

CITY OF LAKEWAY CITY COUNCIL MEETING
Action Minutes of Regular Session
Monday, October 21, 2013, 6:30 p.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

1. **Establish Quorum and Call to Order.** Present: Mayor Dave DeOme, Mayor Pro Tem Dave Taylor and Councilmembers Joe Bain, Phil Brown, Dee Ann Burns, Bruce Harris, and Jim Powell.
2. **Pledge of Allegiance.**
3. **Citizens Participation.** No one spoke.
4. **Financial Report.**
 - Staff report by Al Tyson, City Treasurer.
5. **Proclamation by Mayor DeOme.** Mayor DeOme proclaimed the week of November 4 - 8, 2013, as Municipal Court Week in Lakeway.
6. **City of Lakeway, Texas General Obligation Bonds: Bids.** Consideration of bids relating to the sale of obligations designated as “City of Lakeway, Texas General Obligation Bonds, Series 2013”; consideration and approval of financial advisor’s recommendation concerning this matter; and other matters in connection therewith.
 - Staff report by Steve Jones, City Manager.
 - Citizen participation/public hearing – No one spoke.
 - Council discussion/action – Duane Westerman of SAMCO Capital Markets, Inc., the City’s investment managers, announced to city council that Raymond James & Associates offered the best bid with an interest rate of 2.726 % ; he added that the City’s recent Aa1 bond rating by Moody’s contributed to securing such a good rate. With that, **Mayor Pro Tem Taylor moved to approve the financial advisor’s recommendation concerning the matter of bids relating to the sale of obligations designated as “City of Lakeway, Texas General Obligation Bonds, Series 2013; and other matters in connection therewith. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 7-0.**
7. **City of Lakeway, Texas General Obligation Bonds: Issuance.** Consideration and approval of an ordinance authorizing the issuance of “City of Lakeway, Texas General Obligation Bonds, Series 2013”; levying a continuing direct annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrars agreement and an official bid form; complying with the provisions of the depository trust company’s letter of representations; and providing for an effective date.
 - Staff report by Steve Jones, City Manager.

- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Burns moved to approve an ordinance authorizing the issuance of “City of Lakeway, Texas General Obligation Bonds, Series 2013”; levying a continuing direct annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and an official bid form; complying with the provisions of the depository trust company’s letter of representations; and providing for an effective date. Councilmember Powell seconded the motion, and it passed by unanimous vote, approved 7-0.**

8. Code Amendment: Zoning. An amendment to Article 30.03, Lakeway Code of Ordinances, establishing Section 30.03.011.5 C-4 Auto Sales and Service and amending Section 30.04.001 pertaining to uses and acts prohibited by the city.

- Staff report by Chessie Zimmerman, Deputy City Manager.
- Citizen participation/public hearing – The following citizens spoke in opposition to this item: Tiffany McMillan, 106 Harbor Hill Drive; Jim Nelson, 106 Harbor Hill Drive; Jerry Cooper, 601 Peterson Lane; Judi Murphy, 107 Bellagio Drive; Tom Feather, 15102 Joseph Drive; Ed Maeder, 108 Champion Drive; Luri Keaton, 15102 Cavalier Canyon Liz Bozyan, 122 Tallstar; Monique Threadgill, 107 Harbor Hill Drive. The following citizens spoke in support of this item: David Procter, 106 Lake Como Drive; Selena Procter, 106 Lake Como Drive; Dana Hendrick, 159 Roberto Drive; Gary Shoemaker, 222 Lake Como Drive; Steve Harvey, 102 Pine Barrens Court; Will Mitchell, 1202 Pike Road; Laura Mitchell, President of Lake Travis Chamber of Commerce, 1202 Pike Road; Cindy Morphew, 50 Casa Verde.
- Council discussion/action – After the mayor and councilmembers gave their reasons for supporting the C-4 zoning district, **Councilmember Burns moved to approve an amendment to Article 30.03, Lakeway Code of Ordinances, establishing Section 30.03.011.5 C-4 Auto Sales and Service and amending Section 30.04.001 pertaining to uses and acts prohibited by the city. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 7-0.**

At 8:05 p.m., Mayor DeOme called for a 10-minute break. The meeting resumed at 8:15 p.m.

9. PUD Amendment: Tuscan Village. Consider a request from JH Tuscan Village, LP, the owner of approximately 42.6 acres of land located at 111 Medici Avenue, for approval of an amendment to the Planned Unit Development (PUD) Ordinance, Ordinance No. 2004-07-19-1, striking the two-story restriction while maintaining building heights.

- Staff report by Troy Anderson, Director of Building and Development Services.
- Citizen participation/public hearing – Jim Lavender, a representative of the applicant, gave a presentation detailing the proposed changes to the construction of three buildings on the site. The following citizens spoke in favor of the new plan: Roger Gaillardetz,

402 Amiata Avenue; Carol Blackwell, 125 Kildrummy Lane; Kim Gaillardetz, 402 Amiata Avenue; Lynn Lollar, 109 Outcrop View, represented the Yaupon Creek HOA board. Addam Gentner, 4 Daybreak Cove, disagreed with amending the PUD ordinance.

- Council discussion/action – After several councilmembers expressed their support for the new project, **Councilmember Harris moved to approve a request from JH Tuscan Village, LP, the owner of approximately 42.6 acres of land located at 111 Medici Avenue, for an amendment to the Planned Unit Development (PUD) Ordinance, Ordinance No. 2004-07-19-1, striking the two-story restriction while maintaining building heights. Mayor Pro Tem Taylor seconded the motion, and it passed by a vote of 6-1, with Councilmember Bain opposed.**

10. Annexation: Highlands Phase 2 Section 3 GB Tract. Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 13.5 acres of land located east of Highlands Boulevard between Peninsula Way and Bee Creek Road, for annexation of the subject property. (This is the second of the two required public hearings.)

- Staff report by Troy Anderson, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Bain moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 13.5 acres of land located east of Highlands Boulevard between Peninsula Way and Bee Creek Road, for annexation of the subject property. Mayor Pro Tem Taylor seconded the motion, and it passed by unanimous vote, approved 7-0.**

11. Zoning Request: Lakeway Highlands Phase 2 Section 3 GB Tract. Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 13.5 acres of land located east of Highlands Boulevard between Peninsula Way and Bee Creek Road, for approval of GB Greenbelt zoning of the subject property.

- Staff report by Troy Anderson, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Burns moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 13.5 acres of land located east of Highlands Boulevard between Peninsula Way and Bee Creek Road, for approval of GB Greenbelt zoning of the subject property. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 7-0.**

At this point in the meeting, Mayor DeOme announced that he would skip to item 13 and then return to item 12.

12. Annexation: Boundary Line Adjustment. Consider a boundary line adjustment including annexation of a part of Lots 9, 10 and 11, Block A Bella Strada Subdivision, and a part of Lot 1 Block A Lake Travis United Methodist Church Subdivision and disannexation of Lot 1 Block A Vineyard Bay Phase 1, parts of Buffalo Gap Road and any and all tracts of land located west of Buffalo Gap Road. (This is the second of the two required public hearings.)

- Staff report by Troy Anderson, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.

- Council discussion/action – After some discussion about refunding back property taxes on the tract to be disannexed, **Councilmember Bain moved to approve a boundary line adjustment including annexation of a part of Lots 9, 10 and 11, Block A Bella Strada Subdivision, and a part of Lot 1 Block A Lake Travis United Methodist Church Subdivision and disannexation of Lot 1 Block A Vineyard Bay Phase 1, parts of Buffalo Gap Road and any and all tracts of land located west of Buffalo Gap Road with no refund of previously paid property taxes. Mayor Pro Tem Taylor seconded the motion, and it passed by unanimous vote, approved 7-0.**

13. Special Use Permit: Assisted Living Facility. Consider a request from Grace Services, LLC, the agent for the owner of approximately 1.3 acres of land located at 1501 Lohmans Crossing Road, for approval of a special use permit for assisted living facility.

- Staff report by Troy Anderson, Director of Building and Development Services.
- Citizen participation/public hearing – The following people stated their disapproval of the project at this location: Sheila Rosart, 722 Rolling Green Drive; Kathy Skinner, 720 Rolling Green Drive; James W. Smith, 718 Rolling Green Drive; Krystyna Aitala, 402 Rolling Green Drive. John Riley, 614 Rolling Green Drive, expressed concerns for possible future use of the property, should the prospective owner’s business fail. Jim Lavender, part owner of the land, stated that other projects zoned C-1 would potentially bring more traffic to that area.
- Council discussion/action. The Mayor suggested postponing a vote on this item for a month to allow further discussion of the project with the applicant. **Councilmember Burns moved to postpone for a month consideration of a request from Grace Services, LLC, the agent for the owner of approximately 1.3 acres of land located at 1501 Lohmans Crossing Road, for approval of a special use permit for assisted living facility. Councilmember Powell seconded the motion, and it passed by a vote of 6-1, with Mayor Pro Tem Taylor opposed.**

14. Annexation: Highlands Phase 2 Section 4 R3 and GB Tracts. Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 33.0 acres of land located east of Highlands Boulevard between Peninsula Way and Bee Creek Road, for annexation of the subject property. (This is the first of the two required public hearings.)

- Staff report by Troy Anderson, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion – No discussion.

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

15. Approve Ordinance: Amendment #4 to FY2013 Budget.

16. Approve Resolution: Appointment of Finance Director.

- Julie Oakley

17. **Approve Resolution:** Appointment to the Board of Ethics.

- John Levy, Member

18. **Approve Minutes:** Regular Council Meeting of September 16, 2013.

END CONSENT AGENDA

Councilmember Burns moved to approve Consent Agenda items 15-18 as listed.

Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 7-0.

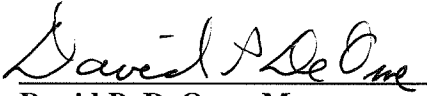
Councilmember Burns commended all those who contributed to the success of the Lakeway Birthday Bash on October 5th at the Lakeway Activity Center and extended a special thanks to the Parks & Rec Department for their efforts.

Meeting adjourned at 9:50 p.m.



Donna Boyle, City Secretary





David P. DeOme, Mayor