

**OFFICIAL MINUTES OF THE CITY COUNCIL
SPECIAL CALLED MEETING
THURSDAY, APRIL 16, 2020**

BE IT REMEMBERED that on the 16th day of April, A.D., 2020, the City Council held a regular meeting at 6:37 p.m. via Go to Meeting, there being present via videoconferencing and acting the following:

CALL TO ORDER, CALL OF ROLL

Ed Tidwell	Mayor	Joshua Ray	City Manager
Dick Weatherly	Mayor Pro Tem	Erin Selvera	City Attorney
David Williams	Council Member	Sandra Barton	City Secretary
Arch Davila	Council Member	Roy Jambor	Dev. Svcs. Director
(arrived at the meeting at 6:46 p.m.)		Starr Lockwood	Finance Director
Don Barthlow	Council Member		
(Councilman Barthlow left the regular meeting at 7:54 p.m.)			
Frank Robbins	Council Member		
Tim Collins	Council Member		

CALL TO ORDER, CALL OF ROLL

All Councilmembers present.

EXECUTIVE SESSION

1. At 6:02 p.m., Council convened into a closed Executive Session pursuant to Sections 551.071 (Advice of Counsel), 551.072 (Real Property), 551.074 (Personnel), Section 551.087 (Economic Development), Texas Government Code and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:
 - A. Consultation with Legal Counsel and possible action concerning any regular meeting agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said item (as needed).
 - B. Discussion regarding the lease agreement with Bakers BBQ.

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

2. At 6:32 p.m., Council reconvened from Executive Session and recessed. At 6:36 p.m., Council reconvened into open session to act as deemed appropriate in City Council's discretion regarding:
 - A. Consultation with Legal Counsel and possible action concerning any regular meeting agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said item (as needed).
No action taken

- B. Discussion regarding the lease agreement with Bakers BBQ.
No action taken

THE REGULAR COUNCIL MEETING BEGAN AT 6:37 P.M.

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

Paul Roberts, 5212 Mira Lago Dr., made comments regarding his intentions to distribute masks and hand them out on Saturday from 9-3 at St. Mary's Catholic Church parking lot.

Mayor Tidwell read the Motorcycle Safety Awareness Proclamation for the record.

Mayor Tidwell read the Urban Monarch Conservation Proclamation for the record.

PUBLIC HEARING AND POSSIBLE ACTION (FIRST CONSIDERATION)

3. The Lago Vista City Council will hold a public hearing and consider a conditional use permit application pursuant to Section 17 of Chapter 14 of the Lago Vista Code of Ordinances to allow for the addition of a detached accessory building (gazebo) within the required rear yard setback at 4064 Outpost Trace (Country Club Estates, Section 9, Lot 2230A).

- Open public hearing
The public hearing was opened at 6:51 p.m.
- Staff presentation
Mayor Tidwell provided the staff summary of the proposed request.
- Close public hearing
The public hearing was closed at 6:56 p.m.
- Council discussion and possible decision
On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Robbins, the Council voted unanimously to approve the conditional use permit for this property on Outpost Trace. Motion passed.

PUBLIC HEARING AND POSSIBLE ACTION

4. The Lago Vista City Council will hold a public hearing and consider Ordinance No. 20-04-16-01; An ordinance to amend Article 1.000 "General and Administrative Fees," Article 3.00 "Building Related Fees," and Article 7.000 "Zoning and Annexation Fees" of Appendix A "Fee Schedule" of the Lago Vista Code of Ordinances.

- The public hearing is was left open from the March 19, 2020 Council meeting.
Erin Selvera, City Attorney provided clarification regarding the open records request fees.
Josh Ray, City Manager addressed questions from Council and citizens.
Darci DeVough, 20223 Travis Drive, has questions regarding the two step PPD, permit increase for road repairs.
Paul Roberts made comments regarding the open records request fees.
- Staff presentation
Mayor Tidwell provided a brief summary of the proposed ordinance.

- Close public hearing
The public hearing was closed at 7:47 p.m.
 - Council discussion and possible decision
On a motion by Councilman Williams, seconded by Councilman Robbins, Council voted (by roll call) six (6) ayes (Williams, Collins, Davila, Tidwell, Weatherly, Robbins) to one (1) nay (Barthlow) to approve Ordinance No. 20-04-16-01 as presented. Motion passed.
5. The Lago Vista City Council will hold a public hearing and consider an Ordinance of the City Council of Lago Vista, Texas amending the official zoning map by changing the zoning district of approximately 5.902 acres of land in the W.B. Corwin Survey, No 189, Travis County, Texas, from TR-1 (“Temporary Restricted”) to PDD (“Planned Development District”), hereinafter referred to as the “Lakeshore Boulevard PDD” and providing for related matters.
- Open public hearing
The public hearing was opened at 7:49 p.m.
Stephi Motal, applicant for the zoning change appeared and provided an oral presentation and addressed questions from Council.
Darci DeVough, asked Ms. Motal questions regarding the development.
Paul Roberts asked Ms. Motal questions regarding the development.
 - Staff presentation
Mayor Tidwell provided the staff summary of the proposed Ordinance.
Roy Jambor, Development Services Director provided additional information and addressed questions.
 - Close public hearing
The public hearing was closed at 8:16 p.m.
 - Council discussion and possible decision (close public hearing if a decision is rendered)
On a motion by Councilman Robbins, seconded by Councilman Collins, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays, to approve Ordinance No. 20-04-16-02. Motion passed.

Councilman Barthlow left the Council meeting at 7:56 p.m. and did not return.

ACTION ITEMS

13. Discussion, consideration and possible action regarding annexation and Development Agreement with KSW Holding LP for and in Travis County, Texas, known as Natures Point, located within the extraterritorial jurisdiction of the City, and to authorize the City Manager to take actions accordingly.
Mayor Tidwell provided the staff summary of the proposed agreement.
Josh Ray, City Manager provided additional information and addressed questions.
Ron Smith, 20609 Oak Ridge, provided his concerns regarding the proposed agreement.
On a motion by Councilman Robbins, seconded by Councilman Davila, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays, to postpone discussion and possible consideration until May 7. Motion passed.
6. Discussion, consideration and possible action regarding funds transfer from Utility Fund to Impact Fee Funds.

Mayor Tidwell provided the staff summary of the proposed transfer of funds.

Josh Ray, City Manager provided additional information and addressed questions.

On a motion by Councilman Collins, seconded by Councilman Davila, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays, to approve the transfer of funds of \$81,840 from the Utility fund into the Impact fee funds.

Motion passed.

7. Discussion, consideration and possible action on the construction contract award for Phase 2 Street Rehab, Boggy Ford Road, and authorize City Manager to execute the contract.

Mayor Tidwell provided the staff summary of the proposed contract.

Josh Ray, City Manager provided additional information and addressed questions.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays, to award the contract to Bennett Paving Inc. and authorize the City Manager to execute and negotiate the contract, not to exceed \$602,606.68. Motion passed.

8. Discussion, consideration and possible action on the construction contract award for Phase 1 Street Rehab, Microsurfacing and Slurry Seal, and authorize City Manager to negotiate and execute the contract.

Council discussed item #7 and item #8 together but will be voted on separately.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Williams, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays, to award the contract to Intermountain Slurry Inc. in the amount of \$484,711.20 as the top amount and authorize the City Manager to execute and negotiate the contract for a better price if possible. Motion passed.

9. Discussion, consideration and possible action on the recommendations from the Airport Advisory Board.

Josh Ray provided the staff summary of the proposed AAB recommendations and addressed questions.

Ron Smith, 20609 Oak Ridge expressed his concerns regarding the recommendations.

On a motion by Councilman Robbins, seconded by Councilman Collins, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays to direct staff to proceed according to the Airport Advisory Board's recommendations:

1. Airport Capital Improvement Plan Josh discussed; 2. Construction of hangers on the south end of the airport; 3. Rezoning of Airport from Light Industrial to C-4 (with conditions or PDD). Motion passed.

10. Discussion, consideration and possible action regarding Resolution No. 20-1840: A Resolution by the City Council of the City of Lago Vista, Texas declaring various property and/or equipment to be surplus property and authorizing the City Manager to dispose of such property in a manner which is beneficial to the City of Lago Vista.

Mayor Tidwell provided the staff summary of the proposed Resolution.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Davila, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays to adopt Resolution No.20-1840 as presented. Motion passed.

11. Discussion, consideration and possible action regarding the sale of real property adjacent to 4038 Outpost Trace.

Mayor Tidwell provided the staff summary of the proposed sale of property.

Josh Ray provided additional clarifying information.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Williams, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays to authorize the sale of the property that was just declared surplus and authorize the City Manager to complete the sale.

12. Discussion, consideration and possible action regarding the sale of real property adjacent to 20205 Buchanan Cove and 20207 Buchanan Cove.

Mayor Tidwell provided the staff summary of the proposed sale of property.

Josh Ray provided additional clarifying information.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays authorize the sale of this property and authorize the City Manager to execute and complete the transaction. Motion passed.

CONSENT AGENDA

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

14. Approval of the March 5, 2020 and March 19, 2020 regular Council meeting and March 25, 2020 Emergency Council meeting minutes.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted six (6) ayes (by roll call) (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to zero (0) nays to approve the consent agenda. Motion passed.

FUTURE MEETINGS

15. Consider schedule and items for future Council meetings.

Mayor Tidwell announced that for the future, he sees Council having meetings on the 1st and 3rd Thursday of every month. Next meeting will be May 7.

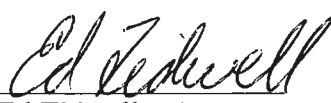
Audit services discussion.

ADJOURNMENT

Mayor Tidwell adjourned the meeting at 10:47 p.m.

Respectfully submitted,




Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Councilman Collins, seconded by Mayor Pro Tem Weatherly, the above and foregoing instrument was passed and approved this 7th day of May 2020.