

**THE CITY COUNCIL OF THE CITY OF LAKEWAY, TRAVIS COUNTY, TEXAS**  
**Regular Session on Monday, December 16, 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, Councilmember Howell (joined at 6:35 p.m.), Councilmember Kumar, Councilmember Mastrangelo, Councilmember Smith and Councilmember Vance.
2. **Pledge of Allegiance.**
3. **Citizen participation for the consent agenda and items 8 and 9** – No one 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.**

4. **Approve Minutes:** Regular Council Meeting of November 18, 2019.
5. **Approve Resolution No. 2019-12-16-01:** Ratifying the appointment of Councilmember Laurie Higginbotham to serve as city representative on the Central Texas Clean Air Coalition for a term expiring December 31, 2021.
6. **Receive** report from Public Engagement Advisory Committee.
7. **Receive** Treasurer's monthly report.

Councilmember Kumar moved to approve the consent agenda as presented.  
Councilmember Smith seconded and the motion passed unanimously.

**END CONSENT AGENDA**

8. **Financial Report.**
9. **Report** on status of previous business.
10. **Accept Donation** from Lakeway Civic Corporation.
  - Staff report by Parks and Recreation Director Andra Bennett.
  - Citizen participation – No one spoke.
  - Council discussion/action – Mayor Pro Tem Higginbotham moved to accept the donation from Lakeway Civic Corporation. Councilmember Kumar seconded and the motion passed unanimously.
11. **Resolution No. 2019-12-16-02** – A Resolution accepting dedicated parkland from Serene Hills, LTD.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – Tom Kilgore spoke.
- Council discussion/action – Mayor Pro Tem Higginbotham moved to table the item until the information identified by the City Manager is gathered. Councilmember Howell seconded and the motion passed unanimously.

**12. Preliminary Plan: Lakeway Estates.** A request from Perales Engineering, LLC, the agent for the owner of approximately 46 acres located west of Serene Hills Court, for approval of a Preliminary Plan for Lakeway Estates.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Kumar moved to approve the preliminary plan with the change to accept cash in lieu of 2.5 acres of parkland and authorize the city manager to negotiate the amount and bring back to the city council for approval. Councilmember Smith seconded and the motion passed unanimously.

**13. Preliminary Plan Revision: Lakeway Highlands Phase 3.** A request from Carlson, Brigance and Doering on behalf of RH Lakeway Development LTD., the owner of approximately 299 acres of land located south of the Crosswind Drive and Hornsby Lane intersection, for approval of a Preliminary Plan Revision for Lakeway Highlands Phase 3 including but not limited to the amendment of the lot layouts to accommodate open space, public utility easement and drainage easement lots.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Howell moved to approve the preliminary plan revision for Lakeway Highlands, Phase 3. Councilmember Kumar seconded and the motion passed unanimously.

**14. Final Plat Amendment: Lakeway Highlands Phase 3, Section 6B.** A request from Carlson, Brigance & Doering, Inc., on behalf of RH Lakeway Development LTD., owner of approximately 33.625 acres of land located south of the Crosswind Drive and Hornsby Lane intersection for approval of an amendment to the Final Plat (Replat) for Lakeway Highlands Phase 3, Section 6B.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Kumar moved to approve the request for the Final Plat Amendment: Lakeway Highlands Phase 3, Section 6B. Councilmember Smith seconded and the motion passed unanimously.

**15. Resolution No. 2019-12-16-03** – A resolution granting an easement to Lakeway MUD.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – Terry Gilbert spoke.
- Council discussion/action – Councilmember Kumar moved to approve the resolution as written and adding “No. 5” to include \$5,200.00 in improvements by

Lakeway MUD. Councilmember Howell seconded and the motion passed unanimously.

**16. Request from Lakeway Resort and Spa for Hotel Occupancy Tax Funds.**

- Staff report by Finance Director Shereen Gendy.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Smith moved to accept the request from Lakeway Resort and Spa for hotel occupancy tax funds. Councilmember Howell seconded and the motion passed unanimously.

**17. Consider** a potential partnership with the YMCA to build and operate a Lakeway Recreation Center.

- Staff report by City Manager Julie Oakley.
- Citizen participation – The following persons spoke: Alissa Magrum and Victor Perez.
- Council discussion/action. – No action was taken.

**18. Report and recommendation from** the Transportation Steering Committee.

- Report from Chair Judy Donohue.
- Citizen participation – Mayor Cox called for a show of hands for the Clubhouse to Caravan connection, those for, and those against. There were zero hands raised in support. The following persons stated their names on record in opposition: Jeff Locklear, Ted Doyle, Peter Courtois, Vivian Craft, Suzanne Logan, Anil Krishna, Lisa Dawson, Tom Pearson, John Kish, Marsha Kish, Sandra Lewis, Terry Gilbert, Ron Baltruzak and Paul Snare. Mayor Cox called for a show of hands for the Rolling Green to Guyan connection, those for, and those against. There were zero hand raised in support. The following persons stated their names on record in opposition: Ted Doyle, Jeff Locklear, Ron Baltruzak, Terry Gilbert, Lisa Dawson, John Kish, Marsha Kish, Tiffany Grana, Tony Grana, Sandra Lewis, Paul Snare, Terry Crale, Keith Trecker, Suzanne Logan, Vivian Craft, Peter Courtois, Michael Ferguson and Tom Pearson.

The following persons spoke: Wes Hook, Eric Gilbert, Anil Krishna, Richard Jaeske, Ted Doyle and Jennifer Fleck.

- Council discussion/action – No action was taken. (A council work session will be scheduled for January 2020.)

Mayor Cox called for recess at 9:25 p.m. Reconvened to regular session at 9:37 p.m.

**19. Report and recommendation from** Wildlife Advisory Committee.

- Report from Chair Dennis Hogan.

- Citizen participation – The following persons spoke: Carolyn Kelly, Frank Bata, Austin Gibb, Julie Reichert, Mike Conley, Stacy Williams, Laura Pyle, Sean Sutton, Doug Land, Ted Windecker, Teresa Vo, Mel Neese, Victor Perez, Georgia Migliuri, Bill Thompson, Nina Davis, Blanca Farias, Julie Martensen, Ted McKnight, Monisa Hall, Rita Cross and Dan Boses.

Mayor Cox called for recess at 12:00 a.m. Reconvened to regular session at 12:05 a.m.

- Council discussion/action – Councilmember Howell moved to acquire an option to execute on TTT from Texas Parks and Wildlife. Councilmember Smith seconded and the motion passed 4-3 with Mayor Pro Tem Higginbotham, Councilmember Mastrangelo and Councilmember Vance opposed.

Mayor Pro Tem Higginbotham motioned to conduct the survey called for in August 2018 of citizens of the entire city of Lakeway and zone it as recommended by Councilmember Mastrangelo. Councilmember Mastrangelo seconded the motion. Motion failed 3-4 with Mayor Cox, Councilmember Howell, Councilmember Kumar and Councilmember Smith opposed.

Councilmember Vance motioned to put a moratorium in place on TTT until council has a final cost of the program. Mayor Pro Tem Higginbotham seconded and offered a friendly amendment to place a moratorium on TTT and TTP until council has the cost of all programs. Motion passed 4-3 with Councilmember Howell, Councilmember Kumar and Councilmember Smith opposed.

**20. Ordinance No. 2019-12-16-01** – An ordinance amending Chapter 28: Subdivisions and Site Development; Article 28:05 Public Dedications and Improvements; Section 28:05.003 Parks; and Article 28.09 Standards and Specifications; 28.09.009 Water Quality Controls.

- Staff report from Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action - Councilmember Smith moved to approve Ordinance No. 2019-12-16-01 amending Chapter 28: Subdivisions and Site Development; Article 28:05 Public Dedications and Improvements; Section 28:05.003 Parks; and Article 28.09 Standards and Specifications; 28.09.009 Water Quality Controls. Councilmember Kumar seconded and the motion passed unanimously.

**21. Citizens Participation** for items not on this Agenda – no one spoke.

Mayor Cox called for executive session at 1:19 a.m. Reconvened to open session at 2:39 a.m. No action was taken in executive session.

**22. 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. 620 Widening Project

**23. 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

**24. Executive Session.** Enter into executive session to discuss an economic development prospect, as authorized by Texas Government Code Section 551.087 (Economic Development Negotiations). No action will be taken in Executive Session, any action to be taken on this item will occur in open session.

- 1. Project Granite

**25. 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

**26. 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 Lakeway Highlands/Rough Hollow Development Agreement


**27. 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.

**28. Adjourn** – Meeting adjourned at 2:39 a.m.

Signed this 22 day of Jan, 2019.

  
Sandra L. Cox, Mayor

  
Jo Ann Touchstone, City Secretary

