP3 Raw	Combined Raw	WP1 Finished	WP2 Finished	WP3 Finished	Combined Finished
10/01/16	0.399	0.369	0.614	1.382	0.357	0.349	0.554	1.260
10/02/16	0.389	0.382	0.602	1.373	0.356	0.351	0.571	1.279
10/03/16	0.327	0.414	0.513	1.254	0.306	0.392	0.524	1.223
10/04/16	0.378	0.322	0.687	1.387	0.351	0.328	0.493	1.171
10/05/16	0.378	0.474	0.504	1.356	0.362	0.455	0.635	1.452
10/06/16	0.346	0.314	0.573	1.233	0.296	0.278	0.535	1.109
10/07/16	0.316	0.373	0.549	1.238	0.329	0.375	0.534	1.238
10/08/16	0.408	0.397	0.666	1.471	0.406	0.362	0.634	1.402
10/09/16	0.418	0.386	0.580	1.384	0.332	0.353	0.550	1.235
10/10/16	0.336	0.385	0.547	1.268	0.297	0.361	0.532	1.190
10/11/16	0.346	0.506	0.575	1.427	0.329	0.519	0.562	1.410
10/12/16	0.377	0.332	0.677	1.385	0.363	0.288	0.575	1.227
10/13/16	0.367	0.334	0.522	1.223	0.316	0.313	0.610	1.240
10/14/16	0.336	0.386	0.651	1.373	0.304	0.395	0.548	1.248
10/15/16	0.397	0.395	0.600	1.393	0.382	0.354	0.569	1.305
10/16/16	0.386	0.406	0.595	1.387	0.351	0.376	0.594	1.322
10/17/16	0.356	0.413	0.582	1.351	0.331	0.430	0.523	1.284
10/18/16	0.367	0.391	0.584	1.341	0.331	0.361	0.562	1.254
10/19/16	0.356	0.405	0.686	1.448	0.318	0.372	0.651	1.342
10/20/16	0.366	0.423	0.660	1.449	0.329	0.406	0.552	1.286
10/21/16	0.387	0.308	0.526	1.221	0.390	0.291	0.596	1.277
10/22/16	0.428	0.445	0.734	1.607	0.394	0.409	0.603	1.405
10/23/16	0.397	0.350	0.600	1.347	0.398	0.358	0.664	1.419
10/24/16	0.336	0.333	0.642	1.311	0.264	0.322	0.503	1.088
10/25/16	0.356	0.431	0.571	1.359	0.375	0.388	0.594	1.357
10/26/16	0.377	0.463	0.674	1.514	0.352	0.453	0.659	1.464
10/27/16	0.347	0.391	0.589	1.327	0.344	0.354	0.533	1.231
10/28/16	0.378	0.453	0.642	1.473	0.302	0.452	0.645	1.400
10/29/16	0.439	0.406	0.673	1.518	0.434	0.390	0.612	1.436
10/30/16	0.419	0.417	0.606	1.442	0.383	0.364	0.575	1.322
10/31/16	0.318	0.397	0.608	1.323	0.324	0.385	0.607	1.316
Total (MG)	11.531	12.201	18.829	42.561	10.706	11.584	17.901	40.192
Highest	0.439	0.506	0.734	1.607	0.434	0.519	0.664	1.464
Average	0.372	0.394	0.607	1.373	0.345	0.374	0.577	1.297
Lowest	0.316	0.308	0.504	1.221	0.264	0.278	0.493	1.088

Water Plant 1 Water Production

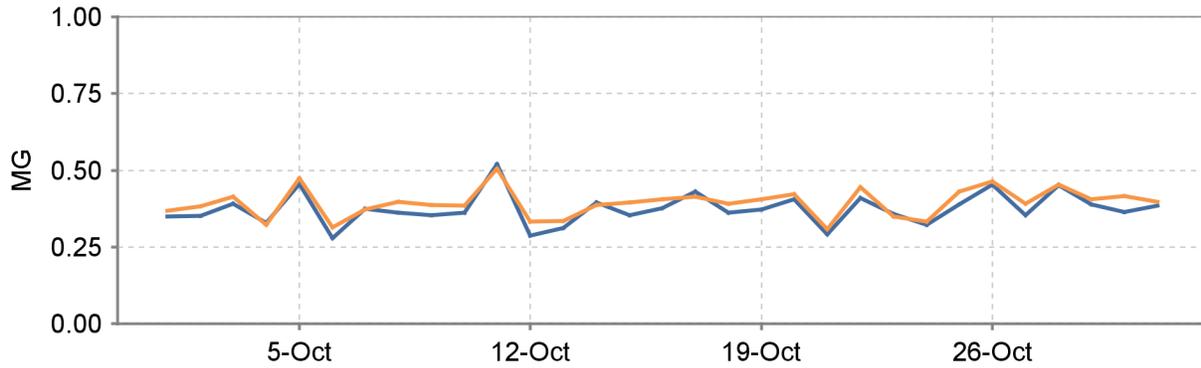
This Month



Date	WP1 Raw	WP1 Clarifier A	WP1 Clarifier B	WP1 Finished	WP1 Process Loss	WP1 Efficiency
10/01/16	0.399	0.000	0.399	0.357	0.042	89%
10/02/16	0.389	0.000	0.399	0.356	0.032	92%
10/03/16	0.327	0.000	0.327	0.306	0.021	94%
10/04/16	0.378	0.000	0.368	0.351	0.028	93%
10/05/16	0.378	0.010	0.377	0.362	0.016	96%
10/06/16	0.346	0.000	0.347	0.296	0.051	85%
10/07/16	0.316	0.000	0.316	0.329	-0.013	104%
10/08/16	0.408	0.000	0.408	0.406	0.002	100%
10/09/16	0.418	0.000	0.417	0.332	0.086	79%
10/10/16	0.336	0.000	0.326	0.297	0.039	88%
10/11/16	0.346	0.010	0.357	0.329	0.017	95%
10/12/16	0.377	0.000	0.367	0.363	0.013	96%
10/13/16	0.367	0.000	0.367	0.316	0.050	86%
10/14/16	0.336	0.000	0.327	0.304	0.031	91%
10/15/16	0.397	0.000	0.398	0.382	0.015	96%
10/16/16	0.386	0.000	0.387	0.351	0.035	91%
10/17/16	0.356	0.000	0.357	0.331	0.025	93%
10/18/16	0.367	0.010	0.367	0.331	0.036	90%
10/19/16	0.356	0.000	0.356	0.318	0.038	89%
10/20/16	0.366	0.000	0.357	0.329	0.037	90%
10/21/16	0.387	0.000	0.387	0.390	-0.003	101%
10/22/16	0.428	0.000	0.438	0.394	0.034	92%
10/23/16	0.397	0.000	0.388	0.398	-0.001	100%
10/24/16	0.336	0.000	0.326	0.264	0.073	78%
10/25/16	0.356	0.010	0.366	0.375	-0.019	105%
10/26/16	0.377	0.001	0.373	0.352	0.025	93%
10/27/16	0.347	0.000	0.347	0.344	0.003	99%
10/28/16	0.378	0.000	0.378	0.302	0.075	80%
10/29/16	0.439	0.000	0.429	0.434	0.005	99%
10/30/16	0.419	0.000	0.419	0.383	0.036	91%
10/31/16	0.318	0.000	0.317	0.324	-0.007	102%
Total (MG)	11.531	0.041	11.488	10.706	0.825	-
Highest	0.439	0.010	0.438	0.434	-	-
Average	0.372	0.001	0.371	0.345	-	93%
Lowest	0.316	0.000	0.316	0.264	-	-

Water Plant 2 Water Production

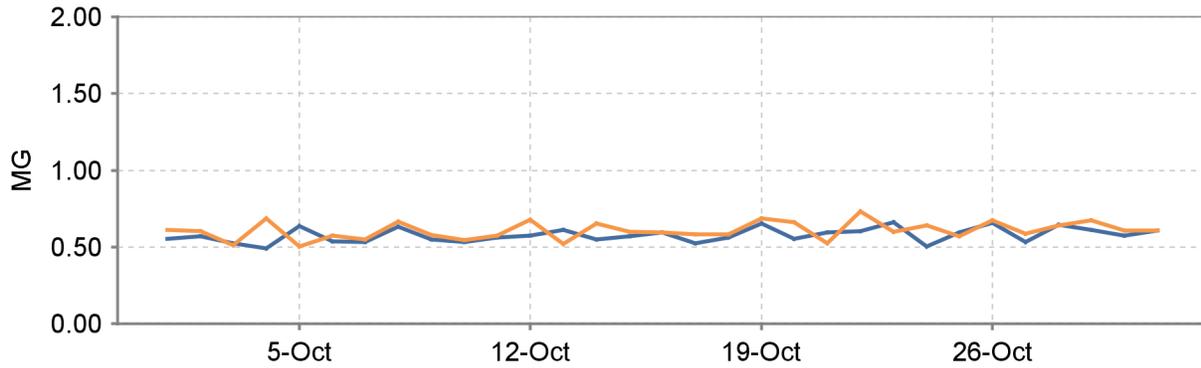
This Month



Date	WP2 Raw	To Lohmans	To Golfball	From Golfball	WP2 Finished	WP2 Process Loss	WP2 Efficiency
10/01/16	0.369	0.349	0.000	0.000	0.349	0.020	95%
10/02/16	0.382	0.351	0.000	0.000	0.351	0.031	92%
10/03/16	0.414	0.392	0.000	0.000	0.392	0.022	95%
10/04/16	0.322	0.328	0.000	0.000	0.328	-0.006	102%
10/05/16	0.474	0.455	0.000	0.000	0.455	0.019	96%
10/06/16	0.314	0.278	0.000	0.000	0.278	0.036	89%
10/07/16	0.373	0.375	0.000	0.000	0.375	-0.002	101%
10/08/16	0.397	0.362	0.000	0.000	0.362	0.035	91%
10/09/16	0.386	0.352	0.001	0.000	0.353	0.033	91%
10/10/16	0.385	0.361	0.000	0.000	0.361	0.024	94%
10/11/16	0.506	0.519	0.000	0.000	0.519	-0.013	103%
10/12/16	0.332	0.288	0.000	0.000	0.288	0.044	87%
10/13/16	0.334	0.312	0.001	0.000	0.313	0.021	94%
10/14/16	0.386	0.395	0.000	0.000	0.395	-0.009	102%
10/15/16	0.395	0.354	0.000	0.000	0.354	0.041	90%
10/16/16	0.406	0.376	0.000	0.000	0.376	0.030	93%
10/17/16	0.413	0.430	0.000	0.000	0.430	-0.017	104%
10/18/16	0.391	0.360	0.001	0.000	0.361	0.030	92%
10/19/16	0.405	0.372	0.000	0.000	0.372	0.033	92%
10/20/16	0.423	0.406	0.000	0.000	0.406	0.017	96%
10/21/16	0.308	0.291	0.000	0.000	0.291	0.017	94%
10/22/16	0.445	0.409	0.000	0.000	0.409	0.036	92%
10/23/16	0.350	0.358	0.000	0.000	0.358	-0.008	102%
10/24/16	0.333	0.322	0.000	0.000	0.322	0.011	97%
10/25/16	0.431	0.388	0.000	0.000	0.388	0.043	90%
10/26/16	0.463	0.453	0.000	0.000	0.453	0.010	98%
10/27/16	0.391	0.353	0.001	0.000	0.354	0.037	91%
10/28/16	0.453	0.452	0.000	0.000	0.452	0.001	100%
10/29/16	0.406	0.390	0.000	0.000	0.390	0.016	96%
10/30/16	0.417	0.363	0.001	0.000	0.364	0.053	87%
10/31/16	0.397	0.385	0.000	0.000	0.385	0.012	97%
Total (MG)	12.201	11.579	0.005	0.000	11.584	0.617	-
Highest	0.506	0.519	0.001	0.000	0.519	-	-
Average	0.394	0.374	0.000	0.000	0.374	-	95%
Lowest	0.308	0.278	0.000	0.000	0.278	-	-

Water Plant 3 Water Production

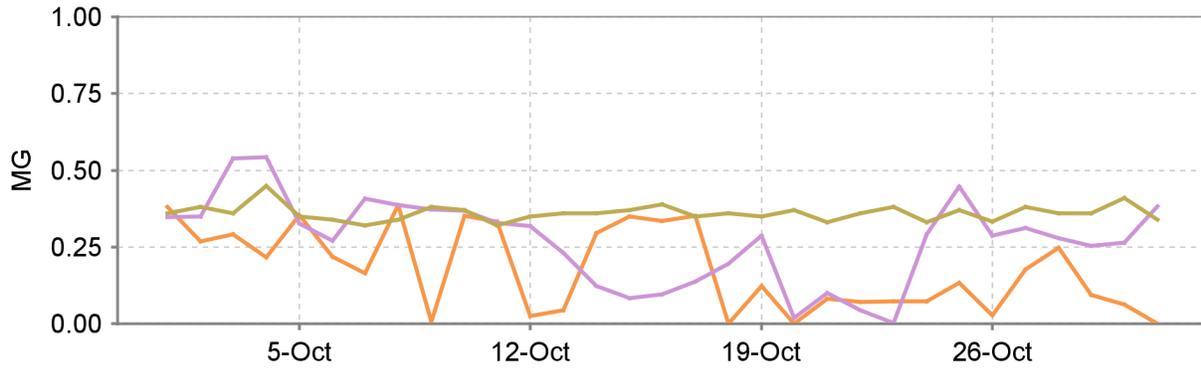
This Month



Date	WP3 Raw	WP3 Unit 1	WP3 Decant	WP3 Backwash	WP3 Finished	WP3 Process Loss	WP3 Efficiency
10/01/16	0.614	0.655	0.062	0.040	0.554	0.059	90%
10/02/16	0.602	0.595	0.028	0.000	0.571	0.030	95%
10/03/16	0.513	0.476	0.000	0.000	0.524	-0.012	102%
10/04/16	0.687	0.662	0.000	0.040	0.493	0.195	72%
10/05/16	0.504	0.586	0.105	0.000	0.635	-0.131	126%
10/06/16	0.573	0.568	0.020	0.000	0.535	0.038	93%
10/07/16	0.549	0.544	0.020	0.000	0.534	0.015	97%
10/08/16	0.666	0.711	0.071	0.044	0.634	0.031	95%
10/09/16	0.580	0.572	0.018	0.000	0.550	0.029	95%
10/10/16	0.547	0.541	0.010	0.000	0.532	0.015	97%
10/11/16	0.575	0.626	0.080	0.045	0.562	0.013	98%
10/12/16	0.677	0.680	0.021	0.000	0.575	0.101	85%
10/13/16	0.522	0.522	0.018	0.000	0.610	-0.088	117%
10/14/16	0.651	0.691	0.061	0.035	0.548	0.103	84%
10/15/16	0.600	0.596	0.026	0.005	0.569	0.031	95%
10/16/16	0.595	0.575	0.013	0.000	0.594	0.000	100%
10/17/16	0.582	0.613	0.068	0.040	0.523	0.059	90%
10/18/16	0.584	0.552	0.018	0.000	0.562	0.021	96%
10/19/16	0.686	0.673	0.026	0.000	0.651	0.035	95%
10/20/16	0.660	0.687	0.062	0.040	0.552	0.108	84%
10/21/16	0.526	0.513	0.015	0.000	0.596	-0.070	113%
10/22/16	0.734	0.726	0.021	0.000	0.603	0.131	82%
10/23/16	0.600	0.580	0.022	0.000	0.664	-0.063	111%
10/24/16	0.642	0.611	0.015	0.000	0.503	0.139	78%
10/25/16	0.571	0.624	0.089	0.047	0.594	-0.023	104%
10/26/16	0.674	0.664	0.022	0.000	0.659	0.015	98%
10/27/16	0.589	0.595	0.042	0.048	0.533	0.056	91%
10/28/16	0.642	0.660	0.053	0.000	0.645	-0.003	101%
10/29/16	0.673	0.655	0.010	0.000	0.612	0.061	91%
10/30/16	0.606	0.633	0.068	0.045	0.575	0.030	95%
10/31/16	0.608	0.607	0.034	0.000	0.607	0.002	100%
Total (MG)	18.829	18.992	1.118	0.431	17.901	0.928	-
Highest	0.734	0.726	0.105	0.048	0.664	-	-
Average	0.607	0.613	0.036	0.014	0.577	-	95%
Lowest	0.504	0.476	0.000	0.000	0.493	-	-

Waste Water Treatment

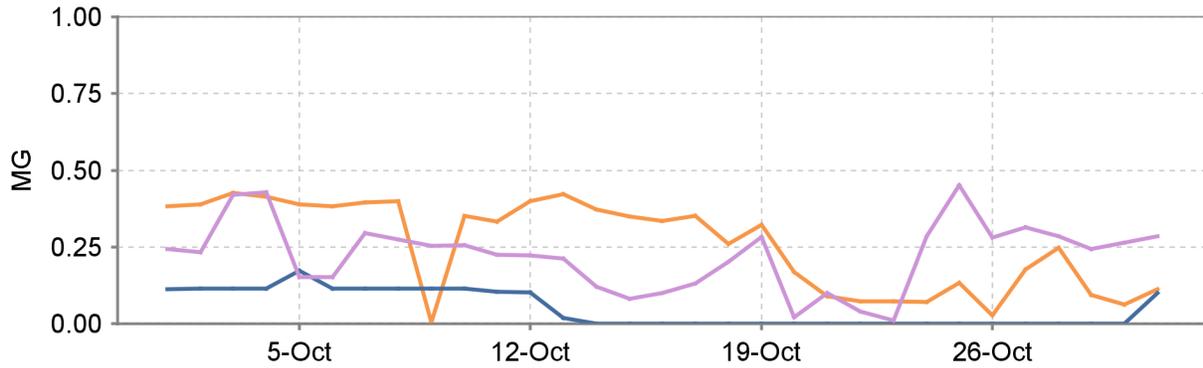
This Month



Date	WWTP Treated	LVGC Permit	Cedar Breaks Permit	WWTP Permit	Reclaimed Effluent 210 Permit
10/01/16	0.360	0.244	0.113	0.348	0.380
10/02/16	0.380	0.233	0.115	0.349	0.268
10/03/16	0.360	0.420	0.114	0.539	0.291
10/04/16	0.450	0.429	0.114	0.542	0.217
10/05/16	0.350	0.152	0.174	0.326	0.354
10/06/16	0.340	0.152	0.115	0.270	0.220
10/07/16	0.320	0.296	0.114	0.408	0.165
10/08/16	0.340	0.276	0.115	0.387	0.387
10/09/16	0.380	0.255	0.115	0.373	0.007
10/10/16	0.370	0.254	0.115	0.369	0.351
10/11/16	0.320	0.223	0.104	0.329	0.333
10/12/16	0.350	0.223	0.102	0.319	0.026
10/13/16	0.360	0.213	0.019	0.230	0.043
10/14/16	0.360	0.121	0.000	0.123	0.295
10/15/16	0.370	0.080	0.000	0.083	0.350
10/16/16	0.390	0.101	0.000	0.095	0.336
10/17/16	0.350	0.131	0.000	0.137	0.351
10/18/16	0.360	0.202	0.000	0.196	0.000
10/19/16	0.350	0.285	0.000	0.288	0.123
10/20/16	0.370	0.020	0.000	0.020	0.001
10/21/16	0.330	0.100	0.000	0.099	0.080
10/22/16	0.360	0.040	0.000	0.044	0.071
10/23/16	0.380	0.000	0.000	0.003	0.072
10/24/16	0.330	0.295	0.000	0.291	0.072
10/25/16	0.370	0.450	0.000	0.446	0.133
10/26/16	0.332	0.280	0.000	0.288	0.026
10/27/16	0.380	0.315	0.000	0.313	0.177
10/28/16	0.360	0.285	0.000	0.278	0.248
10/29/16	0.360	0.244	0.000	0.253	0.093
10/30/16	0.410	0.264	0.000	0.263	0.063
10/31/16	0.340	0.285	0.099	0.383	0.000
Total (MG)	11.182	6.869	1.527	8.394	5.533
Highest	0.450	0.450	0.174	0.542	0.387
Average	0.361	0.222	0.049	0.271	0.178
Lowest	0.320	0.000	0.000	0.003	0.000

Effluent Disposal

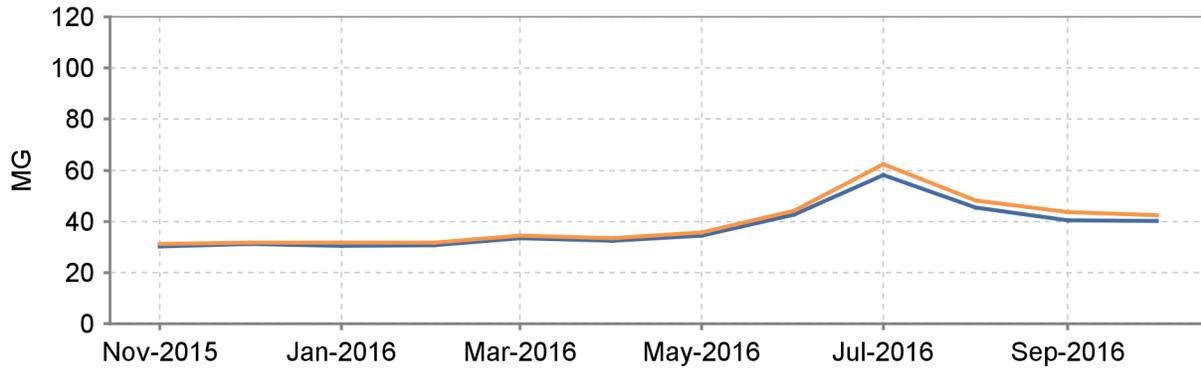
This Month



Date	LVGC Usage	LVGC Permit	Cedar Brks. Usage	Cedar Brks. Permit	HLGC Usage	Reclaimed E 210 Permit	LVGC Lake Water	HLGC Lake Water
10/01/16	0.244	0.244	0.113	0.113	0.383	0.380	0.000	0.000
10/02/16	0.233	0.233	0.115	0.115	0.390	0.268	0.000	0.000
10/03/16	0.420	0.420	0.114	0.114	0.427	0.291	0.000	0.000
10/04/16	0.429	0.429	0.114	0.114	0.414	0.217	0.000	0.000
10/05/16	0.152	0.152	0.174	0.174	0.388	0.354	0.000	0.000
10/06/16	0.152	0.152	0.115	0.115	0.383	0.220	0.000	0.000
10/07/16	0.296	0.296	0.114	0.114	0.395	0.165	0.000	0.000
10/08/16	0.275	0.276	0.115	0.115	0.399	0.387	0.000	0.000
10/09/16	0.254	0.255	0.115	0.115	0.004	0.007	0.000	0.000
10/10/16	0.256	0.254	0.115	0.115	0.351	0.351	0.000	0.000
10/11/16	0.224	0.223	0.104	0.104	0.333	0.333	0.000	0.000
10/12/16	0.223	0.223	0.102	0.102	0.399	0.026	0.000	0.000
10/13/16	0.213	0.213	0.019	0.019	0.421	0.043	0.000	0.000
10/14/16	0.121	0.121	0.000	0.000	0.372	0.295	0.000	0.000
10/15/16	0.081	0.080	0.000	0.000	0.350	0.350	0.000	0.000
10/16/16	0.100	0.101	0.000	0.000	0.336	0.336	0.000	0.000
10/17/16	0.131	0.131	0.000	0.000	0.351	0.351	0.000	0.000
10/18/16	0.202	0.202	0.000	0.000	0.261	0.000	0.000	0.012
10/19/16	0.283	0.285	0.000	0.000	0.322	0.123	0.000	0.366
10/20/16	0.020	0.020	0.000	0.000	0.169	0.001	0.000	0.144
10/21/16	0.100	0.100	0.000	0.000	0.089	0.080	0.000	0.000
10/22/16	0.040	0.040	0.000	0.000	0.072	0.071	0.000	0.000
10/23/16	0.010	0.000	0.000	0.000	0.072	0.072	0.000	0.000
10/24/16	0.286	0.295	0.000	0.000	0.072	0.072	0.000	0.000
10/25/16	0.450	0.450	0.000	0.000	0.133	0.133	0.000	0.000
10/26/16	0.280	0.280	0.000	0.000	0.026	0.026	0.000	0.000
10/27/16	0.315	0.315	0.000	0.000	0.177	0.177	0.000	0.000
10/28/16	0.285	0.285	0.000	0.000	0.248	0.248	0.000	0.000
10/29/16	0.244	0.244	0.000	0.000	0.093	0.093	0.000	0.000
10/30/16	0.264	0.264	0.000	0.000	0.063	0.063	0.000	0.000
10/31/16	0.285	0.285	0.099	0.099	0.112	0.000	0.000	0.360
Total (MG)	6.869	6.869	1.527	1.527	8.004	5.533	0.000	0.882
Highest	0.450	0.450	0.174	0.174	0.427	0.387	0.000	0.366
Average	0.222	0.222	0.049	0.049	0.258	0.178	0.000	0.028
Lowest	0.010	0.000	0.000	0.000	0.004	0.000	0.000	0.000

Combined Water Production

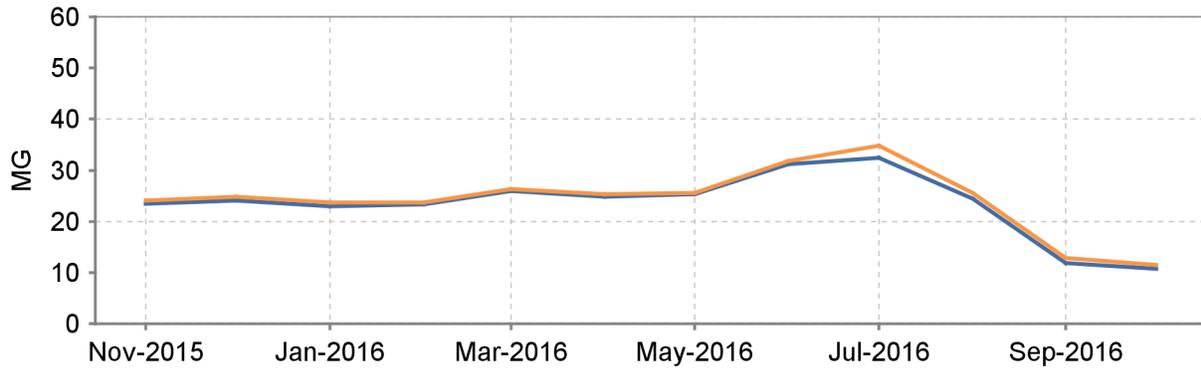
Past 12 Months



Date	WP1 Raw	WP2 Raw	WP3 Raw	Combined Raw	WP1 Finished	WP2 Finished	WP3 Finished	Combined Finished
Nov, 2015	24.094	7.134	---	31.228	23.470	6.764	---	30.234
Dec, 2015	24.846	6.787	---	31.633	24.105	7.201	---	31.305
Jan, 2016	23.659	8.149	---	31.808	22.955	7.603	---	30.558
Feb, 2016	23.778	7.873	---	31.651	23.332	7.338	---	30.670
Mar, 2016	26.305	8.096	---	34.401	25.955	7.615	---	33.570
Apr, 2016	25.379	8.169	---	33.548	24.891	7.606	---	32.497
May, 2016	25.585	10.034	---	35.619	25.284	9.202	---	34.486
Jun, 2016	31.843	12.436	---	44.279	31.162	11.432	---	42.594
Jul, 2016	34.777	15.138	12.466	62.382	32.414	14.320	11.373	58.107
Aug, 2016	25.610	13.786	8.814	48.210	24.470	13.041	7.981	45.492
Sep, 2016	12.829	12.506	18.454	43.789	11.892	11.923	16.529	40.345
Oct, 2016	11.531	12.201	18.829	42.561	10.706	11.584	17.901	40.192
Total (MG)	290.235	122.309	58.563	471.108	280.637	115.629	53.784	450.050
Highest	34.777	15.138	18.829	62.382	32.414	14.320	17.901	58.107
Average	24.186	10.192	14.641	39.259	23.386	9.636	13.446	37.504
Lowest	11.531	6.787	8.814	31.228	10.706	6.764	7.981	30.234

Water Plant 1 Water Production

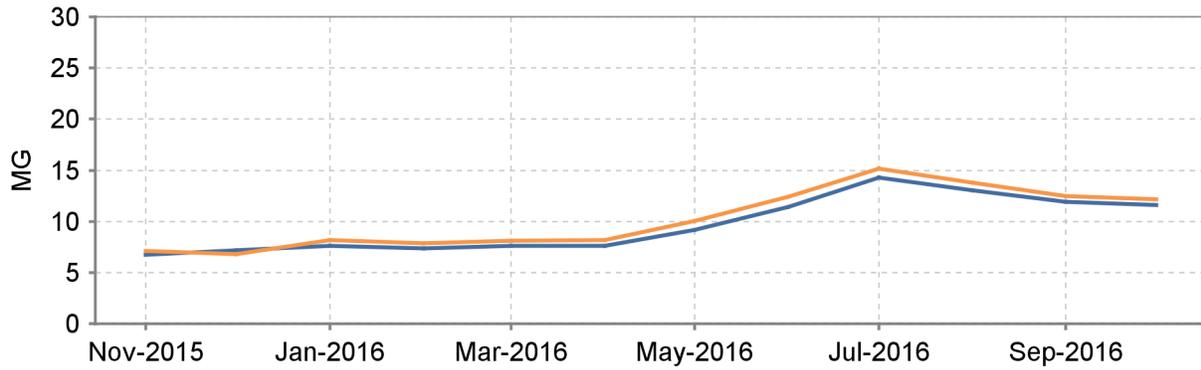
Past 12 Months



Date	WP1 Raw	WP1 Clarifier A	WP1 Clarifier B	WP1 Finished	WP1 Process Loss	WP1 Efficiency
Nov, 2015	24.094	12.466	11.627	23.470	0.624	97%
Dec, 2015	24.846	12.856	11.991	24.105	0.742	97%
Jan, 2016	23.659	12.305	11.355	22.955	0.704	97%
Feb, 2016	23.778	12.372	11.406	23.332	0.445	98%
Mar, 2016	26.305	13.274	13.031	25.955	0.350	99%
Apr, 2016	25.379	12.886	12.492	24.891	0.488	98%
May, 2016	25.585	13.259	12.326	25.284	0.301	99%
Jun, 2016	31.843	16.662	15.181	31.162	0.680	98%
Jul, 2016	34.777	16.505	18.273	32.414	2.363	93%
Aug, 2016	25.610	10.657	14.951	24.470	1.140	96%
Sep, 2016	12.829	0.045	12.774	11.892	0.937	93%
Oct, 2016	11.531	0.041	11.488	10.706	0.825	93%
Total (MG)	290.235	133.327	156.894	280.637	9.599	-
Highest	34.777	16.662	18.273	32.414	-	-
Average	24.186	11.111	13.074	23.386	-	97%
Lowest	11.531	0.041	11.355	10.706	-	-

Water Plant 2 Water Production

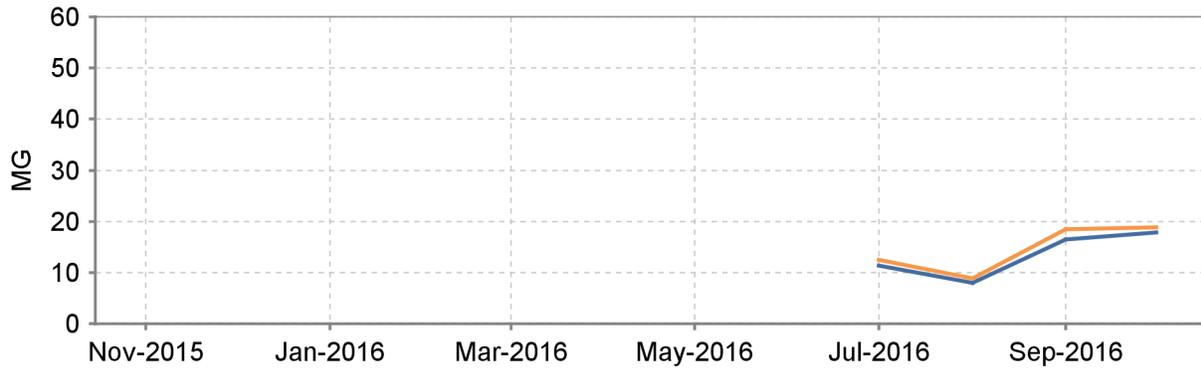
Past 12 Months



Date	WP2 Raw	To Lohmans	To Golfball	From Golfball	WP2 Finished	WP2 Process Loss	WP2 Efficiency
Nov, 2015	7.134	7.417	0.012	0.665	6.764	0.370	95%
Dec, 2015	6.787	7.769	0.003	0.571	7.201	-0.414	106%
Jan, 2016	8.149	7.607	0.004	0.008	7.603	0.546	93%
Feb, 2016	7.873	7.376	0.004	0.042	7.338	0.535	93%
Mar, 2016	8.096	7.686	0.004	0.075	7.615	0.481	94%
Apr, 2016	8.169	7.672	0.005	0.071	7.606	0.563	93%
May, 2016	10.034	9.264	0.009	0.071	9.202	0.832	92%
Jun, 2016	12.436	11.421	0.012	0.001	11.432	1.004	92%
Jul, 2016	15.138	14.363	0.011	0.054	14.320	0.818	95%
Aug, 2016	13.786	13.067	0.009	0.035	13.041	0.745	95%
Sep, 2016	12.506	11.916	0.005	0.000	11.923	0.583	95%
Oct, 2016	12.201	11.579	0.005	0.000	11.584	0.617	95%
Total (MG)	122.309	117.137	0.083	1.593	115.629	6.680	-
Highest	15.138	14.363	0.012	0.665	14.320	-	-
Average	10.192	9.761	0.007	0.133	9.636	-	95%
Lowest	6.787	7.376	0.003	0.000	6.764	-	-

Water Plant 3 Water Production

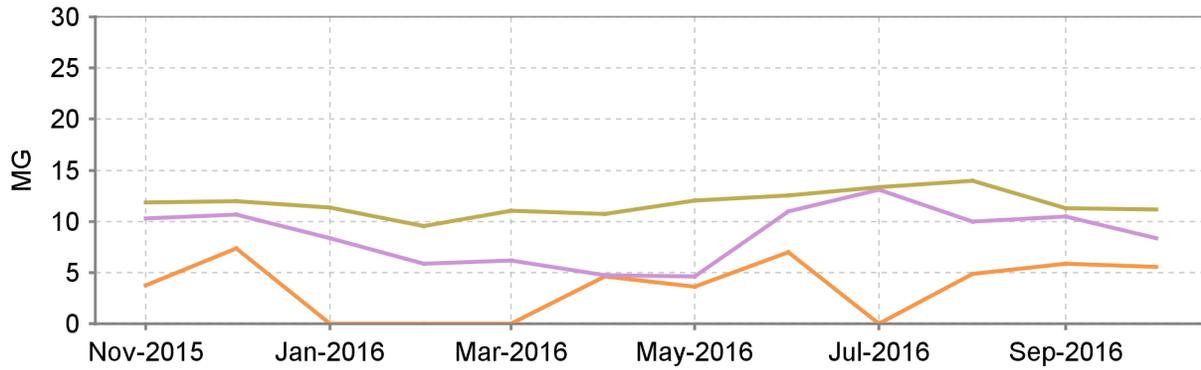
Past 12 Months



Date	WP3 Raw	WP3 Unit 1	WP3 Decant	WP3 Backwash	WP3 Finished	WP3 Process Loss	WP3 Efficiency
Nov, 2015	---	---	---	---	---	---	---%
Dec, 2015	---	---	---	---	---	---	---%
Jan, 2016	---	---	---	---	---	---	---%
Feb, 2016	---	---	---	---	---	---	---%
Mar, 2016	---	---	---	---	---	---	---%
Apr, 2016	---	---	---	---	---	---	---%
May, 2016	---	---	---	---	---	---	---%
Jun, 2016	---	---	---	---	---	---	---%
Jul, 2016	12.466	12.583	0.703	0.225	11.373	1.094	91%
Aug, 2016	8.814	8.477	0.614	0.185	7.981	0.833	91%
Sep, 2016	18.454	18.510	1.054	0.488	16.529	1.925	90%
Oct, 2016	18.829	18.992	1.118	0.431	17.901	0.928	95%
Total (MG)	58.563	58.563	3.488	1.328	53.784	4.779	-
Highest	18.829	18.992	1.118	0.488	17.901	-	-
Average	14.641	14.641	0.872	0.332	13.446	-	92%
Lowest	8.814	8.477	0.614	0.185	7.981	-	-

Waste Water Treatment

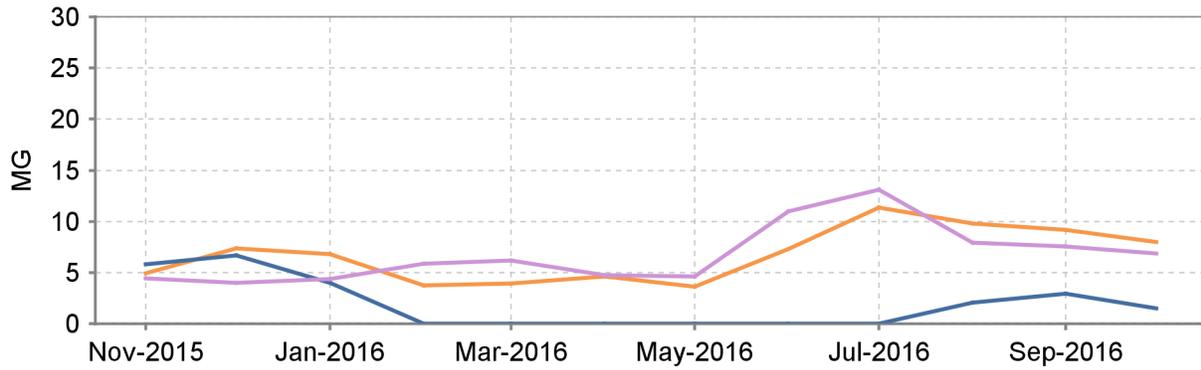
Past 12 Months



Date	WWTP Treated	LVGC Permit	Cedar Breaks Permit	WWTP Permit	Reclaimed Effluent 210 Permit
Nov, 2015	11.831	4.462	5.835	10.297	3.770
Dec, 2015	11.952	4.022	6.672	10.694	7.354
Jan, 2016	11.356	4.397	3.980	8.377	0.000
Feb, 2016	9.578	5.885	0.000	5.885	0.000
Mar, 2016	11.022	6.190	0.000	6.190	0.000
Apr, 2016	10.749	4.737	0.000	4.737	4.647
May, 2016	12.021	4.634	0.000	4.634	3.615
Jun, 2016	12.523	10.963	0.000	10.963	6.986
Jul, 2016	13.346	13.097	0.000	13.097	0.000
Aug, 2016	13.974	7.924	2.047	9.970	4.886
Sep, 2016	11.304	7.533	2.935	10.474	5.881
Oct, 2016	11.182	6.869	1.527	8.394	5.533
Total (MG)	140.838	80.715	22.996	103.714	42.673
Highest	13.974	13.097	6.672	13.097	7.354
Average	11.736	6.726	1.916	8.643	3.556
Lowest	9.578	4.022	0.000	4.634	0.000

Effluent Disposal

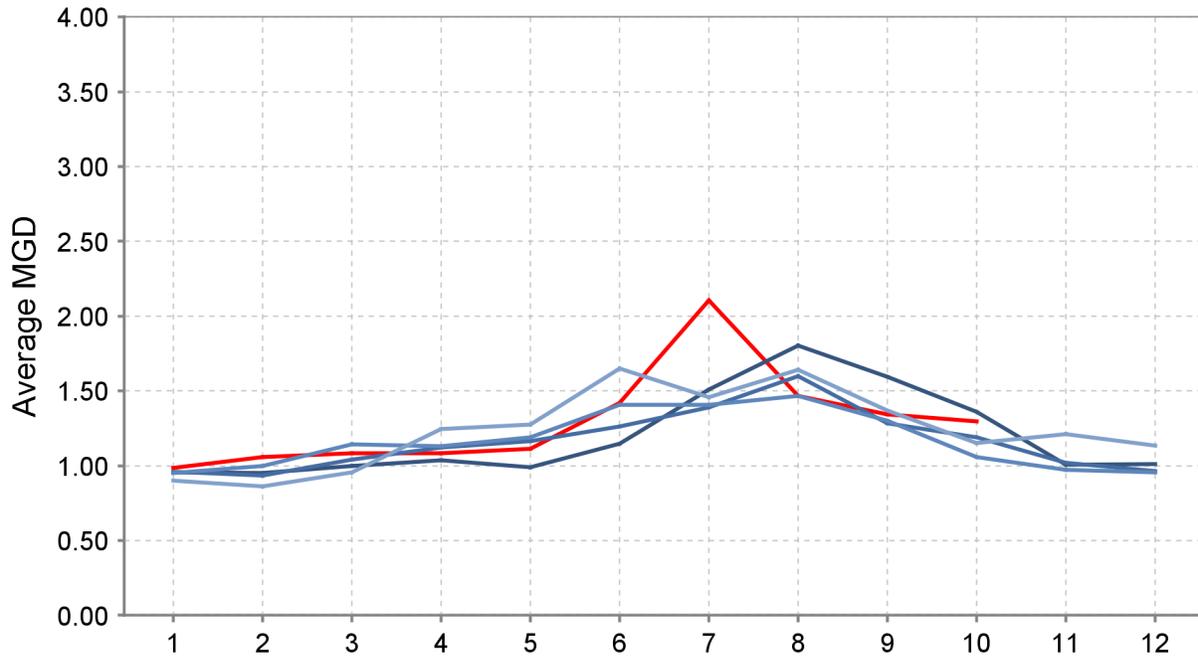
Past 12 Months



Date	LVGC Usage	LVGC Permit	Cedar Brks. Usage	Cedar Brks. Permit	HLGC Usage	Reclaimed E 210 Permit	LVGC Lake Water	HLGC Lake Water
Nov, 2015	4.462	4.462	5.835	5.835	4.919	3.770	0.000	0.392
Dec, 2015	4.022	4.022	6.672	6.672	7.354	7.354	0.000	0.000
Jan, 2016	4.397	4.397	3.980	3.980	6.817	0.000	0.000	6.815
Feb, 2016	5.885	5.885	0.000	0.000	3.756	0.000	0.000	3.766
Mar, 2016	6.190	6.190	0.000	0.000	3.921	0.000	0.000	4.067
Apr, 2016	4.737	4.737	0.000	0.000	4.650	4.647	0.000	0.328
May, 2016	4.634	4.634	0.000	0.000	3.615	3.615	0.000	0.000
Jun, 2016	10.963	10.963	0.000	0.000	7.333	6.986	0.000	0.297
Jul, 2016	13.097	13.097	0.000	0.000	11.346	0.000	0.000	10.260
Aug, 2016	7.924	7.924	2.047	2.047	9.793	4.886	0.000	4.906
Sep, 2016	7.533	7.533	2.935	2.935	9.206	5.881	0.000	2.572
Oct, 2016	6.869	6.869	1.527	1.527	8.004	5.533	0.000	0.882
Total (MG)	80.715	80.715	22.996	22.996	80.714	42.673	0.000	34.285
Highest	13.097	13.097	6.672	6.672	11.346	7.354	0.000	10.260
Average	6.726	6.726	1.916	1.916	6.726	3.556	0.000	2.857
Lowest	4.022	4.022	0.000	0.000	3.615	0.000	0.000	0.000

Combined Water Production

5 Year Average Daily Production

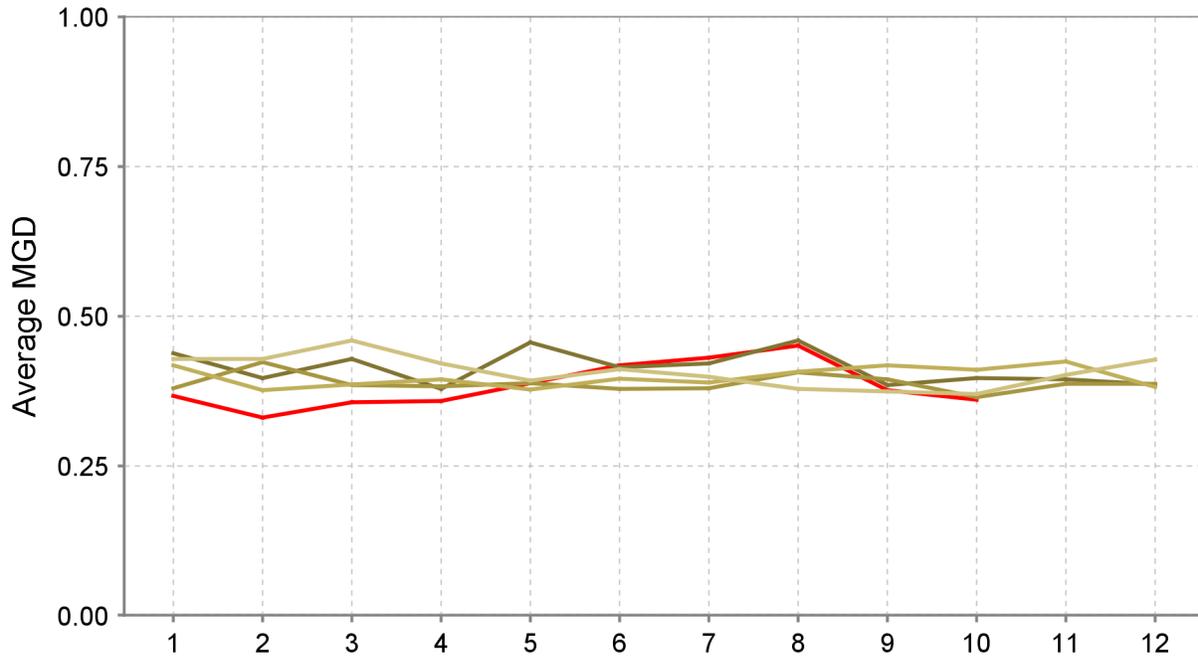


Month	Year - 4	Year - 3	Year - 2	Last Year	This Year
Jan	0.901	0.952	0.960	0.957	0.986
Feb	0.864	0.996	0.934	0.951	1.058
Mar	0.957	1.142	1.041	0.997	1.083
Apr	1.245	1.131	1.123	1.037	1.083
May	1.275	1.188	1.165	0.988	1.112
Jun	1.649	1.409	1.261	1.147	1.420
Jul	1.458	1.407	1.391	1.511	2.106
Aug	1.640	1.467	1.598	1.803	1.467
Sep	1.369	1.303	1.286	1.593	1.345
Oct	1.151	1.059	1.189	1.358	1.297
Nov	1.210	0.972	1.019	1.008	---
Dec	1.134	0.957	0.964	1.010	---

Highest	1.649	1.467	1.598	1.803	2.106
Average	1.238	1.165	1.161	1.197	1.296
Lowest	0.864	0.952	0.934	0.951	0.986

Waste Water Treatment

5 Year Average Daily Treated



Month	Year - 4	Year - 3	Year - 2	Last Year	This Year
Jan	0.428	0.418	0.379	0.438	0.366
Feb	0.428	0.376	0.423	0.397	0.330
Mar	0.459	0.386	0.384	0.428	0.356
Apr	0.421	0.394	0.383	0.378	0.358
May	0.392	0.377	0.388	0.456	0.388
Jun	0.411	0.395	0.379	0.414	0.417
Jul	0.399	0.389	0.380	0.421	0.431
Aug	0.378	0.407	0.406	0.459	0.451
Sep	0.374	0.418	0.395	0.384	0.377
Oct	0.370	0.411	0.365	0.397	0.361
Nov	0.402	0.424	0.387	0.394	---
Dec	0.428	0.381	0.387	0.386	---

Highest	0.459	0.424	0.423	0.459	0.451
Average	0.408	0.398	0.388	0.413	0.383
Lowest	0.370	0.376	0.365	0.378	0.330

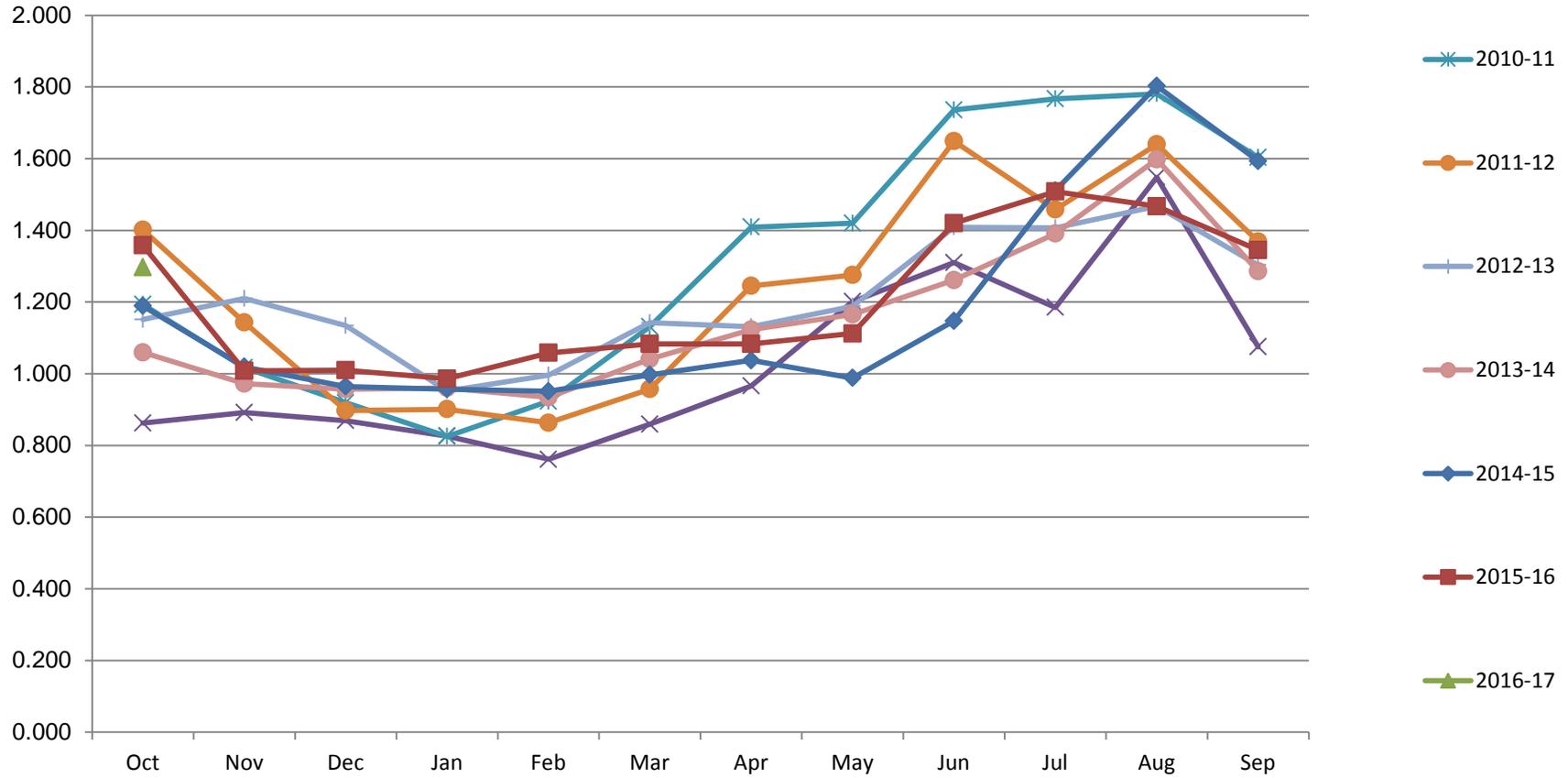
**Average Daily Water Production
(MGD) Plants 1,2 & 3**

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	Capacity
Oct	0.862	1.193	1.401	1.151	1.059	1.189	1.358	1.297	3.0000
Nov	0.891	1.017	1.143	1.210	0.972	1.019	1.008		3.0000
Dec	0.869	0.919	0.897	1.134	0.957	0.964	1.010		3.0000
Jan	0.826	0.825	0.901	0.952	0.960	0.957	0.986		3.0000
Feb	0.761	0.923	0.863	0.996	0.934	0.951	1.058		3.0000
Mar	0.859	1.131	0.957	1.142	1.041	0.997	1.083		3.0000
Apr	0.966	1.409	1.245	1.131	1.123	1.037	1.083		3.0000
May	1.201	1.420	1.275	1.188	1.165	0.988	1.112		3.0000
Jun	1.310	1.736	1.649	1.409	1.261	1.147	1.420		3.0000
Jul	1.185	1.767	1.458	1.407	1.391	1.511	1.508		3.0000
Aug	1.548	1.781	1.640	1.467	1.598	1.803	1.467		3.0000
Sep	1.075	1.603	1.369	1.303	1.286	1.593	1.345		3.0000

Totals	12.353	15.724	14.798	14.490	13.747	14.156	14.438	1.297	36.000
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Daily									
Average	1.029	1.310	1.233	1.208	1.146	1.180	1.203	1.297	3.000

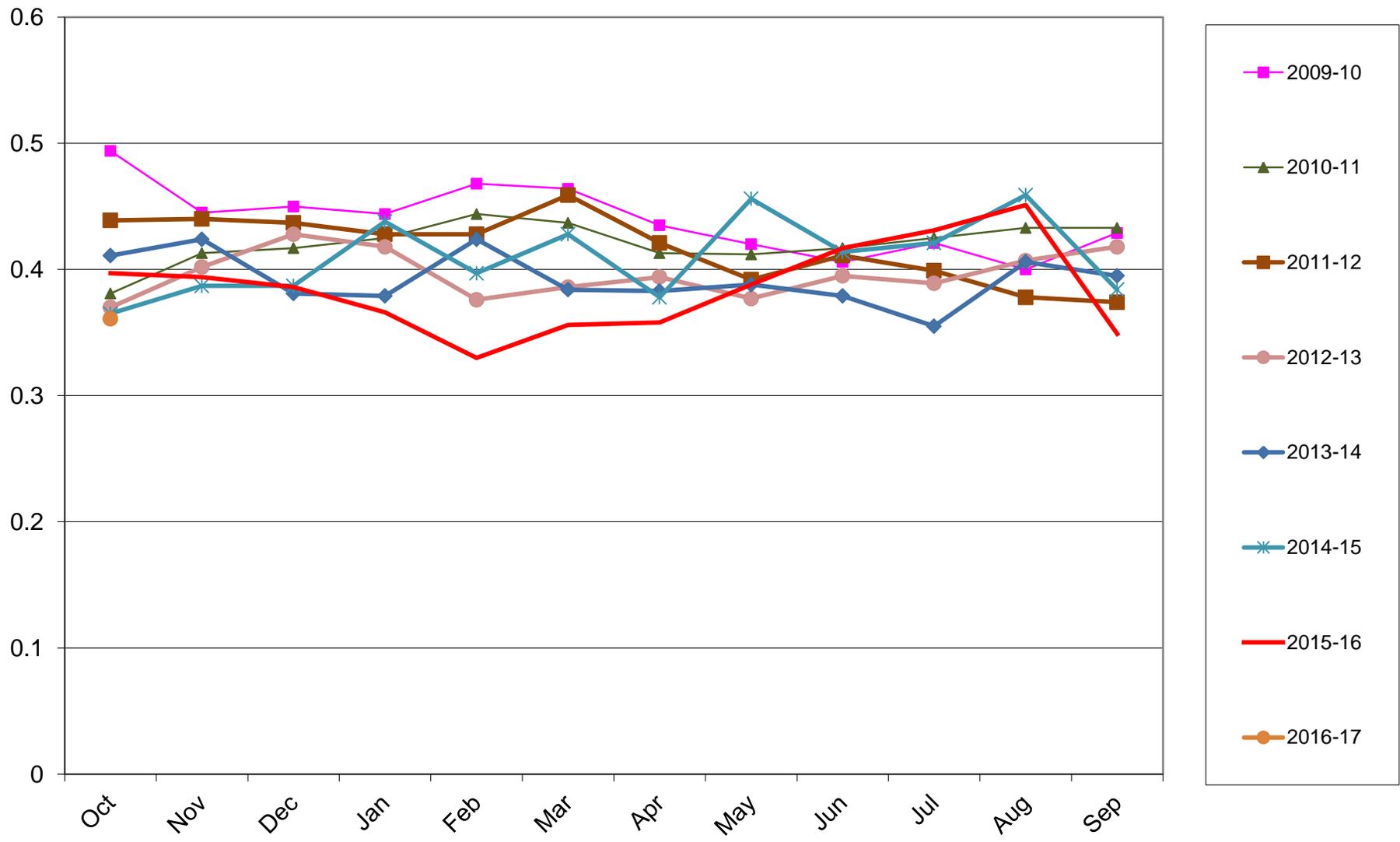
Average Daily Water Production (MGD)



Average Daily Wastewater Treatment Flow (MGD)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	Capacity
Oct	0.494	0.381	0.439	0.370	0.411	0.365	0.397	0.361	0.6000
Nov	0.445	0.413	0.440	0.402	0.424	0.387	0.394		0.6000
Dec	0.450	0.417	0.437	0.428	0.381	0.387	0.386		0.6000
Jan	0.444	0.425	0.428	0.418	0.379	0.438	0.366		0.6000
Feb	0.468	0.444	0.428	0.376	0.424	0.397	0.330		0.6000
Mar	0.464	0.437	0.459	0.386	0.384	0.428	0.356		0.6000
Apr	0.435	0.413	0.421	0.394	0.383	0.378	0.358		0.6000
May	0.420	0.412	0.392	0.377	0.388	0.456	0.388		0.6000
Jun	0.406	0.417	0.411	0.395	0.379	0.414	0.417		0.6000
Jul	0.421	0.425	0.399	0.389	0.355	0.421	0.431		0.6000
Aug	0.400	0.433	0.378	0.407	0.406	0.459	0.451		0.6000
Sep	0.429	0.433	0.374	0.418	0.395	0.384	0.349		0.6000
Totals	5.276	5.050	5.006	4.760	4.709	4.914	4.623		7.200
Daily Average	0.440	0.421	0.417	0.397	0.392	0.410	0.385		0.600

Wastewater Treatment Flows (MGD)



Utility Monthly Report 2016/17

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Totals
Number of Water Taps	8												8
Linear Feet of Water Extensions (incl. taps)	304												304
Number of Sewer Taps	9												9
Linear Feet of Sewer Extensions (incl. taps)	304												304
Meter Change Outs	2												2
Register Change Outs	56												56
Turn Ons/Offs	41												41
Disconnects for Nonpayment	19												19
Meter Reads Only	38												38
Re-Reads	40												40
Consumption Reports	32												32
3 Day Temporary Connects	0												0
Check for Leaks	2												2
Reinstates	13												13
Number of Water Leaks (including blue poly)													0
Number of Blue Poly Leaks													0
Sewer Line Breaks													0
Sewer Stoppages													0
Linear Feet of Sewer Rodding													0
Linear Feet of Camera Work													0
CIP Water Extensions (linear feet)													0
CIP Sewer Extensions (linear feet)													0
CIP Meter Replacements													0
CIP Fire Hydrant Replacements													0
Jonestown Pump & Haul Loads													0
New Meter Sets in Tessera (Added Oct 2015)	0												0

Utility Department Monthly Report	Thru	Thru	Increase
Previous Year Comparison	Sep 30	Sep 30	(Decrease)
	2015	2016	

Number of Water Taps	5	8	3
Linear Feet of Water Extensions (incl. taps)	0	304	304
Number of Sewer Taps	5	9	4
Linear Feet of Sewer Extensions (incl. taps)	0	304	304
Meter Change Outs	2	2	0
Register Change Outs	91	56	(35)
Turn Ons/Offs	23	41	18
Disconnects for Nonpayment	26	19	(7)
Meter Reads Only	18	38	20
Re-Reads	11	40	29
Consumption Reports	32	32	0
3 Day Temporary Connects	0	0	0
Check for Leaks	0	2	2
Reinstates	21	13	(8)
Number of Water Leaks (including blue poly)	7	0	(7)
Number of Blue Poly Leaks	1	0	(1)
Sewer Line Breaks	0	0	0
Sewer Stoppages	1	0	(1)
Linear Feet of Sewer Rodding	0	0	0
Linear Feet of Camera Work	0	0	0
CIP Water Extensions (linear feet)	0	0	0
CIP Sewer Extensions (linear feet)	2,500	0	(2,500)
CIP Meter Replacements	0	0	0
CIP Fire Hydrant Replacements	0	0	0
Jonestown Pump & Haul Loads	0	0	0
New Meter Sets in Tessera (Added Oct 2015)	6	0	(6)

STREET DEPARTMENT 2016-17 ACTIVITY REPORT

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	TOTALS
<u>STREET PATCHING</u>													
Tons of Asphalt Used	69												69
Number of Patches	287												287
Square Feet of Patches	8,112												8,112
Tons of Base Material Used	12												12
Repaint Intersections	0												0
Replace Reflective Buttons	0												0
<u>CRACK SEAL PROGRAM</u>													
Linear Feet of Crack Sealing	0												0
<u>LANDSCAPING ACTIVITIES</u>													
Worker Hours	276												276
<u>ROADSIDE MOWING</u>													
Miles Mowed	136												136
<u>TRAFFIC CONTROL</u>													
New Signs Installed	0												0
Signs Replaced	14												14
<u>DRAINAGE MAINTENANCE</u>													
Projects Completed	2												2
Linear Feet of Ditches Cleared	165												165
Culverts Cleared	1												1
<u>MISCELLANEOUS ACTIVITIES</u>													
Worker Hours on City Clean Up	262												262
Worker Hours on Burn Day	0												0
Worker Hours on Park Maint.	0												0
Worker Hours on X-Mas Lights	56												56
Worker Hours on Tree Trimming	36												36

STREET DEPARTMENT 2016-17 ACTIVITY REPORT

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	TOTALS
Deer Pick Ups	12												12
Bldg. Maintenance Requests	1												1
Pool Operation & Maintenance (hrs)	0												0
Airport Maintenance (hrs)	128												128
Mowing Bar K Golf Course (hrs)	0												0
Assist Utility Department (hrs)	0												0
Assist CIP Projects (hrs)	0												0
Assist Plant Operations (hrs)	0												0
Assist Library (hrs)	0												0
Assist Effluent Department (hrs)	0												0
Assist Golf Courses (hrs)	0												0
Assist LVPD (hrs)	0												0
KLVB Projects (hrs)	0												0
Special Events (hrs)	0												0
RECYCLE CENTER													
Loads of Brush Collected	105												105
Wood Chipping (hrs)	112												112
Loads of Mulch Picked Up	40												40
Trash/Metal Collection (hrs)	66												66

FY14/15 VS. FY15/16	THRU SEP 30	THRU SEP 30	INCREASE
COMPARISON	FY 2014/15	FY 2015/16	(DECREASE)
<u>STREET PATCHING</u>			
Tons of Asphalt Used	2	69	67
Number of Patches	40	287	247
Square Feet of Patches	127	8,112	7,985
Tons of Base Material Used	6	12	6
Repaint Intersection	6	0	(6)
Replace Reflective Buttons	0	0	0
<u>CRACK SEAL PROGRAM</u>			
Linear Feet of Crack Sealing	4,333	0	(4,333)
<u>LANDSCAPING ACTIVITIES</u>			
Worker Hours	241	276	35
<u>ROADSIDE MOWING</u>			
Miles Mowed	144	136	(8)
<u>TRAFFIC CONTROL</u>			
New Signs Installed	0	0	0
Signs Replaced	7	14	7
<u>DRAINAGE MAINTENANCE</u>			
Projects Completed	0	2	2
Linear Feet of Ditches Cleared	0	165	165
Culverts Cleared	0	1	1
<u>MISCELLANEOUS ACTIVITIES</u>			
Worker Hours on City Clean Up	232	262	30
Worker Hours on Burn Day	0	0	0

FY14/15 VS. FY15/16	THRU SEP 30	THRU SEP 30	INCREASE
COMPARISON	FY 2014/15	FY 2015/16	(DECREASE)
Worker Hours on Park Maint.	0	0	0
Worker Hours on X-Mas Lights	56	56	0
Worker Hours on Tree Trimming	41	36	(5)
Deer Pick Ups	13	12	(1)
Bldg. Maintenance Requests	3	1	(2)
Pool Operation & Maintenance (hrs)	0	0	0
Airport Maintenance (hrs)	96	128	32
Mowing Bar K Golf Course (hrs)	0	0	0
Assist Utility Department (hrs)	0	0	0
Assist CIP Projects (hrs)	0	0	0
Assist Plant Operations (hrs)	0	0	0
Assist Library (hrs)	6	0	(6)
Assist Effluent Department (hrs)	0	0	0
Assist Golf Courses (hrs)	248	0	(248)
Assist LVPD (hrs)	32	0	(32)
KLVB Projects (hrs)	16	0	(16)
Special Events (hrs)	0	0	0
RECYCLE CENTER			
Loads of Brush Collected	68	105	37
Wood Chipping (hrs)	96	112	16
Loads of Mulch Picked Up	14	40	26
Trash/Metal Collection (hrs)	16	66	50

MEETING DATE: November 17, 2016

AGENDA ITEM: Reports/Minutes from City Boards, Committees and Commissions

Comments:

- A. September 6, 2016 Planning and Zoning Commission Special Called meeting minutes
- B. September 22, 2016 Planning and Zoning Commission Special Called meeting minutes
- C. October 11, 2016 Golf Course Advisory Committee meeting DRAFT minutes
- D. November 10, 2016 KLVB Bullet Point Report

MINUTES
Thursday, September 6, 2016 Special Meeting
Planning and Zoning Commission
City of Lago Vista

Vice Chair Jim Moss called the meeting to order at 7:02 P.M. in the Council Chambers, City Hall, 5803 Thunderbird St., Lago Vista, Texas. Members present were Jim Moss, Vernon Reher, Andy White, Paul Smith, Gary Zaleski and Richard Brown. Tara Griffin was absent. City Manager Melissa Byrne Vossmer, Rich Raley City Council Liaison, Development Services Director David Harrell and Sherry McCurdy Administrative Assistant were also present.

Citizen Comments for Non-Hearing Related Items

There were no citizen comments.

PUBLIC HEARING

- 1. Discussion and potential action regarding removal of chickens from the requirements of a Special Use Permit, clarification on allowance of chickens, additions and changes to Chapter 14 and Chapter 2 for definitions and limits on chickens.**

David Harrell gave the staff presentation from the packet that had been presented to the Commission. David stated the Commission had seen this item in May. He explained the only difference is that they are discussing chickens only.

The Planning and Zoning Commission, Rich Raley, Melissa Byrne Vossmer and David Harrell discussed City Council minutes regarding chickens, possible predator attacks, chickens being in the City currently without permits, and updating the current Ordinance. They also discussed the current Special Use Permit, permit fees, enclosures, notification required and lack of public interest.

Public Hearing opened 7:50 PM.

There was no public present.

Public Hearing closed 7:51 PM.

The Planning and Zoning Commission moved to suspend the order of the agenda and move the number one Ordinance item up in order to be able to vote. Paul Smith motioned and Vernon Reher seconded. The vote was unanimous.

On a motion by Gary Zaleski and seconded by Andy White the Planning and Zoning Commission declined to recommend any changes to the existing ordinance related to chickens. The vote was 4 ayes (Andy White, Gary Zaleski, Paul Smith and Richard Brown) to 1 nay (Vernon Reher).

- 1. Discussion and potential action regarding revisions to Chapter 14. Article 14.100 Section 6 concerning accessory buildings.**

David Harrell gave his staff presentation. He went through the report that was presented to the Commission .

The Planning and Zoning Commission, David Harrell, Rich Raley and Melissa Byrne Vossmer discussed materials, colors, height of accessory buildings, facade and masonry requirements. They also discussed maximum size of accessory buildings, thru lots, impervious cover, required landscaping, porches, and amended plats.

The Public Hearing was opened at 8:49 PM.

There was no public present.

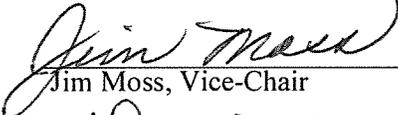
The Public Hearing was closed at 8:49 PM.

The Commission asked to see a definition of porch, limitations pertaining to porches and definition of carport.

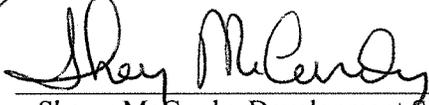
On a motion by Gary Zaleski and seconded by Andy White the Planning and Zoning Commission voted unanimously to recommend to the City Council an Ordinance of the City of Lago Vista, Texas amending Chapter 14, Zoning, Article 14.100, Section 6, Supplementary Requirements, Subsection 6.10 Accessory Buildings and Uses of the Lago Vista Code of Ordinances; Clarifying Language; Adding Landscaping and Architectural Standards; Adding Restrictions on Maximum Floor Area; Providing a Savings Clause, Effective Date, and Open Meetings.

Adjournment

On a motion by Paul Smith and seconded by Richard Brown the Commission voted unanimously to adjourn at 9:14 PM.



Jim Moss, Vice-Chair



Sherry McCurdy, Development Services Admin. Assist.

On a motion by Tara Griffin, seconded by Vernon Reher, the foregoing instrument was passed and approved this 27th Day of October 2016.

MINUTES
Thursday, September 22, 2016 Special Meeting
Planning and Zoning Commission
City of Lago Vista

Commissioner Andy White called the meeting to order at 7:00 P.M. in the Council Chambers, City Hall, 5803 Thunderbird St., Lago Vista, Texas. Members present were Vernon Reher, Andy White, Paul Smith, Gary Zaleski and Richard Brown. Chair Tara Griffin and Vice Chair Jim Moss were absent. Development Services Director David Harrell, City Attorney Barbara Boulware-Wells, and Administrative Assistant Sherry McCurdy were also present.

Election of Chair-Pro Temp, Not on Agenda

On a motion by Paul Smith, seconded by Vernon Reher, the Commission voted unanimously to nominate Gary Zaleski to serve as Chair Pro-Tem; he declined to serve.

On a motion by Gary Zaleski, seconded by Paul Smith, the Commission voted unanimously to nominate Andy White to serve as Chair Pro-Tem; he accepted to serve.

Citizen Comments for Non-Hearing Related Items

There were no citizen comments.

CONSENT AGENDA

Consider Approval of Following Minutes:

- A. August 16, 2016 Planning and Zoning Commission Special Meeting
- B. August 17, 2016 Planning and Zoning Commission Special Meeting
- C. August 25, 2016 Planning and Zoning Commission Special Meeting

On a motion by Gary Zaleski, seconded by Paul Smith, the Commission voted unanimously to approve the above Minutes.

PUBLIC HEARING

1. **ZON-1060**-Recommendation of a Conditional Use to allow placement of a boat dock on a lot separate from the principal use at 21401 Lakefront Drive & ABS 2145 Decker TT ACR 7.26 (Under Water).

David Harrell presented his staff report from the packet that was previously provided to the Commission. He stated all review comments had been addressed. David explained that he did not believe granting the Conditional Use would have a negative impact on adjoining property owners and stated there is several boat docks present in the same area.

Applicant Bruce Buckley, 21401 Lakefront Drive Lago Vista, Texas, stated he purchased the home on July 16, 2016. He is confident that boat dock should not be a problem since he has an easement to the property. He stated the boat dock will not be visible from the street.

Public Hearing was opened at 7:10 P.M.

Members of the Planning and Zoning Commission, David Harrell, Mr. Buckley, and Barbara Boulware-Wells discussed the existing easement and comments from the owner of the easement Gene Heider, which support the use of a boat dock.

Public Hearing was closed at 7:29 P.M.

On a motion by Gary Zaleski, seconded by Vernon Smith, the Commission voted unanimously to recommend approval of ZON-1060.

2. Repeal and replacement of Chapter 10, Code of Ordinances (Subdivision Standards).

David Harrell presented his staff report from the packet that was previously provided to the Commission. David explained the changes and additions since the last meeting.

The members of the Planning and Zoning Commission, David Harrell, and Barbara Boulware-Wells discussed the proposed changes and additions.

ORDINANCE

Recommendation of an Ordinance to the City Council repealing and replacing Chapter 10 (Subdivision Standards), Code of Ordinances; providing a savings clause; providing a severability clause; and, providing an effective date

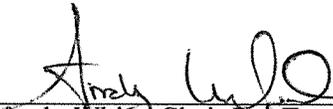
On a motion by Gary Zaleski, seconded by Paul Smith, the Commission voted unanimously to recommend an Ordinance to the City Council repealing and replacing Chapter 10 (Subdivision Standards), Code of Ordinances; providing a savings clause; providing a severability clause; and, providing an effective date with the addition of all modifications discussed during the September 22, 2016 Planning and Zoning Meeting.

FUTURE AGENDA ITEMS

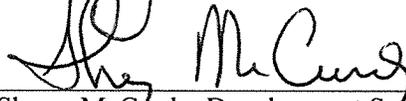
Paul Smith requested discussing landscaping requirements for new homes at the next meeting. Vernon Reher requested accessory buildings with covered porches be discussed at a future meeting.

Adjournment

On a motion by Gary Zaleski, seconded by Vernon Reher, the Commission voted unanimously to adjourn at 8:34 P.M.



Andy White, Chair Pro-Tem



Sherry McCurdy, Development Services Admin. Assist.

On a motion by Tara Griffin, seconded by Vernon Reher, the foregoing instrument was passed and approved this 27th Day of October 2016.

**OFFICIAL MINUTES OF THE GOLF COURSE ADVISORY COMMITTEE
LAGO VISTA, TEXAS
OCTOBER 11, 2016**

BE IT REMEMBERED that on the 11th day of October, A.D., 2016, the Golf Course Advisory Committee held a Regular Meeting at 6:00 p.m. in the Council Chambers, City Municipal Building, 5803 Thunderbird, in said City, there being present and acting the following:

CALL TO ORDER

Frank Robbins	Committee Vice Chair	Mark Cote	Golf Manager
Jim Speckmann	Committee Member	Sandra Barton	City Secretary
Mike Everett	Committee Member	Melissa Byrne Vossmer	City Manager
Gina Williams	Committee Member	Stephanie Smith	Council Member

Committee Vice Chairman, Frank Robbins called the regular meeting to order and recognized that all members were present except for Kevin Jackson and Chip Hamilton.

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

PUBLIC COMMENTS: Citizens who wish to address the Committee on any agenda and/or non-agenda item will have three (3) minutes to express their position.

None

CONSENT AGENDA

All matters listed under Consent Agenda, are to be considered routine by the Committee 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.

1. Approval of the following minutes: September 13, 2016 regular meeting

On a motion by Jim Speckmann, seconded by Gina Williams, the Committee voted unanimously to approve the above minutes as presented. Motion passed.

Stephanie Smith, 20606 Branding Iron, asked a question about a statement that was made under #3 regarding the Committee wanting to have a meeting with the City Council preferably after the elections, why is that? Because the Council had a meeting on the 29th, have one on the 20th and November 3, was there a motive?

Jim Speckmann stated that no, it was just that people wanted to talk to the people that they are going to be working with in the future and that may not be the case with the current Council.

BUSINESS ITEMS

2. Update on Golf Operations from Golf Manager/Director of Golf
 - A. YTD financial performance of golf courses

Mark Cote, Golf Manager provided an update. He stated that we had 16 or 17 inches of rain in August. The financials show we lost \$39,000 for the month of August and that brings our total for the year to \$539,000. He has started addressing the course conditions issues with herbicides and top dressing of the greens and fertilizer.
 - B. Marketing

Mark has tried to answer some questions that Kevin had. The glow ball tournament was rescheduled to the spring because of conflicts. He reached out to 73 Canadians and winter Texans. He has been emailing and promoting Monday Night Football. Robert left two weeks ago and the replacement, Chris Godwin with start October 12. He has been working on memberships and meeting with GolfNow.
 - C. Staffing changes

He is two employees short on the golf course but has hired someone for Highlands, subject to testing.
 - D. LV clubhouse kitchen floor repair

He did receive the preliminary report from the architect but with the budget process, he has not had a chance to sit down with Gary and Melissa to discuss.
3. Discussion, consideration, action, if any concerning recently approved 2016/2017 golf course budget.
 - a. Overall impact to operations from adjustments made to submitted budget

Mark provided an overview of any changes to his budget. He stated they removed the seed this year and decided to try a different approach this year to try to get course conditions better and to free up staff to work on different projects that will have an impact on Spring, Summer and Fall. Melissa Vossmer, City Manager suggested that Gary Graham give a presentation to the Committee regarding effluent at a future meeting. Frank Robbins suggested the December meeting.
 - b. General fund budget "trigger"

Melissa Vossmer, explained that the contribution from the general fund is at \$280,000. The Council asked that when we have met the support to the golf courses in the amount of \$180,000, then we are to bring it back to Council to show them the status of revenues and expenditures and talk about it. Assuming that it will move forward from there, there is an additional \$100,000 to be used to contribute to the operations.
4. Discussion, consideration, action, if any concerning status of Walter Wedding Estate HL clubhouse purchase.

Melissa Vossmer, City Manager stated that Council was briefed in Executive Session on the 29th. They are closing in on finalizing their decision on whether they are moving forward with the acquisition of Nature's Point and the Highland Lakes Clubhouse.

5. Discussion, consideration, action, if any concerning status of analysis study on golf courses and city impact.

Melissa Byrne Vossmer, City Manager has reached out to a consultant and received a proposal from him. We are moving forward to solicit services and hope to have a report to Council in early 2017. City Manager has a draft of a scope of services and will with the Golf Course Advisory Committee when it is complete.

6. Discussion, consideration, action, if any concerning restaurant operations and future status.

Mark Cote stated he budgeted for next year with restaurant being open and part of operations. Melissa stated that Council is concerned but have not said it would be closed.

Stephanie Smith stated that she asked Starr to do the report on monthly revenues and expenses for the restaurant. She would like to see the restaurant cut back on menu items and put simpler items like hamburgers and hotdogs.

Gina Williams asked if we have looked at closing on Monday and Tuesday and being open Wednesday through Sunday.

Dave Williams, stated that he has worked with multiple restaurants and says they make money on beer, wine and liquor. He stated that the focus needs to be on the total inventory of the clubhouse.

Eric Hutchins stated that his family enjoys the multiple menu items.

Frank asked that the Golf Course Advisory Committee receive the report that Starr does.

7. Discussion, consideration, action, if any concerning process for GCAC member vacancy fill(s).

The Committee wanted to know what the process is to fill a vacancy on the Committee.

Melissa stated if you are currently serving, then just let Mark or Melissa know if you would like to continue serving. Applications are currently kept for six months only.

8. Discussion, consideration, action, if any concerning rescheduling the November 8 scheduled meeting due to the upcoming election.

Staff and Committee discussed changing the date of the November 8 meeting to November 15, tentatively.

FUTURE AGENDA ITEMS

9. Consider schedule and items for future Committee meetings.

Jim Speckmann requested an update on the consultant status, more discussion on the restaurant costs, Walter Estate update and asked that a presentation regarding effluent be set for December.

Gina asked for an update from architect regarding the Lago Vista clubhouse.

10. The meeting was adjourned at 7:14 p.m.

Respectfully submitted,

Frank Robbins, Vice Chairman

ATTEST:

Sandra Barton, City Secretary

On a motion by Committee Member _____, seconded by Committee Member _____, the above and foregoing instrument was passed and approved this the 15th day of November, 2016.

DRAFT

KLVB Bullet Point Report

November 10, 2016

1. The meeting started at 3:00
2. **Treasury Report.** Beginning balance: \$2,915.41
Spent:
 - 98.53 Vet Park plants and mulch
 - 54.93 Pergola cover
 - 26.75 ID signs
 - 1532.50 Graftedlandscapes
 - 55.22 Sign paint

<u>Jim Orr donation</u>	<u>50.00</u>
Ending balance	\$1,197.42

Check for \$3,000 from the city given to treasurer.

3. Staff report. None. To see if Adam can attend.
4. **Adopt-A-Street.** 146 volunteers, 118 streets, an addition of three people and two streets.
5. **Bowden Point.** KLVB approved plan for additional plantings by Sellers was completed.
6. **Sports Complex.** Some of trail washed with recent rain. Frank to see if Grafted landscapes will fix. Several alternatives discussed.
7. **Dawn Drive.** Roses, zinnias, and mums are doing fine. No additional plantings needed. Workday scheduled for December 3d at 9 AM for vine removal and tree trimming.
8. **Veteran's Park.** Landscaping continues. Discussed saving plants when park is revamped. Street department staff spread grass in flower beds. KLVB to remove grass when it gets taller.
9. **Paseo de Vaca.** Frank contacted Sunset Ranch concerning windmill. They have none. People are looking at other places. Clearing transformed the KLVB site. Kudos from the community.
10. Don't Mess with Texas drawing competition. Denise reported Elementary school got no feed back from application made several years ago. They are not happy given several calls, but not to KLVB. This appears to be a TxDOT not KTB program. Denise to see if there is any interest and there may be a local KLVB drawing program and print of the best drawings. KLVB never heard of the problem and will follow up.
11. The meeting ended at 4:00.

MEETING DATE: November 17, 2016

AGENDA ITEM: Consider schedule and items for future Council meetings.

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

MEETING DATE: November 17, 2016

AGENDA ITEM: EXECUTIVE SESSION

Comments:

- B. Consultation with legal counsel regarding LVISD subsequent user fees and questions related to payment thereof.
- C. Consultation with legal counsel regarding Rusty Allen Airport plans and possible revisions thereto.
- D. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.
- E. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and issues and questions related thereto.
- F. 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.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; Sullivan _____; Tidwell _____; R. Smith _____;

Mitchell _____; S. Smith _____; Bland _____

Motion Carried: Yes _____; No _____

MEETING DATE: November 17, 2016

AGENDA ITEM: RECONVENE FROM EXECUTIVE SESSION

Comments:

- B. Consultation with legal counsel regarding LVISD subsequent user fees and questions related to payment thereof.

- C. Consultation with legal counsel regarding Rusty Allen Airport plans and possible revisions thereto.

- D. Consultation with legal counsel regarding Walters Wedding and Real Property issues and questions related to acquisition, sale or lease.

- E. Consultation with legal counsel regarding claims or possible claims or contractual claims or possible claims or charges, and issues and questions related thereto.

- F. 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.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: _____; **Sullivan** _____; **Tidwell** _____; **R Smith** _____;

Mitchell _____; **S. Smith** _____; **Bland** _____

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