

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Regular Session**  
**Monday, October 18, 2010, 6:30 p.m.**  
**Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas**

1. **Establish Quorum and Call to Order.** Present: Mayor Dave DeOme, Mayor Pro Tem Dee Ann Burns-Farrell, Council Members Joe Bain, Bruce Harris, Dave Taylor, Alan Tye, and Dennis Wallace.
2. **Pledge of Allegiance** was led by Mayor DeOme.
3. **Citizens Participation** – No one spoke during citizen participation.
4. **Financial Report.**
  - Staff report by Al Tyson, City Treasurer
5. **Pedernales Electric Cooperative, Quarterly Update.** Mayor DeOme stated that Rudy Farwagi, PEC District Coordinator, was unable to attend the meeting but had hand-delivered a check of approximately \$55,000 for franchise fees, earlier in the day.
6. **Proclamation by Mayor DeOme**, recognizing the week of October 18 through October 22, 2010 as Chamber of Commerce Week in Lakeway. Executive Director of the Lake Travis Chamber of Commerce, Laura Mitchell accepted the proclamation.
7. **Approve a professional services agreement with SAMCO Capital Markets for financial advisory services.**
  - Staff report by Steve Jones, City Manager.
  - Citizen participation/public hearing – No one spoke during citizen participation.
  - Council action – **Councilmember Taylor made a motion to approve a professional services agreement with SAMCO Capital Markets for financial advisory services. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 7-0.**
8. **Approve a professional services agreement with PBS&J to develop a capital improvements plan.**
  - Staff report by Steve Jones, City Manager.
  - Citizen participation/public hearing – No one spoke during citizen participation.
  - Council action – **Mayor Pro Tem Burns-Farrell made a motion to approve a professional services agreement with PBS&J to develop a capital improvements plan. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 7-0.**
9. **Authorize the City Attorney to seek party status on behalf of the City of Lakeway in the hearing before the State Office of Administrative Hearings to consider approval of the TCEQ's Executive Director's petition that recommends that land within the jurisdiction of the City be included in a groundwater district within the Hill Country Priority Groundwater Management Area.**
  - Staff report by Steve Jones, City Manager.

- Citizen participation/public hearing – Devin Monk, reporter for the Lake Travis View, clarified a figure that was inaccurately published in a newspaper article on the subject.
- Council action – **Councilmember Bain made a motion to authorize the City Attorney to seek party status on behalf of the City of Lakeway in the hearing before the State Office of Administrative Hearings to consider approval of the TCEQ’s Executive Director’s petition that recommends that land within the jurisdiction of the City be included in a groundwater district within the Hill Country Priority Groundwater Management Area. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**

10. **Special Use Permit: Fast Food Restaurant.** A request from P Terry’s Burger Stand, on behalf of the owner of approximately 4.0 acres located at 3311 RR 620 South, for a Special Use Permit to operate a restaurant with a drive-through facility at that location.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – Business Owner Patrick Terry, Architect Michael Hsu, and Traffic Engineering Consultant Kathleen Hornaday spoke first, followed by Lakeway residents Lucille Davis, 204 Sunrise Ridge Loop; Eugenia C. Robbins, 104 Aria Ridge; Hector Garcia, 114 Aria Ridge; Larry Walters, 234 Sunrise Ridge Cove; Tim Carlett, 109 Sunrise Ridge Cove; Kathy Iwanciw, 213 Aria Ridge; Binoy Patel, 228 Sunrise Ride Cove; James Curtis, 104 Sunrise Ridge Cove; David Goodwin, 102 Aria Ridge; John Mazza, 216 E. Sunrise Ridge Loop; Betty McBride, 110 Aria Ridge; Bob Robbins, 104 Aria Ridge; Carolyn Royder, 509 Dragon; Tom Wallace, 218 Aria Ridge.
- Council action – **Councilmember Tye made a motion to approve the Special Use Permit: Fast Food Restaurant with the condition of closing the drive through window at 10 p.m. on school nights, i.e. Sunday through Thursday nights. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 7-0.**

11. **Annexation: Highlands Greenbelt Lot.** A request from Las Ventanas Land Partners, the owner of approximately 13.239 acres located on the south side of Highlands Boulevard west of Rough Hollow Drive and east of Duffy Lane, for annexation of the property into the City of Lakeway.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing - No one spoke during citizen participation.
- Council action - **Mayor Pro Tem Burns-Farrell made a motion to approve annexation of the Highlands Greenbelt Lot. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**

12. **Zoning: Highlands Greenbelt Lot.** A request from Las Ventanas Land Partners, the owner of approximately 13.239 acres located on the south side of Highlands Boulevard west of Rough Hollow Drive and east of Duffy Lane, for zoning “GB” Greenbelt.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing - No one spoke during citizen participation..
- Council action - **Councilmember Bain made a motion to approve zoning “GB” for the Highlands Greenbelt Lot. Councilmember Harris seconded the motion, and it passed by unanimous vote, approved 7-0.**

13. **Zoning Change: Lakeway Airpark South.** A request from East El Paso Medical Group, LP, the owner of approximately 7.4 acres located at 2910 Lakeway Boulevard (Lakeway Airpark South Subdivision, Lot 1), for approval of a change in zoning of approximately 2.7

acres of the property from AV (Aviation) to R-1 (Single Family Residential) to accommodate five proposed residential lots.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke during citizen participation.
- Council action – Council adjourned to Executive Session at 9:01 p.m. pursuant to Texas Government Code § 551.071. Consultation with City Attorney. Council reconvened into open session at 9:33 p.m.
- Citizen participation/public hearing – Re-opened by Mayor DeOme; however no one spoke during citizen participation.
- Council action – Prior to council’s vote, several members questioned applicant Rene Arredondo. Prior to motion, Mayor DeOme pointed out that since this ZAPCO turned down this application, Council would have to approve item by a supermajority, i.e. a 6-1 member vote. **Councilmember Bain moved to approve rezoning 2.7 acres of the property from AV (Aviation) to R-1 (Single Family Residential) to accommodate five proposed residential lots with the following conditions: (1) each residential lot have access to taxiway and runway facilities of airpark; (2) property owners of lots are required to become members of the airpark, responsible for payment of membership fees as well as other fees associated with airpark membership; (3) residents’ access to taxiways cannot conflict with water quality aspects; and, (4) that the city be a party to any deed restrictions and any deed restrictions cannot be made without city approval. Councilmember Harris seconded the motion, and it failed by a vote of 5 in favor-2 opposed, which does not constitute a supermajority, or ¾ majority vote.**

14. **Zoning Ordinance Amendments.** Proposed amendments to the Zoning ordinance pertaining to AV (Aviation) zoning district.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – Rene Arredondo, 2910 Lakeway Boulevard, spoke.
- Council action – **Councilmember Bain made the motion to approve the proposed amendments to the Zoning ordinance pertaining to AV (Aviation) zoning district. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**

15. **Annexation: Villas at The Hills.** An ordinance adopting public hearing dates and a service plan for the proposed annexation of the property known as the Villas at The Hills, located along Double Eagle, south of Lakeway Boulevard and east of Hayden Ridge Lane.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing - No one spoke during citizen participation.
- Council action - **Mayor Pro Tem Burns-Farrell made a motion to approve Ordinance 2010-10-18-XX. Councilmember Wallace seconded the motion, and it passed by unanimous vote, approved 7-0.**

16. **Final Plat: Serene Hills Subdivision Phase 2E.** A request from Serene Hills, Ltd., the owner of approximately 32.151 acres located east of Serene Hills Drive and south of Flint Rock Road, for approval of the Serene Hills Subdivision Phase 2E Final Plat.

**POSTPONED. This item was postponed.**

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

- 17. **Approve Minutes:** Regular Council meeting of September 20, 2010.
- 18. **Approve Resolution No. 2010-10-18-01, Appointments to Boards and Commissions:** Steve Swan, Heritage Commission, Chair.
- 19. **Approve Resolution No. 2010-10-18-02, Appointments to Boards and Commissions:** Don Kotrady, Board of Ethics, Member.

**END CONSENT AGENDA**

**Councilmember Tye moved to approve Consent Agenda. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 7-0.**

**Councilmembers wished City Manager Steve Jones a Happy Birthday. Mayor Pro Tem Burns-Farrell congratulated Police Chief Todd Radford for winning first place in the “Dancing with the Stars” competition to benefit the Lake Travis Library. Councilmember Harris congratulated the Parks & Recreation Department on the success of their Goblin Glow event.**

**Meeting adjourned at 10:01p.m.**

*David P. DeOme*  
**David P. DeOme, Mayor**

*Donna Boyle*  
**Donna Boyle, City Secretary**

