

THE CITY COUNCIL OF THE CITY OF LAKEWAY, TRAVIS COUNTY, TEXAS
Regular Session on Tuesday, January 21, 2020 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, Councilmember Kumar, Councilmember Mastrangelo, Councilmember Smith and Councilmember Vance.
2. **Pledge of Allegiance.**
3. **Citizen participation for the consent agenda and items 12, 13 and 14** – 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:** Special Council Meeting of December 9, 2019.
5. **Approve Minutes:** Regular Council Meeting of December 16, 2019.
6. **Approve Resolution No. 2020-01-21-01:** Appointing members to the 2020 Charter Review Committee.
7. **Approve Resolution No. 2020-01-21-02:** Appointing a member to the Parks and Recreation Committee.
8. **Approve** Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners.
9. **Receive** report from Public Engagement Advisory Committee.
10. **Approve Quarterly Investment Report** for First Quarter Fiscal Year 2020, submitted by Shereen Gendy, Finance Director.
11. **Receive** Treasurer's monthly report.

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

END CONSENT AGENDA

12. **Financial Report.**
13. **Report** on status of previous business – None.
14. **Proclamation** recognizing Young Men's Service League – Mayor Cox presented proclamation.

15. Resolution No. 2020-01-21-03: A resolution of the City of Lakeway, Texas suspending the February 6, 2020 effective date of Texas gas service company's requested increase to permit the city time to study the request and to establish reasonable rates; approving cooperation with other cities in the Texas Gas Service company's central Texas and gulf coast service areas; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; authorizing intervention in GUD. No. 10928 at the railroad commission; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

- Presentation by Thomas Brocato, Lloyd Gosselink Rochelle & Townsend, P.C..
- Citizen participation – Tom Kilgore spoke.
- Council discussion/action – Mayor Pro Tem Higginbotham moved to approve Ordinance No. 2020-01-21-03. Councilmember Howell seconded and the motion passed unanimously.

16. Discuss and consider 2020 City Council Meeting Schedule.

- Citizen participation – No one spoke.
- Council discussion/action – Mayor Pro Tem Higginbotham moved to approve the proposed schedule of the regular meeting of the city council to be held at 6:30 p.m. the third Monday of each month and a work session of the city council to be scheduled at 6:30 p.m. the first Monday of each month.

17. Report on new city website.

- Staff report by Communications Director Jarrod Wise.
- Citizen participation – No one spoke.
- Council discussion/action – No action was taken.

18. May 2, 2020 General Election. Consider approving Ordinance 2020-01-21-01 calling a General Election in the City of Lakeway on May 2, 2020, for the purpose of electing three (3) Councilmembers, and authorizing the Mayor to issue a Notice of Election.

- Staff report by City Secretary Jo Ann Touchstone.
- Citizen participation – Tom Kilgore spoke.
- Council discussion/action – Councilmember Kumar moved to approve Ordinance No. 2020-01-21-01 ordering the election to elect three councilmembers. Councilmember Howell seconded and the motion passed 6-1 with Councilmember Vance opposed.

2 de Mayo de 2020 Elección General. Considerar aprobación de Ordenanza 2020-01-21-01 cual convoca una Elección General en la Ciudad de Lakeway el 2 de Mayo de 2020, con el propósito de elegir tres (3) Miembros del Consejo, y autorizar al Alcalde para emitir un Aviso de Elección.

- *Informe del personal municipal por la secreteria de la ciudad, Jo Ann Touchstone.*
- *Patricipacion ciudadana.*
- *Discusión/acción del consejo.*

19. Resolution No. 2020-01-21-04 – A Resolution accepting dedicated parkland from Serene Hills, LTD.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – William Barlow spoke.
- Council discussion/action – Councilmember Kumar moved to approve the resolution accepting dedicated parkland from Serene Hills, LTD. Councilmember Howell seconded and the motion passed unanimously.

20. Update on Lakeway Estates parkland dedication.

- Staff Report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – William Barlow spoke.
- Council discussion/action – No action taken.

21. Zoning Change - 704 Serene Estates Drive. A request from Serene Hills, Ltd., the owner of approximately 0.45 acres of land located at 704 Serene Estates Drive, for approval of a zoning change from R-1* Single-Family Residential to P-2 Private Park for the subject property. *(Item Tabled until February 5th Zoning & Planning Commission Meeting and February 18th City Council Meeting).*

22. Special Use Permit: 2300 Lohmans Spur, Suite 192. A request from 4 Arrows Pets and Paws LLC, the agent for the owner of the property located at 2300 Lohmans Spur, Suite 192, for a Special Use Permit to operate a pet grooming and grooming training business at this location.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Mastrangelo moved to approve the special use permit. Councilmember Howell seconded and passed 6-0-1. Councilmember Kumar abstained.

Mayor Cox called for a five minute recess at 8:22 p.m.

23. Review potential transportation projects and funding sources.

- Staff report by City Manager Julie Oakley.
- Citizen participation – The following persons spoke: Chris Conrad, Danny Nolz, Bruce Homoya, Dwayne Birchum and Tom Kilgore. Mayor Cox called for a show of hands for Farris Drive Extension; those for and those against. There were zero hands raised in support. The following persons stated their name on record in opposition to Farris Drive Extension: Jeff Mittner, Patty Mittner, Michael Ray, Debbie Doyness, Albert Dau, Frank West, Sharon Homoya, Bruce Homoya, Jackson Chen, Dena Chen, Beverly Pritchett, David Cardinal, Dwayne Birchum, Melanie Jerdon, Daniela Nolz, Chris Conrad and William Barlow.
- Council discussion/action – No action was taken.

24. Presentation from bond attorney and financial advisor on potential bond projects.

- Staff report by City Manager Julie Oakley.

- Citizen participation – Tom Kilgore spoke.
- Council discussion/action – No action was taken.

25. Ordinance No. 2020-01-21-02 - An ordinance of the city of Lakeway, Texas amending Title I: general ordinances; Chapter 10: health and sanitation; Article 10.02: smoking; division 2: smoking in public places; Section 10.02.031: definitions; and providing for severability, repealer, and an effective date.

- Staff report by City Manager Julie Oakley.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Kumar moved to approve Ordinance No. 2020-01-21-02 to include vaping. Councilmember Howell seconded and the motion passed unanimously.

26. Citizens Participation for items not on this Agenda – No one spoke.

Mayor Cox called for Executive Session at 10:42 p.m. Convened to regular session at 11:37 p.m. No action was taken in executive session. The following action was taken on item 32: Councilmember Kumar moved to allow Mayor Cox to enter into contract offering Julie Oakley the City Manager position as per the contract shared with the city council. Mayor Pro Tem Higginbotham seconded and the motion passed unanimously.

27. 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.

- Lakeway MUD Property Request
- 620 Widening Project

28. 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.

- 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
- 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

29. 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.

- Project Granite

30. 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

31. 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

32. Executive Session. Enter into executive session to deliberate the appointment, employment, and duties of the City Manager Position and Assistant 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.

33. Adjourn – Meeting adjourned at 11:38 p.m.

Signed this 20th day of February, 2020.


Sandra L. Cox, Mayor


Jo Ann Touchstone, City Secretary

