

CITY OF LAKEWAY CITY COUNCIL MEETING
Action Minutes of Special Session
Monday, September 26, 2011, 9:00 a.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

1. **Establish Quorum and Call to Order.** Present: Mayor Dave DeOme, Mayor Pro Tem Bruce Harris, Council Members Joe Bain, Dee Ann Burns-Farrell, Dave Taylor, Alan Tye, and Dennis Wallace.
2. **Pledge of Allegiance** was led by Mayor DeOme.
3. **Consider a petition** from Steve and Anita Cokins, requesting that the City of Lakeway include the North Brooks Hollow neighborhood area in the City's Annexation Plan pursuant to Section 43.052(i) of the Texas Local Government Code.

§43.052(i) A municipality may not circumvent the requirements of this section by proposing to separately annex two or more areas described by Subsection (h)(1) if no reason exists under generally accepted municipal planning principles and practices for separately annexing the areas. If a municipality proposes to separately annex areas in violation of this section, a person residing or owning land in the area may petition the municipality to include the area in the municipality's annexation plan. If the municipality fails to take action on the petition, the petitioner may request arbitration of the dispute. The petitioner must request the appointment of an arbitrator in writing to the municipality. Sections 43.0564(b), (c), and (e) apply to the appointment of an arbitrator and the conduct of an arbitration proceeding under this subsection. Except as provided by this subsection, the municipality shall pay the cost of arbitration. If the arbitrator finds that the petitioner's request for arbitration was groundless or requested in bad faith or for the purposes of harassment, the arbitrator shall require the petitioner to pay the costs of arbitration.

- Staff report by Steve Jones, City Manager.
- Citizen participation/public hearing – Although Mayor DeOme gave Leonard Smith, the Cokins' attorney, a second opportunity to speak, he again declined. No one spoke. Pursuant to the Texas Government Code 551.071, at 9:06 a.m., Mayor DeOme announced that City Council would adjourn to executive session where they would discuss this item but take no action; City Council reconvened in open session at 9:58 a.m.
- Council discussion/action – Mayor Pro Tem Harris stated that although he had opposed the annexation, he is convinced the process was correct and it was not the City's intention to circumvent the law. City Manager Steve Jones clarified for the record that the City does have an annexation plan. **Mayor DeOme called for a motion that the City deny the request of Anita and Steve Cokins to include the North Brooks Hollow neighborhood in the City's annexation plan and to deny their request for arbitration under Section 43.052 of the Texas Local Government Code. Councilmember Burns-Farrell so moved. Councilmember Taylor seconded the vote, and it passed by unanimous vote, approved 7-0.**

- 3. Public Hearing on Annexation: Consider proposed annexation by the City of Lakeway of the following areas:**
- a) Laws Addition No. 2, located east of RR 620 and north of Far Vela Lane;
 - b) The subdivision known as Travis Oak Trails, located east of Kohler's Trail and south of Gebron Drive;
 - c) A portion of the subdivision known as The Preserve at Lakeway, located along Gebron Drive;
 - d) Portions of the subdivisions known as Cardinal Hills No. 6 and No. 7, located along Gebron Drive, Hawk Street, Farris Drive, Warbler Drive, Sparrow Lane, and Barrie Drive;
 - e) The subdivision known as Lochan Ora, located east of Hurst Creek Road and north of Lakeway City Park;
 - f) Three adjacent tracts of land totaling 14.228 acres, including the subdivision known as Lago Acres, located west of Hurst Creek Road and north of and adjacent to the Coves at Lakeway.
- Staff report by Chessie Blanchard, Deputy City Manager.
 - Citizen participation/public hearing – The following residents of the Travis Oaks Trails spoke in opposition to the proposed annexations: Graham Moore, 1507 Parker Bend, Travis Oak Trails; Kurt Carson, 1401 Parker Bend, Travis Oak Trails; Dennis Hogan, 1407 Parker Bend, Travis Oak Trails.
 - Council discussion – No discussion or comments by City Council.


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

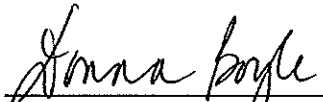
- 4. Approve Resolution 2011-09-26-01, appointing Bob Michelson a member of the Arts and Beautification Committee.**

END CONSENT AGENDA

Councilmember Tye moved to approve the Consent Agenda item 4 as stated above. Councilmember Bain seconded the motion, and it passed by a unanimous vote, approved 7-0.

Meeting adjourned at 10:05 a.m.


David P. DeOme, Mayor


Donna Boyle, City Secretary

