AGENDA
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
5803 THUNDERBIRD
LAGO VISTA, TX
APRIL 3, 2025 AT 1:00 PM

********AMENDED AGENDA TO ADD ITEM E IN EXECUTIVE SESSION**********

JOIN MEETING VIA VIDEO CONFERENCE

Please join my meeting from your computer, tablet or smartphone.
https://meet.goto.com/228778629

You can also dial in using your phone.
United States: +1 (872) 240-3311
Access Code:228-778-629

CALL TO ORDER, CALL OF ROLL

Kevin Sullivan, Mayor
Rob Durbin, Mayor Pro-Tem, Place 3
Shane Saum, Council Member, Place 1
Adam Benefield, Council Member, Place 2
Norma Owen, Council Member, Place 4
Paul Roberts, Council Member, Place 5
Paul Prince, Council Member, Place 6

EXECUTIVE SESSION

Convene into a closed Executive Session pursuant to:

A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071).
B. Consultation with Legal Counsel concerning legal questions and advice related to roadway impact fee assessments pursuant to Texas Government Code Section 551.071.
C. Consultation with Legal Counsel concerning legal questions and advice related to dormant PDD's pursuant to Texas Government Code Section 551.071 - on a matter in

which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

D. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning employment-related claims of J. Bartholomew, pursuant to Texas Government Code Section 551.071.
E. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation related to golf course irrigation contract with Duininck, Inc. d/b/a Duininck Golf pursuant to Texas Government Code Section 551.071.

ACTION ON EXECUTIVE SESSION ITEMS (action and/or vote may be taken on the following agenda items):

Reconvene from Executive Session into open session to act as deemed appropriate in City Council's discretion regarding:

A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071).
B. Consultation with Legal Counsel concerning legal questions and advice related to roadway impact fee assessments pursuant to Texas Government Code Section 551.071.
C. Consultation with Legal Counsel concerning legal questions and advice related to dormant PDD's pursuant to Texas Government Code Section 551.071 - on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
D. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning employment-related claims of J. Bartholomew, pursuant to Texas Government Code Section 551.071.
E. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation related to golf course irrigation contract with Duininck, Inc. d/b/a Duininck Golf pursuant to Texas Government Code Section 551.071.

PLEDGE OF ALLEGIANCE, PLEDGE TO THE TEXAS FLAG

INVOCATION

CITIZEN COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

To participate in the citizen comments portion of the meeting, you must submit a completed form. If you are attending the meeting in the City Council Chambers you must complete the form available at that location and provide it to the Mayor prior to the start of the meeting. If you will be participating using the online videoconferencing tool, you must complete the form and submit it by email in accordance with the instructions included within the form. It is found on the City's website at the link below. **The Council will reconvene from executive session at or around 3:000 p.m.**

Citizen Participation Registration Form

ITEMS OF COMMUNITY INTEREST

Pursuant to Texas Government Code Section 551.0415, the City Council may report on any of the following items:

a. Expression of thanks, gratitude, and condolences.
b. Information regarding holiday schedules.
c. Recognition of individuals, i.e. Proclamations.
d. Reminders regarding City Council events.
e. Reminders regarding community events.
f. Health and safety announcements.

STAFF AND COUNCIL LIAISON REPORTS

1. **Routine Reports from City Staff**
    - **Human Resource Director Tiffany Sparks**
        - **1st Quarterly Staffing Report**
2. **Routine Reports from City Council Board/Commission/Committee Liaisons.**

- Charter Review Committee, Councilor Prince & Councilor Saum
- Building and Standards Commission, Councilor Benefield
- Keep Lago Vista Beautiful, Councilor Benefield
- Lago Vista Starry Skies, Councilor Benefield
- Airport Advisory Board, Councilor Saum
- Planning & Zoning Commission, Mayor Pro Tem Durbin
- Economic Development Advisory Committee, Councilor Owen
- Lago Vista Independent School District, Councilor Owen
- Lago Vista Property Owner's Association, Councilor Owen
- Turnback Canyon Trail Conservancy, Councilor Owen
- Golf Course Advisory Committee, Councilor Prince
- Library Advisory Board, Councilor Prince
- Parks & Recreation Advisory Committee, Councilor Prince
- Board of Adjustment, Councilor Roberts
- Governmental Affairs, Councilor Saum
- Water Issues; Lower Colorado River Authority Board, Texas Water Development Board, and other entities as appropriate, Councilor Saum
- Youth Advisory Committee, Mayor Sullivan
- Capital Area Council of Governments, Mayor Sullivan
- Texas Department of Transportation, Mayor Sullivan
- CapMetro, Mayor Sullivan

WORK SESSION

3. Discussion, direction and Staff Evaluation regarding Safety Hazards at Pickleball Courts due to Driving Range.

4. Discussion regarding the Irrigation System Sub-Committee Report.

5. Discussion, consideration and possible action on the Council comments listed on the Dashboard regarding the City's Work Plan.

6. Discussion on analysis of speed limit inconsistencies by the Chief of Police.

CONSENT AGENDA

All matters listed under the Consent Agenda are to be considered routine by the City Council and will be enacted by one motion. There will not be separate discussion on these items. If discussions are desired, that item will be removed from the consent agenda and will be considered separately.

7. Consider approval of March 20, 2025, Regular City Council Meeting minutes.

ACTION ITEMS

8. Discussion, consideration and possible action regarding Keep Lago Vista Beautiful, Art in Public Places, proposed improvements to the wall located at the Police Department on 20413 Dawn Dr.

9. Discussion, consideration and possible action on raising the Pool Fee Schedule and adding Parties.

10. Discussion, consideration, and possible action regarding revisions to the Employee Handbook Pg. 73, Section 1: Rules Governing Holidays.

11. Discussion regarding the Impact Fee CIP Evaluation and update process.

12. Discussion, consideration and possible action regarding a City of Lago Vista Policy to establish an Integrated Pest Management (IPM) Program.

13. Discussion, consideration, and possible action to refer a draft amendment to Chapter 14 (Zoning) of the Lago Vista Code of Ordinances to the Planning and Zoning Commission for review and recommendation pursuant to ordinance procedure.

14. Discussion, consideration, and possible action to refer a draft amendment to Chapter 14 (Zoning) of the Lago Vista Code of Ordinances establishing agenda eligibility and completeness requirements for Planning and Zoning Commission applications to the Planning and Zoning Commission for public hearing and recommendation.

ADJOURNMENT

IT IS HEREBY CERTIFIED that the above Notice was posted on the Bulletin Board in accordance with Government Code section 551.041 located at all times in City Hall in said City by _____ on the **31ST** day of **March** 2025.

_____

Maria Franco, City Secretary, TRMC

THIS MEETING SHALL BE CONDUCTED PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.001 ET SEQ. AT ANY TIME DURING THE MEETING THE COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION ON ANY OF THE

ABOVE POSTED AGENDA ITEMS IN ACCORDANCE WITH THE SECTIONS 551.071, 551.072, 551.073, 551.074, 551.075 OR 551.076.

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.

AT THIS MEETING AT THE STATED LOCATION, A QUORUM OF THE CITY COUNCIL WILL BE PHYSICALLY PRESENT, AND THIS NOTICE SPECIFIES THE INTENT TO HAVE A QUORUM PRESENT THERE, AND THE MEMBER OF THE CITY COUNCIL PRESIDING OVER THE MEETING WILL BE PHYSICALLY PRESENT AT THAT LOCATION. ONE OR MORE MEMBERS OF THE CITY COUNCIL MAY PARTICIPATE IN THIS MEETING REMOTELY, AND IF SO, VIDEOCONFERENCE EQUIPMENT PROVIDING TWO-WAY AUDIO AND VIDEO DISPLAY AND COMMUNICATION WITH EACH MEMBER WHO IS PARTICIPATING BY VIDEOCONFERENCE CALL WILL BE MADE AVAILABLE.

AGENDA ITEM NO. 3

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Councilor Benefield, City Council

SUBJECT: Discussion, direction and Staff Evaluation regarding Safety Hazards at Pickleball Courts due to Driving Range.

BACKGROUND: Multiple residents have raised safety concerns about errant golf balls entering the city-owned pickleball courts adjacent to a nearby golf driving range. On a recent occasion, a player says they were struck in the forehead by a golf ball while on the court. In the span of two hours, four golf balls were reported to have landed on the courts, which were in use by multiple adults and children, including an infant in a carrier. The incident could have resulted in severe injury, and they expressed relief that a child was not injured instead. The incident was reported via Facebook and corroborated by additional citizen comments. The proximity and elevation of the driving range tee boxes above the pickleball courts pose a potentially serious public safety risk.
Several community members have made informal suggestions for mitigation:
• Installation of green windscreens on the fencing facing the driving range.
• Installation of protective netting or extension of existing fencing to shield the courts from incoming balls.
• Relocating tee-off positions to a lower practice level on the driving range to reduce ball trajectory.
• Possible liability mitigation measures or legal consultation given the City's potential exposure to injury claims.

FINDINGS: Immediate consideration should be given to:
1. The frequency and severity of golf balls entering the courts.
2. The physical elevation and layout of the driving range in relation to the pickleball courts.

3. Whether current fencing height and positioning is sufficient for a recreational area next to
an active driving range.
4. Public liability risks associated with City-managed or City-affiliated recreational spaces
with known hazards.
5. The feasibility of low-cost interim measures (windscreens or temporary netting) versus
permanent engineering solutions.

FINANCIAL IMPACT:

• Minor costs if windscreens or signage are installed using Parks & Rec resources.
• Additional budgetary consideration may be required for engineered solutions, fencing
extensions, or driving range redesign.
• Potential cost avoidance if risk mitigation reduces liability exposure.

RECOMMENDATION:

Approve directive for City Staff to:
• Assess safety concerns and mitigation solutions.
• Provide cost estimates.
• Return with actionable recommendations and legal considerations at the May 1, 2025
City Council Meeting.

ATTACHMENTS:
Pikle Ball Courts.pdf

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025
SUBMITTED BY: Council Member Adam C. Benefield
SUBJECT: Discussion, Direction, and Staff Evaluation Regarding Safety Hazards at Pickleball Courts Due to Proximity to Driving Range

BACKGROUND:

Multiple residents have raised safety concerns about errant golf balls entering the city-owned pickleball courts adjacent to a nearby golf driving range. On a recent occasion, a player says they were struck in the forehead by a golf ball while on the court. In the span of two hours, four golf balls were reported to have landed on the courts, which were in use by multiple adults and children, including an infant in a carrier.

The incident could have resulted in severe injury, and they expressed relief that a child was not injured instead. The incident was reported via Facebook and corroborated by additional citizen comments. The proximity and elevation of the driving range tee boxes above the pickleball courts pose a potentially serious public safety risk.

Several community members have made informal suggestions for mitigation:

- Installation of **green windscreens** on the fencing facing the driving range.
- Installation of **protective netting or extension of existing fencing** to shield the courts from incoming balls.
- **Relocating tee-off positions to a lower practice level** on the driving range to reduce ball trajectory.
- Possible **liability mitigation measures** or legal consultation given the City's potential exposure to injury claims.

FINDINGS:

Immediate consideration should be given to:

1. The frequency and severity of golf balls entering the courts.
2. The physical elevation and layout of the driving range in relation to the pickleball courts.
3. Whether current fencing height and positioning is sufficient for a recreational area next to an active driving range.

4. Public liability risks associated with City-managed or City-affiliated recreational spaces with known hazards.

5. The feasibility of low-cost interim measures (windscreens or temporary netting) versus permanent engineering solutions.

PROPOSED STAFF ACTION:

City Council is requested to direct City Staff to:

1. Evaluate the current risk conditions at the pickleball courts.
2. Explore mitigation options including (but not limited to):
    - Taller safety netting or extended fencing.
    - Windscreen installation on driving range-facing fences.
    - Adjustments to the driving range layout or tee box elevations.
    - Safety signage or temporary protective barriers.
3. Obtain quotes from vendors for permanent solutions.
4. Assess whether City Parks & Recreation staff can implement interim measures in-house.
5. Consult with the City Attorney to assess liability concerns and potential policy needs.

TIMELINE:

- Staff to conduct evaluation and report back with findings, proposed solutions, and cost estimates at the **May 1, 2025 Council Meeting**.
- Immediate mitigation options to be identified and, if feasible, implemented within **30 days** of Council direction.

FINANCIAL IMPACT:

- Minor costs if windscreens or signage are installed using Parks & Rec resources.
- Additional budgetary consideration may be required for engineered solutions, fencing extensions, or driving range redesign.
- Potential cost avoidance if risk mitigation reduces liability exposure.

RECOMMENDATION:

Approve directive for City Staff to:

- Assess safety concerns and mitigation solutions.
- Provide cost estimates.
- Return with actionable recommendations and legal considerations at the May 1, 2025 City Council Meeting.

AGENDA ITEM NO. 4

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	April 3, 2025
SUBMITTED BY:	Mayor Sullivan, City Council
SUBJECT:	Discussion regarding the Irrigation System Sub-Committee Report.

AGENDA ITEM NO. 5

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	April 3, 2025
SUBMITTED BY:	Mayor Sullivan, City Council
SUBJECT:	Discussion, consideration and possible action on the Council comments listed on the Dashboard regarding the City's Work Plan.
FINANCIAL IMPACT:	n/a

AGENDA ITEM NO. 6

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Gary Bosherars, Police Department

SUBJECT: Discussion on analysis of speed limit inconsistencies by the Chief of Police.

BACKGROUND:

During the March 6, 2025 meeting, the City Council requested the Chief of Police to evaluate areas within the city where speed limits may be inconsistent or change frequently, potentially causing confusion or unnecessary issues for motorists. Specific areas highlighted during this discussion included:

- Lohman Ford Road (entire roadway)
- Boggy Ford Road (section where the speed limit transitions from 35 MPH to 30 MPH)

To provide data-driven insights, the Chief of Police conducted an analysis using the department's records management system to review the number of traffic stops and collisions occurring on these roadways. The review period spanned from June 25, 2024, to March 25, 2025.

Findings:

- Lohman Ford Road
  - Traffic Stops: 1,344
  - Collisions: 29
- Boggy Ford Road
  - Traffic Stops: 228
  - Collisions: 7

FINDINGS:

Speed Limits on Lohman Ford Road

The speed limits along Lohman Ford Road within the city limits of Lago Vista are as follows:

- From the intersection of Lohman Ford Road & RM 1431, traveling south:
  - First 0.2 miles – 35 MPH
  - Next 1.6 miles – 40 MPH
  - Next 1.6 miles – 50 MPH

In total, there are three speed limit changes over approximately 3.4 miles within the city. Additionally, a school zone is located in front of Lago Vista High School, where the speed limit is reduced from 50 MPH to 35 MPH when active. This school zone extends 0.4 miles.

At the intersection of Lohman Ford Road and Boggy Ford Road, a yellow speed advisory sign recommends reducing speed to 40 MPH when approaching the traffic signal. This is an advisory sign only and does not establish a mandatory speed reduction. South of the city limits, the speed limit on Lohman Ford Road changes to 45 MPH.

Considerations for Speed Limit Adjustments

The Chief of Police has evaluated potential changes to improve consistency and safety along Lohman Ford Road, including the possibility of setting a uniform speed limit of 45 MPH throughout the roadway. However, two key concerns were identified:

1. Intersection of Lohman Ford Road & Dawn Drive – This intersection experiences significant traffic congestion, particularly in the afternoons and evenings. Increasing the speed limit may elevate traffic hazards in this area.
2. Lack of Existing 45 MPH Zones – There are currently no areas within the city limits where the speed is posted at 45 MPH, making such a change inconsistent with current roadway designations.

Recommended Options for Lohman Ford Road

The Chief of Police presents the following two options for consideration:

1. Maintain the current speed limits – Keeping the existing three speed limit zones (excluding the school zone when active).
2. Establish a uniform speed limit of 40 MPH – Implementing a consistent 40 MPH speed limit throughout the city limits would eliminate frequent speed changes while avoiding an increase in traffic hazards at the Dawn Drive intersection.

Speed Limits on Boggy Ford Road

The City Council previously adjusted the speed limit on most of Boggy Ford Road to 35 MPH, except for a section beyond American Drive, where the speed limit is reduced to 30 MPH.

Upon review, the Chief of Police finds no significant roadway geometry differences or increased residential density in the 30 MPH section compared to the 35 MPH portion. Therefore, there is no compelling reason to justify a lower speed limit in that area. However, public perception should be considered, particularly in light of ongoing speeding complaints on this roadway.

Recommended Options for Boggy Ford Road

1. Maintain the current speed limits – Retaining the existing 35 MPH and 30 MPH designations.
2. Establish a uniform 35 MPH speed limit – Creating consistency by adjusting the entire length of Boggy Ford Road to 35 MPH.

These recommendations are provided for further discussion and consideration.

FINANCIAL IMPACT: Minimal financial impact of changing speed limits, minor costs may include costs of new signs and personnel costs of installing signs.

RECOMMENDATION:

Recommended Options for Lohman Ford Road

The Chief of Police presents the following two options for consideration:

1. Maintain the current speed limits – Keeping the existing three speed limit zones (excluding the school zone when active).
2. Establish a uniform speed limit of 40 MPH – Implementing a consistent 40 MPH speed limit throughout the city limits would eliminate frequent speed changes while avoiding an increase in traffic hazards at the Dawn Drive intersection.

Recommended Options for Boggy Ford Road

1. Maintain the current speed limits – Retaining the existing 35 MPH and 30 MPH designations.
2. Establish a uniform 35 MPH speed limit – Creating consistency by adjusting the entire length of Boggy Ford Road to 35 MPH.

AGENDA ITEM NO. 7

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Maria Franco, City Secretary

SUBJECT: Consider approval of March 20, 2025, Regular City Council Meeting minutes.

FINANCIAL IMPACT: n/a

ATTACHMENTS:
2025-0320 Draft Minutes Regular Council Meeting (2).pdf

These minutes have been prepared to satisfy the requirements of Section 551.021 of the Texas Government Code. Video recordings of most City meetings can be obtained at https://www.lagovistatexas.gov/249/Watch-Meetings

City of Lago Vista, Texas
Regular City Council Meeting
March 20, 2025
Meeting Duration: 1:00 PM to 7:18 PM

BE IT REMEMBERED that on the **20th day of March A.D., 2025**, the City Council held a Regular meeting at 1:00 PM in City Council Chambers, 5803 Thunderbird, Lago Vista, Texas 78645, and via videoconference, there being present and acting the following:

00:00-00:03
CALL TO ORDER, CALL OF ROLL

Members of City Council Present:
Kevin Sullivan, Mayor
Shane R. Saum, Council Member; Place 1
Adam Benefield, Council Member; Place 2
Rob Durbin, Mayor Pro Tem; Place 3
Norma Owen, Council Member; Place 4
Paul Roberts, Council Member; Place 5(By Virtual)
Paul Prince, Council Member; Place 6

Members of City Council Absent:
None

Mayor Sullivan called the meeting to order at 1:00 PM and announced that all Council Members.

Mayor Sullivan noted that Councilor Durbin and Councilor Prince will join the meeting a few minutes later and Councilor Roberts will join the meeting virtually in Executive Session.

City Staff Present: Interim City Manager, Taylor Whichard, City Attorney, Brad Bullock, Chief of Police Gary Boshears, City Secretary Maria Franco, Economic Development Director Eric Zeno, Procurement Manager Eric De La Cruz, H.R. Director Tiffany Sparks, Parks & Recreation Asst. Director Katie Mikulak, I.T. Director Dave Street and Stan Heston.

00:28-02:05
EXECUTIVE SESSION

At 1:01 PM the Council convened into a closed Executive Session pursuant to:

A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section (551.071).

B. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning real property located at 8405 Bar-K, 2401 Newton, 9202 & 9204 Western Trail, pursuant to Texas Government Code Section551.071.
C. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning Caelum Capital, LLC v. City of Lago Vista pursuant to Texas Government Code Section 551.071.
D. Consultation with Legal Counsel concerning legal questions and advice related to roadway impact fee assessments pursuant to Texas Government Code Section 551.071.
E. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 - city manager investigation, and 551.071 – legal advice related thereto.

02:05–07:07

ACTION ON EXECUTIVE SESSION ITEMS

(Action and/or vote may be taken on the following items):

AT **3:06** PM Council reconvened from Executive Session into Open Session to act as deemed appropriate in City Council's discretion regarding:

A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section (551.071).
B. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning real property located at 8405 Bar-K, 2401 Newton, 9202 & 9204 Western Trail, pursuant to Texas Government Code Section551.071.
C. Consultation with Legal Counsel concerning legal questions and advice related to pending or contemplated litigation concerning Caelum Capital, LLC v. City of Lago Vista pursuant to Texas Government Code Section 551.071.
D. Consultation with Legal Counsel concerning legal questions and advice related to roadway impact fee assessments pursuant to Texas Government Code Section 551.071.
E. Consultation with Legal Counsel concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee pursuant to Texas Government Code Section 551.074 - city manager investigation, and 551.071 – legal advice related thereto.

PLEDGE OF ALLEGIANCE, PLEDGE TO THE TEXAS FLAG

Mayor Sullivan led the Pledge of Allegiance and the Pledge to the Texas Flag.

INVOCATION

Councilor Durbin gave the invocation.

07:07– 17:29

CITIZEN COMMENTS

Mayor Sullivan opened the citizens' comment period.

Mayor Sullivan recognized those that signed up to address the City Council:

Guy Burkhart addressed the Council regarding activities at Turnback, Dodge Trail at Bar-K Ranch, and the Paseo de Vaca. Mr. Whichard stated that plans have been submitted for review for offsite improvements.

- David VonOhlerking addressed the Council concerning ensuring accountability, competence and transparency. Mr. VonOhlerking played multiple recordings of city personnel from his cell phone.

- *EBZ VonOhlerking donated her 3-minute time to David VonOhlerking*
- *Mario Thomas donated his 3-minute time to David VonOhlerking*
- *Deborah Gill donated her 3-minute time to David VonOhlerking*

Mayor Sullivan noted that Councilor Roberts is no longer present online for the meeting.

17:29 – 21:58

ITEMS OF COMMUNITY INTEREST

Mayor Sullivan informed the public of the following:

1. **Hazardous Household Waste Pickup**
   The next hazardous household waste pickup will be on **Monday, March 24th**. To schedule your pickup, please do so by **Saturday, March 22nd**. For more details, visit the City's website.
2. **The Green Center Hours**
   The Green Center will be open on:
   - **Thursday, April 3rd: 7:00 AM - 4:00 PM**
   - **Saturday, April 5th: 10:00 AM - 4:00 PM**

   Location: 21155 FM 1431 (1/4 mile west of Lago Vista Middle School).
   Note: Please bring a copy of your City of Lago Vista utility bill and a photo ID for verification. For more details, check the City's website.
3. **Lago Fest 2025: Volunteers, Vendors, and Sponsors Needed!**
   We're still accepting applications for volunteers, vendors, and sponsors for Lago Fest 2025 on **Saturday, April 26th!** We have 10 sponsor tent spaces available, so act fast before they fill up! Sponsorship opportunities close on **Monday, March 31st**. For more information and to apply, visit www.lagofest.com.
4. **Spring Texas Trash-Off**
   Join us for the Spring Texas Trash-Off on Saturday, **April 19th**, from **8:00 AM to 5:00 PM** at 5901 Municipal Court Way, next to the Police Station. For more information, visit the City's website.

Councilor Saum informed the Council that the Texas Legislature is in session and encouraged the public to pay attention to the bills that are being brought up and said you have an opportunity to go and testify in support or against those bills. Councilor Saum gave gratitude to the City's local Leos which is the youth portion of the Lions Club and said Councilors Owen and himself

accompanied some of those students to the State Capitol this week and stated he was proud of the students for engaging in the topics and visiting with their legislators.

Councilor Benefield reminded everyone that KLVB is hosting a City-Wide Spring Clean-Up on April 12, 2025 and said that the City of Lago Vista is having their City Clean-up on April 19, 2025.

Councilor Owen wished the LVISD students a happy and safe Spring Break, and also informed of the Lions Club having a Spirit day at the Bunker on April 8, 2025.

21:58 – 38:27

STAFF AND COUNCIL LIAISON REPORTS

1. Routine Reports from City Staff.

   Mr. Whichard stated that Finance Staff Nichole Navarro is working on the unaudited financial statements and said they should be posted on the website in a few days.

2. Routine Reports from City Council Liaison.

- Charter Review Committee. Councilmembers Saum & Prince
- Building and Standards Commission, Councilor Benefield Keep Lago Vista Beautiful, Councilor Benefield
- Lago Vista Starry Skies, Councilor Benefield Airport Advisory Board, Mayor Pro Tem Durbin
- Planning & Zoning Commission, Mayor Pro Tem Durbin
- Economic Development Advisory Committee, Councilor Owen
- Lago Vista Independent School District, Councilor Owen
- Lago Vista Property Owner's Association, Councilor Owen
- Turnback Canyon Trail Conservancy, Councilor Owen
- Golf Course Advisory Committee, Councilor Prince
- Library Advisory Board, Councilor Prince
- Parks & Recreation Advisory Committee, Councilor Prince
- Board of Adjustment, Councilor Roberts
- Governmental Affairs, Councilor Saum
- Water Issues; Lower Colorado River Authority Board, Texas
- Water Development Board, and other entities as appropriate, Councilor Saum
- Youth Advisory Committee, Mayor Sullivan
- Capital Area Council of Governments, Mayor Sullivan
- CapMetro, Mayor Sullivan
- Texas Department of Transportation, Mayor Sullivan

38:25 – 47:32

CITIZEN COMMENTS

Mayor Sullivan reopened the citizens' comment period and recognized:

Benjamin Heckendorf who addressed the Council regarding an incident with the Lago Vista Police and himself and spoke of police corruption in LVPD.

47:32 – 1:11:09

PRESENTATION

3. State of the City Address. *(Supplement included in the packet)*

   Mayor Sullivan recognized Deborah Gill who addressed the Council concerning bringing entertainment to the City and asked if the City budgets for such events.

1:11:10

WORK SESSION

1:11:10 – 1:24:38

4. Discussion regarding the City of Lago Vista pool fee increase.
Parks & Recreation Asst. Director Katie Mikulak addressed the Council concerning raising the City of Lago Vista swimming pool fee and also renting out the entire pool.

Mayor Sullivan asked the Council to leave item #4 open and go to Item #5 and come back to Item #4 for further discussion.

1:24:38 – 1:43:23

5. Discussion regarding the Impact Fee CIP Evaluation and update process.

The Council tabled the item and directed Mr. Whichard to gather additional information and bring it back to the next Council meeting on April 3, 2025.

No action taken.

1:43:23-1:59:44

The council went back to discuss Item #4.

The Council tabled the item and directed staff to present an analysis of the pool increase fee. The item will be back on the agenda for the next City Council meeting on April 3, 2025.

1:59:44 – 2:17:58

6. Discussion on Asset Management and provide Council with an update.

Eric De la Cruz gave an update on the asset management and informed the Council that the City uses Beehive program for the city vehicles maintenance status.

No action taken.

2:46:01-2:49:17

7. Discussion regarding the Irrigation System Sub-Committee Report.

No action taken.

1:27:09 –1:57:57

CONSENT AGENDA

The Consent Agenda Items Are Self-Explanatory by The City Council or Have Been Previously Discussed and Will Be Enacted with One Motion. There Will Be No Separate Discussion of These Items Unless a Council Member Requests. The Consent Agenda Is for Consideration by The City Council Only and Not Subject to Public Discussion.

8. Consider approval of the Minutes of March 2025, Regular City Council Meeting.
9. Consider approval of February 25, 2025, Special Called City Council Meeting Strategic Planning minutes.
10. Consider approval of February 26, 2025, Special called City Council Meeting Strategic Planning minutes.
11. Consider approval of March 6, 2025, Special Called City Council Meeting minutes.

2:50:49 - 3:12:36

12. Discussion, consideration, and possible action approving and authorizing the City Manager to purchase a new 2025 Ford PIU Interceptor with up-fitting in the amount of $79,872 which was approved in FY-25's budget.

3:12:36 – 3:20:13

13. Discussion, consideration, and possible action on passing Resolution No. 25-2123 initiating and entering into Stage 2 Watering Restrictions as per the City's and LCRA's adopted Drought Contingency Plans.

Councilor Durbin requested that Item #12 be removed from the Consent Agenda for discussion.
Councilor Prince requested that Item #13 be removed from the Consent Agenda for discussion.

MOTION: Councilor Owen made a motion seconded by Councilor Durbin to approve the Consent Agenda, Items #8,9,10 &11. The motion carried unanimously six (6) ayes to zero (0) nays.

MOTION: Councilor Benefield made a motion seconded by Councilor Owen to table **Item #12** on the Consent Agenda, and bring at a next Council meeting to discuss the possibility of leasing PD vehicles, and to not make any purchases until the financial city statements are posted on the website, motion carried, unanimously six (6) ayes to zero (0) nays.

MOTION: Councilor Owen made a motion seconded by Councilor Prince to approve **Item #13** on the Consent Agenda, approving **Resolution No. 25-2123**. The motion carried unanimously six (6) ayes to zero (0) nays.

ACTION ITEM

3:20:13 – 3:50:03

14. Discussion, consideration and possible action regarding Resolution No. 25-2122 establishing enhanced reporting requirements for the City Manager's Weekly Report.

MOTION: Councilor Benefield made a motion seconded by Councilor Durbin to table item and for Mr. Whichard to produces a metrics template, Motion carried unanimously six (6) ayes to zero (0) nays.

3:50:03 – 4:13:47

15. Discussion, consideration and possible awarding Bennett Paving's bid for RFP 25-04 in the amount of $2,917,882.45 to re-pave over 47 City streets and authorize the Interim City Manager to execute the contract.

MOTION: Councilor Benefield made a motion seconded by Councilor Saum to table item until the next Council meeting, motion carried six (6) ayes to zero (0) nays.

2:17:58 – 2:46:01

16. Discussion, consideration and possible action regarding approval of the City Facility Naming/Renaming application submitted by the Friends of the Library to name the greenspace as "Friends of the Library Park".

MOTION: Councilor Benefield made a motion seconded by Councilor Saum to table until both the KLVB and Friends of the Library agree on what to name the greenspace and bring item back to the Council, motion carried unanimously six (6) ayes to zero (0) nays.

4:13:47

ADJOURNMENT

Mayor Sullivan adjourned the meeting at 7:18 PM

Respectfully submitted,

ATTEST:

_____

Maria Franco
City Secretary, TRMC

CITY OF LAGO VISTA, TEXAS

_____

Kevin Sullivan, Mayor

On a motion by Councilor _____, seconded by Councilor _____, the above and foregoing instrument was passed and approved this **3rd** day *of* ***April 2025***.

AGENDA ITEM NO. 8

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Mayor Sullivan, City Council

SUBJECT: Discussion, consideration and possible action regarding Keep Lago Vista Beautiful, Art in Public Places, proposed improvements to the wall located at the Police Department on 20413 Dawn Dr.

BACKGROUND: This is part of KLVB's ongoing art in public places campaign. This location was previously identified, and is only halfway completed at this point.

FINDINGS: The art proposed is the old and current patches for LVPD, along with the old and current patches for ESD. It will be a total of four (4) patches painted on to the side of the structure as shown in the attached image.

FINANCIAL IMPACT: n/a

ATTACHMENTS:
new design 4 patches.jpg




POLICE

AGENDA ITEM NO. 9

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Maria Franco, Parks and Recreation

SUBJECT: Discussion, consideration and possible action on raising the Pool Fee Schedule and adding Parties.

BACKGROUND: The pool fees have been raised since 2019.

FINDINGS: Maintenance and Repairs: Pools require ongoing maintenance, including regular cleaning, chemical balancing, and equipment upkeep, to ensure they remain safe and functional.
Rising Operational Costs: The costs of chemicals, staffing, and utilities (such as water and electricity) have all increased, contributing to the rise in fees.

Inflation: Like most services, inflation has affected the overall cost of operating and maintaining the pool.

Enhancements and Upgrades: To improve the overall experience, investments in new features, safety equipment, and facility upgrades are necessary.

Sustainability: The increase in fees is essential to maintain the pool's long-term viability, ensuring it stays operational and continues to serve the community.

Results of Survey: The survey was conducted from Tuesday to Tuesday.

FINANCIAL IMPACT: Minimal. Costs will be added to the entry fee and additional activities if approved adjustments are made.

ATTACHMENTS:
Pool Fee Schedule Update.pptx

Pool Fee Schedule Update

By: Katie Mikulak

Assistant Director of Parks and Recreation/Airport

Cost in 2023 -2024

The pool was filled only from May to September

The chemical budget was $8,000

Professional services was $50,000

Cost in 2024-2025

The pool is now filled year round

Chemical cost were reduced to $5,400

Professional services were increased to $81,500

Pool Party - Weekday (Wednesday)

PROS:

1. Set time frame
2. Available each Wednesday for the months of June and July
3. Less crowded
4. Easy to book
5. Consistent schedule each week
6. Not open to public during that timeframe

   Example: 5pm – 7pm

CONS:

1. Potential work conflict
2. Commuting for out-of-town guests
3. Only 2-hour time slot versus 4-hour option
4. Closed to public on Wednesday during normal operating hours
5. Increased cost for lifeguards – separate rate applies

Pool Party - Weekend (Saturday)

PROS:

1. More guest availability
2. Longer duration 2-to-4-hour time slot
3. Not open to the public
4. Offer parties before normal operating hours –

   Example: 9am – 1pm or
   11am – 1pm

CONS:

1. Closed to public on Saturday during normal operating hours
2. Increased cost for lifeguards – separate rate applies
3. Inconsistent scheduling based on length of party
4. Only available 2 Saturdays a month

Pavilion Rentals

Pavilion Rentals are still available during normal pool hours

What's included in the Pavilion Rental ?

- ❑ Covered Pavilion
- ❑ Minimum 2 Hour time slot
- ❑ Maximum 4-Hour time slot
- ❑ 30 People maximum per reservation
- ❑ Two picnic tables
- ❑ Rate $15.00 for 2-hour slot
- ❑ Rate $30.00 for 4-hour slot

Water Aerobics

- Currently offered free of charge
- During June and July about 16 sessions for the season
- Tuesday and Thursday
- From 11:30 am – 12:30 pm
- Attendance is between 45-70 per session

Golf Fees - Sec 10.200 Golf Course Fees

Fees were increased in **March 2023**. Only thing that did not change was the Membership Fee

Daily rates:

1. Weekday (Monday-Thursday): Regular- 18 holes per person (includes city cart): ~~$37.00~~ $48.00.
2. Weekend (Friday- Sunday): Regular- 18 holes per person (includes city cart): ~~$43.00~~. $54.00.
3. Senior (age 60+) weekday: Regular- 18 holes per person (includes city cart): ~~$32.00.~~ $44.00.
4. Senior (age 60+) weekend: Regular- 18 holes per person (includes city cart): ~~$38.00.~~ $49.00.
5. Juniors (up to age 18 with school ID): Free with paying adult 7 days a week. Junior Walking (7 days a week): $10/ per person.
6. Junior Riding (7 days a week with valid driver's license): $18/per person.
7. Twilight weekday (after 2:00 p.m.): ~~$27.00~~ $38.00/per person.
8. Twilight weekend (after 2:00 p.m.): ~~$33.00~~ $44.00/per person.
9. Super Twilight - 7 days/week (after 4:00 p.m.): ~~$25.00~~ $36.00/per person.
10. 9 Hole rate (7 days a week): ~~$27.00~~ $31.00/per person.

RECAP and Decisions to Make

- Results of pool survey
- Increase of $0.50 per hour on the daily rates, regardless of age?
- Should there be a charge for water aerobics class?
- Should we reconsider holding pool parties on a weekday or weekend
- Closing or not closing the pool to the public for the duration of the pool party?

AGENDA ITEM NO. 10

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Taylor Whichard, Human Resources

SUBJECT: Discussion, consideration, and possible action regarding revisions to the Employee Handbook Pg. 73, Section 1: Rules Governing Holidays.

BACKGROUND: Our current policy states:
"Holidays that fall on a non-scheduled workday will be used as a float holiday and must be taken before December 31, 2025."

However, not all employees are able to use their banked holiday time before the deadline. Several departments—such as Police, Utilities, and Streets—are often required to work on holidays due to the essential nature of their services.

FINDINGS: Many employees are unable to take their holiday leave within the calendar year. Both the Public Works Director, and Chief of Police, who run the two largest department, fully support this change.

FINANCIAL IMPACT: In 2024 alone, this resulted in a total of 1,866 holiday hours being forfeited.

RECOMMENDATION: Approve

ATTACHMENTS:
pg 73 edits of Handbook.docx 3.pdf
HR Leave Audit Report .pdf

Day After Christmas	December 26th
~~Employee Option Day~~	Employee/Supervisor Discretion

1. **Rules Governing Holidays**

- Monday-Friday schedules- If the holiday occurs on Saturday, it will be observed on the preceding Friday. If the holiday occurs on Sunday, it will be observed the following Monday. The Mayor, upon approval by the City Council, may issue a proclamation declaring any day a holiday.
- Monday-Thursday schedules- If the holiday occurs on Saturday, it will be observed on the preceding Thursday, If the holiday falls on a Sunday, it will be observed on the following Monday
- ~~Full-time regular employees will receive holidays off with pay. If a full-time regular, non-exempt employee is required to work on a holiday, that employee will be paid their regular hourly rate and will accrue a leave day to be taken in the future. Any accrued holiday leave will be paid upon termination.~~
- Full-time regular employees will receive holidays off with pay. If a full-time regular, non-exempt employee is required to work on a holiday, that employee will be paid time and a half for all hours worked on the holiday.
- Part-time employees who regularly work at least 25 hours weekly may be granted reduced holiday benefits. Temporary employees are not eligible for paid holidays.
- An employee who is absent without leave on the day immediately preceding or following a City holiday shall not be paid for the holiday.
- City employees accrue an Employee Option Day after the employee completes six (6) months of satisfactory performance. Police officers accrue an Employee Option Day after the officer completes one (1) year of satisfactory performance.
- If an official holiday falls within a regular employee's vacation, the employee will be granted the holiday and not charged for a day of vacation.

- This section applies to employees who work on shifts other than Monday through Friday. Whenever a legal holiday on the current year's list of approved holidays falls on a regular employee's regular day off and the employee does not work that day, he or she will ~~(1)~~ be provided with an alternate day off on what would otherwise have been a regular workday for the employee.~~, or (2) be paid his or her regular salary amount for the pay period involved, plus eight additional hours for the holiday~~.

40

========== DETAIL TOTALS ==========	LEAVE CODE	===CARRY===	===EARNED==	===TAKEN===	==ADJUSTED=
****** TOTALS ******	A-OPTION DAY	0.00	0.00	0.00	61.37-
****** TOTALS ******	B-COVID-19	0.00	0.00	0.00	10.75-
****** TOTALS ******	C-WEATHER	0.00	0.00	0.00	293.00-
****** TOTALS ******	D-	0.00	0.00	0.00	0.00
****** TOTALS ******	E-	0.00	0.00	0.00	0.00
****** TOTALS ******	F-	0.00	0.00	0.00	0.00
****** TOTALS ******	H-HOLIDAY	0.00	0.00	0.00	814.08-
****** TOTALS ******	S-SICK	0.00	0.00	0.00	0.00
****** TOTALS ******	V-VACATION	0.00	0.00	0.00	0.00
****** TOTALS ******	T-COMP TIME	0.00	0.00	0.00	0.00

Dec 2024 Forfeited hrs
1179.20

Dec & Feb Total
1866

41

========== DETAIL TOTALS ==========	LEAVE CODE	===CARRY===	===EARNED==	===TAKEN===	==ADJUSTED=
****** TOTALS ******	A-OPTION DAY	0.00	0.00	0.00	56.75-
****** TOTALS ******	B-COVID-19	0.00	0.00	0.00	0.00
****** TOTALS ******	C-WEATHER	0.00	0.00	0.00	0.00
****** TOTALS ******	D-	0.00	0.00	0.00	0.00
****** TOTALS ******	E-	0.00	0.00	0.00	0.00
****** TOTALS ******	F-	0.00	0.00	0.00	0.00
****** TOTALS ******	H-HOLIDAY	0.00	0.00	0.00	629.70-
****** TOTALS ******	S-SICK	0.00	0.00	0.00	0.00
****** TOTALS ******	V-VACATION	0.00	0.00	0.00	0.00
****** TOTALS ******	T-COMP TIME	0.00	0.00	0.00	0.00

Feb 2025 Forfeited hrs
686.45

Dec & Feb Total
1866

AGENDA ITEM NO. 11

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Taylor Whichard, City Manager

SUBJECT: Discussion regarding the Impact Fee CIP Evaluation and update process.

BACKGROUND:

Impact fees are a critical tool that allows the City of Lago Vista to ensure that new development contributes its fair share to the expansion of essential infrastructure, including water, wastewater, and roadway systems. These fees help fund capital improvements necessary to support growth while minimizing the financial burden on existing residents and businesses.

In Spring 2024, the City adopted a Wastewater Master Plan, outlining future system improvements needed to accommodate growth and regulatory compliance. On March 6, 2025, the City Council formally adopted the Water Master Plan, which provides a roadmap for water infrastructure expansion and system reliability enhancements. Additionally, the City's Thoroughfare Plan includes roadways that require modifications, including the removal of certain roads and the addition of others to align with projected traffic patterns and development needs.

To ensure that impact fees remain equitable and reflect current infrastructure demands, the City must evaluate and revise its water, wastewater, and roadway impact fees based on:

1. The adopted Water and Wastewater Master Plans – These documents identify future projects and cost estimates necessary to provide adequate service.
2. Revisions to the Thoroughfare Plan – The roadway impact fee must be updated to reflect current and future transportation infrastructure needs.

3. Regulatory Requirements – Compliance with Chapter 395 of the Texas Local Government Code, which governs the development, adoption, and implementation of municipal impact fees.

FINDINGS:

At a minimum, the process of evaluating and revising the City's impact fees requires adherence to the following key steps:

1. Land Use Assumptions Update
    - The City must review and update its land use assumptions based on current and projected growth patterns.
    - This ensures impact fees are based on anticipated development over a designated planning horizon.
2. Capital Improvements Plan (CIP) Development
    - The City will prepare an updated Capital Improvements Plan (CIP) outlining eligible projects for water, wastewater, and roadway infrastructure.
    - The CIP will reflect the findings of the Water and Wastewater Master Plans and modifications to the Thoroughfare Plan.
3. Impact Fee Calculation & Maximum Allowable Fee Determination
    - A financial analysis will be conducted to determine the maximum allowable impact fees that can be charged based on proportionate cost allocation.
    - The City may adopt fees at or below the maximum allowable rate, but not above it.
4. Public Involvement & Stakeholder Engagement
    - The Capital Improvements Advisory Committee (CIAC) must review and provide recommendations on the proposed impact fees.
    - The City must hold a public hearing to allow residents, developers, and stakeholders to provide input before Council adoption.
5. City Council Consideration & Adoption
    - The City Council will evaluate the revised impact fees, considering financial impacts, legal compliance, and policy objectives.

- Fees cannot take effect immediately and must follow public notice and hearing requirements

6. Implementation & Periodic Review

    - Once adopted, the City will implement the revised impact fees for applicable new developments.
    - State law requires periodic reviews and updates to ensure fees remain aligned with infrastructure needs and regulatory changes.

The proposed impact fee updates will ensure that the City of Lago Vista has a fair, transparent, and legally compliant funding mechanism for water, wastewater, and roadway infrastructure that supports future growth.

FINANCIAL IMPACT: Will lead to eventual revisions of the City's impact fees.

AGENDA ITEM NO. 12

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Councilor Saum, City Council

SUBJECT: Discussion, consideration and possible action regarding a City of Lago Vista Policy to establish an Integrated Pest Management (IPM) Program.

BACKGROUND:

At the February 20th City Council meeting, Council gave consensus for the City Manager to work with the Non-Toxic Neighborhoods Association to create an IPM for the City. The association provided a draft model to build off of.

FINDINGS: Please see attachments.

FINANCIAL IMPACT: Unknown at this time.

ATTACHMENTS:
City of Lago Vista IPM Policy.pdf

CITY OF LAGO VISTA INTERGRATED PEST MANAGEMENT POLCIES AND PROCEDURES

INTEGRATED PEST MANAGEMENT POLICY

PURPOSE: To establish criteria for an Integrated Pest Management (IPM) Program.

POLICY: The City of Lago Vista will focus on long-term prevention or suppression of pest problems with minimum impact on human health, the environment, and nontarget organisms with the policy goal to avoid and greatly minimize pesticide use in accordance with direction provided by the City of Lago Vista for Parks, Fields, Playgrounds and Dog Parks; City-wide Pest Management Guiding Principles, and an annual update.

Parks, Fields, Playgrounds, and Dog Parks
When pesticides are needed, use the following prioritized approach: (1) organic pesticides and/or Organic Materials Review Institute (OMRI) listed substances; (2) Water Quality Act Allowed Pesticides; and (3) EPA Level III "caution" labeled pesticides only when deemed necessary to protect public health and economic impact by a licensed pest control adviser.

City-wide Pest Management Guiding Principles

A. Use of organic pesticides in all City properties when pesticides are needed.
B. Limit exposure to any pesticides where children and the general public congregate.
C. Incorporate additional guidance on use of pesticides for city rights of way, facilities, and other properties as reflected in the staff report.
D. Use EPA Level pesticides in a targeted manner, and only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and designated City staff, when pests cannot be managed by other methods that we would have.

Annual Update
Staff will return to the City Council annually with an update.

PROCEDURES:
Prevention
City Staff shall review all new development and rehabilitation projects plans to verify compatibility with the site's environment.

Monitoring
1. Quilified City staff shall provide regular monitoring services for all of the City's properties.
2. City staff shall determine if pest populations are increasing, decreasing, or staying the same and to determine when to use a control tactic.
3. City staff ot provide monthly monitoring records which include information such as date of examination, pests found, size and extent of the infestation, location of the infestation, control options utilized, effectiveness of the control options, labor and material costs.

Non Chemical Control Measures
1. The City Staff & Landscape and Pest Control Contractors shall utilize cultural controls which are modifications of normal plant care activities that reduce or prevent pests. In addition to those methods used in the pest preventions. Spacific to the Cities Landscape Contractors other cultural control methods include adjusting the frequency and amount of irrigation, fertilization, and mowing height.

2. The City Staff & Landscape contractors shall utilize mechanical control tactics involve the use of manual labor and machinery to reduce or eliminate pest problems using methods such as handpicking, physical barriers, or machinery to reduce pest abundance indirectly.
3. The City Staff & Landscape Contractors shall utilize the use of environmental manipulations that indirectly control or prevent pests by altering temperature, light, and humidity can be effective in controlling pests. Although in outdoor situations these tactics are difficult to use for most pests, they can be effective in controlling birds and mammals if their habitat can be modified such that they do not choose to live or roost in the area.
4. The City Staff & Landscape Contractors shall utilize a biological control practice which uses living organisms to reduce pest populations. These organisms are often also referred to as beneficials, natural enemies or biocontrols. They act to keep pest populations low enough to prevent significant economic damage. Biocontrols include pathogens, parasites, predators, competitive species, and antagonistic organisms. Beneficial organisms can occur naturally or can be purchased and released. The most common organisms used for biological control in landscapes are predators, parasites, pathogens and herbivores.

Pesticide Controls

Pesticides are to be utilized in a prioritized approach on City properties as follows:

Parks, Fields and Playgrounds, and Dog Parks

When pesticides are needed, use the following prioritized approach: (1) organic pesticides and/or Organic Materials Review Institute (OMRI) listed substances; (2) Water Quality Act Allowed Pesticides; and (3) EPA Level III "caution" labeled pesticides only when deemed necessary to protect public health and economic impact by a licensed pest control adviser.

Rights of Way (Street medians/parkways) – Prioritized Use of Pesticides:

A. Use organic pesticides and/or Organic Materials Review Institute (OMRI) listed substances first, when pesticides are needed.
B. Use Clean Water Act allowed pesticides.
C. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control advisor and approved by City staff.
D. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and City staff, when other methods do not adequately control the pest.
E. EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and City staff, when other methods do not adequately control the pest.

Facilities/Buildings – Prioritized Use of Pesticides:

A. Use organic pesticides and/or Organic Materials Review Institute (OMRI) listed substances first, when pesticides are needed.
B. Use Clean Water Act allowed pesticides.
C. Bait formulations of insecticides will be used where appropriate.
D. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control advisor and approved by City staff.
E. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and City staff, when other methods do not adequately control the pest.
F. EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and City staff, when other methods do not adequately control the pest.

Other City Properties – Prioritized Use of Pesticides:

A. Use organic pesticides first and/or Organic Materials Review Institute (OMRI) listed substances, when pesticides are needed.
B. Use Clean Water Act allowed pesticides

C. EPA Level III “caution” label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control advisor and City staff.
D. EPA Level II “warning” label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and City staff, when other methods do not adequately control the pest.
E. EPA Level I “danger” label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and City staff, when other methods do not adequately control the pest Pesticides should only be used when other methods fail to provide adequate control of pests and just before pest populations cause an unacceptable damage, since the overuse of pesticides can cause beneficial organisms to be killed and pest resistance to develop.

Approvals and Application of Chemical Pesticides

A. Pesticides shall be approved by City staff for their area of oversight prior to use. A written recommendation of proposed pesticide, including commercial name, concentrations, allocation rates, usage and reentry time shall be prepared by a licensed Texas Pest Control Advisor and site specific schedule submitted for approval. No work shall begin until written approval of use is obtained and a notice of intent has been filed as required. Copies of Safety Data Sheets and specimen labels shall be given to the City prior to pesticide use on City property.
B. Chemicals shall only be applied by those persons possessing a valid Texas Qualified Applicator license/certificate. Application shall be in strict accordance with all governing regulations. Records of all operations shall be kept per the Department of Pesticide Regulation.
C. Pesticides shall be applied in a manner to avoid contamination of non-target areas. Precautionary measures shall be employed to keep the public from entering the spray zone.
D. Posting of signs shall be required at all park facilities when any application of pesticides is performed.
E. Environmental Protection: The City of Lago Vista operates under the Pesticides General Permit (PGP) TXG870000, administered by the Texas Commission on Environmental Quality (TCEQ). This permit regulates the discharge of pesticides into, over, or near waters of the United States within City limits. All pesticide applications must comply with state and federal regulations, including those set forth by the Texas Department of Agriculture (TDA). Any use of Restricted Use Pesticides (RUPs) or State-Limited-Use Pesticides requires application by a TDA-licensed Commercial or Noncommercial Pesticide Applicator in the appropriate category. Within the City, PGP compliance reporting is coordinated through the Watershed Protection Division. Any potential adverse incidents involving pesticides must be immediately reported to Watershed Protection and/or PARD.

Specific requirements for posting are as follows:

- Post signs at all park entrances at least 48 hours prior to spraying applications. The vendor’s contact information, chemical name and application date must be listed.
- Place spray notices inside plastic page protectors. Attach them to a four-foot (4’) high wooden stake. Signs must be readable 25’ away from posted area.
- Leave the same signs up for 72 hours after the spraying applications are completed, then remove promptly.
- A temporary mesh fence such as orange plastic construction fencing can be erected on the perimeter of any area that is to be treated with a broadcast type application with the intent to keep people and pets off the treated area for a period of 24 hours.

Records and Reporting

Records of all pesticides used by the The City of Lago Vista’s Staff & Contractors on City property shall be retained in accordance with the Department of Pesticide Regulation.

_____ City staff will keep records of all pesticide usage and provide an annual report to the City Council.

AGENDA ITEM NO. 13

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Councilor Roberts, City Council

SUBJECT: Discussion, consideration, and possible action to refer a draft amendment to Chapter 14 (Zoning) of the Lago Vista Code of Ordinances to the Planning and Zoning Commission for review and recommendation pursuant to ordinance procedure.

BACKGROUND:

The City Council has not yet reviewed a proposed Growth Management and Infrastructure Coordination Ordinance, which would establish enforceable regulations linking development timing with infrastructure availability. As a precursor to that potential action, I am proposing a draft amendment to Chapter 14 (Zoning) of the Lago Vista Code of Ordinances.

This amendment would ensure that any rezoning, Planned Development District (PDD), or Special Use Permit (SUP) approval is consistent with the principles and standards of a future growth management ordinance, if adopted.

Because Chapter 14 requires Planning and Zoning Commission review and recommendation before any zoning ordinance amendment can be adopted, this action simply seeks Council authorization to begin that referral process. No ordinances are being adopted or approved at this time.

FINDINGS:

- Chapter 14 requires that zoning ordinance amendments be reviewed and recommended by the Planning and Zoning Commission before Council may act.
- Council has not yet considered the proposed Growth Management and Infrastructure Coordination Ordinance, but it may be brought forward for discussion following P&Z's input on related zoning provisions.
- Referral to P&Z ensures compliance with required procedures and promotes transparency and public input.

Authorize the referral of the draft zoning amendment to the Planning and Zoning Commission for review, public hearing, and formal recommendation, in accordance with the requirements of Chapter 14 of the Lago Vista Code of Ordinances.

FINANCIAL IMPACT: None anticipated.

ATTACHMENTS:
2025-03-28 _ DRAFT ORDINANCE to P&Z _ Infrastructure coordination.pdf

***DRAFT ORDINANCE* — FOR REFERRAL TO PLANNING AND ZONING COMMISSION**

ORDINANCE NO. [INSERT ORDINANCE NUMBER]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14 (ZONING) OF THE LAGO VISTA CODE OF ORDINANCES TO REQUIRE THAT REZONINGS, PLANNED DEVELOPMENT DISTRICTS, AND SPECIAL USE PERMITS BE CONSISTENT WITH THE GROWTH MANAGEMENT AND INFRASTRUCTURE COORDINATION ORDINANCE; PROVIDING FOR SAVINGS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted a Growth Management and Infrastructure Coordination Ordinance to ensure development proceeds in conjunction with infrastructure availability;

WHEREAS, it is necessary to ensure that zoning approvals are consistent with the standards and phasing requirements of that ordinance;

WHEREAS, Section [insert applicable section] of Chapter 14 requires that zoning ordinance amendments be submitted to the Planning and Zoning Commission for recommendation and report, and that public hearings be held before adoption;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

SECTION I. AMENDMENT

Section 3.20 (Coordination with Other Documents) of Chapter 14 of the Lago Vista Code of Ordinances is hereby amended to add Subsection (c), which shall read as follows:

"(c) Approval of any rezoning, Planned Development District (PDD), or Special Use Permit (SUP) shall be contingent upon consistency with the City's adopted Growth Management and Infrastructure Coordination Ordinance. This requirement applies to all development types and shall not be waived or modified except by City Council."

SECTION II. SAVINGS CLAUSE

All ordinances or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION III. SEVERABILITY CLAUSE

If any provision of this ordinance is found to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions.

SECTION IV. EFFECTIVE DATE

This ordinance shall become effective upon its final passage and approval following compliance with the procedural requirements of Chapter 14.

[FOR USE AFTER P&Z ACTION]

PASSED AND APPROVED on this [Insert Date] day of [Insert Month], 2025.

Kevin Sullivan, Mayor

ATTEST:

Maria Franco, City Secretary

On a motion by Councilmember _____, seconded by Councilmember _____, the above and foregoing ordinance was passed and approved.

AGENDA ITEM NO. 14

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 3, 2025

SUBMITTED BY: Councilor Roberts, City Council

SUBJECT: Discussion, consideration, and possible action to refer a draft amendment to Chapter 14 (Zoning) of the Lago Vista Code of Ordinances establishing agenda eligibility and completeness requirements for Planning and Zoning Commission applications to the Planning and Zoning Commission for public hearing and recommendation.

BACKGROUND:

City Council has previously directed, as a matter of policy, that applications for zoning, subdivision, or site development actions not be placed on the Planning and Zoning Commission agenda unless they are complete and accompanied by a staff report. This ensures that when notices are sent to the public at least 15 days prior to a public hearing, all necessary information is available for public review.

Due to staff turnover and the absence of a codified ordinance, this procedure has not been consistently enforced. The proposed ordinance formalizes the existing policy to ensure transparency, consistency, and regulatory integrity going forward.

Applicants often request premature placement on agendas and offer to submit missing materials at a later time, creating challenges for staff and eroding the quality of public review. This ordinance will empower staff to decline such requests and prevent incomplete applications from being prematurely scheduled.

FINDINGS:

- Public hearing notices must be supported by complete documentation and staff reports to allow informed public comment.
- Prior Council direction has not been formalized in

ordinance, leading to lapses in enforcement.
- Codification will ensure long-term compliance regardless of staff transitions.
- The ordinance protects the integrity of the public review process and shields staff from undue pressure to place incomplete applications on the agenda.

Authorize referral of the attached ordinance to the Planning and Zoning Commission for public hearing and recommendation.

FINANCIAL IMPACT: N/A

ATTACHMENTS:
2025-03-28 _ DRAFT ORDINANCE to P&Z _ 15 Days.pdf

***DRAFT ORDINANCE* — FOR REFERRAL TO PLANNING AND ZONING COMMISSION**

ORDINANCE NO. [INSERT ORDINANCE NUMBER]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING CHAPTER 14 (ZONING) OF THE LAGO VISTA CODE OF ORDINANCES TO ESTABLISH AGENDA ELIGIBILITY AND COMPLETENESS REQUIREMENTS FOR PLANNING AND ZONING COMMISSION APPLICATIONS; PROVIDING FOR SAVINGS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lago Vista has directed that public hearing applications must be complete and accompanied by a staff report prior to placement on a Planning and Zoning Commission agenda;

WHEREAS, consistent application of this policy is necessary to maintain transparency and provide meaningful notice to the public;

WHEREAS, applicants frequently attempt to schedule items on an agenda while promising to provide missing materials later, creating staff burden and undermining timely review;

WHEREAS, the City Council finds it appropriate to codify this procedure by ordinance to ensure consistent enforcement and support staff decision-making;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

SECTION I. AMENDMENT

Chapter 14 of the Lago Vista Code of Ordinances is hereby amended to add a new Section 3.22, which shall read as follows:

Section 3.22 – Agenda Eligibility and Completeness Requirements

(a) No application for zoning (including rezonings, Planned Development Districts, and Special Use Permits), subdivision (including preliminary and final plats), or site development approval shall be scheduled for public hearing or placed on the agenda of the Planning and Zoning Commission unless the application is complete and all required submittals have been received by the City.

(b) A written staff report must accompany the agenda item and shall include any findings, analysis, and recommendations prepared by the Development Services Department or designee.

(c) The application materials and staff report must be completed prior to issuance of any notice required under state law or City ordinance for the associated public hearing.

(d) Exceptions to this requirement may only be granted by formal action of the City Council.

(e) This section shall serve to empower staff to decline placement of incomplete applications on an agenda and to reject requests for placement contingent upon future delivery of required documentation.

SECTION II. SAVINGS CLAUSE

All ordinances or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION III. SEVERABILITY CLAUSE

If any provision of this ordinance is found to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions.

SECTION IV. EFFECTIVE DATE

This ordinance shall become effective upon its final passage and approval following compliance with the procedural requirements of Chapter 14.

[FOR USE AFTER P&Z ACTION]

PASSED AND APPROVED on this [Insert Date] day of [Insert Month], 2025.

Kevin Sullivan, Mayor

ATTEST:

Maria Franco, City Secretary

On a motion by Councilmember _____, seconded by Councilmember _____, the above and foregoing ordinance was passed and approved.