

**OFFICIAL MINUTES OF THE CITY COUNCIL
REGULAR MEETING
THURSDAY, SEPTEMBER 17, 2020**

BE IT REMEMBERED that on the 17th day of September, A.D., 2020, the City Council held a regular meeting at 6:00 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
Don Barthlow	Council Member	Starr Lockwood	Finance Director
Arch Davila	Council Member	Roy Jambor	Dev. Srvs. Director
Tim Collins	Council Member	Dave Street	IT Director
Frank Robbins	Council Member		

Mayor Tidwell called the regular meeting to order at 6:00 p.m. and announced that all Councilmembers were 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. Consultation with Legal Counsel regarding pending or contemplated litigation.
 - C. Discussion regarding purchase of real property from Preston Jackman for property located at 20605 Dawn Drive.

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

2. At 6:59 p.m., Council reconvened from Executive Session into open session to act as deemed appropriate in City Council's discretion regarding:
 - A. To take any necessary action regarding 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. To take any necessary action regarding pending or contemplated litigation.

On a motion by Mayor Tidwell, seconded by Mayor Pro Tem Weatherly, Council voted six (6) ayes (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to one (1) nay (Barthlow) that we conclude all investigations into the allegations that were brought forth by Council Barthlow on August 7. Motion carries.

- C. To take any necessary action regarding purchase of real property from Preston Jackman for property located at 20605 Dawn Drive.

No action taken

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.

None

ITEMS OF COMMUNITY INTEREST: Pursuant to Texas Government Code Section 551.0415, the City Council may report on any of the following items:

- a. Expressions of thanks, gratitude, and condolences.
- b. Information regarding holiday schedules.
- c. Recognition of individuals, i.e. Proclamations
- d. Reminders regarding City Council events.
- e. Reminders regarding community events.

Councilman Barthlow announced he will be attending an event on Sunday, 12-7 and Monday-Friday this week 5-7, it will be in the parking lot of the Lago Vista Village, it will be a recall petition signing event.

- f. Health and safety announcements.

Mayor Tidwell provided an update on Governor's Abbott's latest orders allowing restaurants to go to 75% capacity.

15. Discussion, consideration and possible action regarding approval of Retail Strategies Professional Services Agreement to provide Consulting Services year two.

Mayor Tidwell provided some background information regarding the agreement.

Chris Bontrager with Retail Strategies provided a summary of the positive communications received during the first year and addressed questions from Council and citizens.

Christina Lucero asked what businesses they have brought to Lago.

DiAnn Tjon-Joe-Pin had a question regarding the number of retailers being contacted.

Paul Roberts asked questions regarding self-sustaining businesses.

Paul Prince had a question regarding targets for results versus targets for activity.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Williams, Council voted unanimously to approve the contract for the second year with Retail Strategies. Motion passed.

PUBLIC HEARING AND POSSIBLE ACTION

3. The Lago Vista City Council will hold a public hearing and consider an Ordinance of the City Council of Lago Vista, Texas amending Chapter 3, Chapter 10 and Chapter 10.5 of the Lago Vista Code of Ordinances to supplement existing drainage and erosion control requirements applicable to all property regulated by the City.

- Open public hearing
The public hearing was opened at 8:07 p.m.
- Mayor's presentation
Mayor Tidwell provided a summary of the proposed Ordinance.
Roy Jambor and Eric Belaj provided additional information and addressed questions from Council.
Paul Roberts had a question regarding the effects of this ordinance.
Darci DeVough asked if this pertains to City and ISD projects as well.
- Close public hearing
The public hearing was closed at 8:27 p.m.
- Council discussion and possible action
On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted six (6) ayes (Williams, Davila, Collins, Weatherly, Robbins, Tidwell) to one (1) nay (Barthlow) to approve an Ordinance amending Chapter 3, Chapter 10 and Chapter 10.5 of the Lago Vista Code of Ordinances to supplement existing drainage and erosion control with the removal of the six month delay of implementation, effective immediately. Motion passed.

PUBLIC HEARING

4. The Lago Vista City Council will hold a public hearing to receive citizen comments on the proposed tax rate of \$.6475 per \$100 valuation for the 2020/2021 budget for the City of Lago Vista and take necessary action.
 - Open Public Hearing
The public hearing was opened at 8:30 p.m.
Paul Roberts made comments regarding the tax rate.
Paul Prince made comments regarding the tax rate.
DiAnn Tjon-Joe-Pin agreed with Paul Prince and made comments regarding the tax rate.
Darci DeVough asked why we can't raise the sales tax and lower the property tax.
Christina Lucero made comments and agreed with Paul Prince.
 - Staff presentation
Mayor Tidwell provided a summary of tax rate discussion
 - Close Public Hearing
The public hearing was closed at 8:51 p.m.
 - Council discussion
No action taken on this item

ACTION ITEMS

5. Discussion, consideration and possible action regarding Ordinance No. 20-09-17-01; An Ordinance of the City Council of the City of Lago Vista, Texas pursuant to Vernon's Texas Codes Annotated, Local Government Code, Chapter 102, Section 102.007(b) providing for amendments to Ordinance No. 19-09-19-02, for the Fiscal Year beginning October 1, 2019 and ending September 30, 2020; amendments to said budget by department are set forth in "Exhibit A" attached to this ordinance.

Josh Ray, City Manager provided an overview of the proposed amendments and addressed questions from Council and citizens.

Paul Prince asked questions about the bottom line of the expenses.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Robbins, Council voted unanimously to approve Ordinance No. 20-09-17-01. Motion carried.

6. A. Discussion, consideration and possible action regarding Ordinance No. 20-09-17-02; An Ordinance of the City of Lago Vista, Texas adopting a Budget for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021; appropriating the various amounts thereof and repealing all Ordinances or parts of Ordinances in conflict therewith; and providing for an effective date.

Josh Ray, City Manager provided a summary of the updated draft budget with the information provided by Council.

Chelaine Marion asked questions regarding the amendments to the budget.

Paul Prince made comments regarding the updated information.

Paul Roberts asked if Shoreline Ranch was removed.

Christina Lucero recommended that the budget not be voted on tonight.

DiAnn Tjon-Joe-Pin asked questions regarding Shoreline Ranch.

On a motion by Councilman Williams, seconded by Mayor Pro Tem Weatherly, Council voted (by roll call vote) six (6) ayes (Tidwell, Williams, Davila, Collins, Weatherly, Robbins) to one (1) nay (Barthlow) to approve Ordinance No. 20-09-17-02 adopting the budget for FY20-21. Motion carried.

- B. Consider ratification of the portion of the FY 2020/21 budget reflecting an increase in property tax revenues.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted six (6) ayes (Tidwell, Williams, Davila, Collins, Weatherly, Robbins) to one (1) nay (Barthlow) for the ratification of the portion of the FY2020/21 reflecting an increase in property tax revenues. Motion carried.

7. Discussion, consideration and possible action regarding Ordinance No. 20-09-17-03; An Ordinance of the City of Lago Vista, Texas levying Ad Valorem Taxes for use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2020 and terminating September 30, 2021; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid.

Mayor Tidwell provided a summary of the proposed Ordinance.

Darcie DeVough had a question regarding the tax rate.

Mayor Pro Tem Weatherly made a motion to approve Ordinance No. 20-09-17-03, the motion was seconded by Councilman Collins.

Erin Selvera, City Attorney stated that the motion must be very specific.

On a motion by Mayor Tidwell, seconded by Mayor Pro Tem Weatherly, Council voted (by roll call vote) six (6) ayes (Tidwell, Williams, Davila, Collins, Weatherly, Robbins) to one (1) nay (Barthlow) that the property tax rate be increased by the adoption of a tax rate of \$0.6475 per 100 which is effectively a 0% increase in the tax rate. Motion carried.

8. Discussion, consideration and possible action regarding Ordinance No. 20-09-17-04; An Ordinance of the City Council of Lago Vista, Texas, amending Appendix A, Fee Schedule by

repealing and replacing Article 5.000 Subdivision Fees, Article 6.000 Utility Related Fees, and Article 10.000 Parks and Recreation Fees Section 10.200 Golf Course Fees, and providing an effective date, repealer, severability, proper notice and open meetings clause.

Mayor Tidwell provided a brief summary of the proposed Ordinance.

Josh Ray, City Manager provided additional information.

Councilman Barthlow commented that he thinks further discussion is needed regarding golf and he feels that all members of the golf course that currently sit on the City Council should recuse themselves on golf related votes and discussions.

On a motion by Councilman Collins, seconded by Councilman Davila, Council voted six (6) ayes (Tidwell, Williams, Davila, Collins, Weatherly, Robbins) to one (1) nay (Barthlow) to adopt Ordinance No. 20-09-17-04 as presented. Motion carried.

9. Discussion, consideration and possible action regarding Resolution No. 20-1852; A Resolution of the City Council of the City of Lago Vista, Texas adopting the Fiscal & Budgetary Policy for Fiscal Year 2021.

Mayor Tidwell provided a brief overview of the proposed policy.

On a motion by Councilman Robbins, seconded by Mayor Pro Tem Weatherly, Council voted five (5) ayes (Williams, Davila, Collins, Weatherly, Robbins) to two (2) nays (Tidwell, Barthlow) to approve Resolution No. 20-1852 with the following amendment; Section IV Expenditure Policies (B) Purchasing – it states \$40,000, that number be changed to \$50,000 for all three; purchases, contracts and emergency purchases. Motion carried.

10. Discussion, consideration and possible action regarding Resolution No. 20-1853; A Resolution of the City Council of the City of Lago Vista, Texas adopting an Investment Policy in compliance with the Public Funds Investment Act.

Mayor Tidwell provided a brief summary of the proposed policy.

Paul Roberts provided comments regarding the proposed policy.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted unanimously to adopt Resolution No. 20-1853 as presented. Motion carried.

11. Discussion, consideration and possible action regarding Resolution No. 20-1854; A Resolution of the City Council of the City of Lago Vista, Texas, adopting a Credit Card Policy.

Mayor Tidwell provided a brief summary of the proposed policy.

Josh Ray, City Manager provided additional information.

On a motion by Councilman Collins, seconded by Councilman Davila, Council voted unanimously to adopt Resolution No. 20-1854 as presented. Motion carried.

12. Discussion, consideration and possible action regarding submitting the official ballot to elect Places 1-4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

Mayor Tidwell provided some background info regarding how the nominees were submitted and presented the results.

On a motion by Mayor Tidwell, seconded by Councilman Collins, Council voted unanimously to nominate Robert T Herrera for Place 1. Motion carried.

On a motion by Mayor Tidwell, seconded by Councilman Williams, Council voted unanimously to nominate for John W. (Buzz) Fullen for Place 2. Motion carried.

On a motion by Mayor Tidwell, seconded by Mayor Pro Tem Weatherly, Council voted unanimously to nominate George Hyde for Place 3. Motion carried.

On a motion by Mayor Tidwell, seconded by Councilman Williams, Council voted unanimously to nominate Kimberly Meismer for Place 4. Motion carried.

13. Discussion, consideration and possible action regarding the purchase of real property from Preston Jackman for property located at 20605 Dawn Drive.

Mayor Tidwell stated that we have not reached a position with Preston Jackman to proceed.

On a motion by Mayor Tidwell, seconded by Councilman Robbins, Council voted unanimously to postpone this until we get further correspondence from Preston Jackman.

14. Discussion, consideration and possible action regarding a change order request to replace broken plant components for the Wastewater Treatment Plant Project.

Mayor Tidwell provided a summary of the proposed change order.

Eric Belaj provided additional information and addressed questions from Council.

Josh Ray provided additional information and addressed questions from Council.

Ron Smith made comments regarding using 2017 bond money to pay for this.

DiAnn Tjon-Joe-Pin stated that she agrees with Ron.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted six (6) ayes (Tidwell, Williams, Davila, Collins, Weatherly, Robbins) to one (1) nay (Barthlow) to approve the change order request in the amount of \$66,520 and that the money be taken from the operational budget in the utilities and increase the contract for an additional 60 days. Motion passed.

16. Discussion, consideration and possible action regarding nominees for the Travis County Central Appraisal District and the CapCOG 2021 Executive Committee.

Mayor Tidwell provided a brief overview of this item.

Council discussed but no action taken at this time.

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.

17. Approval of the following Council meeting minutes:

August 12, 2020 special called meeting minutes

August 20, 2020 special called meeting minutes

18. Approval of an interlocal agreement for emergency management services between the City of Lago Vista, Texas and Travis County Emergency Services District No. 1.

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, Council voted unanimously to approve the consent agenda. Motion carried.

DISCUSSION ITEMS

19. Lago Economic Recovery Program (LERP)

Mayor Tidwell provided a summary of the program and the application process for eligible residents and eligible businesses. The lago bucks are valid thru the end of the year.

Mayor Tidwell stated the first distribution event schedule for October 2nd and 3rd.

Paul Prince had a question regarding the process for deciding the criteria.

20. City Manager Reports

No reports

FUTURE MEETINGS

21. Consider schedule and items for future Council meetings.

Mayor would like to have a household hazardous waste collection presentation at a future date.

ADJOURNMENT

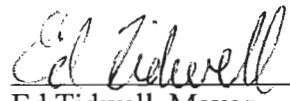
Mayor Tidwell adjourned the meeting at 11:10 p.m.

Respectfully submitted,

ATTEST:


Sandra Barton, City Secretary




Ed Tidwell, Mayor

On a motion by Mayor Pro Tem Weatherly, seconded by Councilman Collins, the above and foregoing instrument was passed and approved this 15th day of October 2020.