



The City of Lago Vista

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

**AGENDA
PARKS AND RECREATION ADVISORY COMMITTEE
JUNE 20, 2016, 6:30 PM
CITY COUNCIL CHAMBERS
5803 THUNDERBIRD
LAGO VISTA, TX 78645**

NOTICE IS HEREBY GIVEN that the Parks and Recreation Advisory Committee of the City of Lago Vista, Texas will hold a meeting in the Council Chambers, City Municipal Building, 5803 Thunderbird, on the above date and time for discussion and possible action on the following:

CALL TO ORDER, CALL OF ROLL

CITIZEN 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.

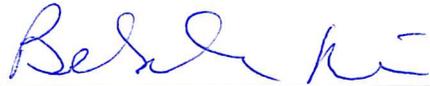
BUSINESS ITEMS

1. Assistant City Secretary to administer Statement of Officer and Oath of Office to new members.
2. Election of Officers.
3. Presentation by the City Attorney regarding Open Meetings Act, Conflict of Interest, Ethics, Roles and Responsibilities and other topics related to Boards, Commissions and Committees.
4. Discussion of roles and responsibilities of Parks and Recreation Advisory Committee.
5. Overview of Comprehensive Plan information / recommendations.
6. Overview of current sports/recreational facilities operated by the City of Lago Vista.

FUTURE AGENDA ITEMS

7. Consider schedule and items for future Committee meetings.
8. 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 1:35 PM on the 14th day of June, 2016.



Belinda Kneblick, Assistant City Secretary

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

MEETING DATE: June 20, 2016

CALL TO ORDER:

AGENDA ITEM: CALL OF ROLL

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

Speckmann _____ ; **Willow** _____ ; **White** _____

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

MEETING DATE: June 20, 2016

AGENDA ITEM: PUBLIC COMMENTS

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

Speckmann _____ ; **Willow** _____ ; **White** _____

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

MEETING DATE: June 20, 2016

AGENDA ITEM: Assistant Secretary to Administer Statement f Officer and Oath of Office to new members.

Comments:

Carol Hale
David White
Hubbard Helm
Michael Panter
Ross Dewhurst
Sheryl Speckmann
Travis Wilhow

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

Speckmann _____ ; **Wilhow** _____ ; **White** _____

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

MEETING DATE: June 20, 2016

AGENDA ITEM: ELECTION OF OFFICERS

Comments:

Carol Hale
David White
Hubbard Helm
Michael Panter
Ross Dewhurst
Sheryl Speckmann
Travis Wilhow

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ **; Hale** _____ **; Helm** _____ **; Panter** _____ **;**

Speckmann _____ **; Wilhow** _____ **; White** _____

Motion Carried: Yes ; No

MEETING DATE: June 20, 2016

AGENDA ITEM: Presentation by the City Attorney regarding Open Meetings Act, Conflict of Interest, Ethics, Roles and Responsibilities and other topics related to Boards, Commissions and Committees

Comments:

A copy of the presentation is provided.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

Speckmann _____ ; **Willow** _____ ; **White** _____

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

OPEN MEETINGS ACT

The Texas Open Meetings Act

BARBARA BOULWARE-WELLS
KNIGHT & PARTNERS

Presentation Outline

- Background
- Applicability
 - > Who is subject to the Act?
 - > What is a “quorum”?
 - > What constitutes a “meeting”?
- Notice Requirements
- Recordkeeping
- Procedures and Requirements for Open Meetings
- Procedures and Requirements for Executive Sessions
- Penalties
- Recent Modifications
- Common Dilemmas

General Background

- Sharpstown stock fraud scandal of the 1970s: Following the scandal in the Texas Legislature, the Open Meetings Act was made tougher for local governments
- The Act was passed on the premise that “citizens are entitled . . . not only to know what government decides but to observe how and why every decision is reached.” *Acker v. Tex. Water Comm’n*, 790 S.W.2d 299, 300 (Tex. 1990)
- Senator John Cornyn: “It is only natural that elected officials and government leaders want recognition for their successes, but not for their failures...but we as a healthy democracy need to know the good, the bad, and the ugly.”
- **General rule:** A governmental body’s meetings must be open to the public, unless a statute expressly permits an executive session

Applicability of the Act

What Entities are Subject to the Act?

- ⦿ A **governmental body** as **expressly defined** in the Act – examples: A **city council** or a department, agency, or subdivision of a city that has authority to promulgate policy-making rules (i.e., rulemaking) or to decide contested cases (i.e., quasi-judicial)
- ⦿ Entities **required by other law** to comply with the Act – examples: The board of directors of an economic development corporation or a local government corporation
- ⦿ A **board or committee** of an **entity that is subject to the Act**, depending on the board's or committee's **membership** and/or the board's or commission's **authority** (i.e., final decision making authority or “routinely rubber-stamped”)

What is a quorum?

- ⊙ **General rule:** The Act applies to a gathering of a *quorum* of a governmental body's members if *public business* is *deliberated or discussed*
- ⊙ **Cities**
 - > **Home rule:** Charter generally expressly states the quorum requirement
 - > **Type A:**
 - **Regular meeting** – majority of the councilmembers (3)
 - **Special meeting or meeting to impose taxes** – two-thirds of the councilmembers (4)
 - > **Type B:** The mayor and three aldermen or four aldermen
 - > **Type C:** A majority of the board of commissioners (2)
 - > **Boards and commissions:** Look to statute or ordinance/resolution creating
- ⊙ **General quorum rule:** a majority of a governmental body
- ⊙ **Circumvention:** the Act may apply *even when a quorum is not present*

What Constitutes a Meeting?

- ⦿ A **meeting** occurs when:
 1. A **quorum** of a governmental body gathers;
 2. the **public business** that the governmental body has authority to supervise or oversee is **discussed**; and
 3. **either**:
 - a. a **member** of the governmental body **participates in the discussion**; or
 - b. the governmental body (a) **called the meeting** and (b) **conducts or is responsible for the meeting**.
- ⦿ The Act does not apply to **social functions** or *regional, state, or national workshops* if the governmental body's public business is not discussed
- ⦿ **Examples**: formal meeting, attendance at another entity's meeting, attendance at a city's board or committee meeting, social situations, "staff briefings," using the restroom, "walking quorum," circulating an invoice or letter for signature outside of a meeting, e-mail
- ⦿ **Attorney general's advice**: develop a habit of asking yourself, "is this a meeting?"

Notice Requirements

- ◉ The Act requires **written notice** of the **date, hour, place, and subject** of each meeting – **both** open meetings **and** executive sessions
- ◉ **Specificity**: The notice must be **sufficient to apprise the general public** of the subject matter to be discussed – legal sufficiency depends on and can vary based on the facts:
 - > Listings like “personnel” or “new business/old business” generally **insufficient**
 - > **More important** the issue is to the public, the **more specific** the notice should be
 - > “Public forum” or “public comment” is sufficient to hear from residents

Notice Requirements

- Individual notice is *not required*
- **Accessibility:** A governmental body must post its notice in a place that is “*readily accessible to the general public for all times for at least 72 hours*” before the meeting is scheduled to start (e.g., bulletin board/kiosk outside of city hall or on the door of city hall)
- **Internet posting:** Cities are now *required* to post notice on the city’s Internet Web site
- When a city *posts notice on its Internet Web site*, the physical notice has to be readily accessible to general public *only during normal business hours* instead of at “all times.”

Notice Requirements

- *If City located in less than 4 counties*
 - > post notice of each meeting at a place convenient to the public in the administrative office of the district or political subdivision; and
 - > provide notice of each meeting to the county clerk of each county in which the district or political subdivision is located.
 - > A county clerk shall post the notice provided under Subsection (a)(2) on a bulletin board at a place convenient to the public in the county courthouse.

Notice Requirements

- ⦿ **Emergency meeting or supplemental posting:** When there is an *imminent threat to public health and safety* or a *reasonably unforeseeable situation*, a meeting on an emergency matter may be held after only *two hours notice*
 - > The notice must *CLEARLY describe the emergency*
 - > What if we “forgot to post” an item? Not an emergency
 - > Must give copy of notice to news media if previously asked for
- ⦿ **Recess:** May recess to *following business day* if the action is taken in *good faith* and not to circumvent the Act’s requirements

Notice Requirements

- ***Amendments – Agendas***

Agendas may not be amended once posted unless still outside 72 hour notice period, *unless emergency.*

Recordkeeping

- ⦿ A governmental body must *prepare and keep minutes* of a meeting *or a tape recording* of each open meeting.
- ⦿ The *minutes must*:
 - > State the subject of each deliberation
 - > Indicate each vote, order, decision, or other action taken
- ⦿ A brief summary is all that is required - A verbatim transcript is not necessary

Recordkeeping

- The *minutes or tape recording* of the meeting are **public records**, and must be made available pursuant to a request
- Under the *Records Retention Act*, a governmental body must have a Texas State Library-approved **retention schedule** for its records (for more information, please visit www.tsl.state.tx.us)
- Generally, if minutes are **transcribed from a tape**, the tape must be kept for **90 days** after the written minutes are approved

Procedures and Requirements

Open Meetings

- A meeting ***may not be convened*** unless a ***quorum is present*** in the meeting room
- The ***Americans with Disabilities Act*** requires a meeting to be held in a room that is ***physically accessible*** to those with disabilities
- Members of the public (including the media) ***have a right to record*** the meeting by audio or video tape or other comparable means
- A governmental body may adopt ***reasonable rules*** to maintain order in a meeting, including those relating to the location of recording equipment

Procedures and Requirements

Open Meetings

- ◉ The Act **does not entitle members of the public to speak at open meetings**
- ◉ If a governmental body allows public comment, it may set **reasonable rules** regarding the number, frequency, and length of presentations, but it should not discriminate against speakers
- ◉ If a member of the public asks a question about an item that is **not on the agenda**, the members of the governmental body **may not deliberate the item**, and are limited to:
 - > A statement of **fact** regarding the issue
 - > A statement of **policy** regarding the issue
 - > A **proposal** to place the item on a future agenda for deliberation

Procedures and Requirements *Executive Sessions*

- A governmental body may hold a **closed meeting** only when a statute **expressly authorizes** it to do so
- To conduct an executive session, a governmental body must:
 1. have a **quorum**;
 2. properly **convene** in an open meeting;
 3. **announce** that a closed meeting will be held;
 4. **identify** in the open meeting the **section of the law** that allows the closed meeting; and
 5. keep a **certified agenda** or a **tape recording** of the closed meeting:
 - a. the certified agenda must include a **statement of the subject of each deliberation** and a **record of any further action taken**
 - b. The certified agenda or tape recording is **confidential** and may not be released absent court action
 - c. A **sitting member** of the governmental body may review the certified agenda or tape recording.

Procedures and Requirements

Executive Sessions

- **Who may attend an executive session?**

Only a governmental body's members have a right to attend a closed meeting. Although a governmental body may include others in a closed meeting if necessary to the matter under consideration, it may not admit a person whose presence is against the interests of the governmental body that the closed meeting is designed to protect.

Procedures and Requirements *Common Executive Sessions*

- ***Real Property Deliberations***
 - to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person
- ***Personnel Matters***
 - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee
 - to hear a complaint or charge against an officer or employee
 - Must be conducted in open session if the officer or employee requests a public hearing

Procedures and Requirements *Common Executive Sessions*

- ***Economic Development***
 - to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations
 - to deliberate the offer of a financial or other incentive to a business prospect that meets the above requirements
- ***Consultation with Attorney***
 - to seek advice about legal matters, pending or contemplated litigation, or settlement offers
 - Governmental body's attorney must be present if employee (may be present by conference call, videoconference, or Internet communications if a contract attorney)
 - General discussion of policy not permitted
- ***Security/Homeland Security Measures***

Violations

- The Act provides for ***civil remedies*** and ***criminal penalties*** for noncompliance
- Criminal provisions are enforced by:
 - > District attorneys
 - > County attorneys
 - > Criminal district attorneys
- Attorney general is not directly authorized to enforce the Open Meetings Act, ***but may assist local prosecutors***

Violations – Civil Penalties

- ⦿ An action taken in violation of the Act is **voidable**
 - › An voidable action may be redone at a later meeting, but that action will not be given retroactive effect
 - › Termination of employee example
- ⦿ Civil actions
 - › Any interested person may bring a **civil lawsuit** to force officials to comply with the Act, to **enjoin** officials from acting, or to **void actions taken** in an illegal meeting
 - › A person injured by the unlawful disclosure of a certified agenda or tape recording of a lawfully closed meeting **may sue for damages, attorney fees, and exemplary damages**

Violations – Criminal Penalties

- ⊙ **Participating in a closed meeting “knowing that a certified agenda . . . or . . . a tape recording . . . is not being made”**
- ⊙ **In general, knowingly disclosing a certified agenda or tape recording of a closed meeting to a member of the public**
 - Not a crime to discuss what went on in executive session, but may subject you to a civil lawsuit

Violations – Criminal Penalties

- ⊙ **Knowingly conspiring to circumvent the Act “by meeting in numbers less than a quorum for the purpose of secret deliberations”**
 - > Knowingly: reasonably certain that the action would violate the law
 - > Walking quorum: where a quorum is not present in one place at the same time and secretly discusses public business with the goal of avoiding a public meeting – may subject members to criminal and civil liability
- ⊙ **Knowingly calling, aiding in calling, organizing, or participating in an unlawful closed meeting**
 - > Affirmative defense: member acted in reasonable reliance on a court order, attorney general opinion, or the written opinion of the governmental body’s attorney

Reports - Community Interest Items

Section 551.0415 now allows reports about items of community interest which no action will be taken

- Section 551.0415 provides as follows:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality may receive from municipal staff and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), “items of community interest” include:

- expressions of thanks, congratulations or condolence;
- recognition of a public official, public employee or other citizen
- a reminder about an upcoming event organized or sponsored by the governing body or announcement of holiday;
- information regarding a social, ceremonial or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

AG Opinion GA-0717 (2009)

- Addressed the validity of a city charter provision that permitted a majority of council members to call a meeting. The charter provision did not require deliberation among a quorum of city council members, so the opinion could not conclude as a matter of law that the charter provision violated the Act.

AG Opinion GA-0957 (2012)

- Attorney General Opinion GA-0957 (2012) concluded that if a quorum of a governmental body attends a meeting of a committee of the governmental body at which a deliberation as defined by the Open Meetings Act takes place, the committee meeting will constitute a meeting of the governmental body.

COMMON DILEMMAS

- ◉ Elected officials and conversations outside a meeting with other elected officials
- ◉ Telephone conferences, Videoconferences and the Internet

Resources

Keep current by contacting our office:

Knight & Partners: (512) 323-5778

Mobile: (512) 771-7171

bbw@cityattorneytexas.com

Additional resources:

www.tml.org (512-231-7400)

www.oag.state.tx.us (877-OPEN TEX)

www.tsl.state.tx.us (for records retention)

ETHICS – ARTICLE 1.800 ETHICS POLICY

ARTICLE 1.1800 ETHICS POLICY

Sec. 1.1801 Declaration of Policy

(a) It is essential in a democratic system that the public have confidence in the integrity, independence, and impartiality of those who act on their behalf in government. To promote confidence in the government of the City of Lago Vista (“the city”), and thereby enhance the city’s ability to function effectively, this code of ethics is adopted. Although codes of ethics can provide instruction on what to do in various situations, the situations will always be more varied than the rules can anticipate. Recognizing this, the city manager and the city council will apply this article to not only enforce regulations, but also to enhance and promote virtue in public servants who are its officers, city officials or employees, paid or unpaid, elected or appointed, as well as members of any standing committee or board.

(b) Furthermore, it is declared to be the policy of the city that proper operation of democratic government requires that public servants be independent, impartial and responsible to the people of the city; that no public servants shall permit any interest, financial or otherwise, direct or indirect, or engagement in any business, transaction or professional activity to conflict with the proper discharge of their duties in the public interest; that public office not be used for illegal or improper personal gain; and that the city council at all times shall be maintained as a nonpartisan body. To implement such a policy, the city council deems it advisable to enact a standard of conduct for all public servants to serve not only as a guide for official conduct, but also as a basis for discipline for those who refuse to abide by its terms. The overriding interest being that public servants of the city shall at all times strive to avoid even the appearance of impropriety.

(c) The city further recognizes that public servants are also members of society and, therefore, cannot and should not be without any personal and economic interest in the decisions and policies of government; that public servants retain their rights as citizens to interests of a personal or economic nature, and their rights to publicly express their views on matters of general public interest. By prohibiting conduct incompatible with the city’s best interests and minimizing the risk of any appearance of impropriety, this code of ethics will further legitimize the interests of democracy.

(d) Persons reviewing and considering the requirements of this code of ethics are cautioned to consider that Chapt. 171 and Chapt. 176, Tex. Loc. Gov’t. Code, are also applicable. In addition, a material volume of state law directly applicable to issues involving public ethics and reporting is applicable to the city and each employee and officer of the city. It is the policy of the city to rely primarily on those laws in lieu of unnecessary duplication and incurring the costs and expense required to administer areas of a program that in fact duplicate state law.

Sec. 1.1802 Purpose

This code of ethics has four purposes:

- (1) To encourage high ethical standards in official conduct by public servants;

- (2) To establish minimum guidelines for ethical standards of conduct for all such public servants by setting forth those acts or actions that are incompatible with the best interests of the city;
- (3) To require disclosure by public servants and candidates of private financial or property interests in matters affecting the city; and
- (4) To provide minimum standards of ethical conduct for the city's public servants, provide procedures regarding complaints for violations of such standards, and provide a mechanism for disciplining violators of such standards.

 **Sec. 1.1803 Present Public Servants**

(a) Standards of Conduct.

- (1) To avoid the appearance and risk of impropriety, public servants shall not solicit or accept any gift, personal favor or benefit from any person doing business with, seeking to do business with, or being regulated by the city; and shall not take any action on behalf of any person or business entity from which he or she has received a prohibited gift, or in which he or she has a substantial interest. Except in the sole interest of the public and the performance of the duties of their position, public servants shall not take any action that he or she knows might reasonably tend to influence any other public servant to not properly perform their official duty, nor shall any public servant grant any improper favor, service or thing of value to any person.
- (2) As used in this article the word gift means a favor, hospitality, economic benefit, product or item having a value of \$50.00, or more. A gift does not include campaign contributions reported as required by state law, money, items, or benefits received from a relative if given on account of kinship, or any value received by will, intestate succession, or as a distribution from an inter vivos or testamentary trust established by a spouse or ancestor.
- (3) The following factors are considered in evaluating whether a gift is prohibited:
 - (A) The value of the gift, or gifts, does not exceed \$50.00, or \$200.00 during any twelve (12) consecutive calendar months;
 - (B) Any preexisting relationship between the donor and donee;
 - (C) Whether the benefit of the gift is transferred to the city or to the public servant and whether any consideration is given in exchange for the gift; and
 - (D) Whether the person or entity giving the gift, or on whose behalf the gift is made, has done business with or has been regulated by the city within the immediate preceding twenty-four (24) calendar months, or is seeking to do

business with the city, or does business with or is regulated by the city during the subsequent twelve (12) months.

(4) Those items or services that do not constitute prohibited gifts include, but are not limited to, the following:

(A) Political contributions made, and reported as required by applicable law.

(B) Awards publicly presented in recognition of public service.

(C) Entertainment, meals or refreshments furnished in conjunction with public events, appearances, or ceremonies related to official city business, if furnished by the sponsor of such public event, and meals and refreshments having a value of less than \$50.00 when furnished or provided to the public servant during the conduct of public business.

(D) Any item received by a public servant and donated to a charitable organization or presented to the city within one (1) business day from the date of receipt; any item(s) other than money the value of which does not exceed \$50.00 or \$200.00 during any twelve (12) consecutive calendar months.

(E) Pens, pencils, calendars, T-shirts, caps and similar items containing logos, slogans, company names or other marketing material and commonly given out for advertising purposes.

(b) Personal Financial Interest.

(1) Public servants of the city shall not participate in a vote or decision in which they have a direct substantial financial interest. Ownership in an amount in excess of one percent (1%) of an entity or property shall constitute substantial interest. Where members of the city council have a substantial interest in business or in real property which is affected by a proposed city council action and where any conflict of interest may arise they shall file an affidavit of disclosure provided by the city secretary prior to the vote and abstain from voting on such matters.

(2) No officer or employee of the city shall have a financial interest direct or indirect, or by reason of ownership of stock in a corporation, in a contract with the city, or be financially interested directly or indirectly in the sale to the city of land, materials, supplies or services except on behalf of the city as an officer or employee; provided, however, that the provision of this section shall only be applicable when the stock owned by the officer or employee exceeds one (1%) percent of the total capital stock of the corporation, or the city's taking of an interest in land by use of its eminent domain authority. Any violation of this shall render the contract voidable.

(Ordinance 09-05-21-01 adopted 5/21/09)

(3) In keeping with current case law, when a member of the city council has a substantial interest in business or in real property which is affected by a proposed city council action and such member is required to abstain from voting on such matter after filing his or her affidavit of disclosure, such abstention shall count as a ineligibility for that matter only and the number of votes required for passage of such matter shall be reduced by the number of ineligible members. In instances where a supermajority of the members of the governing body is required for passage, such supermajority number or fraction shall be based on the number of eligible voting members of the governing body and shall not count any ineligible members. (Ordinance 13-09-12-02 adopted 9/12/13)

(c) Confidential Information. Public servants shall not disclose confidential or proprietary information, or any information they have acquired or obtained in the course of any fiduciary capacity or relationship, that could adversely influence the property, government, or affairs of the city, nor directly or indirectly use his or her position to secure official information about any person or entity, for the financial benefit or gain of such public servant or any third party. Public servants shall not release confidential, proprietary or privileged information for any purpose other than the performance of official responsibilities. It shall be a defense to any complaint under this section that the release of information serves a legitimate public purpose, as opposed to the private financial or political interest of the public servant or any third party or group.

(d) Use of City Property. Public servants shall not use, request or permit the use of city facilities, personnel, equipment, or supplies for any purpose other than to conduct city business unless otherwise provided by law, ordinance or written city policy; or as specifically authorized by the city manager as a convenience to the city, or by terms of employment, e.g. assigned use of a city vehicle.

(e) Conflict of Interest.

(1) Public servants shall not for pay, profit, compensation, financial gain or benefit represent or appear on behalf of themselves or on behalf of the private interests of others before the city council or other city board, commission, or committee, or represent the private interest of others in any action or proceeding involving the city.

(2) No current members of the city council shall personally appear on their own behalf before the city council or any board, commission or committee but may designate and be represented by a person of their choice in any such personal business matter. This prohibition does not apply where a councilmember appears before the council on their own behalf, with respect to an issue arising under the city charter or this article. A member of any appointed committee or board shall remove himself/herself from deliberation regarding his/her interest.

(3) No current board or commission member shall personally appear on their own behalf before the board or commission upon which they serve, but may designate and be represented by a person of their choice in any such business matter. Board or commission members are prohibited from engaging in private discussions with any

applicant or owner regarding issues to be considered by their board or commission or from seeking to influence the outcome of any decision outside of a public meeting.

(f) Additional Standards of Conduct.

(1) Conflicting Outside Employment.

(A) The purpose of this provision is to prevent conflicts of interest, conflicts of loyalty, and loss of efficiency at work.

(B) This provision does not prevent employees or officials from accepting other employment or following any pursuit which in no way interferes with the full and faithful discharge of their public duties, provided that the employees comply with all applicable city requirements.

(C) A city official or paid city employee shall not solicit, accept or engage in concurrent outside employment or enter into any contract which could impair independence of judgment in, or the faithful performance of, their official duties, or those results in a conflict of interest with their duties as an official or employee of the city.

(D) City employees must inform their supervisor before engaging in off-duty employment, and obtain written authorization from the city manager or their department head prior to accepting outside employment. Employees must consider the policy purpose and be aware of this policy and rule.

(2) Political Activity.

(A) Limitations on the political activities of city officials and employees are imposed by state law, the city charter, and city personnel rules. In addition, the ethical restrictions listed below shall apply.

(B) No employee shall solicit or receive contributions to the campaign funds of any candidate for city office or take part in the management, affairs, or political campaign of any city candidate. Current members of the city council who are seeking reelection may engage in any activity on behalf of their own campaign efforts. However, the mayor and councilmembers are prohibited from taking part in the management, affairs, or political campaign of any other city candidate. The following is a list of activities that are, except as specifically provided otherwise, permissible within the sole discretion of the individual employees:

(i) The placement of campaign signs on premises owned by the city employee.

(ii) The placement of bumper stickers on personal vehicles, except those vehicles supported in whole or in part by a car allowance provided by the city.

(iii) Off-duty or assigned duty attendance at a political rally or function for a city council candidate, so long as there is no active participation by the city employee; provided that an employee that is off-duty shall not wear any city uniform, item or clothing that identifies the employee as an employee of the city.

(iv) The donation of a political contribution that does not exceed the statutory limit for nonreportable contributions; provided that a candidate for, and the occupant of, an elective city office is prohibited from soliciting contributions from city employees.

This subsection shall be narrowly construed and in no event shall this section be construed or interpreted to prevent any officer, employee, councilmember, mayor or public servant from expressing his or her personal opinion regarding any candidate for office, or any other matter of public interest; provided that city employees shall not, while in uniform or on duty, make public comments or statements concerning any candidate for elective city office. Private statements or comments made by any officer or employee of the city to any other officer or employee of the city concerning any candidate for elective city office are not subject to subsection (f).

(C) Nonprofit Board Membership. While membership is encouraged a councilmember who serves on the board of a public or private nonprofit organization shall have a voice but no vote on any funding request or contract with the city by that organization, unless the organization has a board of directors or trustees appointed in whole or in part by the city council, commission or board members.

 **Sec. 1.1804 Former City Officials and Employees**

[Reserved]

 **Sec. 1.1805 Contracts**

(a) No officer or employee of the city shall have a financial interest direct or indirect, or by reason of ownership of stock in any corporation, in a contract with the city, or be financially interested directly or indirectly in the sale to the city of land, materials, supplies or services except on behalf of the city as an officer or employee; provided, however, that if the direct or indirect interest results from the ownership of stock the provision of this section shall only be applicable when the stock owned by the officer or employee exceeds one (1) percent of the total capital stock of the corporation. Any violation of this section shall render the contract voidable. This section shall not apply or be applicable to employment agreements approved by the city

manager and/or the city council, or instances in which the city is acquiring property by eminent domain.

(b) Except on behalf of the city, a former city councilmember, official, or employee may not, within two (2) years of the termination of official duties, perform work for any person or entity other than the city on a compensated basis relating to a discretionary contract, if he or she personally and substantially participated in the negotiation of awarding of the contract. A former city official or employee, within two (2) years of termination of official duties must disclose to the city secretary immediately upon knowing that he or she will perform work on a compensated basis relating to a discretionary contract.

 **Sec. 1.1806 Persons Doing Business With the City**

(a) Persons Seeking Discretionary Contracts.

(1) An individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in Sections 1.1803 and 1.1804 of this code of ethics. The individual or entity must agree to abide by the same ethical standards as set forth for public servants in this code of ethics.

(2) Subsection (a) above will become a permanent footnote on documents contained in city bid packets for discretionary contracts.

(3) All prospective vendors shall comply with Chapt. 176, Tex. Loc. Gov't. Code.

(b) Disclosure of Conflicts of Interest by Persons Appearing Before a Board or City Body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:

(1) An employee or officer of the city that advises or makes presentations to the board or city body; or

(2) Any member of the board or city body;

has or may have a conflict of interest pursuant to Chapt. 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

 **Sec. 1.1807 Lobbyist**

[Reserved]

 **Sec. 1.1808 Financial Disclosure**

Chapt. 176, Tex. Loc. Gov't. Code, requires every person, firm or entity proposing to sell any product to the city, or to contract with the city, to file documents identifying business connections or relationships they or their employees may have with officers and employees of the city. Upon any such document identifying an officer of the city that officer must complete and file a document prescribed by state law. Chapt. 171, Tex. Loc. Gov't. Code, requires members of the governing body and boards and commissions to publicly announce if they have a conflict, business or investment interest in the person or subject matter coming before that body. In addition to the public announcement, the officer is required to complete an affidavit specifying the conflict and file that document with the city secretary. These requirements obviate any need for the city to incur the expense to establish the required administrative procedures, obtain, store and make available financial statements from the officers of the city. The avoidance of the requirements for financial statements encourages public service because it permits officers from being required to report personal financial information and information that intrudes on the privacy of third parties that have no business dealings with the city.

 **Sec. 1.1809 Jurisdiction and Hearing of Complaints**

(a) City Manager. The city manager shall receive and hear all complaints filed against any city official or employee that is appointed by the city manager. The fact that the city manager has received a complaint, or is hearing a complaint, filed under this code of ethics, shall not deprive or lessen the authority of the city manager to take disciplinary action against such city official or employee without regard to the complaint or hearing. When hearing a complaint, the city manager may adopt such process and procedures as he/she finds suitable to the complaint. The hearing may be conducted informally or as a hearing in which witnesses may be produced.

(b) City Council. The city council shall receive and hear all complaints filed against any city official, board, committee or commission member that is appointed by the city council. The fact that the city council has received a complaint, or is hearing a complaint, filed under this code of ethics, shall not deprive or lessen the authority of the city council to take any discretionary action it finds appropriate, or to take any disciplinary action against such city official, without regard to the complaint or hearing. When hearing a complaint, the city council may adopt such process and procedures as the council finds suitable to the complaint. The hearing may be conducted informally or as a hearing in which witnesses may be produced.

(c) Violations of Chapt. 171 or Chapt. 176. Complaints alleging a violation of Chapt. 171 or Chapt. 176, Tex. Loc. Gov't. Code, shall be referred to the appropriate court and prosecutor. Such referral shall not deprive the city manager or the city council, as applicable, from exercising their respective discretionary authority, or any authority granted by local or state law.

(d) Advisory Opinions and Recommendations. The city attorney shall render advisory opinions and make recommendations to the city manager and city council, as applicable, on potential conflicts of interest or potential violations of this code of ethics at the request of a public servant. Such advisory opinions and recommendations shall be rendered thirty (30) days after a request or complaint is received, unless the city attorney requests, and is granted one thirty (30) day extension by the city council or city manager, as applicable. This subsection shall not be applicable to complaints that have been filed with the city council or the city manager.

(e) Defense to Alleged Violations. It shall be a defense to an alleged violation of this code of ethics that the person accused previously requested, and received, a written advisory opinion and recommendation from the city attorney, and acted on such opinion or recommendation in good faith, unless material facts were omitted or misstated by the person requesting the opinion. Absent, omitted or misstated facts, such written advisory opinion and recommendation shall be binding with respect to subsequent charges based on the same issue and facts concerning the person who requested the opinion.

(f) Disposition of Alleged Ethics Violations.

(1) A sworn complaint based on personal knowledge alleging a violation(s) of this article shall specify the provision(s) of this article alleged to have been violated, and shall name the public servant being charged.

(2) Upon the aforesaid sworn complaint of any person being filed with the city secretary's office, or on its own initiative, the city manager or city council, as applicable, shall consider possible violations of this article by any public servant. A complaint shall not be deemed to be filed on the initiative of the city council, save and except the complaint be signed and sworn by two (2) members of the city council, one of which is the mayor, after consultation with the city attorney. A complaint filed by an individual member of the city council shall be deemed to have been filed in the councilmember's capacity as a private citizen and, in such event, the member of the city council filing the complaint shall not thereafter participate in a city council meeting, or discuss the same with the city manager if applicable, at which such complaint is considered save and except the councilmember filing the complaint may participate as a complainant at such meeting.

(3) A complaint alleging a violation of this article must be filed with the city secretary within two (2) years from the date of the action alleged as a violation, and not afterward.

(4) Not later than three (3) working days after the city secretary receives a sworn complaint, the city secretary shall acknowledge the receipt of the complaint to the complainant, and provide a copy of the complaint to the city attorney, the city council or city manager as appropriate, and the person against whom the complaint was alleged. Not later than ten (10) working days after receipt of a complaint, the city secretary shall notify in writing the person who made the complaint and the person against whom the complaint was alleged, of a date for a preliminary hearing. If the

city manager or city council does not hold a preliminary hearing within twenty (20) days of receipt of the complaint, it shall notify the person who made the complaint of the reasons for the delay and shall subsequently give further appropriate notification.

(5) The city council or the city manager may consider possible violations of this article on their own initiative. Within seven (7) working days of the decision to consider a possible violation of this article, a draft written complaint specifying the provision(s) of this article alleged to have been violated shall be filed with the city secretary, and provided to the city attorney and the person against whom the complaint was alleged. Not later than fifteen (15) days after the drafting of the complaint, the city secretary shall notify in writing the person against whom the complaint was alleged of the date for the preliminary hearing.

(6) After a complaint has been filed, and during the pending of a complaint before the city council, a member of the city council may not communicate directly or indirectly with any party or person about any issue of fact or law regarding the complaint, except at a meeting of the city council; provided that the mayor may consult and coordinate with the city attorney.

(7) As soon as reasonably possible, but in no event more than sixty (60) days after receiving a complaint, the city manager or city council, as applicable, shall conduct a preliminary hearing:

(A) The issue at a preliminary hearing shall be the existence of reasonable grounds to believe that a violation of this article has occurred. The person filing a complaint, or the city attorney in cases considered upon the city manager's or city council's, as applicable, own initiative, shall state the alleged violation and shall describe in narrative form the testimony and other evidence which would be presented to prove the alleged violations stated in the written complaint. Statements at a preliminary hearing shall be under oath, but there shall be no cross examination or requests for persons or evidence issued for the hearing. Members of the city council or the city manager, as applicable, may question the complainant, the city attorney or the city manager, as applicable, or the public servant named in the complaint.

(B) The public servant named in the complaint shall have the opportunity to respond, but is not required to attend or make any statement. The public servant may describe in narrative form the testimony and other evidence that would be presented to disprove the alleged violation. If the public servant agrees that a violation has occurred, he or she may so state and the city manager or city council, as applicable, may consider the appropriate sanction.

(C) The complainant and the public servant named in the complaint shall have the right to representation by counsel.

(D) At the conclusion of the preliminary hearing, the city manager or city council, as applicable, shall decide whether a final hearing should be held. If the city manager or city council, as applicable, determines there are reasonable grounds to believe that a violation of this article has occurred, a final hearing will be scheduled. If the city manager or city council, as applicable, does not determine that there are reasonable grounds to believe that a violation of this article has occurred, the complaint shall be dismissed. A decision to conduct a final hearing is not a finding that a violation has occurred.

(E) The city manager or city council, as applicable, at any time during the preliminary hearing, may also dismiss a complaint if the complaint does not allege conduct which would be a violation of this article. Before a complaint is dismissed for failure to allege a violation, the complainant may be permitted one opportunity, within ten (10) working days of such preliminary hearing, to revise and resubmit the complaint.

(F) The complainant, the city attorney or the public servant named in the complaint may ask the city manager or city council, as applicable, at a preliminary hearing to request certain persons and evidence for a final hearing, if one is scheduled.

(8) Final Hearing on Complaints.

(A) The final hearing shall be held as expeditiously as possible following the determination by the city manager or city council, as applicable, that reasonable grounds exist to believe that a violation of this article has occurred. In no event shall the hearing be held more than thirty (30) days after said determination. The city manager or city council, as applicable, may grant two (2) postponements, not to exceed fifteen (15) days each, upon the request of the public servant named in the complaint.

(B) The issue at a final hearing shall be whether a violation of this article has occurred. The city manager or city council, as applicable, shall make its determination based on clear and convincing evidence in the record. All witnesses shall make their statements under oath.

(C) If the city manager or city council, as applicable, determines that a violation has occurred, findings shall be stated in writing identify the particular provision(s) of this article which have been violated, and within five (5) working days a copy of the findings shall be delivered to the complainant, if any, the public servant named in the complaint, and the city secretary.

(D) If a complaint proceeds to a final hearing, the city manager or city council, as applicable, may request witnesses to attend and testify, administer oaths and affirmations, take evidence and request the production of books, papers records, or other evidence needed for the performance of the city

manager or city council, as applicable's duties or exercise of its powers, including its duties and powers of investigation.

(9) Sanctions.

(A) If the city manager or city council, as applicable, determines that a violation of this article has occurred, they shall proceed directly to determination of the appropriate sanction(s), if any. Save and except for a violation of Section 7.2, Section 8.6 or Section 11.1 [sic] a violation of this article shall not be subject to criminal penalties. The city manager or city council, as applicable, may receive additional testimony or statements before considering sanctions, but is not required to do so. If the public servant named in the complaint acted in reliance upon a written opinion of the city attorney, the city manager or city council, as applicable, shall consider that fact.

(B) If the city manager or city council, as applicable, determines that a violation of this article has occurred, they may impose one of the following sanctions:

(i) A letter of notification shall be the appropriate sanction when the violation is clearly unintentional, or when the public servant's violation was made in reliance on a written opinion of the city attorney. A letter of notification shall advise the public servant to whom it is directed of any steps to be taken to avoid future violations.

(ii) A letter of admonition shall be the appropriate sanction in those cases in which the city manager or city council, as applicable, finds that the violation is minor and/or may have been unintentional, but calls for a more substantial response than a letter of notification.

(iii) A reprimand shall be the appropriate sanction when the city manager or city council, as applicable, finds that a violation has been committed intentionally or through disregard of this article. A copy of a reprimand directed to a public servant, city official, councilmember, or board or commission member shall be sent to the city council. A reprimand directed to an employee of the city shall be included in said employee's personnel file. A letter of reprimand directed to an elected city official shall be transmitted to the city secretary and shall be published in the official newspaper of the city.

(iv) A recommendation of removal from employment or a recommendation of suspension from employment, as well as a recommendation for length of suspension, shall be the appropriate sanction when the city manager or city council, as applicable, finds that a serious or repeated violation(s) of this article has been committed

intentionally or through culpable disregard of this article by city employees.

(v) A letter of censure shall be the appropriate sanction when the city council finds that a serious or repeated violation(s) of this article has been committed intentionally or through culpable disregard of this article by an elected city official. A letter of censure directed to an elected city official shall be transmitted to the city secretary and thereafter published in the official newspaper of the city.

Sec. 1.1810 Independent Legal Counsel

Independent Legal Counsel. If a complaint is filed against the city manager or any member of the city council independent legal counsel shall be utilized to advise the city council, and participate in hearings.

Sec. 1.1811 Baseless Complaints

(a) In the event a complaint is received by the city manager or city council, as applicable, that is subsequently found to be baseless, and the city manager or city council, as applicable, deems that the complaint was filed with the intent to:

- (1) Harass the person named in the complaint;
- (2) Damage the respondent's reputation;
- (3) Benefit the person filing the complaint, personally, professionally or politically;
or
- (4) Damage a related third party;

the city manager, or the city council, may refer the matter to the appropriate court or prosecutor.

(b) The city manager or city council, as applicable, may take or recommend disciplinary action(s) against the individual who filed the complaint including but not limited to filing legal charges. The city manager or city council, as applicable, may also make recommendations for what other action(s) should be taken.

Sec. 1.1812 General Provisions

(a) Definitions. The words "public servant" when used in this article, shall mean the elected officers of the city, all persons appointed by or by vote of the city council, all department heads of the city, all city employees that have any supervisory authority over other employees, and all employees that have discretionary authority to make recommendations to boards or to the city

council. Words used in the present tense include the future tense. Words used in the plural number include the singular, and words in the singular include the plural. The word “shall” is always mandatory. The word “herein” means in this article. The word “regulations” means the provisions of any applicable article, rule, regulation or policy.

(b) Penalties. Any person who shall violate this code of ethics, or shall fail to comply therewith, or with any of the requirements thereof, shall be deemed guilty of an offense and shall be liable for a fine not to exceed the sum of five hundred dollars (\$500.00). Each day the violation exists shall constitute a separate offense. Such penalty shall be in addition to all the other remedies provided herein.

(c) Reservations and Exceptions. Notwithstanding any other term or provision of this article, this article: (1) is not applicable to the performance and behavior of officers, employees and public servants that does not violate a standard or provision set forth in this code of ethics; (2) does not waive the authority and discretion of the city council or the city manager, as applicable, to enforce higher standards for, or to supervise, provide oversight, appoint and remove, any officer, employee or public servant that is appointed by the city council or city manager, as applicable; and (3) does not transfer or limit the authority of the city manager to act in his or her discretion to enforce higher standards for, or to supervise, provide oversight, appoint and remove, all officers, employees and public servants of the city that are not appointed and removed by the city council. Further, neither the city manager nor the city council shall be required to file a complaint in order to take action against any employee, public servant or city official under their respective supervision or jurisdiction.

(d) City Manager Complaint Resolution. If the city council is not satisfied with the actions taken by the city manager with respect to any complaint filed with him/her under this code of ethics, the city council shall consider that matter in the annual evaluation of the city manager.

(Ordinance 09-05-21-01 adopted 5/21/09)

CONFLICT OF INTEREST - FORMS

PROPOSED FORMS

At its October 5, 2015, meeting, the Texas Ethics Commission voted to propose changes to Forms CIQ and CIS, regarding conflicts of interest that were previously revised in August 2015. The Ethics Commission invites public comment on the proposed changes. A written statement should be emailed to public_comment@ethics.state.tx.us, or mailed or delivered to Natalia Luna Ashley, Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070, or by facsimile (FAX) to (512) 463-5777. A person who wants to offer spoken comments to the commission concerning the proposed rule may do so during the public comment period at any commission meeting when the commission considers the proposed changes. Information concerning the time and location of commission meetings is available at <https://www.ethics.state.tx.us/tec/meetings.htm> or by telephoning (512) 463-5800.

FORM CIS: Local Government Officer Conflicts Disclosure Statement

FORM CIQ: Conflict of Interest Questionnaire

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

OFFICE USE ONLY

Date Received

1 Name of Local Government Officer

2 Office Held

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

4 Description of the nature and extent of employment or other business relationship with vendor named in item 3

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

(attach additional forms as necessary)

6 AFFIDAVIT

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day
of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Please refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, with whom the officer has an employment or other business relationship as described by Section 176.003(a)(2)(A), Local Government Code.
- 4. Description of the nature and extent of employment or business relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship with the vendor in item 3 as described by Section 176.003(a)(2)(A), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Affidavit.** Signature of local government officer.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information in this section is being disclosed.

Name of Officer

This section (item 3 including subparts A, B, C, & D) must be completed for each officer with whom the vendor has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more?

Yes No

D. Describe each employment or business and family relationship with the local government officer named in this section.

4

Signature of vendor doing business with the governmental entity

Date

CONDUCT STANDARDS FOR MEETINGS

ARTICLE 1.300 CITY COUNCIL

Division 3. Meetings

Sec. 1.331 City Council Meetings

(a) Regular Meetings. Regular meetings of the city council shall be held on the third Thursday of each calendar month at 6:30 p.m.; provided that if any such Thursday is a city holiday, Christmas Eve or New Year's Eve, the regular meeting shall be scheduled as agreed to by the council at a meeting prior to or following the holiday. If no agreement is reached, the meeting shall occur on the holiday. In addition, the council may cancel a regular meeting, provided the council meets once each month.

(b) Special Meetings. Special meetings of the city council shall be held on the first Thursday of each month as needed on the call of the mayor or city manager subject to the following procedures:

(1) The mayor or city manager may call a special meeting of the city council on his own motion, and may call a special meeting upon the application of three (3) members of the city council, at anytime; provided that the mayor shall call a special meeting on the application of four (4) councilmembers; and

(2) When the mayor or city manager calls a special meeting of the city council a good faith and reasonable attempt shall be made to contact each councilmember for the purpose of establishing the most convenient time to hold the meeting, in order to maximize attendance and enable the council to work together as appropriate to conduct required city business.

(c) Emergency Meetings. Emergency meetings of the city council shall be called in the same manner as special meetings.

(d) Quorum.

(1) Regular Meeting. A majority of the number of councilmembers constitutes a quorum.

(2) Called Meetings (Special). A majority of the number of councilmembers shall be necessary to constitute a quorum for a called meeting.

(3) The quorum of the council includes the mayor as a member of the council.

(Ordinance 13-10-17-04 adopted 10/17/13)

Sec. 1.332 Agenda for Council Meetings

(a) The agenda for each meeting of the city council shall contain such information and be posted in a time and place as is sufficient to comply with the Texas Open Meetings Act, Chapt. 551, Tex. Gov't. Code. The city secretary, or designee, shall prepare the agenda and present the agenda to the city manager for review, modification and approval. The city manager, the acting city manager, the mayor or the mayor pro tem in the absence of the mayor, must approve an agenda prior to the posting of the agenda.

(b) Form and Structure of Agenda. The agenda for each meeting of the city council shall be ordered generally as follows:

- (1) Call to order;
- (2) Invocation;
- (3) Pledge of allegiance;
- (4) Citizen communications;
- (5) Consent agenda (including minutes);
- (6) Action items;
- (7) Work session items;
- (8) Reports by the city manager and staff; and
- (9) Adjournment.

(c) Executive Sessions. While there is no state requirement to ever go into an executive session, the Open Meetings Act provides certain narrowly drawn exceptions to the requirement that meetings of a governmental body be open to the public. These exceptions are found in Tex. Gov't. Code, Chapt. 551, Sections 551.071, et. seq. The city council may go into executive session at anytime, when in the judgment of the city council it is in the best interests of the city, on any properly posted agenda item dealing with subject matter for which the Texas Open Meetings Act authorizes executive sessions, regardless of whether the item was posted as an open session item or an executive session item. Notwithstanding the foregoing sentence and provided that this section shall not create or give rise to any right, cause of action or claim on behalf of any third party, person or citizen other than as exists pursuant to the Texas Open Meetings Act, if any, when it is anticipated at the time the agenda is posted that the city council will go into executive session with respect to any item of business, the matter will be placed on the agenda as an item for executive session and, in addition to the subject matter, shall specify the section of Chapt. 551, Tex. Gov't. Code, that authorizes such executive session. Each agenda item for an executive session shall provide notice that, or provide an additional agenda item providing notice that, the city council may take action on the subject matter and issue considered in the executive session. Action shall be taken in open session.

(d) If a closed meeting is to be held, then a quorum of the city council must first convene in an open meeting and the mayor shall announce a closed meeting will be held, identifying the section of the Open Meetings Act that applies.

(Ordinance 05-12-15-01, sec. 2, adopted 12/15/05)

 **Sec. 1.333 Conduct of Council Meetings**

(a) The mayor and the city council shall conduct each regular and special meeting of the city council in an orderly and professional manner. As a general rule all council meeting shall be conducted in accordance with Rules of Order and Procedures as contained in the Texas Municipal League's Handbook for Mayors and Councilmembers for Home Rule Cities, 2003 Edition.

(b) Presiding Officer. The mayor shall preside at all regular and called meetings of the city council.

(1) The mayor pro tem shall be elected from the councilmembers annually by a majority vote of the councilmembers at the meeting immediately following the annual general election of council. The mayor pro tem shall perform the duties of the mayor in the absence of the mayor. The mayor pro tem shall still vote as a councilmember when presiding over council.

(2) If the mayor and the mayor pro tem are absent from a regular or called meeting, any councilmember may be appointed by the councilmembers present at the meeting to preside at the meeting.

(b) Attendance of Meetings. Each councilmember shall attend regular and called meetings, for which the councilmember is duly notified. Councilmembers shall not be absent for three consecutive regular meetings without providing documentation demonstrating that the councilmember is sick, or without receiving permission for a leave of absence from a majority of the city council.

(c) Agenda Item Discussion. The mayor shall identify the agenda item being considered. Subject to a point of order upheld by a majority vote of the council, the mayor shall use his or her discretion in the conduct of council meetings to facilitate the business conducted in an efficient manner.

(1) Citizen Input. Citizens shall be given the opportunity to sign up to provide input on each agenda item as it is discussed. Citizens shall sign up by completing a card that identifies the item on which they intend to speak, and, if applicable, whether such citizen is for or against any action on the item. The mayor may allow up to a total of two (2) minutes discussion on each item by citizens who sign up to speak on the item. The council may extend the time allotted for citizen communication on any such item. The mayor shall close citizen input once each citizen has been given an opportunity to

speak, or earlier if moved and approved by a majority vote, or if all views have been heard.

(2) Staff Input. After the close of citizen input the mayor shall permit the city staff, sponsor or committee appointed to review the item to provide information and permit discussion on the agenda item.

(3) Motion. Once the council has received input, the mayor shall request a motion on the agenda items posted for action. Any councilmember may make a motion. If the motion receives a second, then the mayor shall open the matter for discussion among the councilmembers. The councilmember may ask questions and discuss among themselves; however, no citizen shall be permitted to address the council except in response to a specific question. At the end of the discussion the mayor shall call for a vote. Each councilmember shall be permitted to vote. The agenda item is then closed. A majority vote of the councilmembers present shall be required to approve or reject action on any agenda item. The failure of any item to obtain a majority vote shall be a rejection of such request or item.

(4) There may be an item that in the best interest of the city that should be tabled for more consideration and input from the citizens. The mayor or any councilmember may make this recommendation on any item that councilmember or the citizens are still concerned about. Any councilmember may make an appropriate motion that is passed by a majority vote to table, send to committee or call for a workshop, or continue any such item indefinitely or to a future meeting.

(d) Disorderly Conduct. The presiding officer of each meeting shall ensure the orderly conduct of each meeting. No person shall be permitted to cause disruption of the orderly process of the meeting. Any person speaking out of turn, raising his or her voice, or otherwise acting disruptive in the council chambers shall be called to order by the presiding officer. If the person continues to conduct him or herself in a disruptive manner the presiding officer or any councilmember may call a point of order and request a vote of the council to eject the disruptive person from the meeting. Only by majority vote of council may the disruptive person be ejected. Those persons being ejected may be escorted out of the council chambers by the chief of police or any officer of the police department. Any member of council being ejected for disruptive behavior shall be counted as absent for the meeting; although any actions and votes already taken at the time of ejection shall remain unchanged. During open meetings, the council chambers are hereby declared a public place and persons acting disorderly may be charged under the penal code for acts arising to violations of the penal code.

(Ordinance 05-12-15-01, sec. 3, adopted 12/15/05)

Sec. 1.334 Emergency Meetings and Agenda Items

The following requirements shall apply to the notice requirements for an emergency meeting or the addition of an emergency item to the agenda:

- (1) In an emergency or when there is an urgent public necessity, the notice for the meeting, or the supplemental notice for a subject added as an item to the agenda for a meeting for which notice has been posted in accordance with this division, is sufficient if it sets forth the subject matter and is posted for at least two hours before the meeting is convened.
- (2) An emergency or an urgent public necessity exists only if immediate action is required of a governmental body because of:
 - (A) An imminent threat to public health or safety; or
 - (B) A reasonably unforeseeable situation that requires immediate action.
- (3) The notice shall clearly identify the emergency or urgent public necessity in the notice or supplemental notice under this section.
- (4) A person who is designated or authorized to post notice of a meeting by a governmental body under this article shall post the notice taking at face value the stated reason for the emergency or urgent public necessity.

(Ordinance 05-12-15-01, sec. 4, adopted 12/15/05)

Rules of Order and Procedure from TML's Handbook for Mayors and Councilmembers (2015 Edition)

Recognizing that every legislative body needs a systematic way of conducting its business, many city councils operate according to formal rules of order and procedure. Rules of order and procedure prevent confusion by establishing an organized process for conducting council meetings. Properly followed, they save time for all participants, while protecting the individual's right to participate fully.

The following provisions usually are included in rules of order and procedure:

- Designation of the time and location of regular meetings of the council, together with a description of procedures for calling special meetings;

- Procedures for placing items on a meeting agenda;

- Methods for compelling councilmembers to attend meetings;

- A description of the duties of the presiding officer at council meetings;

- A description of the parliamentary rules under which the council will operate;

- Procedures for introducing and voting on ordinances, resolutions, and other items;

- The order of business the council will follow at each meeting; and

- A ranking of motions by order or precedence, which motions may or may not be debated, and so on.

Although most city councils use *Robert's Rules of Order* to conduct their meetings, some have adopted their own local rules. *Robert's Rules of Order* may be appropriate for some cities, but is often too cumbersome for others. State law is silent with regard to this matter; so, unless your city charter provides otherwise, any standard rules that are reasonable and consistently followed are acceptable.

The following two sections briefly describe motions and debate rules that are fairly common.

Motions

A motion is simply a vehicle for initiating action on a proposal. Some types of motions can be brought up and voted on at any time, while others are out of order at certain times. Certain motions outrank others. Some motions require a second; others do not. Knowing the difference between the various types of motions and when to use them is a first step in taking an active part in passing or defeating measures before the council.

A main motion is used to initiate the consideration of a new item of business. After being seconded, a main motion is subject to being debated, amended, tabled, or withdrawn before a final vote is taken.

Any councilmember making a main motion may, prior to receiving a second, withdraw or change it. If the motion has been seconded, approval of the person who seconded it is required in order for the

maker of the motion to change or withdraw it, unless another councilmember objects, in which case the change or withdrawal must be voted upon.

A new main motion cannot be brought up for consideration while another main motion is being debated. Each main motion must be disposed of before another is made.

A secondary motion is used to propose an action on a main motion being debated by the council. Examples of secondary motions include the following:

- (1) Motion to table the main motion; that is, lay it aside and go on to the next item on the agenda.
- (2) Motion to request that discussion cease and that the main motion be voted upon; that is, moving the previous question.
- (3) Motion to limit discussion to a fixed amount of time.
- (4) Motion to postpone action on the proposal until some definite time in the future.
- (5) Motion to refer the proposal to a committee.
- (6) Motion to amend the main motion.
- (7) Motion to postpone action on the proposal to an indefinite future time.

These examples of secondary motions are listed in the order of their rank. Therefore, if the council is debating Councilmember X's motion that the item under consideration be referred to a committee, and Councilmember Y moves to table the main motion, debate would cease until Councilmember Y's higher-ranking motion is voted upon.

A privileged motion is used to bring procedural questions before the council, such as whether the council should recess or adjourn. Unlike other motions, privileged motions do not require a second in order to be considered.

A privileged motion can be offered at any time, without regard to any other motion pending before the council, and must be decided before the council returns to the other business under discussion. Therefore, a motion to adjourn, if made while a main motion is before the council, must be decided before the main motion is considered any further.

Some privileged motions are more privileged than others. This is the usual order of their importance:

- (1) Motion to set the time and place of the next meeting.
- (2) Motion to fix the time of adjournment.
- (3) Motion to adjourn.
- (4) Motion to recess.
- (5) Motions on questions of privilege.
- (6) Motion to keep the meeting to the agreed order of business.

Thus, during consideration of a main motion, a privileged motion might be made to adjourn. But before the question is called on the motion to adjourn, another higher-ranking privileged motion might be made to set the time and place of the next meeting.

Debate

Motions are usually classified three ways: (1) undebatable motions; (2) privileged motions upon which limited debate is permitted; and (3) fully-debatable motions. Undebatable motions involve procedural questions that can be resolved without discussion, such as tabling a main motion, moving the previous question, restricting further discussion of a main motion to a fixed number of minutes, postponing action, or referring an item under discussion to a committee. [See items (1) through (7) under “secondary motions.”] After an undebatable motion is offered, the presiding officer must immediately take a vote, without discussion.

Privileged motions upon which limited debate is permitted include setting the time of the next meeting and others listed among items (1) through (6) under “privileged motions.” Any discussion of a privileged motion must be addressed to the motion itself. A motion to fix the time for adjourning the council meeting, for example, might require limited debate as to the advisability of such a decision, but other points of discussion would be out of order.

Fully-debatable motions are subject to unlimited discussion prior to a decision.

One of the most important principles of debate is that councilmembers’ statements be directly relevant to the item under consideration. Councilmembers recognized by the mayor are given the floor only for the purpose of discussing the item then pending, and they are out of order if they depart from that item.

“Debate” can easily evolve into statements of personal philosophy. Interesting though they may seem to the speaker, such departures do not belong in a council meeting. Meandering can be controlled by limiting councilmembers to one speech per agenda item or by restricting the length of their speeches. (Robert’s Rules of Order sets an arbitrary limit of 10 minutes for each such speech.) A more difficult alternative is to impose limits on the number of minutes that will be allotted for a given agenda item.

Role of the Mayor as Presiding Officer

The mayor, as presiding officer, has the primary responsibility for ensuring that the council’s rules of procedure are followed and for maintaining the dignity of council meetings. The mayor calls the meeting to order and confines the discussion to the agreed order of business. He or she recognizes councilmembers for motions and statements and allows audience participation at appropriate times. The mayor sees to it that speakers limit their remarks to the item being considered and, as necessary, calls down people who are out of order.

Proper performance of these functions requires that the mayor know parliamentary procedure and how to apply it. The mayor must recognize that parliamentary procedure is a tool, not a bludgeon—that is used to ensure that the will of the majority prevails while the right of the minority to be heard is protected.

In addition to fulfilling the duties of the presiding officer, the mayor should be familiar with legal requirements imposed by state law. This involves knowing which actions are required on ordinances,

when extraordinary council votes are required, and when a time element—such as the deadline for giving notice of a city election—is important. The city attorney can help with these matters, but if the mayor knows the basics, time can be saved and illegal or incomplete actions prevented.

Presiding effectively at a council meeting is an art that no book can fully teach. The tactful presiding officer knows how to courteously discourage councilmembers who talk too much or too often, and how to encourage shy councilmembers who are hesitant to speak at all.

Councilmembers' remarks should always be directed to the chair. Even when responding to questions asked by another councilmember, he or she should begin by saying, "Mayor, if you will permit me. . ." and wait for recognition from the chair before proceeding. This helps avoid the spectacle of two councilmembers haggling over an issue that is of little interest to their council colleagues.

In addition to maintaining order and decorum at council meetings, the mayor must see to it that all motions are properly dealt with as they arise. The mayor must recognize the councilmember offering the motion, restate the motion, present it to the council for consideration, call for the vote, announce the vote, give the results of the effect of the vote, and then announce the next order of business.

In some cases, the mayor might refuse to allow a councilmember to offer a motion, even though it is in order, either because of unfamiliarity with parliamentary procedure or because of personal opposition to the proposed action. The mayor's refusal to allow a motion to be considered is subject to appeal, as are all of the mayor's decisions regarding procedures. A simple majority vote is all that is required to overrule the mayor's decision on procedural issues. If the decision of the chair is sustained, no further action is taken; but if the decision of the chair is overruled by the council, the council goes forward with the discussion of the motion or other matters before it.

On rare occasions, the mayor, in the heat of the moment, may rule that an appeal is out of order, or even declare the meeting adjourned. Both rulings are improper. A meeting cannot be summarily adjourned by the mayor. If an appeal from the decision of the chair is made immediately following the ruling, it is not out of order. If the mayor refuses to honor the appeal, the person making the appeal could then state the question, suggest limited debate, and then put the question to a vote.

MEETING DATE: June 20, 2016

AGENDA ITEM: Discussion of Roles and Responsibilities of Parks and Recreation Advisory Committee

Comments:

A copy of Ordinance No. 16-04-21-01 and Resolution No. 16-1653 are provided.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

Speckmann _____ ; **Wilhow** _____ ; **White** _____

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

Ordinance No. 16-04-21-01

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, REPEALING AND RE-ESTABLISHING THE PARKS AND RECREATION ADVISORY COMMITTEE OF THE CITY AND PROVIDING FOR THE APPOINTMENT OF MEMBERS AND DEFINING THEIR FUNCTIONS AND DUTIES; REPEALING ALL PRIOR CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE, EFFECTIVE DATE AND OPEN MEETINGS.

WHEREAS, the development of a parks and recreation facilities is an important factor in contributing to the quality of life in the community, and

WHEREAS, the City Council wishes to solicit the input and recommendations of interested citizens with regard to the use of parklands, including acquisition of parkland and development of park and recreation facilities, and

WHEREAS, the re-establishment of a parks and recreation advisory committee represents a practical and prudent method in which to obtain input and recommendations from interested citizens,

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

SECTION 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 2. Article 9.1600, Parks and Recreation Advisory Committee. Article 9.1600, Parks and Recreation Advisory Committee in Chapter 9, Personnel, Sections 9.1600-1607 is hereby repealed in its entirety and re-established, as follows:

ARTICLE 9.1600 PARKS AND RECREATION ADVISORY COMMITTEE

Sec. 9.1601 Creation and Purpose

A parks and recreation advisory committee is hereby established to perform such duties and functions as are required or authorized by the city council and this enabling article. The parks and recreation advisory committee shall:

- a) Act as an advisory committee to the council with respect to the use of parkland, parkland dedication funds, the acquisition of new parkland and the development of park facilities.
- b) Study and evaluate alternative potential sites for parks and potential park and recreational facilities to be developed.

- c) Develop and recommend as well as maintain a Park and Recreational facilities Master Plan which will guide the city in the acquisition of parkland and the development of park and recreational facilities.
- d) Perform any other planning and development related functions as required or requested by the city council.

Sec. 9.1602 Membership, Appointment and Removal

(a) The parks and recreation advisory committee shall be composed of seven (7) qualified electors of the city and shall be organized and exercise such advisory functions as prescribed herein and by city ordinances.

(b) The City Council will consider for appointment to the committee only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in parks and recreation, and availability to prepare for and attend necessary meetings. It is the intent of the city council that members shall, by reason of diversity of their occupations, backgrounds, and experience, constitute a committee which is broadly representative of the community.

(c) Removal of a member or members of the committee shall require approval by the council after receiving such recommendation from the committee based upon a vote recommending same by a majority of the members of the committee.

Sec. 9.1603 Terms of Office

(a) The terms of four (4) of the members shall expire on January 1 of each odd-numbered year and the terms of the other three (3) members shall expire on January 1 of each even-numbered year.

(b) The terms of all members of the committee shall be for a two-year term.

(c) If a membership vacancy exists, the term of office may be filled by a person appointed by the city council to fill the vacancy for the time remaining for that vacancy.

(d) No member shall be appointed for a term in excess of two years.

(e) Newly appointed members shall be installed at the first regular or called committee meeting after their appointment.

Sec. 9.1604 Organization of Committee.

(a) Officers shall be elected annually from among the board's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant.

(b) In the absence of both the chair and vice-chair, the board shall elect a chair pro tem.

(c) The board shall meet regularly and shall designate the time and place of its meetings.

(d) The board shall adopt its own rules and procedures and keep a record of its proceedings consistent with the provisions of this article.

Sec. 9.1605 Duties and Powers

The parks and recreation advisory committee shall act in an advisory capacity only, and shall have no power to bind the City by contract or otherwise; authorize expenditures out of the City's budget; hire, appoint or terminate staff; interfere with administrative or personnel affairs; nor create any other obligation on the part of the City.

1. It shall be the function of the committee to advise the city council concerning the operation, marketing, policies, and programs of the city's parks and recreational areas.
2. The committee shall make a semi-annual report to the city council on the status of the parks and recreation areas in December and June and shall include in the report a summary of its activities for the past six months and proposed program for the next six months.
3. The committee shall further be charged as follows:
 - a. To assist in the development and maintenance of a Parks Master Plan for the city, which will guide the city in the acquisition of parkland and the development of park and recreation facilities in the city.
 - b. Act as an advisory committee to the council with respect to the use of parkland dedication funds or the acquisition of new parkland and the development of park and recreational facilities.
 - c. To analyze and make recommendations concerning the long-range parks and recreation facility needs of the city.
 - d. To provide opportunities for citizen input regarding appropriate parks and recreation facility needs of the city.
 - e. Provide input to the city staff and the city council on potential parkland acquisition and facility projects to be considered for inclusion in the city's five year capital improvement program.
 - f. To recommend names for parks and recreational facilities.
 - g. To work in cooperation to the fullest extent possible with all Property Owners Associations and Lago Vista Independent School District.
 - h. To make periodic, but no less frequently than every six months, reports to the city council concerning the work of the committee and such special reports as may be requested by the city council or as the committee may deem appropriate.
 - i. To carry out and perform such other matters as the city council may deem beneficial to the city.

Sec. 9.1606 Meeting, Quorum and Voting

(a) A quorum shall consist of four voting members present at a called regular or special meeting, duly posted in accordance with the Open Meetings Act, which is 72 hours before said meeting. The committee is advisory and requiring compliance with the Open Meetings Act does not modify the status of the committee. The chairperson, or designee, in coordination with the city manager, or designee, shall provide the city secretary with an agenda for the required 72-hour posting.

(b) A motion may be made by any member of the committee.

(c) A motion to recommend the City Council take action or adopt a policy shall require four (4) favorable votes of the members.

Sec. 9.1607 Disqualification.

(a) A member shall disqualify themselves from voting whenever they find that they have a personal or monetary interest in the matter under consideration, or that they will be directly affected by the recommendation of the committee or decision of the city council with regard to the matter under consideration.

(b) A member may disqualify themselves from voting whenever any applicant, or their agent, has sought to influence the vote of the member on their application, other than in the public hearing.

SECTION 3. Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

SECTION 4. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

SECTION 5. Open Meeting. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

PASSED AND APPROVED this 21st day of April, 2016.

ATTEST:



Sandra Barton, City Secretary

City of Lago Vista, Texas



Dale Mitchell, Mayor

CITY OF LAGO VISTA, TEXAS

RESOLUTION NO. 16-1653

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS
APPOINTING MEMBERS AND A COUNCIL LIAISON TO THE PARKS AND
RECREATION ADVISORY COMMITTEE**

WHEREAS, City of Lago Vista Ordinance No. 16-04-21-01 re-established The Parks and Recreation Advisory Committee located in Section 9.1600 of the City's Code of Ordinances;

WHEREAS, the City Council now must provide for the appointment of members and a Council Liaison to the Committee.

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

THAT, the City Council of the City of Lago Vista, Texas does hereby appoint Ross Dewhurst, Hubbard Helm, Sheryl Speckmann, and Travis Wilhow with terms expiring January 1, 2017, and

THAT, the City Council of the City of Lago Vista, Texas does hereby appoint Carolina Hale, Michael Panter and David White as members to the Parks and Recreation Advisory Committee with terms expiring January 1, 2018, and;

THAT, the City Council of the City of Lago Vista, Texas does hereby appoint Council Member _____ as the Council liaison to the Parks and Recreation Advisory Committee.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED this 19th day of May, 2016.

Dale Mitchell, Mayor

ATTEST:

Sandra Barton, City Secretary

On a motion by Mayor Dale Mitchell, seconded by Councilmember Rich Raley, the above and foregoing resolution was passed and approved.

MEETING DATE: June 20, 2016

AGENDA ITEM: 5. OVERVIEW OF COMPREHENSIVE PLAN

Comments:

A copy of the Comprehensive Plan is provided.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

Speckmann _____ ; **Wilhow** _____ ; **White** _____

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



Development Services Department

STAFF REPORT

Agenda Item #5

Overview of the Comprehensive Plan Information/Recommendations

Date: June 16, 2016

DEVELOPMENT SERVICES DEPARTMENT COMMENTS

What is a Comprehensive Plan?

It is a document designed to guide the future actions of a community. It presents a vision for the future, with long-range goals and objectives for all activities that affect the City through “elements” such as Land Use, Transportation, Housing, and Open/Recreation Space. This includes guidance on how to make decisions on public and private land development proposals, the expenditure of public funds, cooperative efforts and issues of pressing concern. Most plans are written to provide direction for future activities over a 10- to 20-year period after plan adoption. It serves the following functions:

- It is the means by which a community can balance competing private interests. John Public may want to store oil drums on his property. Jane Citizen, his neighbor, would like to open a restaurant on her property. Planning seeks to strike a balance among the many competing demands on land by creating development patterns that are orderly and rational, provide the greatest benefits for individuals and the community as a whole and avoid nuisance conflicts between land uses.
- It is the means by which a community can protect public investments. Planning is the means by which a community avoids digging up last year’s new road to lay this year’s new sewer pipe. Well-planned, orderly and phased development patterns are also less expensive for a community to provide with public services than low-density, scattered development.
- It allows communities to plan development in a way that protects valued resources. Planning can identify environmental features like woods and steep slopes and suggest strategies for preserving those resources from destruction or degradation by inappropriate development.
- It provides guidance for shaping the appearance of the community. A plan can set forth policies that foster a distinctive sense of place.
- It promotes economic development. The plan contains valuable information that drives the location decisions of prospective firms.

- It provides justification for decisions. Plans provide a factual and objective basis to support zoning decisions and can be used by communities to defend their decisions if challenged in court.
- Through public dialogue, citizens express a collective vision for the future. Last, but certainly not least, the planning process provides citizens an opportunity to brainstorm, debate and discuss the future of their community. A plan developed through a robust public input process enjoys strong community support. Subsequent decisions that are consistent with the plan's policies are less likely to become embroiled in public controversy.

History of Newly Adopted 2030 Comprehensive Plan

The City signed a contract in August 2015 with the firm Freese & Nichols as a consultant on the project. During this meeting Council created a Comprehensive Plan Advisory Committee (CPAC) to help guide development of the Plan and to work with the Consultant. This cumulated in several Town Hall Meetings, CPAC meetings, and online surveys to gage public input and create the Plan over a period of nine months. This was eventually approved by the City Council on May 5, 2016 and is now the controlling document for growth for the next fifteen years.

The Plan and Role of PRAC

One of the elements associated with the new Plan is the Parks, Recreation, & Open Space (Element). This Element consists of documentation of existing park space minus ownership, data analysis, future conservation area, future City owned park space, types of recreation facilities to construct, type of new parks, and creation of bike trail systems. At the end this information cumulates into an action plan to realize the topics covered in this Element. In order to address this Element and other elements in action plans, an implementation process has been included which directs the City based on Years 1 – 5 and which specific Elements to address in a given year. Areas that are highlighted in yellow on this attachment reflect issues the PRAC may cover.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Parks, Recreation, & Open Space Element of 2030 Comprehensive Plan
2. Implementation Process

Attachment 1

Parks, Recreation, & Open Space Element of 2030 Comprehensive Plan

6| Parks, Recreation, and Open Space

Parks, Recreation, and Open Space Goal:

Develop a City-wide park and trail system that allows access all major destinations in Lago Vista.

Issues and Existing Conditions

A vital component for a community is the space devoted to satisfying active and passive recreational needs. The quantity of this space and its distribution within the population generally indicates the quality of local park and recreation services. Furthermore, all these spaces collectively are considered to be elements that enhance and contribute to the quality of life found in the community.

The Parks, Trail, and Open Space Plan element can aid the City in creating new city parks, seeking funding opportunities, and coordinating with existing and future POA efforts. This plan outlines a planning process, long-term vision and the guidance to make informed decisions. It establishes direction to meet both current and future park and trail needs. The plan identifies community desires for recreational uses and associated park growth areas as well as emphasizing trail recommendations.

It is important recognize the existing POA parks within the City. Often, private facilities like POA parks are excluded from needs assessments or standards recommendations. However, for Lago Vista, the existing POA parks provide the majority of the existing park service levels and provide an important service to the community. Future coordination with the POA park system is critical. This element will also include strategies on how to open up the POA parks to more Lago Vista residents, while still keeping them private to the general public.

Top Issues Related to Parks, Recreation, and Open Space:

- Limited recreation opportunities available to the public
- Demand for sports complex
- Lack of activities (putt-putt, laser tag, skate park, disc golf, etc.)
- Lack of large parks owned by the City
- Lakefront and water activities
- Limited public access to the lake
- Significant demand for greenbelt trails

Current Inventory and Level of Service

It is important to note that the POA parks are included in this analysis because they provide amenities to a large portion of Lago Vista residents. The park acreage analysis shown in **Table 8** uses the existing inventory information in **Table 9** to analyze the park level of service needs for Lago Vista. The current POA parks, excluding the campgrounds, would adequately serve the entire existing population of Lago Vista; however, most of the POA parks are along the waterfront. This presents the need for more mini and neighborhoods parks in other areas of Lago Vista. Even though the existing POA parks are adequate enough to serve the existing population of Lago Vista, new City parks should still be developed to serve non-POA residents.



Table 8. Park Acreage Analysis Table

Park Type	Existing Park Acres	Recommended Acreage Level of Service* (ALOS) per 1,000 Persons**	Current Level of Service (CLOS) per 1,000 Persons**
Mini Park	1.45 acre	0.25 to 0.5 acres	0.2 acres
Neighborhood Park	29 acre	1 to 2 acres	4.4 acres
Community Park	115 acre	5 to 8 acres	17.4 acres
Greenbelt Park and Preserve	6.5 acre	Varies	1.0 acres

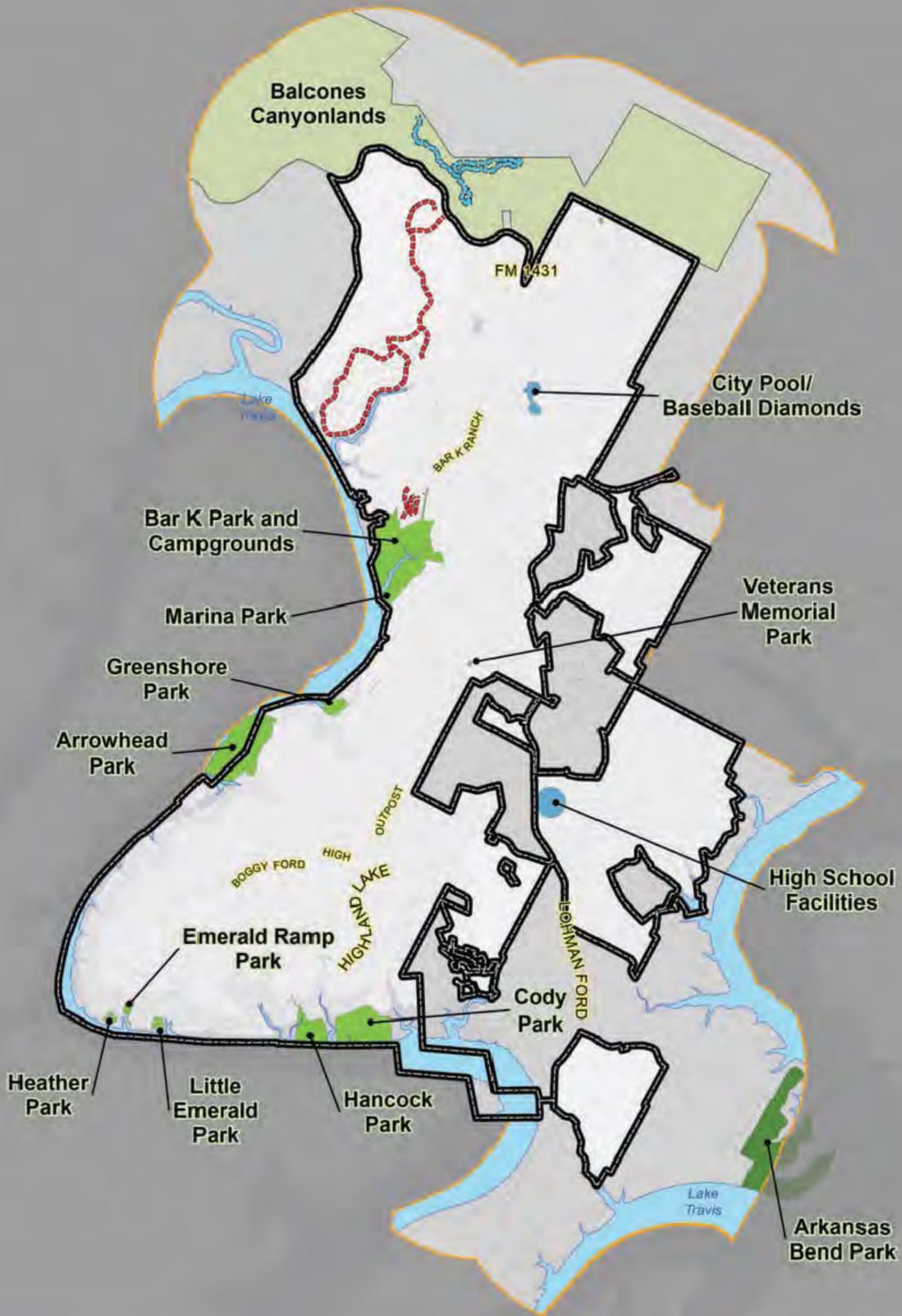
* Recommended Baseline from National Recreation and Park Association (NRPA)

** Based on 2015 population of 6,617

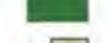
Table 9. Existing Parks Inventory

POA PARKS																		
Park Name	Size (Acres)	Classification	Amenities															
			Sports Fields	Pavilions	Waterfront	Boat Launch	Marina Slips	Disc Golf	Swimming Pool	Picnic Facilities	Camping	Bath House	Portable Restroom	Full Restroom	Jogging Trails	Fishing Well	Tennis Courts	Fire Pits and Grills
Bar K Park	55	Community	•	•	•	•	•			•			•	•		•		•
Marina Park	11	Neighborhood			•	•	•			•		•						
Greenshore Park	10	Neighborhood	•		•					•		•						
Arrowhead Park	35	Community			•			•		•		•					•	
Heather Park	3	Preserve			•													
Emerald Ramp Park	1	Mini			•	•				•		•						
Little Emerald Park	3.5	Preserve			•													
Hancock Park	8	Neighborhood			•					•		•						•
Cody Park	25	Community			•	•				•		•						•
Campground	13.5	Special			•		•				•	•						•
CITY PARKS																		
Park Name	Size (Acres)	Classification	Amenities															
			Sports Fields	Pavilions	Waterfront	Boat Launch	Marina Slips	Disc Golf	Swimming Pool	Picnic Facilities	Camping	Bath House	Portable Restroom	Full Restroom	Jogging Trails	Fishing Well	Tennis Courts	Fire Pits and Grills
City Pool/Baseball Diamonds	10.7	Special		•						•	•		•			•		
Veteran's Memorial Park	.45	Mini		•														

Figure 38. Existing Parks and Trails Map



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

- | | |
|---|--|
|  Existing Trail |  Lake Travis |
|  Warbler Vista Trail |  Lago Vista City Limits |
|  POA Parks |  Lago Vista ETJ |
|  City Park | |
|  County Park | |
|  Balcones Canyonlands | |



City of Lago Vista

Recommendations

The following section outlines recommendations related to the following topics:

- Future Parks and Trails
- Multipurpose Sports Complex
- Community Access
- Recreational Facility Standards

Future Parks and Trails

The future parks and trails plan should continually be accessed and coordinated with the Future Land Use Plan and Transportation Plan. The park level of service should be accessed annually, and new parkland should be acquired, if needed. Partnerships and resource sharing with the POAs should be sought out first, before developing new parkland to ensure the City and POAs are being fiscally responsible and not duplicating efforts. Even though the existing POA parks could adequately serve the existing population of Lago Vista, developing new City parks will allow more access to park and recreational amenities for Lago Vista residents that are non-POA members, and visitors to Lago Vista. **Figure 39** shows the future parks and trail plan for Lago Vista.

In addition to new parks, the future parks and trails map suggests locations for a trails. This trail network should connect the City via popular destinations to provide non-vehicular mobility options. This is implemented through the use of sidewalks and off-street trails, which are discussed in **5| Transportation**. There are many existing utility easements throughout the City that may be ideal locations for off-street trails and greenbelts. For trails to develop along the utility easements, partnerships need to be established with the utility company that owns the utilities.

Recreational facility standards are discussed later in this element. The standards will help guide the City staff when developing new parkland and trails.

Figure 39. Future Parks and Trails Map



- | | | | | | |
|--|------------------------|--|------------------------|--|-----------------------------|
| | Lookout Point | | Lake Travis | | Future City Park |
| | On-Street Hike / Bike | | Lago Vista City Limits | | Future Preserved Open Space |
| | Off-Street Hike / Bike | | Lago Vista ETJ | | POA Parks |
| | POA Trail | | | | County Park |
| | Warbler Vista Trail | | | | Balcones Canyonlands |



City of Lago Vista

Multipurpose Sports Complex

Many families feel that there is a lack of youth and family activities in the City. A multipurpose sports complex would meet these needs and also serve as a regional destination for Lago Vista. The complex should focus on sports facilities, but also provide other recreational opportunities. This complex should also be connected to the community by sidewalks and off-street trails.

Components of a Multipurpose Sports Complex

A multipurpose sports complex refers to a single facility hosting mix of different sports or activities. The design should incorporate a public input process so the facility will best suit the needs of the Lago Vista residents. The City should also conduct a sports complex feasibility study that identifies local demand for different sport types. The following components may be appropriate for Lago Vista:

Top priorities:

1. Walking/jogging trail(s)
2. Baseball/softball fields
3. Playground(s)
4. Splash pad
5. Soccer fields
6. Swimming pool
7. Skate park

Other amenities:

- Football fields
- Lacrosse fields
- Volleyball courts
- Hard surface court
- Open lawn area
- Concession and restroom facilities
- Pavilions and picnic tables
- Preserved natural area
- Amphitheatre



Community Access

A major issue identified through online surveys and public meetings was the lack of access to POA park amenities. Currently, POA membership is required to access any POA parks and amenities. POA membership requires a person to own property in the POA. With the lack of City parks, the non-POA residents are lacking access to parks, trails, and open space. As seen in the park acreage analysis in **Table 7**, the existing POA parks have enough acreage to adequately serve the existing population of Lago Vista; however, new City facilities are still needed to support the non-POA members and visitors to Lago Vista. Rather than the City developing a complete park system to adequately serve the needs of the existing population, the POA park systems and the City park system should work cooperatively to best serve the park and recreational needs of Lago Vista residents. As shown in **Figure 36**, new City parks are proposed – including a large multipurpose sports facility that will be a regional destination. If the POA parks were accessible to Lago Vista residents, not public visitors, then this would create more park accessibility and be a fiscally responsible solution.

It is important to note that these recommendations are optional, but suggested to promote a park system that best serves the needs of all Lago Vista residents; however, successful implementation of these recommendations is only possible through a cooperative alliance with the POAs and City staff.

The City should ensure frequent coordination with the POAs to plan for citizen access to the parks as possible. The following steps are suggested to ensure coordination:

- The City Council should establish a task force to work toward an agreement with all POAs to allow non-POA residents to access POA parkland.
- Create a parks and recreation board that is made up of members representing the City residents and representing the POA members. This will ensure more coordination, resource sharing, and successful implementation of park and trail facilities in the future. This can be implemented by a reconstitution of the Parks and Recreation Advisory Committee (PRAC) through the current Golf Course Advisory Committee (GCAC). The GCAC would act as the PRAC is name only. The group could be supported by liaisons from the City and from the POAs within and around Lago Vista.

The following options allow Lago Vista residents who are non-POA members more access to parks, recreational amenities, and water front access; these options do not allow the general public (visitors from outside of Lago Vista) to enter the POA parks. These options should be used as talking points for the task force that will work toward an agreement between the City and all POAs. The proposed City parks would allow visitors from outside of Lago Vista to enjoy park amenities while visiting the City. For each option below, a resident verification system must be put in place to ensure that only Lago Vista residents are gaining access. For example, a current driver's license with a Lago Vista address must be shown to gain access to any of the POA parks and amenities.

1. Work with the POAs to grant all Lago Vista residents access to one or two parks at all times. Ensure that at least one of the parks has water access. The City could pay a fee to the POA to justify the increased usage and cost of maintenance of the parks and develop a calendar to inform the Lago Vista citizens of upcoming events.
2. Allow Lago Vista residents to access all parks at certain times of the year (e.g., on the weekends and/or on holidays). The City could pay a fee to the POA to justify the increased usage and cost of maintenance of the parks during the times that non-POA members are allowed to use the parks.
3. Allow Lago Vista residents that are non-POA members to purchase a park pass that grants access to all POA parks. The fees associated with this yearly pass would justify the increased usage and cost of maintenance of the parks. It would also take the financial burden off the City.

Recreational Facility Standards

The purpose of the facility standards is to establish guidelines for parks and trails. These classifications balance amenities and access, and are appropriate for the community's size and existing conditions. The following classifications and general considerations were developed to promote a park system that is measurable and supports the community's vision. The classifications create a hierarchy of park types through sizes, location, recreational types, and service areas. The following standards should be used when developing new parkland and trails.

Mini Parks

Mini parks are the smallest park unit for Lago Vista's park system and are used to address limited, isolated, or unique recreational needs. Generally, these park types are centrally located in a neighborhood and serve a limited population or smaller group of residents. They often serve as a neighborhood center to define character or as a place-making element. In addition, mini parks can be used as a neighborhood stabilization technique to increase branding, property values, and the livability of a specific neighborhood. These parks should be very accessible, limited in purpose, and provide close-to-home park services. They can also offer a range of passive and active recreational amenities but are usually not designed for organized team sports.

Figure 40. Mini Park

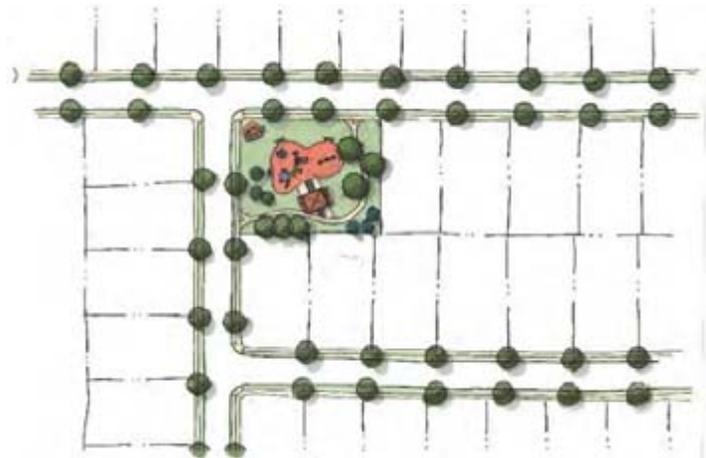


Table 10. Mini Park Standards

Size	Service Area	Service Level
1 acre or less	.25 mile radius	.25 to .50 acres/1,000 residents
Location	Site Selection	
Geographic center of residential neighborhoods	Trail and sidewalk access, low-volume street, adequate soils, gentle slope	
Development Considerations		
Resident input during design	Protection from sun	Safe pedestrian access
Minimal vehicle parking	Park signage	Landscape plantings and trees
Typical Amenities		
Playground with fall surface	Garden or water features	Passive recreation elements (tables, benches, trash receptacles)
Hard surface court	Small lawn area	Walks and small shade structures

Neighborhood Parks

This unit of the park system serves as the recreational and social focus of the neighborhood. In Lago Vista, these may also include amenity centers for POAs because they serve the entire subdivision. Neighborhood parks are larger in size than mini parks and focus on serving a broader population to meet the recreational needs of several neighborhoods and a larger geographic section of the community as a whole. They are still limited in population served and should be very accessible. The neighborhood parks for Lago Vista are smaller than community parks but their contribution to levels of service and amenities for residents are much greater than traditional mini parks. These medium-sized parks should generally be located in the center of neighborhood areas.

Figure 41. Neighborhood Park



These parks may also serve to preserve natural resources including creeks, streams, slopes, greenbelts, or floodplain areas. Neighborhood parks should include a range of both active and passive recreation opportunities and needs that are not featured at mini parks. They should consist of amenities for all user groups but are not intended for only organized team sports.

Table 11. Neighborhood Park Standards

Size	Service Area	Service Level
5 to 10 acres	.50 mile radius	2 acres/1,000 residents
Location	Site Selection	
Geographic center of residential neighborhoods/center to several neighborhoods	Trail and sidewalk access, low-volume street, adequate soils, gentle slope, street access, near greenbelt, space for parking	
Development Considerations		
Resident input during design	Protection from sun	Safe pedestrian access
Surface and on-street parking	Park signage	Landscape plantings and trees
Typical Amenities		
Playground with fall surface	Garden or water features	Passive recreation elements (tables, benches, trash receptacles)
Hard surface court	Pavilion(s)	Walking trail/trail head
Support facilities (maintenance)	Open lawn area and preserved natural area	Splash pads or swimming pool

Community Parks

Community Parks are larger in size than neighborhood parks. Their focus is on serving a broad population to meet the recreational needs for a large geographic section of the community. Community Parks include a wide range of active and passive recreation opportunities. They can help to provide those recreational needs that are not featured at neighborhood parks. These parks may also serve to preserve natural resources including creeks, streams, slopes, greenbelts, or floodplain areas. Community Parks consist of amenities for all user groups and should include facilities for organized team sports. Community Parks can also include an array of special recreational amenities like sports complexes, a trail network, fitness-focused equipment and educational facilities.

Figure 42. Community Park



Table 12. Community Park Standards

Size	Service Area	Service Level
25 to 100 acres	1.5 mile radius	5 acres/1,000 residents
Location	Site Selection	
Maximize service area, but minimize overlap in coverage; consider physical barriers	Trail access site, adequate soils, gentle slope, natural features, situated along greenbelts, vehicular access	
Development Considerations		
Resident input during design	Protection from sun	Safe pedestrian access
Parking based on programming	Park signage	Landscape plantings and trees
Typical Amenities		
Playground with fall surface	Garden or water features	Passive recreation elements (tables, benches, trash receptacles)
Hard surface court	Pavilion(s)	Walking trail/trail head
Support facilities (maintenance)	Open lawn area	Splash pads or swimming pool
Sport or practice fields	Restrooms	Preserved natural area

Greenbelt Parks and Preserves

Greenbelt Parks and Preserves are lands set aside for preserving natural features, constructed improvements, unique landscapes, open space, or visual aesthetics. These areas can serve as trail corridors and passive recreational amenities. In addition, these systems are used to protect wildlife and natural processes or provide for floodways or drainage.

Greenbelt Parks and Preserves can help create site amenities for adjacent uses and should be thought of as a community asset. Maintenance is generally not a major factor as much of the space is nonprogrammable. However, occasional maintenance and safety checks will be needed. These types of recreation areas have many important functions including connecting parks and points of interest within the City. Also, they emphasize natural environments while allowing for uninterrupted pedestrian movements throughout the City. Finally, they provide a unique sense of place and often enhance property values.

Figure 43. Greenbelt Park and Preserve



Table 13. Greenbelt Park and Preserve Standards

Size	Service Level	Service Area
Determined by existing natural features		Entire city
Location	Site Selection	
Natural corridors	Integrate with trails, neighborhood access, public-private partnerships	
Development Considerations		
Resident input during design	Park signage	Safe pedestrian access
Establish a minimum width (50' minimum/200' is optimal)		

Trail Facilities

All pedestrian and bicycle facilities should meet the minimum standards required by the recommendations of the American Association of State Highway and Transportation Officials (AASHTO) in their publication Guide for the Planning, Design and Operation of Bicycle (Pedestrian) Facilities. Pavement striping, signage and signals should be in accordance with the local Code and the most current Texas version of the Manual on Uniform Traffic Control Devices (MUTCD). Hike and bike trails and side paths should be accessible and traversable by physically disabled persons and should comply with the guidelines set forth by the Americans with Disabilities Act of 1990 (ADA), as enforced in Texas by the Architectural Barriers Section of the Texas Department of Licensing and Regulations.

Figure 44. Roadside/Side Path Trail



Principles for Trail Placement and Access

Generally, off-street trails should follow the existing greenbelt system framework, including natural features, areas of significant tree coverage or creek corridors. Roadside trails or side paths are also a trail type for Lago Vista. A key design element will be tying these natural systems into existing and proposed developments. The trail system should incorporate access points throughout the community in order to maximize usability. Trailhead access should be located in existing and future parks. Each neighborhood unit should have access points to adjacent trails that may be between residential lots, along neighborhood streets, along cul-de-sacs or near neighborhood entrances. All trail access points should be clearly marked by signage and provide trail identification to trail users.

Table 14. Trail Facility Standards

Greenbelt/Off-Street Trails		
Size and Placement	Purpose	Materials
Follow existing greenbelt system, natural features, tree coverage, creek corridors	Emphasize safe pedestrian travel to and from parks and around community	Hard or soft surface - concrete, asphalt, or decomposed granite
10-12' wide (8' minimum)		
Roadside/Side Path Trails		
Size	Purpose	Materials
10-12' wide (12' is ideal for service vehicles and high traffic volumes) and narrow to 10' in vicinity of street intersection.	Tie existing and proposed developments together	Smooth, hard, all-weather paving - concrete or asphalt
All trails should have additional 2' of graded area on each side of pavement. 3' of horizontal and 8-10' of overhead clearance.		
One-way trails should be avoided. If used, clearly mark with signage and be 4-6' wide.		

Action Items

Parks, Recreation, and Open Space Goal: Develop a City-wide park and trail system that allows access all major destinations in Lago Vista.	
Recommendation Topic	Action Item
Future Parks and Trails	Assess park level of service annually and acquire additional parkland, as needed.
	Begin acquisition of future park land and trail easements by working with developers to donate park land or trail easements during the initial phases of development to ensure a well-connected parks and trails system.
	Before developing new parkland, seek out partnerships with the POAs to ensure that the City and POAs are being fiscally responsible and not duplicating efforts.
	Coordination with the electrical utility company to explore the possibility of adding trails to existing utility easements.
	Explore the feasibility of using the west Community Park as a public boat ramp location.
	Apply for grant funding and prepare donation packages to assist the City in developing public parks.
Multipurpose Sports Complex	Conduct a feasibility study for a multipurpose sports complex to identify the highest demand sports for Lago Vista.
	Acquire the land needed for a large, multipurpose sports complex.
	Research funding sources partnerships for the multipurpose sports facility.
Community Access	Establish a task force to work toward an agreement with all POAs to allow non-POA residents to access POA parkland (allow at all times, allow on weekends/holidays, or create park pass).
	Create a parks and recreation board that is made up of members representing the City and members representing all POAs.
	Identify a potential location for a commercial marina (possibly at the proposed community park in the southwest) and pursue partnerships for development.
Recreational Facility Standards	Use recreational facility standards when developing new parkland or trails.

Attachment 2
Implementation Process

Actions to Initiate in Year 1

ACTION	TASK LEADER	COST	IMPACT	MEASURE
Update codes for zoning, subdivision, and design standards (see Code Updates table on page 132).	Development Services	\$\$	●●●	<u>Milestone:</u> Drafting code updates <u>Benchmark:</u> Adoption of updated zoning ordinance, subdivision ordinance, and design standards
Apply for and receive the designation of a “Scenic City”.	City Manager’s office	\$	●	<u>Milestone:</u> Applying for the designation <u>Benchmark:</u> Receiving the designation
Prioritize the area surrounding the Rusty Allen Airport for land acquisition and assembly.	City Manager’s office/Development Services	\$\$\$	●●	<u>Milestone:</u> Identified target properties <u>Benchmark:</u> Acquired properties
Coordinate with the actions from TxDOT Airport Action Plan.	Development Services	\$	●●	<u>Benchmark:</u> City Council approval of the Airport Action Plan
Establish a task force to work toward an agreement with all POAs to allow non-POA residents to access POA parkland (allow at all times, allow on weekends/holidays, or create park pass).	City Council	\$	●●●	<u>Milestone:</u> City Council to appoint task force to work toward POA agreement <u>Benchmark:</u> Reaching an agreement
Create a parks and recreation board that is made up of members representing the City and members representing all POAs.	Development Services	\$	●	<u>Benchmark:</u> Creation of board
Begin acquisition of future park land and trail easements by working with developers to donate park land or trail easements during the initial phases of development to ensure a well-connected parks and trails system.	City Manager’s office/Development Services	\$\$\$	●●	<u>Benchmark:</u> Acquiring new parkland and trail easements each year
Develop a list/map of specific roads to be vacated and converted into trails, which allows maintenance efforts to be targeted toward the more traveled roadways.	Development Services/Public Works	\$	●	<u>Milestone:</u> Identifying roads to be abandoned <u>Benchmark:</u> Creation of a map in GIS
Develop a detailed sidewalk plan that indicates areas that are appropriate for retrofitting efforts. Allocate budget and identify incentives for retrofitting sidewalks in target locations.	Development Services	\$\$	●●	<u>Milestone:</u> Preparation of a sidewalk plan and initial budgeting efforts <u>Benchmark:</u> Begin installing sidewalks consistent with the sidewalk plan
Conduct a feasibility study for a multipurpose sports complex to identify the highest demand sports for Lago Vista.	Consultant	\$\$	●	<u>Milestone:</u> Consultant selection <u>Benchmark:</u> Completion of study
Meet with private capital partners to share the comprehensive plan efforts and promote nonresidential development.	City Manager’s office	\$	●●	<u>Milestone:</u> Identify developers willing to partner <u>Benchmark:</u> Coordination meetings between the City and participating developers/investors every 6 months
Subscribe to a “text-blast” messaging program and use email listservs to reach a wider population.	Public Information Officer	\$\$	●●	<u>Milestone:</u> Researching text-blast and email listserv services and subscribing to a service <u>Benchmark:</u> Using text/email blast every month for upcoming events or other information
Compile a list of volunteer representatives from organizations within the City who are willing to convey information.	Public Information Officer	\$	●	<u>Benchmark:</u> Create a list of names, organizations, and contact information

Actions to Initiate in Year 2 and Beyond

	ACTION	TASK LEADER	COST	IMPACT	MEASURE
LAND USE	Develop an approved native plant list to be maintained by the Director.	Development Services	\$	●	<u>Milestone</u> : Draft the plant list <u>Benchmark</u> : Council action to amend zoning ordinance to reference plant list maintained by the Director
	Prioritize and purchase lakefront lots.	Development Services	\$\$\$	●●●	<u>Milestone</u> : Coordinate with City Manager and City Council to identify and prioritize lots <u>Benchmark</u> : Council approval of funds and purchase of two lakefront properties within five years
	Develop a concept plan followed by a more detailed site plan for the municipal complex.	Development Services	\$\$	●●	<u>Milestone</u> : Collection of public input regarding elements of a municipal complex and survey of similar developments <u>Benchmark</u> : Retain a consultant to develop concept and site plans
	To encourage infill development, prioritize areas with existing infrastructure through development incentives.	Development Services/City Attorney	\$\$	●●●	<u>Milestone</u> : Develop a list of incentives approved by City Council, and coordinate with Public Works to identify specific areas that can readily be served by the City's infrastructure <u>Benchmark</u> : At least 50 percent of all residential building permits are within identified infill areas
	Conduct a detailed analysis to determine whether a 3-year annexation plan is necessary for the desired expansion.	Development Services	\$\$	●●	<u>Benchmark</u> : Identify the number of occupied residential parcels within the desired annexation area(s)
	Offer incentives to developers for using solar and wind energy.	Development Services	\$\$	●●	<u>Milestone</u> : Collect input from local developers regarding the most effective incentive possibilities <u>Benchmark</u> : Identify at least one incentive for each solar and wind energy in new construction
	Expand branding and placemaking efforts through a marketing/image campaign and/or the development of a tourism plan.	Chamber of Commerce	\$\$	●●	<u>Benchmark</u> : Develop the plan or campaign
	Conserve areas with extreme topography by acquiring the property or assisting property owners in coordinating with nonprofit organizations to accept the land.	Development Services	\$	●●●	<u>Benchmark</u> : Develop and distribute an information package for property owners with organizations who may be interested, tax benefits, and any offers from the City to acquire property
	Explore the possibility of allowing the landowners to keep their POA membership after donating the land.	City Manager and POAs	\$	●●	<u>Benchmark</u> : Discuss options with the POA board
	Vacate plats and roadways for undevelopable land around the airport.	Development Services	\$	●●●	<u>Milestone</u> : Develop an inventory of the targeted plats and roadways <u>Benchmark</u> : Planning & Zoning Commission and City Council approval to vacate plats and roadways each year
	To encourage future development in key greenfield areas, develop long-range infrastructure plans for identified expansion areas and use these areas for desirable development types, such as a hotel, grocery store, or sports complex.	Development Services	\$\$	●●●	<u>Benchmark</u> : Coordinate with the Planning Department to identify infill areas and include these improvements in the CIP as applicable
Allocate funding in the Capital Improvements Program for demolition and construction of new municipal facilities.	City Council	\$\$\$	●●	<u>Milestone</u> : Obtain cost estimate <u>Benchmark</u> : City Council approval to include funds within the CIP or other means	

	ACTION	TASK LEADER	COST	IMPACT	MEASURE
HOUSING AND NEIGHBORHOOD LIVABILITY	Continue to allow patio homes, townhomes, duplexes, and multifamily housing types in key areas to accommodate young professionals and the retirement community. Provide for mixed use areas that incorporate higher density housing. [on-going]	Development Services	\$	●●	<u>Benchmark:</u> Change in the variety of housing types and the demographics of residents
	Develop a watershed master plan that assesses the current drainage demands and provides strategies for stormwater management and retention.	Public Works	\$\$	●●●	<u>Milestone:</u> Consultant selection for development of a master plan <u>Benchmark:</u> Adopting stormwater management practices to prevent drainage issues
	Identify intersections in need of safety improvements and upgrade two per year. [on-going]	Public Works/Police Department	\$\$\$	●●●	<u>Milestone:</u> 1-2 intersection upgrades per year

	ACTION	TASK LEADER	COST	IMPACT	MEASURE
TRANSPORTATION	Identify partnerships and funding for a community-wide shuttle system.	Development Services	\$	●●	<u>Milestone:</u> Identifying partnerships and funding <u>Benchmark:</u> Securing partnerships and funding
	Begin long-range planning to construct a roadway extending from FM 1431 to the northeast to allow for better access into Lago Vista.	Development Services/Travis County/CAMPO/TXDOT	\$\$	●●●	<u>Milestone:</u> Selection of a consultant to begin preliminary plans and designs for roadway <u>Benchmark:</u> City Council approval to include construction funds within the CIP
	Improve roadways along lakefront near Tessera and Mahogany to ensure sufficient access to the potential hotel/civic center area.	Public Works	\$\$\$	●●●	<u>Milestone:</u> City Council approval to include funds within the CIP <u>Benchmark:</u> Updating one roadway every two years
	Add directed lighting and pedestrian enhancements at key intersections, and a signal at Lohman Ford Road and Boggy Ford Road.	Public Works	\$\$\$	●●●	<u>Milestone:</u> City Council approval to include funds within the CIP <u>Benchmark:</u> Updating 1 to 2 intersections per year

	ACTION	TASK LEADER	COST	IMPACT	MEASURE
PARKS, RECREATION, AND OPEN SPACE	Explore the feasibility of using the west Community Park as a public boat ramp location.	Development Services	\$	●●	<u>Milestone</u> : Exploring the feasibility <u>Benchmark</u> : Finding the appropriate location for a public boat ramp
	Research funding sources partnerships for the multipurpose sports facility.	Development Services	\$	●●	<u>Milestone</u> : Researching funding sources <u>Benchmark</u> : Creating a list of funding sources the City is eligible for
	Identify a potential location for a commercial marina (possibly at the proposed community park in the southwest) and pursue partnerships for development.	Development Services	\$\$\$	●●	<u>Milestone</u> : Identifying a location <u>Benchmark</u> : Establishing partnerships and developing preliminary plans
	Coordinate with the electrical utility company to explore the possibility of adding trails to existing utility easements.	Development Services/Public Works	\$	●●	<u>Milestone</u> : Establishing relationships and contacts with the electrical utility company <u>Benchmark</u> : Identifying potential useable easements for trails
	Apply for grant funding and prepare donation packages to assist the City in developing public parks.	City Manager	\$	●●	<u>Benchmark</u> : Applying for funding and preparing donation packages
	Acquire the land needed for a large, multipurpose sports complex.	City Council	\$\$\$	●●●	<u>Benchmark</u> : Acquiring portions of the land that is needed every year

	ACTION	TASK LEADER	COST	IMPACT	MEASURE
CITY FACILITIES AND SERVICES	Promote “family days” to attract families and support youth interest in golf. [on-going]	Golf Course Management	\$	●●●	<u>Milestone:</u> Planning family days at the golf course <u>Benchmark:</u> Holding the first family day at the golf course
	Consider the addition of an economic development specialist, either on City staff or as an EDC director.	City Manager	\$\$	●●●	<u>Milestone:</u> City Manager and Chamber discussing the addition of an economic development specialist <u>Benchmark:</u> City Council approval to hire or designate an economic development specialist
	Increase golf course branding and advertising.	Golf Course Management	\$\$	●●	<u>Milestone:</u> Increasing the advertising <u>Benchmark:</u> Increased number of visitors at the golf course
	Explore related activities to attract a different audience to the golf course.	Golf Course Management	\$	●●	<u>Milestone:</u> Planning a non-golf at the golf course <u>Benchmark:</u> Holding a non-golf at the golf course
	Evaluate the feasibility of establishing an economic development corporation.	City Manager	\$	●●	<u>Milestone:</u> Coordination with the Chamber of Commerce <u>Benchmark:</u> Reaching a decision
	Include full-service resort amenities, including restaurants, within the golf course services.	Golf Course Management	\$\$	●●	<u>Milestone:</u> Researching the feasibility of different amenities <u>Benchmark:</u> Opening a resort or similar amenity
	Use the golf courses for social events/activities. [on-going]	Golf Course Management	\$	●●	<u>Milestone:</u> Planning social events at the golf course <u>Benchmark:</u> Holding a social event at the golf course
	Develop a shared community calendar of local events and advertise through social media, text messaging, the newsletter, and the designated organization volunteers.	Public Information Officer	\$	●●●	<u>Milestone:</u> Develop a community calendar <u>Benchmark:</u> Utilize the calendar and try new forms of communication
	Designate a staff member to lead media efforts.	City Council	\$\$	●●●	<u>Benchmark:</u> Designation of staff member
Hire an economic development consultant to assess the feasibility of attracting such a facility within the City.	City Council	\$\$	●●●	<u>Milestone:</u> Selection of consultant <u>Benchmark:</u> Completion of feasibility study	

Policies

1. Use the Future Land Use Map to guide future zoning decisions.
2. Conduct regular review of the Comprehensive Plan through quarterly P&Z review and an annual updated by the City Council.
3. Coordinate all City operations with any applicable advisory committees.
4. Before developing new parkland, seek out partnerships with the POA to ensure that the City and POA are being fiscally responsible and not duplicating efforts.
5. Focus development around the airport on aviation and other small industrial uses.
6. Proactively seek hotel operators for a lakefront hotel resort, event center, or civic center.
7. Continue efforts to reach out to local developers and local/national retailers.
8. Focus on annexation of areas located along major roadways or the lake.
9. Prioritize the area surrounding the airport land acquisition and assembly.
10. Coordinate transportation efforts with all regional transportation agencies to ensure better regional connectivity and partnerships, and evaluate the feasibility of a bridge across the lake for better mobility and access to surrounding communities.
11. Ensure that roadways provide sufficient access and mobility for all EMS and fire services.
12. Coordinate with the Chamber of Commerce to advertise City notices in the upcoming newsletter.
13. Use recreational facility standards when developing new parkland or trails.
14. Assess park level of service annually and acquire additional parkland, as needed.

MEETING DATE: June 20, 2016

AGENDA ITEM: 6. Overview of current sports/recreational facilities operated by the City of Lago Vista

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

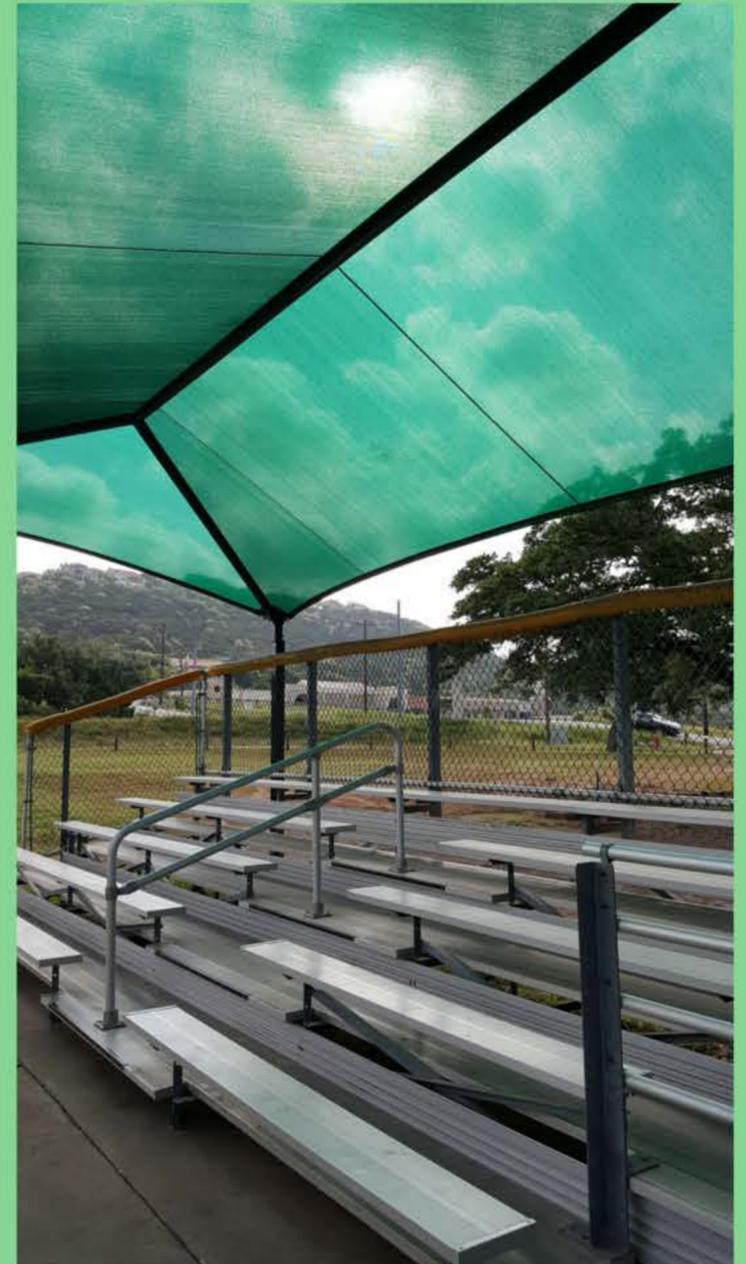
Speckmann _____ ; **Wilhow** _____ ; **White** _____

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

RECREATION

CITY OF LAGO VISTA

SPORTS COMPLEX
CITY POOL
UPPER & LOWER BASEBALL FIELDS
PLAYSCAPE
TENNIS COURTS
WALKING TRAIL
VETERANB'S PARK
BOWDEN POINT PARK
LVGC TENNIS COURTS
MONUMENT LOCATIONS





RECREATION

CITY OF LAGO VISTA

MEETING DATE: June 20, 2016

AGENDA ITEM: 7. FUTURE MEETINGS

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____; Hale _____; Helm _____; Panter _____;

Speckmann _____; Wilhow _____; White _____

Motion Carried: Yes _____; No _____

MEETING DATE: June 20, 2016

AGENDA ITEM: 8. ADJOURNMENT

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ ; **Helm** _____ ; **Panter** _____ ;

Speckmann _____ ; **Willow** _____ ; **White** _____

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