



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



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

Thursday ~ August 15, 2013 at 7:00 PM

Mayor – Christopher Fielder

Place 1 – Andrea Navarrette

Place 4 – Mitchell Cantwell

Place 2 – Kirsten Lynch

Place 5 – Jason Dishongh (Mayor Pro Tem)

Place 3 – Simon Garcia

Place 6 – David Siebold

City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance
Mayor Fielder opened the meeting at 7:00 p.m. and welcomed those in attendance
Invocation delivered by Mayor Pro Tem Dishongh

2. Roll Call
All present

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.

Andy Rochelle 000 CR 290 Leander – spoke about article in Community Impact newspaper and asked for the city to notify them of an annexation

Gregg Burger 300 CR 290 Leander – spoke about the road construction being done on CR 290 and the increased traffic

5. Legislative Update from Representative Tony Dale
State Representative Tony Dale gave a presentation on legislative updates

CONSENT AGENDA: ACTION

6. Approval of the minutes: Joint Work session: August 1, 2013
Regular Meeting: August 1, 2013
7. Second reading of an Ordinance on Special Use Permit Case #13-SU-002: a Special Use Permit for a temporary parking lot located at 2004 Champions Corner Court, Leander, Williamson County, Texas
8. Consider acceptance of a park land donation in the TOD
9. Consider amending and restating a Conservation Easement in the Sarita Valley Greenbelt
10. Consider a License Agreement with the Benbrook Home Owners Association
11. Consider Extension of Contract with the Retail Coach

12. Consider Special Permit Approval for the Bluegrass Festival

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

REGULAR AGENDA

13. Consider Development Agreement for the Magnolia Creek Subdivision
**Tom Yantis, Director of Development Services explained
Justin Davis with DR Horton answered questions from the council**

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

14. Presentation on FY 2013-14 Proposed Budget (*no action will be taken*)
Kent Cagle, City Manager presented the proposed budget to the Council

PUBLIC HEARING: NO ACTION

15. Public Hearing on a Proposal to Adopt a Tax Rate for FY 2013-14
**Robert Powers, Finance Director explained that state law requires two public hearings on
adoption of a tax rate**

No speakers

**Mayor Fielder announced that the vote on the tax rate will occur on Thursday, September 5, 2013
at 7:00 p.m. at the Pat Bryson Municipal Hall, 201 N. Brushy Street, Leander, Texas**

EXECUTIVE SESSION

16. Convene into executive session pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct:
- a. And pursuant to Section 551.072, Texas Government Code to deliberate and consult with legal counsel: regarding:
 - 1) The acquisition of real property for the BCRUA deep water intake project
 - 2) The necessity for and to authorize condemnation proceedings of certain real property for rights-of-way being 0.503 acres and 0.219 acres, more or less, and a drainage easement being 0.046 acres, more or less, located in Williamson County and within the City's corporate limits at or near the intersections of U.S. Highway 183, 183A Toll Road and County Road 276, for the construction and expansion of a roadway intersection improvement project.
 - b. And pursuant to Section 551.087, Tex. Gov't Code, regarding legal issues related to a proposal from the developers of the XPark USA Development

**Council convened into executive session at 7:51p.m.
Council reconvened into open session at 8:53 p.m.**

17. Reconvene into open session to take action as deemed appropriate in the City Council's discretion regarding:

- a. The acquisition of real property for the BCRUA deep water intake project
No action taken
- b. Proceeding with condemnation of certain real property for rights-of-way at or near U.S. Highway 183, 183A Toll Road and County Road 276 (*see next agenda item*)
No action taken
- c. A proposal from the developers of the XPark USA Development
Mayor Pro Tem Dishongh recused himself for this item

Motion made by Council Member Cantwell to turn down the current financing proposed by the XPark USA Development. Second by Council Member Garcia. Motion passes, all voting "aye"

Mayor Pro Tem Dishongh returned to the dais

18. Consider an Ordinance authorizing the City Attorney and other appropriate staff to take such actions as are necessary to exercise the City's power of eminent domain for the acquisition of two tracts of land required for right-of-way and one tract of land required as a drainage easement related to the U.S. Highway 183 and 183A Toll Road intersection improvement project

Motion made by Council Member Cantwell to approve. Second by Council Member Navarrette. Motion passes, all voting "aye"

19. Council Members Closing Statements
Council Members gave their closing statements

20. Adjournment
With there being no further business, the meeting adjourned at 8:58 p.m.



Christopher Fielder, Mayor

Attest:



Debbie Haile, TRMC, City Secretary

