

THE CITY COUNCIL OF THE CITY OF LAKEWAY, TRAVIS COUNTY, TEXAS
Regular Session on Monday, March 16, 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 Sandy Cox, Mayor Pro Tem Laurie Higginbotham, Councilmember Howell, Councilmember Kumar, Councilmember Mastrangelo, Councilmember Smith and Councilmember Vance.
 - 2. Pledge of Allegiance.**
- Mayor Cox called for item 16.
- 3. Citizen participation for the consent agenda and item 13** – 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. Minutes** - Regular Council Meeting of February 18, 2020.
- 5. Budget Amendment # 1** - Ordinance No. 2020-03-16-01 Amending the FY 2020 budget.
- 6. Ordinance No. 2020-03-16-02** - An Ordinance of the City of Lakeway, Texas, cancelling the May 2, 2020 General Election and declaring the unopposed candidates for the office of three (3) councilmembers as elected.
- 7. Final Police Station Bond Report**
- 8. Interlocal** cooperation agreement with Texas Department of Public Safety for Failure to Appear/OMNI Hold.
- 9. 2019 Racial Profiling Report.**
- 10. Incumbency Certificate.**
- 11. Report** from Public Engagement Advisory Committee.
- 12. Treasurer's** monthly report.

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

Mayor Cox called for item 17.

END CONSENT AGENDA

13. Financial Report.

- 14. Agreement** with the Central Texas Water Coalition to advance and promote the City's economic and public safety interest in matters relating to the sale and use of water from lakes Travis and Buchanan.

- Presentation by CTWC President Jo Karr Tedder – Materials on file, no presentation given.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Kumar moved to approve the agreement Central Texas Water Coalition to advance and promote the City's economic and public safety interest in matters relating to the sale and use of water from lakes Travis and Buchanan. Councilmember Smith seconded and the motion passed unanimously.

15. FY 2019 External Audit Report.

- Presentation by Singleton, Clark & Company, P. C.
- Citizen participation – Tom Kilgore spoke.
- Council discussion/action – Councilmember Kumar moved to accept the FY 2019 external audit report. Councilmember Vance seconded and the motion passed unanimously.

16. COVID-19 (Coronavirus)

- Brief from Chief Abbott, Lake Travis Fire Rescue
- Citizen participation - Comments read into record by Director of Communications Jarrod Wise from Todd Buikema, Yogesh Gaur and Nina Davis. Keith Trecker spoke.
- Council discussion/action – Council discussed extensively, no action taken. Action taken on item 16.1 to related item, Ordinance No. 2020-03-16-05.

16.1 - An Ordinance Extending Declaration of Local Emergency Due to Novel Coronavirus (COVID-19) and Regulations Adopted Pursuant to the Declaration

- Citizen participation - Tom Kilgore spoke.
- Council discussion/action – Councilmember Mastrangelo moved to have the order to maintain restaurant seating capacity reduced to half, gatherings of ten or more prohibited, excepting necessary city business, all residents encouraged to self quarantine as recommended by the CDC, especially the at-risk population, and businesses are encouraged to implement the CDC safety guidelines. The order will have added: The Lakeway Activity Center will be closed and utilized for necessary programming as deemed by the City Manager, The Swim Center will be closed, Municipal Court will proceed as planned and all unnecessary committee and commission meetings will be cancelled except for the City Building Commission, Charter Review Committee and Zoning and Planning Commission. Motion passed, 6-1, Councilmember Howell opposed.

Mayor Cox called for five minute recess at 8:08 p.m. Reconvened to regular session at 8:14 p.m.

17. Ordinance 2020-03-16-03 - Adopting the 2020 Comprehensive Plan.

- Report by Chair Larry Harlan.
- Public Hearing – Director of Communications read comment into the record from Rita Cross.

- Council discussion/action – Councilmember Mastrangelo moved to approve Ordinance No. 2020-03-16-03 adopting the 2020 Comprehensive Plan. Councilmember Howell seconded and the motion passed unanimously.

18. Resolution No. 2020-03-16-01 – Lakeway Estates parkland dedication.

- Staff report by City Manager Julie Oakley.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Smith moved to approve Resolution No. 2020-03-16-01. Mayor Pro Tem Higginbotham seconded and the motion passed unanimously.

19. Ordinance No. 2020-03-16-04 - An ordinance amending Title II: Building and Development Regulations; Chapter 30: Zoning; Article 30.03: Zoning Use Regulations; Section 30.03.009: District C-1 (Office/Retail); Article 30.05: Special Use Permits; Section 30.05.004.5: Criteria Applicable to Short-Term Rental Use Permits; and Section 30.07: Administration and Enforcement; Division 3: City Building Commission; Section 30.07.041: Creation and Purpose.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Kumar moved to approve Ordinance No. 2020-16-04. Mayor Pro Tem Higginbotham seconded and the motion passed unanimously.

20. Chapter 28 discussion regarding House Bill 3167 impacts on plat and plan approval process.

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

21. City of Lakeway Citizen Survey questions.

- Staff report by Communications Director Jarrod Wise.
- Citizen participation – Director of Communications Jarrod Wise read comments into record from Rita Cross.
- Council discussion/action – Mayor Pro Tem Higginbotham moved to table the item. Councilmember Howell seconded and the motion passed unanimously. Motion amended to motion to postpone. Councilmember Howell amended his second to postpone. Motion passed unanimously.

22. Citizens Participation for items not on this Agenda – Director of Communications Jarrod Wise read names into the record for those submitting comment related to the firing of the Lakeway Aquatics Swim Coach : Laura Blackman, Oliver Ozanus, Austin Ross, Laurel Ross, Audrey Selman, Rebecca Selman, Aristotle and Jan Soliman, Greg and Kristin Webb, Mallory Webb, Brian Bruner, Celeste Donegan, Beth and Tony Jackson, Sydney Jackson, Coach Steve Jones, Daxs Schoenbeck, Victoria Schoenbeck, Maria Bruner, Sienna Bruner, Norah Carr and Ian Cross.

Director of Communications Jarrod Wise read comment into record from Fred Newton regarding non profit organizations.

Mayor Cox called for Executive Session at 9:38 p.m. Reconvened to regular session at 11:14 p.m. No action was taken in Executive Session.

23. **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 License Agreements a Sailfish/Rebel Park

24. **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. Potential Purchase of Land in South-Central Lakeway

25. **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

26. **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.
 - a. Project Granite

27. **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

28. 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

29. 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 Possible YMCA MOU


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 Lakeway Highlands/Rough Hollow Development Agreement

31. Adjourn – Meeting adjourned at 11:14 p.m.

Signed this 21st day of April, 2020.


Sandra L. Cox, Mayor


Jo Ann Touchstone, City Secretary

