

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Regular Session**  
**Monday, December 17, 2012, 6:30 p.m.**  
**Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas**

1. **Establish Quorum and Call to Order.** Present: Mayor Dave DeOme and Councilmembers Dee Ann Burns-Farrell, Dave Taylor, and Alan Tye. Absent: Mayor Pro Tem Joe Bain and Councilmembers Dennis Wallace and Bruce Harris.

2. **Pledge of Allegiance** was led by Mayor DeOme.

Mayor DeOme intended to have a video shown in honor of those involved with the Newtown, Connecticut tragedy; however, due to audio/visual difficulties the video was postponed to later in the meeting.

3. **Citizens Participation** – No one spoke.

4. **Financial Report.**

- Staff report by Al Tyson, City Treasurer.

Mayor DeOme announced that he would proceed to agenda item 6, while awaiting the arrival of an attorney who is to speak to council on agenda item 5.

5. **Engagement of Legal Services.** Consider approving an engagement of Brickfield Bruchette Ritts & Stone, P.C. to represent the City of Lakeway before the Public Utility Commission of Texas in the matter of a Petition to Review Austin Rate Ordinance 20120607-055 (electric utility rates), and authorizing the city manager to execute a letter of engagement.

- Staff report by Steve Jones, City Manager.

**Executive Session.** At 7:08 p.m., Mayor DeOme announced that the City Council would convene in executive session for consultation with legal counsel as authorized by Section 551.071 Texas Government Code, where no action would be taken. The City Council reconvened in open session at 7:50 p.m. Mayor DeOme stated that no action was taken during the closed session.

- Citizen participation/public hearing – No one spoke. Nelson Nease, an attorney from Brickfield Bruchette Ritts & Stone, P.C was on hand, but was not called upon to speak.
- Council discussion/action – No action was taken.

6. **Resolution: City of Lakeway Elections.** Determine by resolution whether to continue to hold city general elections in May of each year or change the general election to November of each year.

- Staff report by Steve Jones, City Manager.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – After some discussion of the ramifications of moving general elections from May to November, **Councilmember Burns-Farrell moved to approve a resolution to continue to hold city general elections in May of each year.**

**Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 4-0.**

7. **Resolution: Coalition of Water Supply Customers.** Consider approval of a resolution supporting the creation of, and affirming membership in a coalition of Firm Water Supply Customers of the Lower Colorado River Authority.
  - Staff report by Steve Jones, City Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – After councilmembers expressed their support for this measure, **Councilmember Tye moved to approve a resolution supporting the creation of, and affirming membership in a coalition of Firm Water Supply Customers of the Lower Colorado River Authority with the appropriate inclusion of the TECQ (Texas Commission on Environmental Quality) in the wording of the resolution. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 4-0.**
  
8. **Annexation: Lakeway Highlands R-5 Tract.** Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 8.283 acres of land located south of Highlands Boulevard and west of Highlands Village Drive, for annexation of the subject property. (This is the second of the two required public hearings.)
  - Staff report by Troy Anderson, Building & Development Services Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – **Councilmember Burns-Farrell moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 8.283 acres of land located south of Highlands Boulevard and west of Highlands Village Drive, for annexation of the subject property. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 4-0.**
  
9. **Zoning Request: Lakeway Highlands Tract.** Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 8.283 acres of land located south of Highlands Boulevard and west of Highlands Village Drive, for approval of R-5 zoning of the subject property.
  - Staff report by Chessie Zimmerman, Deputy City Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – **Councilmember Burns-Farrell moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 8.283 acres of land located south of Highlands Boulevard and west of Highlands Village Drive, for approval of R-5 zoning of the subject property. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 4-0.**
  
10. **Zoning Change: Lakeway Highlands Tract.** Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 20.035 acres of land located south of Highlands

Boulevard and west of Highlands Village Drive, for approval of a change in zoning from GUI (Government/Utility/Institutional) to R-5 (Condominium) of the subject property.

- Staff report by Chessie Zimmerman, Deputy City Manager.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – After Developer Haythem Dawlett willingly agreed to limit investor acquisition of rental units for non-owner occupied use, **Councilmember Taylor moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 20.035 acres of land located south of Highlands Boulevard and west of Highlands Village Drive, for a change in zoning from GUI (Government/Utility/Institutional) to R-5 (Condominium) of the subject property with limitations to investor acquisition of rental units for non-owner occupied use. Councilmember Burns-Farrell seconded the motion, and it passed by unanimous vote, approved 4-0.**

**11. Final Plat: Lakeway Highlands Tract.** Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 28.318 acres of land located south of Highlands Boulevard and west of Highlands Village Drive, for approval of a final plat of the subject property.

- Staff report by Chessie Zimmerman, Deputy City Manager.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Taylor moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 28.318 acres of land located south of Highlands Boulevard and west of Highlands Village Drive, of a final plat of the subject property. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 4-0.**

**12. Code Amendment.** Consider adopting an ordinance amending Chapter 24, Division 13, Unsafe Buildings or Structures, of the City's Code of Ordinances.

- Staff report by Chessie Zimmerman, Deputy City Manager.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – After some clarification of the procedure involved with this measure, **Councilmember Taylor moved to adopt an ordinance amending Chapter 24, Division 13, Unsafe Buildings or Structures, of the City's Code of Ordinances. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 4-0.**

**CONSENT AGENDA: All items may be approved by one Council vote. Members of the Council may pull items from the consent agenda for discussion.**

**13. Approve Resolution:** Appointment of Assistant City Treasurer.

- Joe Benasutti, Assistant Treasurer.

**14. Approve Minutes:** Regular Council Meeting of November 19, 2012.

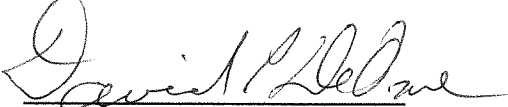
**END CONSENT AGENDA**

**Councilmember Tye moved to approve Consent Agenda items 13 and 14 as listed. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 4-0.**

**Councilmember Burns-Farrell thanked Parks and Recreation Director Andra Dearing for having a tree lit in gold lights to signify the City's upcoming Golden Anniversary.**

**The meeting closed with the video in honor of those affected by the tragedy in Newtown, Connecticut.**

**Meeting adjourned at 8:28 p.m.**

  
**David P. DeOme, Mayor**

  
**Lacie Hale, Assistant City Secretary**

