

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Special Session**  
**Monday, October 24, 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, Dave Taylor, Alan Tye, and Dennis Wallace. Councilmember Dee Ann Burns-Farrell was absent.
2. **Pledge of Allegiance** was led by Mayor DeOme.


Pursuant to Texas Government Code 551.071, at 9:01 a.m., Mayor DeOme announced that City Council would adjourn to executive session where they would consult with the City Attorney on items 3, 4, 5, and 6 but take no action; City Council reconvened in open session at 9:41 a.m.

Before consideration of the following agenda items, Mayor DeOme noted that he would switch the order of items #3 and #4, since one of the Councilmembers would have to leave for an appointment. At that point, Mayor DeOme proceeded to item #4.

3. **Consider a petition** from Donald L. Evans, Walter J. Paine, and Thomas P. Paine, requesting that the City of Lakeway include in its Annexation Plan 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, pursuant to Section 43.052(i) of the Texas Local Government Code.
  - Staff report by Steve Jones, City Manager – No staff report was given; City Attorney Patty Akers pointed out that the petition was received by the City after the date that Council had taken action on the annexation of the specified area, and Council could approve or deny the petition depending on consideration.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – Mayor DeOme called for a motion that the City deny the request of Donald L. Evans, Walter J. Paine, and Thomas P. Paine to include in its Annexation Plan 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 and to deny their request for arbitration under Section 43.052 of the Texas Local Government Code. **Councilmember Tye so moved. Councilmember Bain seconded the motion, and it passed by unanimous vote, 6-0.**
4. **Consider an ordinance** amending Ordinance No. 2011-09-19-03, annexing the area known as North Brooks Hollow into the City of Lakeway.
  - Staff report by Steve Jones, City Manager – No staff report was given; City Attorney Patty Akers explained that amending Ordinance No. 2011-09-19-03 would address the allegation of the lawsuit filed against the City, that the annexation was not within the 90-day window to annex property prescribed by law.
  - Citizen participation/public hearing – Leonard Smith, attorney representing Steve and Anita Cokins, asked that the North Brooks Hollow area be given a three-year annexation plan in accordance with State law.
  - Council discussion – Mayor DeOme called for a motion. **Councilmember Bain moved to approve an ordinance amending Ordinance No. 2011-09-19-03, annexing the**

area known as North Brooks Hollow into the City of Lakeway. Councilmember Wallace seconded the motion, and it passed by a vote of 5-1, with Mayor Pro Tem Harris opposing.

Meeting adjourned at 9:49 a.m.

  
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David P. DeOme, Mayor

  
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Donna Boyle, City Secretary

