



**MINUTES
REGULAR CITY COUNCIL
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street ~ Leander, Texas



Thursday ~ October 16, 2014 at 7:00 PM

Mayor – Christopher Fielder

Place 1 – Andrea Navarrette

Place 2 – Kirsten Lynch

Place 3 – Simon Garcia (Mayor Pro Tem)

Place 4 – Ron Abruzzese

Place 5 – Jason Dishongh

Place 6 – David Siebold

City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance
Mayor Fielder opened the meeting at 7:00 pm and welcomed those in attendance
Mayor Pro Tem Garcia delivered the invocation
2. Roll Call
All present
3. Staff Comments
No staff comments

Mayor Fielder moved to items #5, 6 & 7 at this time
4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins
Janice Murdoch, 202 Crystal Falls Parkway #2 – spoke about the Senior Center
Blanche Corley, 403 Hernandos Loop – spoke about the Senior Center and also information she received from the Attorney General's office
5. Recognition of Sergeant Ryan Doyle and Officer John Carnley on awards received from Mothers Against Drunk Driving (MADD) at the Travis County Law Enforcement Event on September 19, 2014
Chief Minton recognized Sergeant Ryan Doyle and Officer John Carnley on their award from MADD
6. Proclamation recognizing October 2014 as Fire Prevention Month in the City of Leander
Sponsored by Chief Bill Gardner
Chief Bill Gardner presented the video about smoke alarms that was put on the City's website
Mayor Pro Tem Garcia read the Proclamation and it was presented to Chief Bill Gardner
7. Proclamation recognizing November 3-7, 2014 as Municipal Court Week
Sponsored by Robert Powers
Council Member Navarrette read the Proclamation. Barbara Shannon, Court Administrator presented Mary Lou Quesada, Deputy Court Clerk and Karen Smith, Deputy Court Clerk with a plaque in appreciation for their dedication and hard work. Esmer Esparza, Deputy Court Clerk was not in attendance but was also recognized

Mayor Fielder moved back to item #4 at this time.

CONSENT AGENDA: ACTION

8. Approval of the minutes: Regular Meeting October 2, 2014
9. Second reading of an Ordinance on Zoning Case 14-Z-019: amending Ordinance #05-018, the Composition Zoning Ordinance for two tracts of land located at 523 Powell Drive for 6.95 acres, more or less. Currently, Leander, Williamson County, Texas
10. Award of bid to purchase twelve (12) vehicles
Motion made by Council Member Navarrette to approve the consent agenda. Second by Council Member Siebold. Motion passes, all voting "aye"

PUBLIC HEARING: ACTION

11. **Public Hearing** on Zoning Case #14-Z-024: consider action on the rezoning of a 4.368 acre tract of land, more or less, located at 17680 Ronald Reagan. Currently, the property is zoned Interim SFS-2-B (Single Family Suburban) and the applicant is proposing to zone the property GC-3-C (General Commercial), Leander, Williamson County, Texas
Applicant: King Bravo, on behalf of Donald R & Joan S Thomas, Trustees of the Donald R & Joan S Thomas Revoc Liv Tr
Applicant has withdrawn the request

Mayor Fielder announced that this item has been withdrawn by the applicant
12. **Public Hearing** on whether to issue "City of Leander, Texas General Obligation Refunding Bonds, Series 2014" of approximately \$2,950,000 to refund a portion of the City's outstanding obligations, being the City's General Obligation Refunding Bonds, Series 2005 to achieve debt service savings and restructure the City's debt service obligations
Robert Powers, Finance Director explained

No speakers

Action on an Ordinance authorizing the issuance of "City of Leander, Texas General Obligation Refunding Bonds, Series 2014"

Motion made by Council Member Siebold to approve. Second by Mayor Pro Tem Garcia. Motion passes, all voting "aye"
13. **Public Hearing** on whether the City should levy special assessments against property located in the Oak Creek Public Improvement District
Rick Rosenberg with DPF and Mark Curran with Jefferies, LLC gave a presentation to council Paige Saenz, City Attorney explained

No speakers

Action on an Ordinance Accepting and Approving a Service and Assessment Plan and Assessment Roll for the Oak Creek Public Improvement District; Making a Finding of Special Benefit to the Property in the District; Levying Special Assessments Against the Property within the District and Establishing a Lien on Such Property; Providing for the Payment of the Assessments in Accordance with Texas Local Government Code; Providing for the Method of Assessment and Payment of Assessments; Providing Penalties and Interest on Delinquent Assessments; and Providing for Related Matters
This item will be considered under the regular agenda

PUBLIC HEARING

- 14. **Public Hearing** on whether the City should issue special assessment revenue bonds to provide public improvements in connection with the Oak Creek Public Improvement District in an amount of approximately \$5,200,000

No speakers

REGULAR AGENDA

- 15. Consider Oak Creek Public Improvement District Financing Agreement
- 16. Consider Oak Creek Public Improvement District Landowner's Agreement
- 17. Consider Bond Purchase Agreement for the City of Leander Special Assessment Revenue Bonds, Series 2014 (Oak Creek Public Improvement District)
- 18. Consider Indenture of Trust Securing \$5,200,000 City of Leander, Texas Special Assessment Revenue Bonds Series 2014 (Oak Creek Public Improvement District)
- 19. Consider an Ordinance authorizing the issuance of the City of Leander, Texas Special Assessment Revenue Bonds, Series 2014 (Oak Creek Public Improvement District); approving and authorizing an Indenture of Trust, an Official Statement, a Continuing Disclosure Agreement and other agreements and documents in connection therewith; making finding with respect to the issuance of such bonds; and providing an effective date.
- 20. Consider Special Assessment Revenue Bonds, Series 2014 (Oak Creek Public Improvement District) Continuing Disclosure Agreement
- 21. Consider Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation

Item 13 – 15,16,17,18,19,20,21,24

Motion made by Council Member Siebold to approve the following ordinances and Agreements (agenda items # 13, 15, 16, 17, 18, 19, 20, 21, and 24) with the changes discussed during the meeting:

An Ordinance Accepting and Approving a Service and Assessment Plan and Assessment Roll for the Oak Creek Public Improvement District; Making a Finding of Special Benefit to the Property in the District; Levying Special Assessments Against the Property within the District and Establishing a Lien on Such Property; Providing for the Payment of the Assessments in Accordance with Texas Local Government Code; Providing for the Method of Assessment and Payment of Assessments; Providing Penalties and Interest on Delinquent Assessments; and Providing for Related Matters

The Oak Creek Public Improvement District Financing Agreement

The Oak Creek Public Improvement District Landowner's Agreement

The Bond Purchase Agreement for the City of Leander Special Assessment Revenue Bonds, Series 2014 (Oak Creek Public Improvement District)

The Indenture of Trust Securing \$5,200,000 City of Leander, Texas Special Assessment Revenue Bonds Series 2014 (Oak Creek Public Improvement District)

An Ordinance authorizing the issuance of the City of Leander, Texas Special Assessment Revenue Bonds, Series 2014 (Oak Creek Public Improvement District); approving and authorizing an Indenture of Trust, an Official Statement, a Continuing Disclosure Agreement and other agreements and documents in connection therewith; making finding with respect to the issuance of such bonds; and providing an effective date.

The Special Assessment Revenue Bonds, Series 2014 (Oak Creek Public Improvement District) Continuing Disclosure Agreement

The Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation

Second by Mayor Pro Tem Garcia. Motion passes, all voting “aye”

22. Consider an Ordinance Amending the Project and Financing Plan for the Reinvestment Zone No. 1, Identifying Projects to be funded from the Tax Increment Fund and Supplementing the Project and Financing Plan for the Zone; Establishing a Subaccount in the Tax Increment Fund, and Providing for Related Matters
Kent Cagle, City Manager explained

Motion made by Council Member Siebold to approve. Second by Mayor Pro Tem Garcia. Navarrette. Motion passes, all voting “aye”

23. Consider Oak Creek Development and Reimbursement Agreement

Motion made by Council Member Siebold to approve. Second by Mayor Pro Tem Garcia. Motion passes, all voting “aye”

24. Consider approval of form and substance of the Official Statement
This item was considered as part of item # 20

25. Consider Amendment No. 1 to Task Order KFA-21 with K. Friese & Associates, Inc. for professional services for Ronald Reagan Boulevard 24-inch Water Line Extension
Wayne Watts, City Engineer explained

Motion made by Council Member Dishongh to approve. Second by Council Member Siebold. Motion passes, all voting “aye”

26. Consider Appointments to the Board Selection Committee
Council Member Dishongh

Motion made by Council Member Dishongh to remove himself from the Board and appoint Council Members Abruzzese to the Board Selection Committee. Second by Council Member Navarrette. Motion passes, all voting “aye”

EXECUTIVE SESSION

27. Convene into executive session pursuant to:
- a. Section 551.071 and 551.072, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct to deliberate the acquisition of real property and possible use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding a 2.658 acre tract in Williamson County, Texas owned by Ronald L. and Linda C. Russell

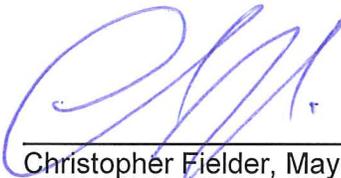
- b. Section 551.071 and 551.072, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct to deliberate the acquisition of real property

Council convened into executive session at 8:10 pm

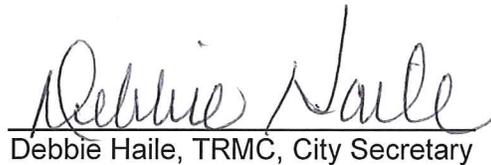
Council reconvened into open session at 8:32 pm

28. Reconvene into open session to take action as deemed appropriate in City Council's discretion regarding:
- The acquisition of real property and possible use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding a 2.658 acre tract in Williamson County, Texas owned by Ronald L and Linda C. Russell
No action taken
 - To take action as deemed appropriate in the City Council's discretion regarding the acquisition of real property
Motion made by Mayor Pro Tem Garcia to authorize the city manager to sign letter of agreement for the purchase of 3.46 acres of the Agiewich property. Second by Council Member Navarrette. Motion passes, all voting "aye"
29. Consider and take possible action on an Ordinance: finding acquisition of real property serves public convenience and necessity and that said property will be acquired for a public use, namely the Bagdad Road Re-Alignment Project; finding that all appropriate and necessary pre-acquisition requirements set forth in Chapter 21 of the Texas Property Code have been met; and, authorizing the use of eminent domain proceedings as set forth in Chapter 21 of the Texas Property Code regarding a 2.658 acre tract in Williamson County, Texas owned by Ronald L. and Linda C. Russell, as further described in the attached proposed ordinance for this item
Motion made by Mayor Pro Tem Garcia to approve. Second by Council Member Abruzzese. Motion passes, all voting "aye"
30. Council Members Closing Statements
Council Members gave their closing statements
31. Adjournment
With there being no further business, the meeting adjourned at 8:41 pm.

Attest:



Christopher Fielder, Mayor



Debbie Haile, TRMC, City Secretary