

**THE CITY COUNCIL OF THE CITY OF LAKEWAY, TRAVIS COUNTY, TEXAS**  
**Regular Session on Monday, December 17, 2018 at 6:30 p.m.**  
**Minutes**  
**Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas**

**AGENDA**

1. **Establish Quorum and Call to Order** – Present: Mayor Cox, Mayor Pro Tem Massa, Councilmember Bertram, Councilmember Higginbotham, Councilmember Mastrangelo, Councilmember Smith and Councilmember Trecker.
2. **Pledge of Allegiance.**
3. **Financial Report.**
  - Staff report by Assistant City Manager Julie Oakley.
4. **Report** on status of previous business.
  - Building & Development Services Notifications – Director Charlotte Hodges
  - Code Enforcement Policy Update
  - Lakeway Drive speeding – Chief Radford
  - Reflective clothing Public Information – Communications Coordinator Devin Monk
  - Power Tool Noise and pollution complaints
5. **Report** on Police Station project.
6. **Presentation** from Pedernales Professional Firefighters Association (Travis County ESD #8) regarding the proposed creation of Travis County Emergency Services District No. 16.
  - Presentation by Mr. Kyle Swarts, President.
  - Council discussion/no action will be taken.
7. **Final Plat – Lakeway Highlands.** A request from Carlson, Brigrance & Doering, Inc., the agent for the owner of 34.85 acres of land located east of Bee Creek Road and south of Crosswind Drive, for a final plat of Lakeway Highlands, Phase 3 Section 4.
  - Staff report by Building and Development Services Director Charlotte Hodges
  - Citizens participation – No one spoke.
  - Council discussion/action – Mayor Pro Tem Massa moved to approve the final plat as presented with addition to ask applicant to find an additional access point. Councilmember Smith seconded and the motion passed unanimously.
8. **Comprehensive Plan Steering Committee** recommendation for consultant contract approval, which includes the scope of work and related costs.

- Staff report by Assistant City Manager Julie Oakley.
- Citizens participation – No one spoke.
- Council discussion/action – Councilmember Trecker moved to approve the consultant contract for the Comprehensive Steering Plan for 2018-2019. Councilmember Mastrangelo seconded and the motion passed unanimously.

**9. Contract addendum No. 2 to Recycling and Solid Waste Disposal Services Agreement between the City of Lakeway and Waste Connections, Inc.**

- Staff report by Assistant City Manager Julie Oakley.
- Citizens participation – Annette Brown, John Hoopingarner and Tom Kilgore spoke.
- Council discussion/action – Mayor Pro Tem Massa moved to table the item until January. Councilmember Bertram seconded and the motion passed 6-1 with Councilmember Trecker opposed.

**10. Ordinance No. 2018-12-17-01 – An ordinance amending the code of ordinances of the city of Lakeway, Section 20.02.012, “Rates and Fees for Residential Service”.**

- Staff report by Assistant City Manager Julie Oakley.
- Citizens participation – No one spoke.
- Council discussion/action – Item withdrawn by staff.

**11. Update from Legend Communities regarding a proposed development generally bounded by Lohmans Crossing, Rolling Green Drive, and RM 620 known as the Square on Lohmans.**

- Presentation from Bill Hayes
- Citizen participation – Annette Brown and John Hoopingarner spoke.
- Council discussion/action – No action taken.

**12. Ordinance No. 2018-12-17-02: Discuss and consider an ordinance amending Article 6.03 of the Code of Ordinances – Solicitors.**

- Staff report by City Manager Steve Jones.
- Citizens participation - No one spoke.
- Council discussion/action – Mayor Pro Tem Massa moved to approve Ordinance No. 2018-12-17-02 as presented. Councilmember Mastrangelo seconded and the motion passed unanimously.

Mayor Cox called for five minute recess at 9:25 p.m.

**13. Ordinance No. 2018-12-17-03 - Sign Ordinance – Amendments: Consider adopting proposed amendments to Chapter 26 (Signs) Lakeway Municipal Code pertaining to permitted signs within the City of Lakeway and its Extraterritorial Jurisdiction (ETJ).**

- Staff report by City Manager Steve Jones.
- Citizens participation – Tom Kilgore spoke.

- Council discussion/action – Mayor Pro Tem Massa moved to approve Ordinance No. 2018-12-17-03 with the noted changes to the following: 26.01.003 – Definition of “Legal Nonconforming Sign”, 26.04.001(a), 26.04.003(b)(3)(H) and 26.04.006. Councilmember Smith seconded and the motion passed unanimously.

**14. Contract:** FY 2018 Request for Proposals for Lakeway Swim Center Leisure Pool Renovation. Award contract to the successful respondent and authorize the City Manager to execute a contract.

- Staff report by Assistant City Manager Julie Oakley.
- Citizens participation – No one spoke.
- Council discussion/action – Councilmember Smith moved to approve as presented. Mayor Pro Tem Massa seconded and the motion passed unanimously.

**15. Contract:** FY 2018 Request for Proposals for Lakeway Swim Center Installation of Pool Chemical System and Weekly Chemical Management Award contract to the successful respondent and authorize the City Manager to execute a contract.

- Staff report by Assistant City Manager Julie Oakley.
- Citizens participation – No one spoke.
- Council discussion/action – Councilmember Bertram moved to approve as presented. Mayor Pro Tem Massa seconded and the motion passed unanimously.

**16. Contract:** FY 2018 Request for Proposals for Police Vehicle Upfit Services. Award contract to the successful respondent and authorize the City Manager to execute a contract.

- Staff report by Assistant City Manager Julie Oakley.
- Citizens participation – No one spoke.
- Council discussion/action – Mayor Pro Tem Massa moved to approve as presented. Councilmember Trecker seconded and the motion passed unanimously.

**17. Citizens Participation** – Annette Brown spoke.

Convened to executive session at 10:17 p.m. Reconvened to regular session at 10:48 p.m. No action was taken in executive session.

**18. Executive Session.** Enter into executive session to consult with the city attorney on the following topic(s), as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken by the Council in the Executive Session. Action, if any, will be taken in open session.

1. Discuss legal issues relating to recovery of legal fees.
2. Discuss status of Lakeway vs. Cherry Knoll

Mayor Cox recused herself and Mayor Pro Tem Massa chaired the meeting.

**19. Reconsideration of Resolution No. 2018-10-15-04** – Reconsider the resolution authorizing reimbursement of attorney fees incurred by Mayor Sandra Cox in the litigation styled In re: Tiffany McMillan, Cause No. 03-18-00356-CV, in the Third Court of Appeals, Austin, TX.

- Staff report by City Attorney Cobby Caputo.
- Citizens participation – No one spoke.

Council discussion/action – Councilmember Higginbotham moved to adopt resolution number 2018-12-17-04, which rescinds resolution number 2018-10-15-04 authorizing reimbursement of attorney fees incurred by Mayor Sandra Cox in the litigation styled in re: Tiffany McMillan, Cause No. 03-18-00356-CV, in the Third Court of Appeals, Austin, TX. Councilmember Trecker seconded and the motion failed. IN FAVOR: Councilmember Higginbotham, Councilmember Mastrangelo and Councilmember Smith. OPPOSED: Councilmember Bertram, Mayor Pro Tem Massa and Councilmember Trecker.

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

**20. Approve Minutes:** Regular Council Meeting of November 19, 2018.

**21. Approve Ordinance:** Ordinance No. 2018-12-17-04 amending Article 30.07.062 of the Code of Ordinances of the City of Lakeway, providing for alternate members to be named to the Board of Adjustments.

**22. Approve Resolution:** Resolution No. 2018-12-17-01 appointing members to the Board of Adjustments.

**23. Approve Resolution:** Resolution No. 2018-12-17-02 appointing members to the Zoning and Planning Commission.

**24. Approve Resolution:** Resolution No. 2018-12-17-03 appointing members to the Board of Ethics.

**25. Approve Interlocal Cooperative Agreement with National Cooperative Purchasing Alliance.**

**26. Approve Interlocal Cooperative Agreement with Interlocal Purchasing System (TIPS).**

**27. Receive Treasurer's monthly report.**

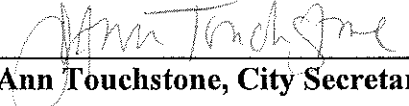
Councilmember Higginbotham moved to approve the consent agenda. Councilmember Trecker seconded and the motion passed unanimously.

**END CONSENT AGENDA**

**28. Adjourn – Meeting adjourned at 11:21 p.m.**

Signed this 3<sup>rd</sup> day of January, 2019.

  
Sandra L. Cox, Mayor

  
Jo Ann Touchstone, City Secretary

