

**OFFICIAL MINUTES OF THE CITY COUNCIL
REGULAR MEETING
THURSDAY, DECEMBER 16, 2021**

BE IT REMEMBERED that on the 16th day of December, A.D., 2021, the City Council held a regular meeting at 5:30 p.m. in City Council Chambers, there being present and acting the following:

Ed Tidwell	Mayor	Chelaine Marion	Council Member
Gage Hunt	Council Member	Paul Roberts	Council Member
Kevin Sullivan	Council Member	Paul Prince	Council Member
Rob Durbin	Council Member		

CALL TO ORDER, CALL OF ROLL

Mayor Tidwell called the meeting to order at 5:30 p.m. and recognized that all Councilmembers are in attendance.

EXECUTIVE SESSION

1. At 5:31 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. Update on pending litigation *Alicie Reed vs. City of Lago Vista, Robert Mercado and Doyce Smith*; Civil Action No. 1:21-CV-00464-RP; in the United States Western District Court; Austin Division (Section 551.071 Consultation with Attorney and Section 1.05 Texas Disciplinary Rules of Professional Conduct)

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

2. At 6:15 p.m., Council reconvened from Executive Session into open session and recessed until 6:30 p.m., 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 an update on pending litigation *Alicie Reed vs. City of Lago Vista, Robert Mercado and Doyce Smith*; Civil Action No. 1:21-CV-00464-RP; in the United States Western District Court; Austin Division (Section 551.071 Consultation with Attorney and Section 1.05 Texas Disciplinary Rules of Professional Conduct)
No action taken.

PLEDGE OF ALLEGIANCE, PLEDGE TO TEXAS FLAG

Mayor Tidwell led the Pledge of Allegiance and Pledge to the Texas Flag

4:09 – 13:45

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.

Norm Spalding made comments regarding development and zoning in Lago Vista.

John Grisell introduced himself to Council.

Don Barthlow made comments regarding his issues with the City.

13:46 – 19:08

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.
The Lago Vista Library will be closed Thursday, December 23 through Sunday, December 26 and closed Friday December 31, Saturday January 1.
The Lago Vista Green Center schedule, open Thursday, January 6 from 7 am to 4 p.m. and Saturday, January 8, 10 a.m. to 4 p.m.
- c. Recognition of individuals, i.e., Proclamations
Congratulations to the LV High School football team for their season.
- d. Reminders regarding City Council events.
City Hall will close at 4:00 p.m. on December 22 for the employee holiday party.
City Hall will be closed on Thursday, December 23 for employee holiday.
- e. Reminders regarding community events.
Lago Fest will be held on Saturday April 30 from 2 p.m. to 9 p.m. at Bar-K park.
La Primavera bike race is scheduled for March 5 and 6.
2nd annual gourmet dinner raffle was held on November 13.
Through St. Mary's, Lowes donated 65-70 turkeys and approximately 80 bags of food to over 60 families in Lago Vista.
Lions club will be having a blood drive this Saturday morning at CVS.
- f. Health and safety announcements.

19:09 – 20:09

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.

- 3. Approval of the November 18, 2021, regular meeting minutes.
- 4. Approve the purchase of an asphalt crack seal machine in lieu of a woodchipper.
- 5. Allow a temporary sign in City rights-of-way.
On a motion by Councilor Hunt, seconded by Councilor Roberts, Council voted unanimously to approve the consent agenda.

PUBLIC HEARING

20:10 – 24:10

6. The City Council of the City of Lago Vista will hold a public hearing for discussion, consideration and possible action on an Ordinance of the City of Lago Vista, Texas, to annex approximately 198.705 acres of land owned by Lake Travis Group II, Ltd., adjacent and contiguous territory into the incorporated municipal boundaries of the City of Lago Vista, Texas including the following: findings of fact; effective date; a repealer; severability; and proper notice and open meetings clauses.

- Open public hearing
The public hearing was opened at 6:49 p.m.
- Mayor's presentation
The Mayor recused himself from discussion and voting.
Mayor Pro Tem Sullivan continued the discussion.
- Applicant's presentation
Michael Wayland on behalf of the applicant appeared.
- Close public hearing
The public hearing was left open
- Council discussion and possible decision (continue public hearing if no decision results)
No further action taken at this time.

ACTION ITEMS

24:12 – 43:58

7. Discussion, consideration, and possible action on Second Amendment to Restated Development Agreement for Tessera on Lake Travis.
On a motion by Mayor Pro Tem Sullivan, seconded by Councilor Prince, Council voted unanimously to approve the second amendment to the Restated Development Agreement for Tessera on Lake Travis. Motion carries.

44:29 -

8. Discussion, consideration, and possible action regarding Resolution No. 21-1924 through Resolution No. 21-1932; Resolutions by the City Council of the City of Lago Vista, Texas appointing individuals to serve as members on various Boards/Commissions/Committees for partial and full terms.

45:43 – 48:07

H. Resolution No. 21-1932; A Resolution by the City Council of the City of Lago Vista, Texas appointing three individuals to full terms as members on the Parks and Recreation Advisory Committee.
On a motion by Councilor Marion, seconded by Mayor Pro Tem Sullivan, Council voted unanimously to name Mandi Carter, Selima Harbison, and DiAnn Tjon-Joe-Pin to serve on the Parks and Recreation Advisory Committee through January 1, 2024, which is Resolution No. 21-1932. Motion carries.

48:07 – 50:48

- A. Resolution No. 21-1924; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to fill expiring terms as members of the Airport Advisory Board; and to otherwise provide with respect thereto.

On a motion by Councilor Durbin, seconded by Mayor Pro Tem Sullivan, Council voted unanimously to adopt Resolution No. 21-1924, naming Glenn Chiappe, James Peck, James Awalt and Shelby Palmer as members of the Airport Advisory Board with their terms expiring in January of 2024 and Christian Jernigan to replace me in the vacant spot and have that term expire in January of 2023. Motion carries.

50:49 – 54:20

- B. Resolution No. 21-1925; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to fill expiring terms as members of the Board of Adjustment and one individual to fill an unexpired term on the Board of Adjustment; and to otherwise provide with respect thereto.

On a motion by Councilor Marion, seconded by Councilor Prince, Council voted unanimously that we adopt Resolution No. 21-1925 and name to the Board of Adjustment, Lynda Aird for a term that would expire January 1, 2023, and Jim Cason, Howard Hoover, Kathy Koza and Gary Zaleski to terms that will expire January 1, 2024. Motion carries.

54:24 – 56:24 and 58:43 – 1:00:09

- C. Resolution No. 21-1926; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to fill expiring terms as members of the Building and Standards Commission; and to otherwise provide with respect thereto.

On a motion by Councilor Roberts, seconded by Mayor Pro Tem Sullivan, Council voted unanimously to approve Resolution No. 21-1926, Scott Cameron, Howard Hoover expire January 2024, Frank Robbins, Dave Snyder expire January 2023. Motion carries.

On a motion by Mayor Tidwell, seconded by Councilor Prince, Council voted unanimously that we reconsider Resolution 21-1926, Resolution for Building and Standards. Motion carries.

On a motion by Councilor Roberts, seconded by Mayor Pro Tem Sullivan, Council voted unanimously to approve Resolution No. 21-1926 to appoint Scott Cameron, Howard Hoover, Frank Robbins, Dave Snyder each for two-year terms expiring in 2024. Motion carries.

56:27 – 58:37

- D. Resolution No. 21-1927; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to serve full terms and two individuals to fill unexpired vacant terms as members on the Economic Development Advisory Committee.

On a motion by Mayor Pro Tem Sullivan, seconded by Councilor Roberts, Council voted unanimously that we approve Resolution No. 21-1927, to have the following individuals to serve on the Economic Development Committee, it would be DuWayne Burge expiring in 23, Shane Saum expiring in January 23, the renomination of Russell Murphy, Don Johndrow to expire in January 24 and the nomination of Dave Williams and Robert Zabroski, they would expire in 24. Motion carries.

1:00:10 – 1:02:24

- E. Resolution No. 21-1929; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to full terms as members to the Golf Course Advisory Committee.

On a motion by Councilor Hunt, seconded by Councilor Marion, Council voted unanimously to submit Resolution No. 21-1929 to appoint Mike Foye, Andy Polselli, Mark Douglas, and Dave Williams to the Golf Course Advisory Committee with terms expiring January 2024. Motion carries.

1:02:25 – 1:04:23

- F. Resolution No. 21-1930; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to fill expiring terms as members of the Library Advisory Board and to otherwise provide with respect thereto.

On a motion by Mayor Pro Tem Sullivan, seconded by Councilor Marion, Council voted unanimously that we approve Resolution No. 21-1930 appointing the following individuals to the Library Advisory Board and that would be Dale Mitchell and Trisha Upchurch be renominated to end their term in January 2024 and Frank Coletta and Marlene Plua to be nominated to serve in open seats through January 2024. Motion carries.

1:04:24 – 1:06:27

- G. Resolution No. 21-1931; A Resolution by the City Council of the City of Lago Vista, Texas appointing four individuals to fill expiring terms as members of the Planning and Zoning Commission; and to otherwise provide with respect thereto.

On a motion by Councilor Prince, seconded by Councilor Marion, Council voted unanimously that we approve Resolution No. 21-1931 for filling terms on the Planning and Zoning with the four names of Julie Davis, Larry Hagler, Kathy Koza and Thomas Burlew. Motion carries.

1:06:51 – 1:27:04

9. Discussion, consideration, and possible action regarding reinstatement of the Youth Advisory Committee.

On a motion by Councilor Roberts, seconded by Councilor Marion, Council voted unanimously to reinstate the Youth Advisory Committee that was created under Resolution No. 18-1746. Motion carries.

ADJOURNMENT

Mayor Tidwell Sullivan adjourned the meeting at 7:55 p.m.

Respectfully submitted,

ATTEST:



Sandra Barton, City Secretary




Ed Tidwell, Mayor

On a motion by Councilor Roberts, seconded by Councilor Durbin, the above and foregoing instrument was passed and approved this 20th day of January 2022.