MINUTES
CITY COUNCIL MEETING
CITY OF LEANDER, TEXAS
Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday - February 20, 2020

Mayor – Troy Hill
Place 1 – Kathryn Pantalion-Parker
Place 2 – Michelle Stephenson
Place 3 – Jason Shaw
Place 4 – Christine Sederquist
Place 5 – Chris Czernek, Mayor Pro Tem
Place 6 – Marci Cannon
City Manager – Rick Beverlin

REGULAR MEETING – CONVENE AT 7:30 PM

1. Opened Meeting at 7:34 p.m., Invocation was provided by Peter Horn with Hill Country Bible Church and Mayor Hill led the Pledges of Allegiance.

2. Roll Call reflected all present.

3. • Public comments on items not listed in the agenda that are of public concern or community interest

   Comments during this time are limited to a total of 15 minutes divided equally at no more than 3 minutes (6 minutes if translation is needed), and no less than 1 minute (2 minutes if translation is needed), per individual. Comments are accepted on a first-come, first-served basis.

   Karen Thompson, 11327 Hero Way West - commented on old Leander hotel built shortly after 1882; two story hotel; hotel closed shortly after turn of the century; 120 years without hotel; and Holiday Inn Express hotel opening.

   • Public comments on items listed in the agenda except for public hearings

   Comments during this time are limited to no more than 3 minutes (6 minutes if translation is needed) per individual. Time limit will be reduced to no more than 2 minutes per individual (4 minutes if translation is needed) if there are more than 10 speakers on one item. Comments are accepted on a first-come, first-served basis.

   Comments on public hearing agenda items will be heard at the time each item is discussed by Council.

4. Recognitions/Proclamations/Visitors.

5. Staff Reports
   • Planning

CONSENT AGENDA: ACTION
Motion by Councilmember Marci Cannon, Seconded by Mayor Pro Tem Chris Czernek to approve Consent Agenda Items 6 through 11 with clarification of Item 10 street name is Main Street (formerly Mel Mathis Boulevard).

**Vote:** 7 - 0

6. Approval of the minutes for meetings held on February 6, 2020 and February 11, 2020.

7. Approval of the extension of the application expiration for Subdivision Case 18-PICP-019 Westwood Commercial, Lot 2 Water Line Construction Plans along Hero Way West; WCAD Parcel R537950; generally located to the southeast of the intersection of Sunny Brook Drive and Hero Way West; Leander, Williamson County, Texas.

8. Approval of dedication and acceptance of Subdivision Infrastructure Improvements for Bryson Phase 2 Section 2.

9. Approval of dedication and acceptance of Subdivision Infrastructure Improvements for Bryson Phase 10 Section 1.

10. Approval of a Special Event Permit allowing for a street closure of Mel Mathis Boulevard from San Gabriel Parkway to just before ACC Campus on March 4, 2020 from 6:00 AM to 2:00 PM for the Northline Groundbreaking.


---

**PUBLIC HEARING: ACTION**

12. Mayor Hill opened the Public Hearing at 7:43 p.m. regarding Ordinance Case 19-OR-011 to amend the Subdivision Ordinance to make the Street Tree requirements optional; Williamson & Travis Counties, Texas. No one spoke in favor or opposition of the request. The Public Hearing closed at 7:43 p.m.

- Discuss and consider action regarding Ordinance Case 19-OR-011 on amending the Subdivision Ordinance to make the Street Tree requirements optional, and to provide for related matters; Williamson & Travis Counties, Texas.

   Motion by Councilmember Marci Cannon, Seconded by Councilmember Jason Shaw to approve Ordinance Case 19-OR-011 on amending the Subdivision Ordinance to make the Street Tree requirements optional, and to provide for related matters; Williamson & Travis Counties, Texas, following a discussion.

   **Vote:** 7 - 0

13. Mayor Hill opened the Public Hearing at 7:46 p.m. regarding Ordinance Case 19-OR-012 to amend the Composite Zoning Ordinance to make the Street Tree requirements optional; Williamson & Travis Counties, Texas. No one spoke in favor of or opposition of the request. The Public Hearing closed at 7:46 p.m.

- Discuss and consider action regarding Ordinance Case 19-OR-012 on amending the Composite Zoning Ordinance to make the Street Tree requirements optional; Williamson & Travis Counties, Texas.
Motion by Councilmember Marci Cannon, Seconded by Councilmember Kathryn Pantalion-Parker to approve Ordinance Case 19-OR-012 on amending the Composite Zoning Ordinance to make the Street Tree requirements optional; Williamson & Travis Counties, Texas.

**Vote:** 7 - 0

14. Mayor Hill opened the Public Hearing at 7:47 p.m. regarding Ordinance Case 19-OR-013 to amend the SmartCode Ordinance to make the SmartCode optional; Williamson & Travis Counties, Texas. No one spoke in favor of or opposition of the request. The Public Hearing closed at 7:47 p.m.

- Discuss and consider action on amending the SmartCode Ordinance to make the SmartCode optional; Williamson & Travis Counties, Texas.

Motion by Councilmember Jason Shaw, Seconded by Councilmember Kathryn Pantalion-Parker to approve an Ordinance amending the SmartCode Ordinance to make the SmartCode optional; Williamson & Travis Counties, Texas, following a discussion.

**Vote:** 6 - 1

NAY: Councilmember Michelle Stephenson

---

**REGULAR AGENDA**


16. Discuss and consider action on additional Services Confirmation Agreements with Halff Associates in the amount of Sixty-Nine Thousand One Hundred Sixty-Seven ($69,167.00) Dollars for additional construction administration to assist with the extended construction timeframe for the Lakewood Park Project; and authorize the City Manager to execute any and all necessary documents.

Motion by Councilmember Michelle Stephenson, Seconded by Councilmember Christine Sederquist to approve additional Services Confirmation Agreements with Halff Associates in the amount of Sixty-Nine Thousand One Hundred Sixty-Seven ($69,167.00) Dollars for additional construction administration to assist with the extended construction timeframe for the Lakewood Park Project; and authorize the City Manager to execute any and all necessary documents, following a discussion.

**Vote:** 7 - 0

 *[This item was reconsidered following executive session; see action following executive session action.]*

17. Discuss and consider action on award of construction contract for the Northline Phase 1 to DeNucci Constructors, LLC., in the amount of Thirteen Million Four Hundred Eighteen Thousand Five Hundred Thirty-Seven Dollars $13,418,537.00; and authorize the City Manager to execute any and all necessary documents.

Motion by Councilmember Christine Sederquist, Seconded by Mayor Pro Tem Chris Czernek to award of construction contract for the Northline Phase 1 to DeNucci Constructors, LLC., in the amount of Thirteen Million Four Hundred Eighteen Thousand Five Hundred Thirty-Seven Dollars $13,418,537.00 with the City's portion of the agreement being $7,743,809.00; and authorize the City Manager to execute any and all necessary documents, following a discussion.
Vote: 7 - 0

18. Discuss and consider action on Change Order No. 3 to construction contract with Austin Underground, Inc., for Small Transportation Projects in the amount of Ninety-Seven Thousand Two Hundred Ninety-Eight Dollars and Forty Cents ($97,298.40); and authorize the City Manager to execute any and all necessary documents.

Motion by Councilmember Michelle Stephenson, Seconded by Councilmember Marci Cannon to approve Change Order No. 3 to construction contract with Austin Underground, Inc., for Small Transportation Projects in the amount of Ninety-Seven Thousand Two Hundred Ninety-Eight Dollars and Forty Cents ($97,298.40); and authorize the City Manager to execute any and all necessary documents, following a discussion.

Vote: 7 - 0

ADDENDUM 1. Discuss and consider action on an Ordinance adopting a Limited Wastewater Capacity Reservation Policy.

Motion by Councilmember Michelle Stephenson, Seconded by Mayor Troy Hill to approve an Ordinance adopting a Limited Wastewater Capacity Reservation Policy, following a discussion.

Vote: 6 - 1

NAY: Councilmember Christine Sederquist

19. Convened into Executive Session at 9:18 p.m. pursuant to:

(1) Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Lakewood Park Great Lawn and Century Communities, Builder/Developer; and
(2) Section 551.072, Texas Government Code, to deliberate the granting of a Special Warranty Deed dedication of Right-of-Way, acquisition of Sidewalk Easement and Public Utility Easement, and a Public Utility Easement from Maneeb Mellem located in the Elijah D. Harman Survey, Abstract 6, the City of Leander, Williamson County, Texas for the Raider Way / E. Woodview Roadway Project; and
(3) Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding HBA Residential Care Group, LLC v. City of Leander, HUD Case No. 06-19-5454-8.

Reconvened into Open Session at 10:40 p.m. to take action as deemed appropriate in the City Council's discretion regarding:

(1) Lakewood Park Great Lawn and Century Communities, Builder/Developer; and
(2) a Special Warranty Deed dedication of Right-of-Way, acquisition of Sidewalk Easement and Public Utility Easement, and a Public Utility Easement from Maneeb Mellem located in the Elijah D. Harman Survey, Abstract 6, the City of Leander, Williamson County, Texas for the Raider Way / E. Woodview Roadway Project; and
(3) HBA Residential Care Group, LLC v. City of Leander, HUD Case No. 06-19-5454-8.

ITEM (1) No Action Taken.

ITEM (2) No Action Taken.

ITEM (3) No Action Taken.
Motion by Mayor Pro Tem Chris Czernek, Seconded by Councilmember Jason Shaw to reconsider Item 16, additional Services Confirmation Agreement with Halff Associates.

**Vote:** 7 - 0

Motion by Mayor Pro Tem Chris Czernek, Seconded by Councilmember Jason Shaw to table Item 16, additional Services Confirmation Agreement with Halff Associates until March 5, 2020 regular meeting.

**Vote:** 7 - 0

20. Council Member Closing Statements.

Kathryn Pantalion-Parker - thanked everyone for coming to the Comprehensive Plan Open House.

Michelle Stephenson - wished everyone a happy Mardi Gras.

Christine Sederquist - commented on the great audit report received; thanked finance department for an excellent job; good turnout at Comprehensive Plan Open House; and reminded citizens can still participate in the survey.

Chris Czernek - stated felt blessed to be able to represent the city; and commented on baseball season starting soon and have three (3) that will be participating this year.

Marci Cannon - thanked everyone for participating in the Comprehensive Plan Open House; and reminded everyone early voting continues through next Friday.

Troy Hill - commented on Holiday Inn Express opening this week; a new Whataburger will be locating close to the hotel; this time is pivotal; and council acting responsibly with city finances.

21. Adjourned at 10:45 p.m.

**APPROVED:**

[Signature]

MAYOR

**ATTEST:**

[Signature]

CITY SECRETARY

[City Seal]