

CITY OF LAKEWAY CITY COUNCIL MEETING
Action minutes of Regular Session
Monday, June 19, 2017 at 6:30 p.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

AGENDA

1. **Establish Quorum and Call to Order** – Present: Mayor Bain, Councilmember Bertram, Councilmember Hennagin, Mayor Pro Tem Massa, and Councilmember Powell.
Absent: Councilmember Haley and Councilmember Trecker. Also present: City Attorney Alan Bojorquez.
2. **Pledge of Allegiance.**
3. **Financial Report.**
 - Staff report by David P. DeOme, City Treasurer – Financial report given by Assistant City Treasurer Steve Swan.
4. **Approve a resolution** supporting the Lakeway 300 Project and the installation of “Old Lakeway” signs in certain public streets.
 - Presentation by Lakeway 300 Project.
 - Citizens participation – Resident Janet Hobbs spoke in support of the project.
 - Council discussion/action – Councilmember Hennagin moved to approve the resolution supporting the Lakeway 300 Project and installation of the Old Lakeway street signs. Mayor Pro Tem Massa seconded and the motion passed 4-1 with Mayor Bain opposed.
5. **Presentation** by Pedernales Electric Cooperative regarding an upcoming system upgrade and expected impacts on Lakeway residents – Director of District Operations Virgil Maldonado briefed the council on the proposed dates, times and scope of project and effect on power to local area residents and businesses. The council recommended avoiding having any vehicles exiting into school zone times near the staging area so as not to further impede traffic.
6. **Consideration and action** with respect to ordinance authorizing the issuance of City of Lakeway, Texas general obligation bonds, series 2017; authorizing the levy of an ad valorem tax in support of the bonds; approving an official statement, a paying agent/registrar agreement, and other documents related to the issuance of the bonds; establishing procedures for selling and delivering the bonds; and authorizing other matters relating to the issuance of the bonds.
 - Presentation from Financial Advisor Jennifer Douglas and Bond Counsel Bart Fowler.

- Citizen participation/public hearing – No one spoke.
7. Council discussion/action – Mayor Pro Tem Massa moved to approve the ordinance authorizing the issuance of City of Lakeway, Texas general obligation bonds, series 2017; authorizing the levy of an ad valorem tax in support of the bonds; approving an official statement, a paying agent/registrar agreement, and other documents related to the issuance of the bonds; establishing procedures for selling and delivering the bonds; and authorizing other matters relating to the issuance of the bonds. Councilmember Hennagin seconded and the motion passed by unanimous vote.

 8. **Approve a resolution** establishing a date and time for meetings of the Zoning and Planning Commission.
 - Staff report by City Manager Steve Jones.
 - Citizens participation – No one spoke.
 - Council discussion/action – Councilmember Powell moved to approve the resolution setting the Planning & Zoning Commission meetings to the first Wednesday of each month at 6:30 p.m. Mayor Pro Tem Massa seconded and the motion passed by unanimous vote.

 9. **Preliminary Plan Revision #4 (Lot 18): Lakeway Regional Medical Center.** Consider a request from Optimized Engineering, representing Aqua Land Lakeway Medical, LLC, the owner of the property located at 3000 Ranch Road 620 South (Lakeway Medical Village), for approval of a revised preliminary plan for the subject property.
 - Staff report by Building & Development Services Director Ray Miller.
 - Citizens participation – Lee Jackson and project engineer Travis Robinson available for questions.
 - Council discussion/action – Councilmember Bridge Bertram moved to approve the preliminary plan. Councilmember Hennagin seconded and the motion passed unanimously.

 10. **Special Use Permit – Drive Through Bank:** A request from GSC Architects, the agent for the owner of the property located at 16738 State Hwy 71 West, for approval of a Special Use Permit to operate a bank with a drive-through facility at this location.
 - Staff report by Building & Development Services Director Ray Miller.
 - Citizens participation - No one spoke.
 - Council discussion/action - Councilmember Hennagin moved to approve the preliminary plan. Mayor Pro Tem Massa seconded and the motion passed unanimously.

 11. **Street Vacation – Sparrow Lane:** A request from Canaan International for approval of a street vacation for approximately 5,278 square feet of undeveloped right-of-way on Sparrow Lane located at the southwest corner of Sparrow Lane adjacent to the easterly property line of 15229 Dave Drive (Lot 99).
 - Staff report by Building & Development Services Director Ray Miller.
 - Citizens participation – No one spoke.

- Council discussion/action - Councilmember Powell moved to approve the preliminary plan. Mayor Pro Tem Massa seconded and the motion passed unanimously.

12. **Special Use Permit – Child Protection Services:** A request from Center for Child Protection, the agent for the owner of the property located at 1927 Lohman’s Crossing Road, for approval of a Special Use Permit to operate a Children’s Advocacy Center at this location.

- Staff report by Building & Development Services Director Ray Miller.
- Citizens participation – Gerry Poe, Board member, available for questions.
- Council discussion/action - Councilmember Bridge Bertram moved to approve the preliminary plan. Councilmember Hennagin seconded and the motion passed unanimously.

13. **Preliminary Plan Revision #8 – Lakeway Highlands – Phase 1:** A request from Carlson, Brigrance and Doering, the agent for the owner of the property located west of Rough Hollow subdivision and east of Bee Creek Road, for approval of a revision to the previously approved Preliminary Plan for Lakeway Highlands Phase 1 Subdivision.

- Staff report by Building & Development Services Director Ray Miller.
- Citizens participation – No one spoke.
- Council discussion/action - Mayor Pro Tem Massa moved to approve the preliminary plan. Councilmember Powell seconded and the motion passed unanimously.

14. **Approve an agreement** with the Lower Colorado River Authority regarding the management and administration of storm water pollution and water quality management practices in the City of Lakeway.

- Staff report by City Manager Steve Jones.
- Citizens participation – No one spoke.
- Council discussion/action – Councilmember Powell moved to approve the agreement. Mayor Pro Tem Massa seconded and the motion passed by unanimous vote.

Convened to Executive Session at 8:20 p.m. Reconvened to Open Session at 8:50 p.m. No action was taken in Executive Session.

15. **Consideration and possible action** to authorize the initiation and pursuit of litigation against Cherry Knoll, LLC and any other necessary parties for breach of contract and any other associated causes of action, for the violation of the terms of the Memorandum of Understanding executed by and between Cherry Knoll, LLC on or about February 2015 and by the City of Lakeway on February 18, 2015, and for the violation of the terms of the Mutual Release Agreement executed by and between Cherry Knoll, LLC on September 1, 2015 and by the City of Lakeway on September 3, 2015, and to authorize

the City Manager to retain the services of the law firm of Bickerstaff Heath Delgado Acosta, LLP to those ends.

- Staff report by City Manager Steve Jones.
- Citizens participation – No one spoke.
- Council discussion/action – Councilmember Hennagin moved to approve authorizing the initiation and pursuit of litigation against Cherry Knoll, LLC and any other necessary parties for breach of contract and any other associated causes of action, for the violation of the terms of the Memorandum of Understanding executed by and between Cherry Knoll, LLC on or about February 2015 and by the City of Lakeway on February 18, 2015, and for the violation of the terms of the Mutual Release Agreement executed by and between Cherry Knoll, LLC on September 1, 2015 and by the City of Lakeway on September 3, 2015, and to authorize the City Manager to retain the services of the law firm of Bickerstaff Heath Delgado Acosta, LLP. Councilmember Powell seconded. The motion passed 4-1 with Mayor Pro Tem Massa abstaining.

16. Citizens Participation –

Alan Maki, Hamil Cooper, Louis Mastrangelo, Alissa Magrum and Nancy Bain spoke.

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

17. **Approve Minutes:** Regular Council Meeting of May 15, 2017.
18. **Approve Resolution:** Adopting prevailing wage rates for construction projects.
19. **Approve Resolution:** Ratifying the appointment of Councilmember Ron Massa to serve as city representative on the Central Texas Clean Air Coalition for a term from June 1, 2016 to December 31, 2017.
20. **Approve Resolution:** Appointing Councilmember Ron Massa to serve as City of Lakeway General Assembly Representative for Capitol Area Council of Governments.


Councilmember Hennagin asked to pull items 18 and 19 for explanation of the organizations.

Councilmember Powell moved to approve items 16 and 17. Councilmember Hennagin seconded and the motion passed by unanimous vote. Councilmember Hennagin moved to approve items 18 and 19. Councilmember Powell seconded and the motion passed by unanimous vote.

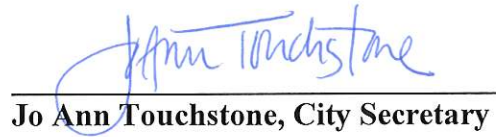
END CONSENT AGENDA

20. **Adjourn** – Meeting adjourned at 9:10 p.m.

Signed this the 18th day of July, 2017.



Joe D. Bain, Jr., Mayor



Jo Ann Touchstone, City Secretary

