



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

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



Thursday ~ July 7, 2016 at 7:00 PM

**Mayor – Christopher Fielder
Place 1 – Andrea Navarrette
Place 2 – Michelle Stephenson
Place 3 – Shanan Shepherd**

**Place 4 – Ron Abruzzese (Mayor Pro Tem)
Place 5 – Jeff Seiler
Place 6 – Troy Hill
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
Council Member Shepherd delivered the invocation
Ethan Grinstead with Cedar Park Boy Scout Troop 158 led the Pledges of Allegiance**
2. Roll Call
All present except Council Member Navarrette
3. Staff Comments
No staff comments
4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins
No citizen comments

CONSENT AGENDA: ACTION

5. Approval of the minutes: June 16, 2016
6. Dedication and Acceptance of Subdivision Infrastructure Improvements for Borho Phase 8
7. Dedication and Acceptance of Circle Diamond – Offsite Waterline Extension
8. Dedication and Acceptance of Subdivision Infrastructure Improvements for Mason Ranch, Phase 2 Section 2B
Motion made by Council Member Shepherd to approve the consent agenda Second by Council Member Stephenson. Motion passes, all voting “aye”

PUBLIC HEARING: ACTION

Mayor Fielder announced that item #9 has been postponed by the applicant

9. **Public Hearing** on Zoning Case 15-TOD-Z-030 and Subdivision Case 15-TOD-CP-009: Consider rezoning and approval of the Tylerville Commercial Concept Plan and PUD Zoning of 11.221 acres, more or less, for a tract of land generally located to the southwest of the intersection of San Gabriel Parkway & US Hwy 183 from PUD, Planned Unit Development to an amended PUD to include the base zoning districts of GC-3-A, General Commercial, GC-2-A, General Commercial and LC-2-A, Local Commercial, Leander, Williamson County, Texas
Applicant/Agent: Bill Pohl on behalf of Waterstone Tylerville, LP

Action on Zoning Case 15-TOD-Z-030 and Subdivision Case 15-TOD-CP-009: Rezoning and approval of the Tylerville Commercial Concept Plan and PUD Zoning of 11.221 acres, more or less, for a tract of land generally located to the southwest of the intersection of San Gabriel Parkway & US Hwy 183 from PUD, Planned Unit Development to an amended PUD to include the base zoning districts of GC-3-A, General Commercial, GC-2-A, General Commercial and LC-2-A, Local Commercial, Leander, Williamson County, Texas

10. **Public Hearing** on Ordinance Case 16-OR-001: Consider amending sections of the Composite Zoning Ordinance, to add definitions, update the use components, to modify setbacks for commercial fueling, to update requirements for screening, to update the parking requirements table, to modify residential setbacks, to clarify requirements for drainage and detention facilities, to modify outdoor lighting requirements, to update the architectural standards, to update the site development standards
Tom Yantis, Asst. City Manager explained

Geoffrey Tahuahua 8140 Exchange Drive, Austin – spoke against retention and drainage amendment & stucco amendment

Nancy Shader 2607 Salemo Pl., Austin –spoke against the stucco amendment

Brandon Cooper 3821 Venezia View, Leander – spoke against the stucco amendment

Paul Couduro 8620 Burnet Road, Austin – spoke against the retention and drainage amendment

Gerry Poe 10800 Pecan Park Blvd., Austin – spoke against the stucco amendment and retention and drainage amendment

Action on Ordinance Case 16-OR-001: amending sections of the Composite Zoning Ordinance, to add definitions, update the use components, to modify setbacks for commercial fueling, to update requirements for screening, to update the parking requirements table, to modify residential setbacks, to clarify requirements for drainage and detention facilities, to modify outdoor lighting requirements, to update the architectural standards, to update the site development standards

The section on stucco on the exterior walls has been tabled to a future meeting

Motion made by Council Member Seiler to approve with P & Z recommendations and with the recommendation from the HBA for the verbiage on stamped concrete and to table the section on stucco on the exterior walls until a future meeting and to remove stucco from Section 14. Second by Council Member Stephenson. Motion passes, all voting “aye”

11. **Public Hearing** on Ordinance Case 16-OR-002: consider amending sections of the Subdivision Ordinance, to add definitions, to modify provisions for the protection of riparian corridors, to modify requirements associated with construction plans; to update tree preservation plan requirements, to modify private street standards, and to clarify the park land dedication requirements
Tom Yantis, Asst. City Manager explained

No speakers

Action on Ordinance Case 16-OR-002: amending sections of the Subdivision Ordinance, to add definitions, to modify provisions for the protection of riparian corridors, to modify requirements associated with construction plans; to update tree preservation plan requirements, to modify private street standards, and to clarify the park land dedication requirements

Motion made by Council Member Seiler to approve. Second by Council Member Shepherd. Motion passes, 5 to 1 with Council Member Hill voting against

REGULAR AGENDA

12. Consider an Ordinance regarding Donation Drop Boxes

Bill Gardner, Fire Chief explained

**Motion made by Council Member Seiler to approve. Second by Council Member Stephenson.
Motion passes, all voting "aye"**

13. Consider Task Order WAL-1 with Walker Partners Engineering, Inc. for Design, Bidding, and Construction Phase Professional Services for Raider Way and E. Woodview Drive

Wayne Watts, City Engineer explained

**Motion made by Council Member Shepherd to approve. Second by Council Member Seiler.
Motion passes, all voting "aye"**

14. Consider amendment to Task Order HWL-1 with H. W. Lochner, Inc. for professional services for Bagdad Road North Improvements

Wayne Watts, City Engineer explained

**Motion made by Council Member Seiler to approve. Second by Council Member Stephenson.
Motion passes, all voting "aye"**

15. Consider a variance to allow for construction activities outside of the normal hours of 7am and 9pm for Suddenlink Communications on the Old 2243 Project

Wayne Watts, City Engineer explained

**Motion made by Mayor Pro Tem Abruzzese to approve. Second by Council Member Hill.
Motion passes, all voting "aye"**

16. Consider approval of an amendment to the Sales Tax Rebate Agreement for the Gateway Shopping Center between the City of Leander and Hayden Asset I, LLC, a Delaware limited liability company

Tom Yantis, Asst. City Manager explained

**Motion made by Mayor Fielder to approve. Second by Council Member Shepherd.
Motion passes, 5 to 1 with Council Member Hill voting against.**

17. Consider Acceptance of a Community Development Block Grant for the construction of a sidewalk on the east side of Bagdad Road

Tom Yantis, Asst. City Manager explained

**Motion made by Council Member Shepherd to deny. Second by Council Member Stephenson.
Motion passes, all voting "aye" to deny.**

18. Consider Development Agreement Case 15-DA-006: Consider approval of a development agreement between the City of Leander, Sixth Street Capital, LLC, a Texas limited liability company, and Devine Land Investments, LLC, a Nevada limited liability company for 208 acres more or less, generally located at southwest of the intersection of Bagdad Road and the future extension San Gabriel Parkway; City of Leander, Williamson County, Texas

Tom Yantis, Asst. City Manager explained

**Motion made by Council Member Shepherd to approve. Second by Council Member Stephenson.
Motion passes, all voting "aye"**

19. Council Member Closing Statements

Council Members gave their closing statements

EXECUTIVE SESSION

Convene into executive session pursuant to Section 551.072 Texas Government Code, related to proposed settlement of eminent domain litigation regarding the purchase and/or value of real property. to wit: a 5.217 acre tract owned by Gary and Cathy Gross

Council convened into executive session at 8:24 pm

Council reconvened into open session at 8:32 pm

21. Reconvene into open session to take action as deemed appropriate in the City Council's discretion related to proposed settlement of eminent domain litigation regarding the purchase and/or value of real property, to wit: a 5.217 acre tract owned by Gary and Cathy Gross

No action taken

22. Consider a resolution authorizing the City Manager to release funds totaling \$840,380 to effectuate final settlement of pending eminent domain litigation to acquire a 5.217 acre tract owned by Gary and Cathy Gross ("Gross") and also to execute a Declaration of Covenants, Conditions and Restrictions concerning the 5.217 acre tract for a deep water intake maintenance site, on terms subject to review and approval by the City Attorney and Special Counsel

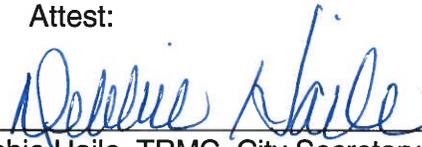
**Motion made by Mayor Pro Tem Abruzzese to approve. Second by Council Member Seiler.
Motion passes, all voting "aye"**

23. Adjournment

With there being no further business, the meeting adjourned at 8:34 pm



Christopher Fielder, Mayor

Attest:


Debbie Haile, TRMC, City Secretary

