

THE CITY COUNCIL OF THE CITY OF LAKEWAY, TRAVIS COUNTY, TEXAS
Regular Session on Monday, October 21, 2019 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 Higginbotham (entered at 6:32 p.m.), Councilmember Howell, Councilmember Mastrangelo, Councilmember Kumar (via video conference), Councilmember Smith (via videoconference) and Councilmember Vance.

2. **Pledge of Allegiance.**

Convened to Executive Session at 6:33 p.m. Reconvened to Regular Session at 9:58 p.m. No action was taken in Executive Session.

3. **Executive Session.** Enter into executive session to obtain legal advice from Counsel, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. Legal Issues Relating to the Board of Adjustments Appeal Ruled on at the October 16, 2019 Meeting of the Board, Relating to a Variance Granted by the City Building Commission

4. **Executive Session.** Enter into executive session to deliberate regarding the purchase, exchange, lease, or value of real property, as authorized by Texas Government Code Section 551.072, and to obtain legal advice from Counsel, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. Legal and Real Estate Issues Relating to the Oaks PUD/Stratus Properties

5. **Executive Session.** Enter into executive session to deliberate regarding the purchase, exchange, lease, or value of real property, as authorized by Texas Government Code Section 551.072. No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. Potential Municipal Building
- b. Potential Parkland Site(s)

6. **Executive Session.** Enter into executive session to deliberate regarding the potential purchase, exchange, lease, or value of real property, as authorized by Texas Government Code Section 551.072, and to obtain legal advice from Counsel, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. Lakeway MUD Property Request
- b. Lakeway MUD Easement Request

7. **Executive Session.** Enter into executive session to deliberate regarding pending litigation, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. *Cherry Knoll L.L.C. v. City of Lakeway, et al.*, Cause No. 1:16-CV-00982, in the U.S District Court for the Western District of Texas, Austin Division
- b. *City of Lakeway v. Cherry Knoll L.L.C.*, Cause No. 03-18-00837 in the Court of Appeals, Third District of Texas, Austin, Texas
- c. *Kathryn v. Allen and Jeffrey Garrett v. The City of Lakeway, et al.*, Cause No. 3-19-00464-CV, in the Court of Appeals, Third District of Texas, Austin, Texas

8. **Executive Session.** Enter into executive session to deliberate the appointment, employment, and duties of the City Manager Position, as authorized by Texas Government Code Section 551.074 (Personnel Matters). No action will be taken in executive session; action, if any, will be taken in open session.

At 10:00 p.m - Councilmember Kumar and Councilmember Smith not present in regular session (via videoconference).

9. Financial Report.

- Staff report by Interim City Manager Julie Oakley.
- Citizen Participation – No one spoke.

10. Previous Business

- Update on Hamilton Greenbelt Fire Mitigation Project.
- Citizen Participation – No one spoke.

Councilmember Kumar and Councilmember Smith joined meeting (via videoconference) at 10:05 p.m.

11. Future Land Use Map Change: 1931 Lohmans Crossing Road. Consider a request from Carlson, Brigance and Doering, the agent for the owner of approximately 45 acres of land located at 1931 Lohmans Crossing Road, to amend the Future Land Use Map from Mixed-Use to Residential.

- Presentation by Building & Development Services Director Charlotte Hodges.
- Citizen participation – John Hoopingarner spoke. Vivian Craft spoke.
- Council discussion/action – Councilmember Howell moved to send the request

back to the Zoning and Planning Commission for the Commission to take action and make a recommendation to the City Council. Councilmember Vance seconded and the motion passed unanimously.

12. **Zoning Change: 1931 Lohmans Crossing Road.** Consider a request from Carlson, Brigance & Doering, Inc., the agent for the owner of approximately 45 acres of land located at 1931 Lohmans Crossing Road, for approval of a change in zoning from GUI (Government, Utility and Institutional) to R-1* (Single Family Residential) and R-3 (Single Family Residential-Zero Lot Line-Modified). *Item withdrawn by applicant.*
13. **Annexation: Lakeway Highlands, Phase 3, Sections 5 and 6A.** Consider a request from RH Lakeway Development LTD., owner of approx. 24.5 acres of land located east of the Bee Creek Rd. and Crosswind Dr. intersection for annexation into the City of Lakeway.
 - Presentation by Building & Development Services Director Charlotte Hodges.
 - Citizen participation – Julie Reichert spoke. John Hoopingarner spoke. Carol Feree spoke.
 - Council discussion/action – Councilmember Howell moved to approve the request for annexation, Lakeway Highlands, Phase 3, Sections 5 and 6A. Mayor Pro Tem Higginbotham seconded and the motion passed unanimously.
14. **Zoning: Lakeway Highlands, Phase 3, Sections 5 and 6A.** Consider a request from RH Lakeway Development LTD., owner of approx. 24.5 acres of land located east of the Bee Creek Rd. and Crosswind Dr. intersection for R-3 (Single-Family–Zero Lot Line-Modified) zoning.
 - Presentation by Building & Development Services Director Charlotte Hodges.
 - Citizen participation – Julie Reichert spoke.
 - Council discussion/action – Councilmember Howell moved to approve the zoning request for Lakeway Highlands, Phase 3, Section 6 and 6A. Councilmember Vance seconded and the motion passed unanimously.
15. **Special Use Permit – Short Term Rental:** Consider a request from Christopher and Wendy Elder, the owners of the property located at 202 Top O’ The Lake Drive (Lakeway Section 22B, Lot 2877) for a Special Use Permit to allow for a short-term rental use at this location.
 - Presentation by Building & Development Services Director Charlotte Hodges.
 - Citizen participation – No one spoke.
 - Council discussion/action – Councilmember Vance moved to approve the request for a special use permit for short term rental for 202 Top O’ The Lake Drive. Councilmember Kumar seconded and the motion passed unanimously.

Councilmember Kumar and Councilmember Smith exited the meeting at 10:51 p.m. (via videoconference).

16. Second Reading: Revisions to Chapter 28 of the Lakeway Code of Ordinances, Subdivisions and Site Development.

- Presentation by Building & Development Services Director Charlotte Hodges.
- Citizen participation – Chris Hamlin spoke. Tom Kilgore spoke. Julie Reichert spoke.
- Council discussion/action – No action was taken.

17. Donation – Police Training Simulator

- Presentation by Police Chief Todd Radford
- Citizen Participation – No one spoke.
- Council discussion/action – Councilmember Vance moved to accept the donation. Councilmember Mastrangelo seconded and the motion passed unanimously.

18. Citizens Participation for items not on this Agenda – Chris Hamlin spoke. Tom Kilgore spoke.

CONSENT AGENDA: All items may be approved by one Council vote. Citizen participation will occur before any Council vote on the Consent Agenda. Members of the Council may pull items from the Consent Agenda for discussion.

- 19. Approve Minutes:** Regular Council Meeting of September 16, 2019.
- 20. Approve Minutes:** Special Council Meeting of September 30, 2019.
- 21. Approve Resolution No. 2019-10-21-01** - A Resolution appointing members to the Parks and Recreation Committee.
- 22. Approve Resolution No. 2019-10-21-02** - A Resolution Amending Authorized Representatives of the Texas Local Government Investment Pool, “Tex Pool”.
- 23. Approve Contract: 2019 Inspection Services.** Award the 2019 Inspection Services contract to the successful bidder and authorize the City Manager to execute a contract.
- 24. Receive** report from Public Engagement Advisory Committee.
- 25. Approve Quarterly Investment Report:** Investment report for quarter ended September 30, fiscal year 2019, submitted by Shereen Gendy, Finance Director.
- 26. Receive** Treasurer’s monthly report.

No one spoke on the consent agenda items. Mayor Cox pulled item 20.

Councilmember Howell moved to approve the consent agenda. Councilmember Vance seconded and the motion passed unanimously.

Councilmember Vance moved to approve item 20 as amended. Mayor Pro Tem Higginbotham seconded and the motion passed unanimously.

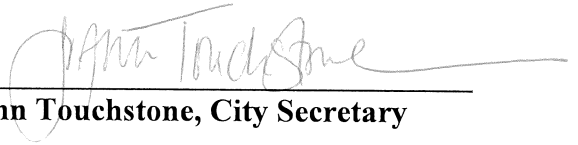
END CONSENT AGENDA

27. **Adjourn** – Meeting adjourned at 12:03 a.m.

Signed this 20 day of NOV, 2019.



Sandra L. Cox, Mayor



Jo Ann Touchstone, City Secretary

