

**AGENDA
DEVELOPMENT TOUR
and
REGULAR CITY COUNCIL
CITY OF LEANDER, TEXAS**



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

Thursday ~ March 20, 2014 at 5:30 PM

Mayor – Christopher Fielder	
Place 1 – Andrea Navarrette	Place 4 – Ron Abruzzese
Place 2 – Kirsten Lynch	Place 5 – Jason Dishongh (Mayor Pro Tem)
Place 3 – Simon Garcia	Place 6 – David Siebold
City Manager – Kent Cagle	

5:30pm – Travisso Development Tour

Council will leave from Pat Bryson at 5:30 and reconvene at 7:00 pm for Regular City Council Meeting (No action will be taken by City Council during the tour)

7:00 pm

1. Open meeting, Invocation, Pledges of Allegiance
2. Roll Call
3. Staff Comments:
4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins.

CONSENT AGENDA: ACTION

5. Approval of the minutes: March 6, 2014
6. An Ordinance amending Section A7.008 of the City Code of Ordinances to adopt fees for collection and disposal of refuse
7. Second Reading of an Ordinance on Zoning Case #14-Z-002: amending Ordinance #05-018, the Composite Zoning Ordinance for three tracts of land located at 9450 RM 2243, Leander, Williamson County, Texas
8. Consider a Special Use Permit for the *American Cancer Society Relay for Life*

PUBLIC HEARING: ACTION

9. **Public Hearing** on Zoning Case # 13-Z-026: Consider a zoning change for 2,118.6 acres, more or less for several parcels of land generally located to the west of Bloody Hollow, abutting FM 1431 on the south and Nameless Road on the west from SFR-2-A, Single Family Rural, SFR-2-B, Single Family Rural, SFR-3-B, Single Family Rural, SFE-2-A, Single Family Estate, SFS-2-A, Single Family Suburban, SFS-2-B, Single Family Suburban, SFU-2A, Single Family Urban, SFC-2-A, Single Family Compact, MF-2-B, Multi Family, GC-3-A, General Commercial and GC-3-B, General Commercial to PUD, Planned Unit Development, Leander, Travis County, Texas
Applicant: Nancy Stroder (Taylor Morrison) on behalf of Travisso, LTD (Taylor Morrison Homes of Texas)

Action on Zoning Case # 13-Z-026: amending Ordinance #05-018, the Composite Zoning Ordinance for several tracts of land located to the west of Bloody Hollow, abutting FM 1431 on the south and Nameless Road on the west., Leander, Travis County, Texas

10. **Public Hearing** on Zoning Case #14-Z-003: Consider a zoning change for 0.40 acres, more or less, for a parcel of land located at 1101 CR 177 from interim zoning SFR-1-B, Single Family Rural, to HC-4-D, Heavy Commercial, formerly known as LI-4-D, Light Industrial, Leander, Williamson County, Texas

Applicant: Richard E. & Sharon Kaydean Bott

Action on Zoning Case #14-Z-003: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel of land located at 1101 CR 177, Leander, Williamson County, Texas

11. **Public Hearing** on Zoning Case #14-Z-004: Consider a zoning change for 3.37 acres, more or less, for two parcels of land located at 409 & 503 Horseshoe Drive from TF-2-B, Two-Family to MF-2-B, Multi-Family, Leander, Williamson County, Texas

Applicant: Gary Eli Jones on behalf of Ricky Shipman

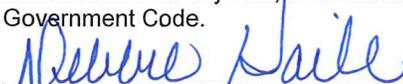
Action on Zoning Case #14-Z-004: amending Ordinance #05-018, the Composite Zoning Ordinance for two parcels of land located at 409 & 503 Horseshoe Drive, Leander Williamson County, Texas

REGULAR AGENDA

12. Consider an Ordinance Establishing a Train Horn Quiet Zone for the Railroad Crossing at Hero Way Adjacent to US Hwy. 183
13. Consider Task Order KFA-23 with K. Friese & Associates, Inc. for professional services for Ridgmar Landing Water Line Improvements
14. Consider a Resolution Agreement to provide matching funds as required by the Criminal Justice Division (CJD) of the Governor's Office grant for the creation of a Victim Services Coordinator position.
15. Consider an Amendment to the Drought Contingency Plan (DCP), Ordinance 11-027-00
16. Consider action to approve an Ordinance renaming a portion of CR 290 to High Lonesome
17. Council Members Closing Statements
18. Adjournment

CERTIFICATION

This meeting will 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 [litigation and certain consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [contract for gift to city], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at 512/ 528-2743 for information.** Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 512/ 528-2800. I certify that the above agenda for this Meeting of the City Council of the City of Leander, Texas, was posted on the bulletin board at City Hall, in Leander, Texas, on the 14th day of March, 2014 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.


Debbie Haile TRMC, City Secretary



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



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

Thursday ~ March 6, 2014 at 7:00 PM

Mayor – Christopher Fielder

Place 1 – Andrea Navarrette

Place 4 – Ron Abruzzese

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
Mayor Pro Tem Dishongh delivered the invocation
2. Roll Call
All present. Council Member Siebold arrived at 7:20 p.m.
3. Staff Comments: Chief Minton presentation of the 2013 Police Dept. Annual Report
Tanya Clawson with Clawson Disposal gave an update on the recycling program
Police Chief Greg Minton presented the 2013 Annual Report from the Police Dept.

Mayor Fielder recognized Debbie Haile, City Secretary and Kent Cagle, City Manager for Their birthdays
4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins.

No speakers
5. Proclamation designating March 2014 as “Keri’s Fairy Godmother Foundation” month in the City of Leander *Sponsored by Mayor Pro Tem Dishongh*
Mayor Pro Tem Dishongh read the proclamation. It was then presented to Keri Byer, Founder of Keri’s Fairy Godmother Foundation
6. Proclamation designating March 2014 as “Women Veterans Month” in the City of Leander *Sponsored by Mayor Fielder*
Council Member Abruzzese read the Proclamation
Michael Malone, member of the Veterans Park Committee thanked the Council

**A Proclamation was given to representatives from the following groups:
Texas Veterans Commission, Williamson County Veterans Services Offices and Texas F7 Operation Engaging Vision.**

CONSENT AGENDA: ACTION

7. Approval of the minutes: February 20, 2014
8. Dedication and Acceptance of Crystal Crossing, Phase 3 Subdivision Improvements
9. Dedication and Acceptance of Northside Meadow, Phases 1A and 1B

10. License Agreement for the installation and maintenance of irrigation within the City right-of-way

**Motion made by Council Member Garcia to approve. Second by Council Member Navarrette.
Motion passes, all voting “aye”**

PUBLIC HEARING

11. Second Public Hearing on annexation on an area of land being 145.26 acres, more or less, and 52.290 acres, more or less, in Williamson County, Texas, being generally located at the Kittie Hill Airport location, north of Hero Way, west of Ronald Reagan Boulevard and south of the San Gabriel River and including the abutting streets, roadways, and rights-of-way; being located in Williamson County, Texas and adjacent and contiguous to the city limits

No speakers

PUBLIC HEARING: ACTION

12. **Public Hearing** on Zoning Case # 14-Z-002: rezoning of three tracts of land located at 9450 RM 2243 for 9.889 acres, more or less from interim zoning SFR-1-B, Single Family Rural and HC-4-D, Heavy Commercial formally known as LI-4-D, Light Industrial to HC-4-D, Heavy Commercial, formally known as LI-5-D, Light Industrial, Leander Williamson County, Texas
Applicant: Sam LaRue on behalf of LaRue 2243 LP
Tom Yantis, Director of Development Services explained

Action on Zoning Case # 14-Z-002: amending Ordinance #05-018, the Composite Zoning Ordinance for three tracts of land located at 9450 RM 2243, Leander, Williamson County, Texas

**Motion made by Council Member Navarrette to approve. Second by Council Member Lynch.
Motion passes, all voting “aye”**

REGULAR AGENDA

13. Second Reading of an Ordinance on Zoning Case #13-Z-018: amending Ordinance #05-018, the Composite Zoning Ordinance for a parcel located at 11350 Old 2243 W from LI-4-D, Light Industrial to PUD, Planned Unit Development, Leander, Williamson County, Texas
Tom Yantis, Director of Development Services explained

**Motion made by Council Member Navarrette to approve. Second by Council Member Garcia.
Motion passes, all voting “aye”**

14. Consider an Ordinance of the City of Leander, Texas, amending the Annexation Plan to add a property to the Plan; providing for the amendment of the Annexation Plan; providing for annexations exempt from the Annexation Plan; and providing for related matters
Tom Yantis, Director of Development Services explained

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

15. Consider an Ordinance of the City of Leander, Texas, abandoning portions of Gabriel Street right-of-way and authorizing conveyance of said right-of-way to the abutting property owners in exchange for portions of vacated East Street right-of-way; making findings of fact; and providing for related matters
Tom Yantis, Director of Development Services explained

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

16. Consider acceptance of a grant from FEMA's Assistance to Firefighters Grants for the Leander Fire Department
Bill Gardner, Fire Chief explained

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

17. Discussion and possible action regarding the marketing and branding of the Transit Oriented Development District (TOD)
Tom Yantis, Director of Development Services explained

**Andy Waddle with Gensler gave Council an update
Alan Colyer with Gensler gave Council an update on the meeting with the Developers**

Motion made by Council Member Navarrette to approve moving forward with Option B as presented. Second by Council Member Abruzzese. Motion passes, all voting "aye"

EXECUTIVE SESSION

18. Convene into executive session pursuant to Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding legal issues related to the City providing water and sewer service within its city limits and ETJ and Chisholm Trail SUD's application to sell facilities and transfer CCN No. 11590 to the City of Georgetown

**Council convened into executive session at 8:06 p.m.
Council reconvened into open session at 8:31 p.m.**

19. Reconvene into open session to take action regarding legal issues related to the City providing water and sewer service within its city limits and ETJ and Chisholm Trail SUD's application to sell facilities and transfer CCN No. 11590 to the City of Georgetown

No action taken

20. Council Members Closing Statements

**Mayor Fielder announced that the next work session for the Smart Code Updates would be on Tuesday, March 18th at 6:00 p.m.
Council Members gave their closing statements**

21. Adjournment
With there being no further business, the meeting adjourned at 8:35 p.m.

Attest:

Christopher Fielder, Mayor

Debbie Haile, TRMC, City Secretary



Executive Summary

March 20, 2014

Council Agenda Subject: Ordinance Amending Section A7.008 of The City's Code of Ordinances to Adopt Fees For Collection And Disposal Of Refuse.

Background: On February 6, 2014, City Council considered the request from Al Clawson Disposal to approve a five-year extension to its current contract with the City; approve rate increases (first since 2008) and approve the use of 95 gallon containers for recycling services every other week. This ordinance amends the current rate ordinance to reflect those changes. Residential rates would increase from \$12.25 per month (before tax) to \$16.66. Commercial container rates are unchanged. The City Charter requires published notice of a public hearing and two readings of any ordinance granting a franchise. The public hearing has been advertised for the April 3, 2014 meeting and the second reading will be conducted on April 17, 2014. At the conclusion of the second reading, the contract amendment with Al Clawson Disposal will then be ready for consideration and final action.

Origination: Robert G. Powers, Finance Director

Financial Consideration: Residential rates, including the increase for recycling, will go up by 36%. Commercial cart rates will go up by 36% and other commercial rates will remain essentially unchanged. The method of calculating fees for roll-offs will be changed from a single rate to a haul charge plus the disposal cost. This method will benefit those with loose, light loads since the disposal fee is based on weight. City Franchise fees will increase proportional to the rate increase and result in additional revenue of approximately \$51,000.

Recommendation: Approval

Attachments: Ordinance

Prepared by: Robert G. Powers, Finance Director

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEANDER TEXAS, AMENDING SECTION A7.008 OF THE CITY'S CODE OF ORDINANCES TO ADOPT FEES FOR COLLECTION AND DISPOSAL OF REFUSE; AND PROVIDING FOR RELATED MATTERS

WHEREAS, the City Council of the City of Leander, Texas finds that the fees adopted herein are reasonable and necessary to defray the administrative costs of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER TEXAS, THAT:

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Fees Amended. Section A7.008 of the City of Leander Code of Ordinances is hereby amended in its entirety to read as set forth in Exhibit A attached to this ordinance.

Section 3. Conflicting Ordinances. Any ordinance regulating fees for collection and disposal of refuse are hereby amended to the extent of any conflict with this ordinance. In the event of a conflict between this ordinance and another ordinance regulating fees for collection and disposal of refuse, this ordinance shall control.

Section 4. Effective Date. The effective date of this Ordinance shall be the date of adoption in accordance with the Texas Local Government Code; provided that the fees adopted hereunder shall go into effect for the services that are billed under the bills that are issued on and after May 1, 2014.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this _____ day of _____, 2014.

ATTEST:

CITY OF LEANDER, TEXAS

Debbie Haile, City Secretary

Christopher Fielder, Mayor

EXHIBIT A

Sec. A7.008 Collection and disposal of refuse

(a) Residential curbside refuse collection.

(1) The contractor will provide curbside collection service of residential refuse and waste to each residential unit subject to the following rates and fees:

(A) One time per week (one cart): \$16.66

(B) One time per week (two carts): \$24.99

(C) One time per week (more than two carts): \$8.33 for each additional cart, in addition to the rate charged for two carts in section (a)(1)(B)

(D) An additional one-time annual fee in the amount of \$1.00 shall be assessed to each residential service unit account in March of each year to fund city cleanup and waste collection programs.

(2) Customers age 65 and greater contracting for one cart pickup shall receive a ten percent (10%) discount. No discount shall be provided to senior citizens that use more than one cart.

(3) Such service shall be provided by the use of 95-gallon cart containers supplied by the contractor. The prices include the curbside collection of up to five (5) additional containers, bags and bundles of residential refuse on each pickup/service day.

(b) Commercial refuse collection. The contractor will provide collection service of commercial refuse and waste for multifamily dwellings, apartment projects, and commercial and industrial customers as follows:

(1) Commercial hand pickup customers will be supplied with the same type of cart containers as are residential units. The same curbside policy and bulk items policy will also apply to this category. The rates and charges for customers in this category are as follows:

(A) Collection once per week (one cart): \$20.00.

(B) Collection once per week (two carts): \$32.65.

(C) Collection twice per week (one cart): \$36.33.

(2) Commercial customers producing a volume of refuse, garbage and waste in excess of 190 gallons per week will, at the contractor's discretion, be served as follows:

(A) Collection and disposal service to customers will be provided with dumpsters provided and maintained by the contractor according to the following:

Size	1x/wk.	2x/wk.	3x/wk.	4x/wk.	5x/wk.
2 yd.	\$51.60	\$92.15	\$131.54	\$170.96	\$213.71
3 yd.	\$55.20	\$98.57	\$140.81	\$182.87	\$228.59
4 yd.	\$73.20	\$130.72	\$186.73	\$242.51	\$303.13
6 yd.	\$91.20	\$162.85	\$232.64	\$302.14	\$377.68
8 yd.	\$112.80	\$201.43	\$287.76	\$373.72	\$467.15
10 yd.	\$132.00	\$235.72	\$336.73	\$437.32	\$546.65

(B) The following rates and fees shall be applicable to commercial customers and others requiring service at a level in excess of the highest level provided above to be made available with dumpsters. These services will be via temporary roll-off containers.

(i) Temporary dumpster roll-off service.

	20 Yard	30 Yard	40 Yard
Delivery fee	\$125.00	\$125.00	\$125.00
Haul charge	\$225.00	\$225.00	\$225.00
Daily rental**	\$3.00	\$3.00	\$3.00
Tonnage Fee*	Williamson County Landfill Gate Rate	Williamson County Landfill Gate Rate	Williamson County Landfill Gate Rate
*3-ton minimum charge			
** Daily Rental begins after 14 days			

(ii) Commercial permanent and/or city roll-off service.

	20 Yard	30 Yard	40 Yard
Delivery fee	NC	NC	NC
Haul charge	\$ \$225.00	\$ \$225.00	\$ \$225.00
Daily rental	NC	NC	NC
Tonnage Fee*	Williamson County Landfill Gate Rate	Williamson County Landfill Gate Rate	Williamson County Landfill Gate Rate
D			
* 3-ton minimum charge			

(c) Manufacturing/assembly plant special waste.

Haul charge \$225.00

Disposal Cost determined based on type of special waste.

Actual rate at designated disposal facility determined by customer.

(d) Wastewater sludge.

(1) Haul charge \$225.00

(2) Disposal Cost: Actual rate at designated disposal facility determined by customer.

(e) Tires. Upon verification of payment and receipt for a prepaid charge equal to the landfill rates for disposal charged to the contractor, the contractor agrees to pick up two (2) automobile type tires per residential unit per pickup.

(f) Annual cleanup. For no charge the contractor will, twice a year, provide six (6) roll-off containers to be dumped three (3) times each. At a location designated by the city, the contractor and the city will set up a manned and supervised citizen drop-off site that accepts refuse, construction material, bulk items (white goods), and brush and other yard waste. Also, as part of this cleanup effort, water-based or latex paints will be included. Batteries and used oil that will be accepted at the landfill the contractor uses will be collected. Material not accepted at the

landfill will not be accepted at the cleanup site. This service is for verified city residents only, and only for the cleanup day.

(g) Bulk waste, construction debris and stable matter; hazardous waste. The contractor will provide for the special collection from residential units of bulky waste not eligible for curbside pickup, for a negotiated cost based on the above rates for dumpster or roll-off containers, as applicable. Construction debris and stable matter will be hauled at a rate to be determined by container size. The contractor and the producer of the waste will negotiate the total charge prior to collection. The contractor will not provide for the special collection of hazardous waste.

(h) Service to city facilities. All city municipal locations shall be served with either a 95-gallon container or an appropriate sized dumpster, at no charge. If roll-off containers are required for any use, other than the city-wide cleanups, the contractor will provide such services with discounted rates appropriate to the job size and duration. If the city elects to have the contractor haul sludge from the city's wastewater treatment plant(s), the fee for such service will be \$225.00 per haul, plus disposal costs.



Executive Summary

March 20, 2014

Agenda Subject: Zoning Case #14-Z-002: Consider action on the rezoning of three tracts of land located at 9450 RM 2243 for 9.889 acres more or less; Parcels #R048847, R433122, and R315909. Currently, the property is zoned interim SFR-1-B (Single-Family Rural) and HC-4-D (Heavy Commercial) formerly known as LI-4-D (Light Industrial). The property is proposed to be HC-4-D (Heavy Commercial) formerly known as zoned LI-5-D (Light Industrial), Leander, Williamson County, Texas.

Background: This request is the final step in the rezoning process.

Origination: Applicant: Sam LaRue on behalf of LaRue 2243 LP.

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval at the February 27, 2014 meeting. The City Council unanimously recommended approval at the March 06, 2014 meeting.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Aerial Map
4. Letter of Intent
5. Ordinance

Prepared By: Tom Yantis, AICP
Development Services Director

03/10/2014



PLANNING ANALYSIS

ZONING CASE 14-Z-002
9450 RM 2243

GENERAL INFORMATION

- Owner:** LaRue 2243, LP
- Current Zoning:** HC-4-D (Heavy Commercial) formerly known as LI-4-D (Light Industrial)
Interim SFR-1-B (Single Family Rural)
- Proposed Zoning:** HC-5-D (Heavy Commercial) formerly known as LI-5-D (Light Industrial)
- Size and Location:** The property is generally located on the northeast corner of the intersection of CR 269 and RM 2243.
- Staff Contact:** Martin Siwek, GISP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	HI-5-D	Developed Industrial Property: Empire Fence Company
EAST	Interim SFR-1-B Interim SFS-2-B	Undeveloped Property Developed Industrial Property: Hardwood Products & Doors
SOUTH	Interim SFS-2-B	Undeveloped Property
WEST	TOD/PUD	Developed Industrial Property: Fabcon Products

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

HC – HEAVY COMMERCIAL:

Features: Any use in GC plus commercial laundry, contractor storage yard, lumber yards, indoor manufacture, assembly and processing, mini-warehouse, RV, trailer and boat storage, testing and research, warehouse and distribution, wholesale, wrecker impoundment.

Intent: Development of a variety of light manufacturing, assembly and processing businesses, storage, warehouses and lumber sales. Access should be provided by an industrial or commercial collector street.

SITE COMPONENT:

TYPE 5 (non-residential only):

Features: Accessory buildings; drive-thru service; outdoor fueling and washing of vehicles; overhead service doors; maximum outdoor display and storage; outdoor entertainment venues and animal boarding.

Intent:

- (1) The Type 5 site component is intended to be utilized with developments that have intense outdoor site requirements and a need to utilize the outdoor site area for maximum outdoor display, storage and / or accessory buildings.
- (2) This component is intended only for industrial or the heaviest commercial uses and may be combined only with GC, HC or HI use components.
- (3) This site component is not intended for retail or office development not requiring the available limits of outdoor storage and accessory buildings or adjacent to residential neighborhoods where not adequately buffered from residential uses.
- (4) This site component is discouraged along major thoroughfares and is intended to be utilized within industrial park developments.

ARCHITECTURAL COMPONENTS:

TYPE D (non-residential only):

Features: 35% masonry (60% street facing); metal siding for remainder not facing a street; 2 or more architectural features.

Intent:

- (1) This architectural component is intended only for industrial warehouse, heavy commercial service and other similar applications and shall be utilized only with GC, HC or HI use components.
- (2) This component is not intended to be utilized with the majority of GC districts.
- (3) This component is not intended for retail or office development or adjacent to residential neighborhoods where not adequately buffered from residential uses.
- (4) This site component is discouraged along major thoroughfares and is intended to be utilized within industrial park development.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide Opportunities for coordinated, well-planned growth and development that are consistent with the Comprehensive Plan.
- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Preserve the integrity of existing property values and help to ensure the future economic stability of the community by encouraging the attraction of targeted industries and diverse nonresidential land uses to help support and subsidize the overall tax base.
- Strive for a fiscal balance of land uses that will create a positive impact upon the City of Leander's budget and overall tax base.
- Find suitable districts for industrial development so that the City may recruit additional employers and avoid locating industrial development near neighborhoods without adequate buffering.

ANALYSIS:

The subject property is currently zoned Interim SFR-1-B (Single Family Rural) district, and HC-4-D (Heavy Commercial) district. The property to the north is zoned HI-5-D (Heavy Industrial) district and is currently developed with the Empire Fence Company's facility. The properties to the east include undeveloped Interim SFR-1-B (Single Family Rural), and Interim SFS-2-B (Single Family Suburban) districts. The property to the south is zoned SFS-2-B (Single Family Suburban) district and is currently undeveloped. The property located to the west is zoned TOD/PUD (Transit Oriented Development/Planned Unit Development) district and is an industrial property that is currently developed as the Fabcon Products facility.

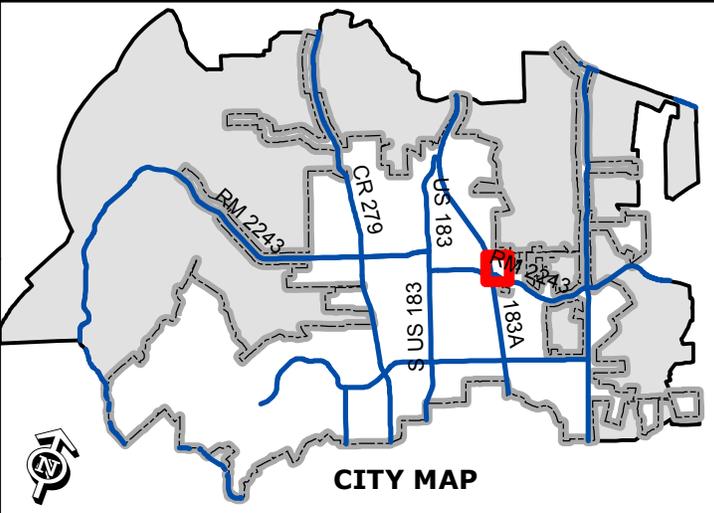
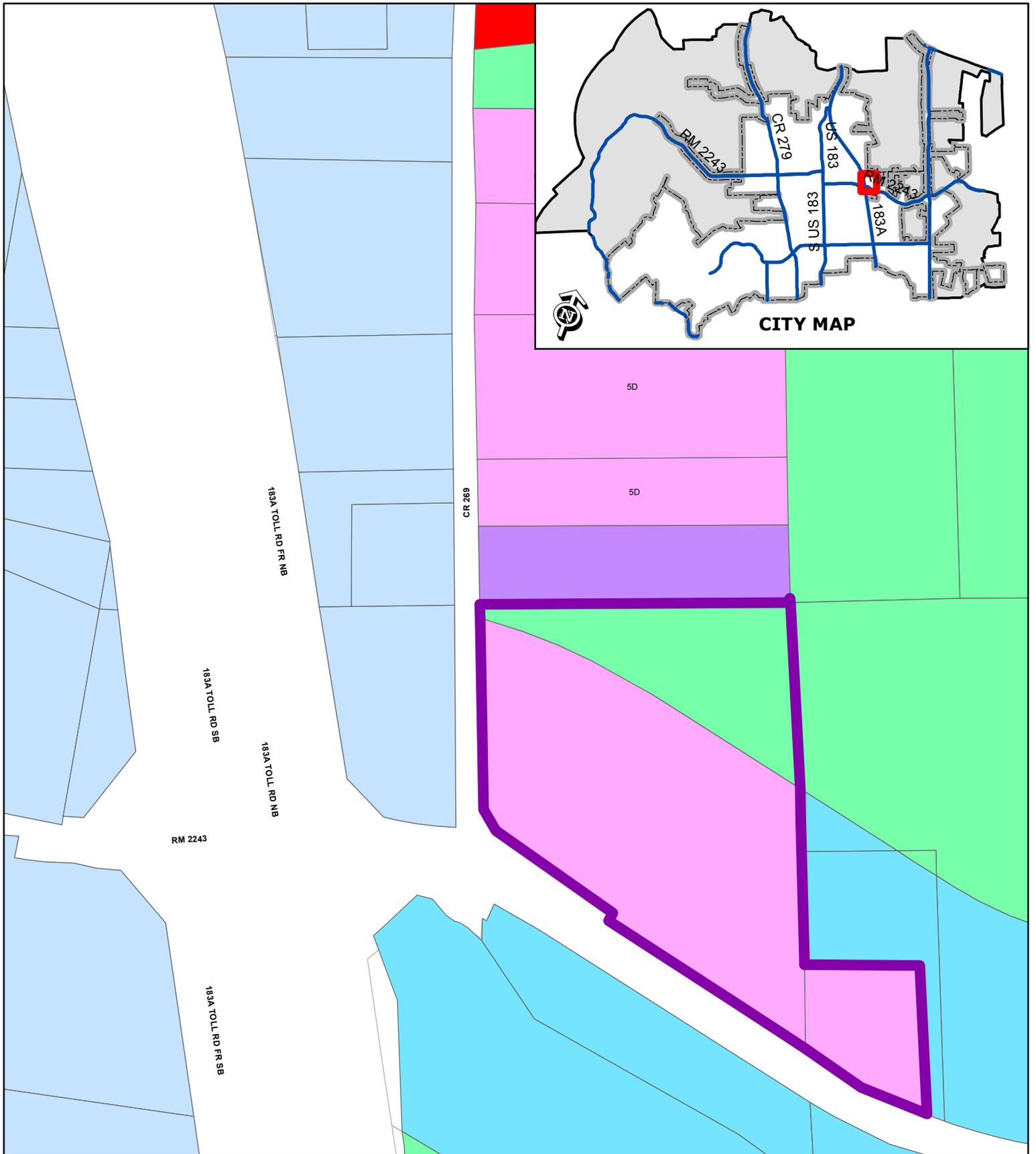
The intent of the requested HC land use component and Type 5 site component are to allow for the expansion of the applicant's business, LaRue Tactical. The current interim SFR-1-B zoning on the applicant's northern property would not permit the expanded use. The Type 5 site component is proposed to accommodate the applicant's need for unlimited outdoor storage and display. The existing interim zoned SFR-1-B does not permit outdoor storage and display for non-residential land uses. The requested HC use component and Type 5 site component would address the applicant's needs for the expansion of their business.

The Type 5 site component will permit the following:

- Unlimited outdoor storage/container storage and display.
- Overhead commercial service doors.

STAFF RECOMMENDATION:

Staff recommends approval of the applicant's request to rezone the property from Interim SFR-1-B (Single Family Rural) and HC-4-D (Heavy Commercial) districts to HC-5-D (Heavy Commercial) district. The request addresses the Comprehensive Plan's encouragement of providing sites for industrial areas without being located immediately adjacent to residential neighborhoods. The zoning request also helps to protect the applicant's property value by allowing the further establishment of an already industrial area. This will assist in protecting the applicant's property from allowing any potential conflicting land uses from developing adjacent to the applicant's business. Additionally, the zoning request also meets the intent statements of the composite zoning ordinance for the Heavy Commercial land use component, and provides a suitable location for the applicant's business to expand.



ZONING CASE 14-Z-002

Attachment #2

Current Zoning Map
9450 RM 2243



City Limits



Subject Property



Future Annexation Per DA



Involuntary Annexation



Voluntary Annexation



SFR



SFE



SFS



SFC



SFL



SFT



SFU/MH



SFU



TF



MF



LO



LC



GC



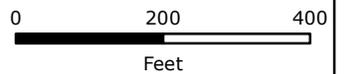
HC

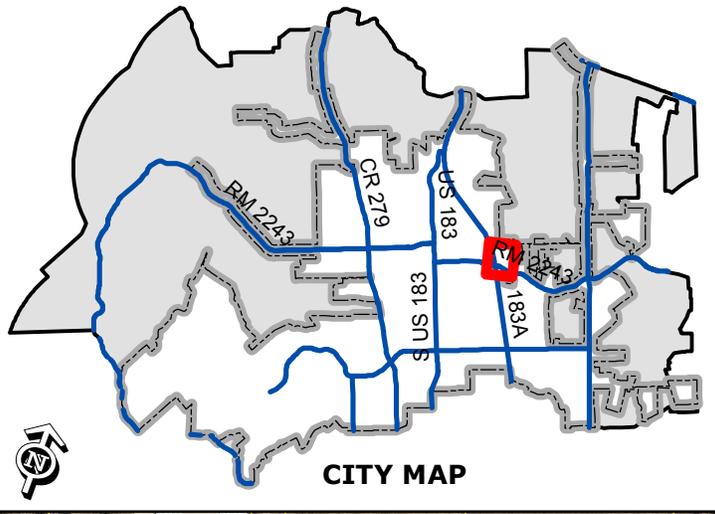
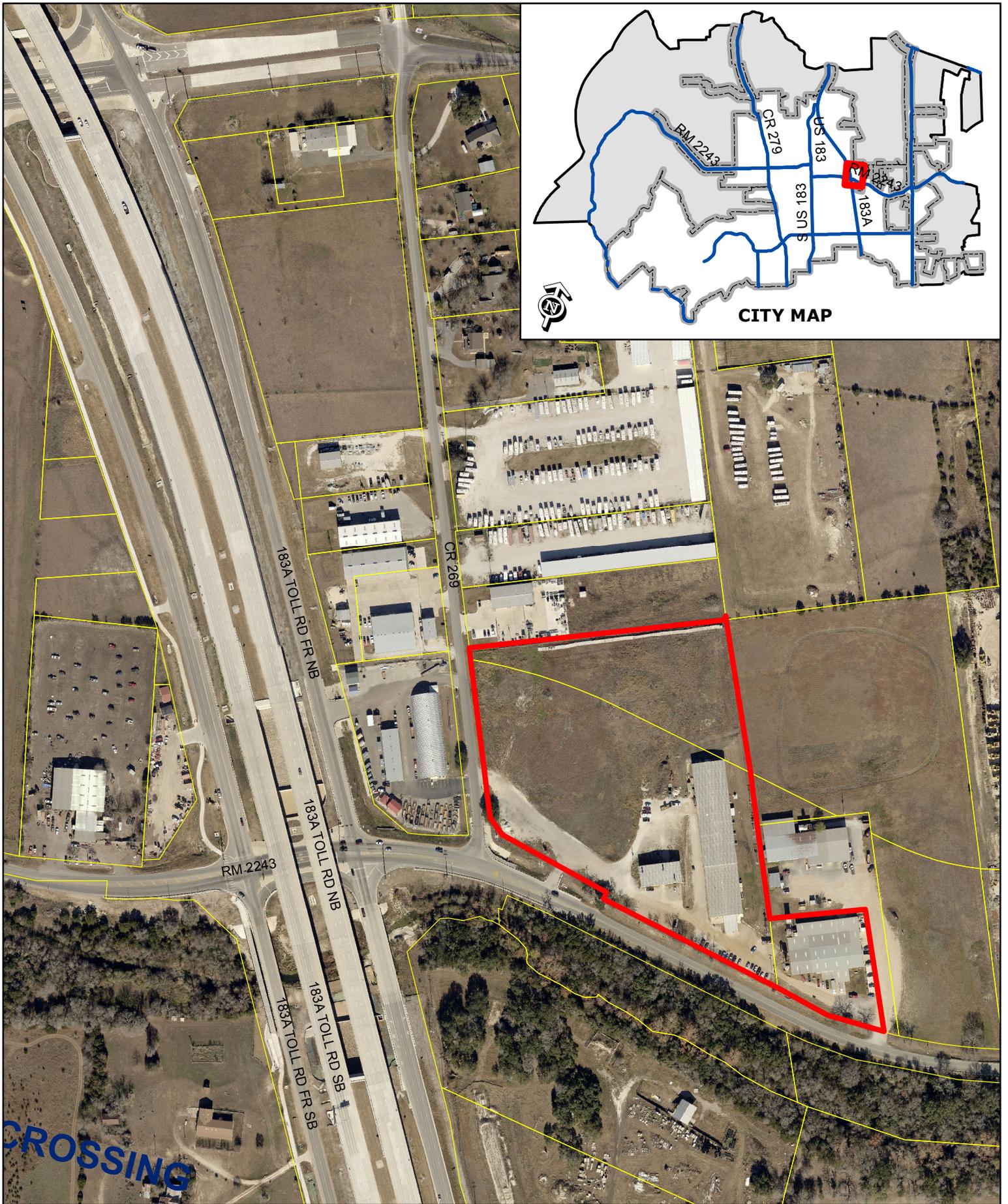


HI



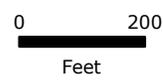
PUD





ZONING CASE 14-Z-002 Attachment #3

Aerial Exhibit - Approximate Boundaries
9450 RM 2243

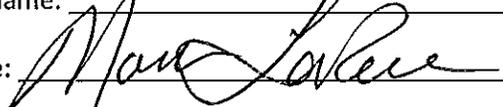


- Subject Property
- City Limits

4. Letter of Intent Explaining Requested Zoning Change

I, Mark LaRue, wish to change the referenced piece of property from Interim Residential Zone to Light Industrial Zone in order to merge it with the rest of the property currently zoned as Light Industrial.

Printed Name: MARK LARUE

Signature: 

Date: JANUARY 21, 2014

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING THREE PARCELS OF LAND FROM INTERIM SFR-1-B (SINGLE-FAMILY RURAL) AND HC-4-D (HEAVY COMMERCIAL) FORMERLY KNOWN AS LI-4-D (LIGHT INDUSTRIAL) TO HC-5-D (HEAVY COMMERCIAL) FORMERLY KNOWN AS LI-5-D (LIGHT INDUSTRIAL); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcels of land, which is herein referred to as the "Property:" That certain parcels of land being 9.889 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 9450 RM 2243, Leander, Texas; legally described as 9.889 acres out of the E.D. Harmon Survey, more particularly described in Document Number 2013002155 of the Official Public Records of Williamson County, Texas, and identified by tax identification numbers R048847, R433122, and R315909.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from Interim SFR-1-B (Single-Family Rural), and HC-4-D (Heavy Commercial) formerly known as LI-4-D (Light Industrial) to HC-5-D (Heavy Commercial) formerly known as LI-5-D (Light Industrial).

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by

the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 6th day of March, 2014.
FINALLY PASSED AND APPROVED on this the 20th day of March, 2014.

THE CITY OF LEANDER, TEXAS

ATTEST:

Christopher Fielder, Mayor

Debbie Haile, City Secretary

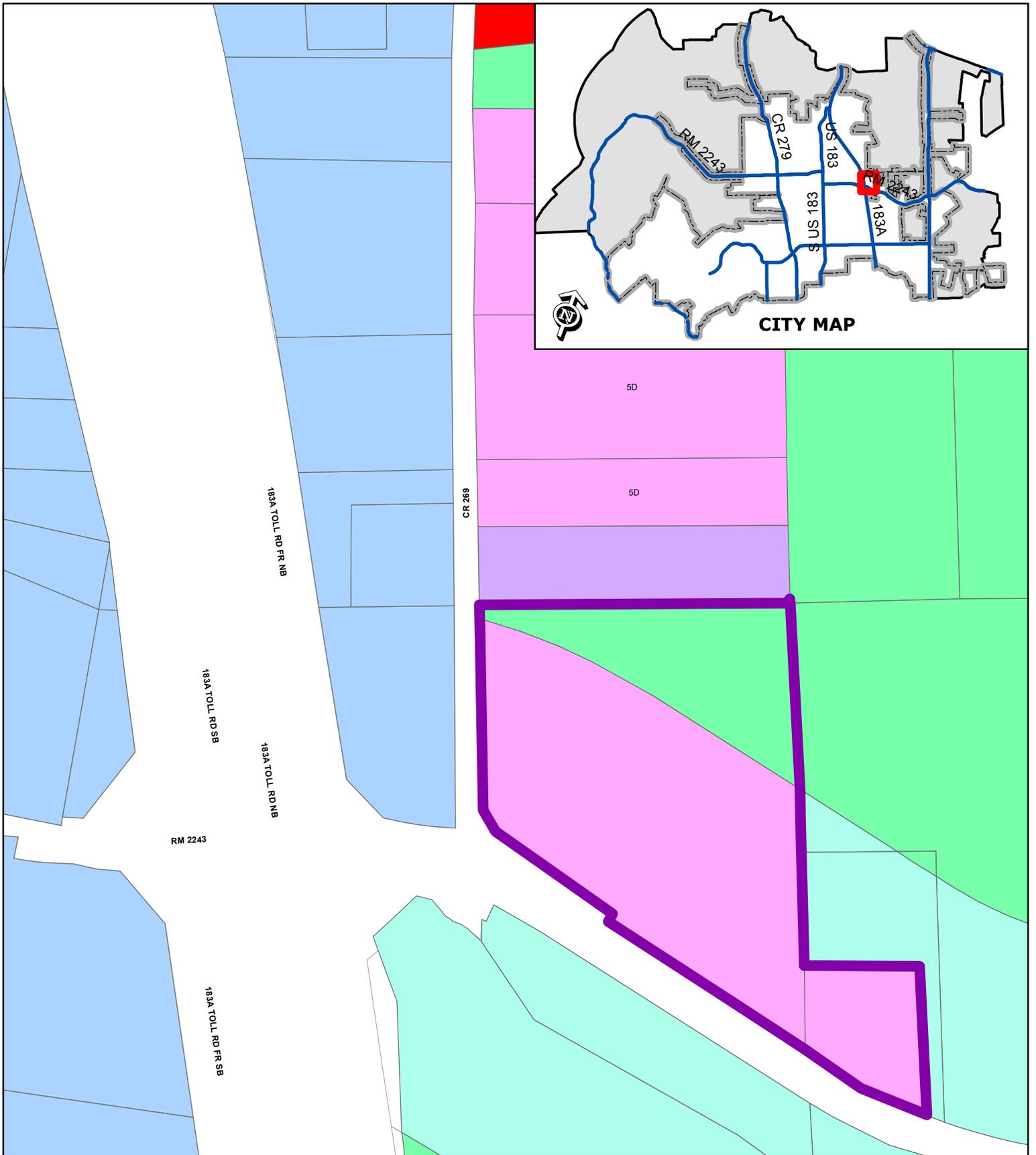


EXHIBIT A

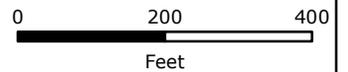
Zoning Case 14-Z-002

LaRue
9450 RM 2243



-  City Limits
-  Subject Property
-  Future Annexation Per DA
-  Involuntary Annexation
-  Voluntary Annexation

- | | | |
|--|--|---|
|  SFR |  SFT |  GC |
|  SFE |  SFU/MH |  HC |
|  SFS |  TF |  HI |
|  SFU |  MF |  PUD |
|  SFC |  LO | |
|  SFL |  LC | |





Executive Summary

March 20, 2014

Subject: Consider a Special Permit for the *American Cancer Society Relay for Life*

Background: The American Cancer Society requests authorization for a special permit to hold their annual *Relay for Life* event in Robin Bledsoe Park May 3-4, 2014 from Noon to 1:00 am. The event will be a fundraiser for the American Cancer Society.

A special permit is respectfully requested to allow Bledsoe Park to remain open from 10:00 pm on Saturday the 3rd until 1:00 am on Sunday, May 4th. Section 1.426 of the *Park Rules & Regulations Ordinance* states that parks are open to the public from 6:00 am.to10:00 pm daily and park curfew hours are established from 10:01 pm. until 5:59 pm

Event activities include a picnic, live music, games, food and beverage. The Luminaria Ceremony will be at 9 pm and attendance is anticipated to exceed 300.

Financial Consideration: None

Recommendation: Staff respectfully requests Council approval of a Special Permit for the *American Cancer Society Relay for Life* event in Robin Bledsoe Park May 3-4, 2014 from Noon to 1:00 am.

Attachments: Special Permit Application

Prepared by: Stephen Bosak, Parks & Recreation Director

SPECIAL EVENT PERMIT APPLICATION

Applicant/Organization Name: American Cancer Society (ACS)

Name & Contact Information of Responsible Individual:

Addison Elliott
American Cancer Society - High Plains Division
2433 Ridgepoint Drive - Austin, TX 78754
Phone: 512.919.1941

Description of Event: the American Cancer Society will hold its annual Relay for Life in Robin Bledsoe Park from noon on May 3rd to 1:00 am May 4th. The event is a fundraiser and activities include a picnic, live music, games, food and beverage and Luminaria Ceremony. Attendance is anticipated to exceed 300.

A Special Permit is requested to extend park hours from 10 pm, May 3rd to 1:00 am on May 4th.

City Services Needed:

Utilities & Services Needed:	<u>Electricity, Restrooms & Water</u>
Sanitation/Litter Pick Up:	<u>By ACS.</u>
Security:	<u>By Texas Alcohol & Beverage Commission</u>
Medical	<u>Cedar Park Regional Medical Center</u>
Traffic Control:	<u>By ACS</u>

Will alcohol be served or sold? No

Will the proposed activity interfere or detract from the general public use of the area? The event will be open to the public and there are no other scheduled park activities during the event.

Will the proposed activity adversely impact the City or nearby property owners?
No, but live music will be provided at the amphitheater.

Will the activity cause/create health or safety risks or damage to other property?
No.

Will the event require local or state permits, or violate any federal, state or municipal laws? No

What measures will be taken to prevent/minimize adverse impacts or affects?
ACS will provide security and traffic control.

Proof of Insurance: Proof of Insurance has been provided.

Stephen Bosak

Parks & Recreation Director

March 20, 2014

Date



Executive Summary

March 20, 2014

-
- Agenda Subject:** Zoning Case 13-Z-026: Hold a public hearing and consider action on the rezoning of several parcels of land generally located to the west of Bloody Hollow, abutting FM 1431 on the south and Nameless Road on the west; 2,118.6 acres more or less: Parcels: 186323, 352969, 353024, 353246, 353247, 353650, 382583, 459376, 459380-459395, 459399-459401, 467140-467160, 467162-467187, 467192-467197, 467200-467213, 467215-467217, 467219-467228, 467230-467233, 467236-467238, 513803, 513809, 796296, 796297, 796302, 819093, 825510, 827467, 827468. Currently, the property is zoned SFR-2-A (Single-Family Rural), SFR-2-B (Single-Family Rural), SFR-3-B (Single-Family Rural), SFE-2-A (Single-Family Estate), SFS-2-A (Single-Family Suburban), SFS-2-B (Single-Family Suburban), SFU-2-A (Single-Family Urban), SFC-2-A (Single-Family Compact), MF-2-B (Multi-Family), GC-3-A (General Commercial), and GC-3-B (General Commercial). The property is proposed to be zoned PUD (Planned Unit Development); Leander, Travis County, Texas.
- Background:** This request is the second step in the rezoning process.
- Origination:** Applicant: Nancy Stroder (Taylor Morrison) on behalf of Travisso, LTD (Taylor Morrison Homes of Texas, Inc).
- Financial Consideration:** None
- Recommendation:** See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval at the March 13, 2014 meeting with the following conditions:
1. The sidewalk along FM 1431 shall be constructed if FM 1431 is improved to accommodate sidewalks during the term of the development agreement.
 2. The applicant will hold a meeting with the neighboring property owners to discuss issues raised during the P&Z hearing prior to final Council action.
 3. The zoning district permitted in the COM district shall be GC-3-A instead of GC-3-B.

4. The architectural standard in the MU district shall require 100% masonry on the walls of structures visible from a greenbelt.
5. Fencing will be limited to wrought iron (or tubular metal) when constructed along greenbelts.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Aerial Map
4. Proposed PUD
5. Letter of Intent
6. Ordinance
7. Minutes - Planning & Zoning Commission March 13, 2014

Prepared By:

Tom Yantis, AICP
Development Services Director

03/14/2014



PLANNING ANALYSIS

ZONING CASE 13-Z-026 TRAVISSO PUD

GENERAL INFORMATION

Owner: Travisso, LTD (Taylor Morrison Homes of Texas, Inc)

Current Zoning: SFR-2-A (Single-Family Rural)
SFR-2-B (Single-Family Rural)
SFR-3-B (Single-Family Rural)
SFE-2-A (Single-Family Estate)
SFS-2-A (Single-Family Suburban)
SFS-2-B (Single-Family Suburban)
SFU-2-A (Single-Family Urban)
SFC-2-A (Single-Family Compact)
MF-2-B (Multi-Family)
GC-3-A (General Commercial)
GC-3-B (General Commercial).

Proposed Zoning: PUD (Planned Unit Development)

Size and Location: The property is generally located to the west of Bloody Hollow, abutting FM 1431 on the south and Nameless Road on the west and is approximately 2,118.6 acres in size.

Staff Contact: Robin M. Griffin, AICP
Senior Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFU-2-B OCL	Established Single-Family Homes, Grand Mesa Neighborhood Established Single-Family Homes & Undeveloped Properties
EAST	SFR-2-B	Established Single-Family Homes, Grand Mesa Neighborhood
SOUTH	OCL	Established Single-Family Homes & Undeveloped Properties
WEST	OCL	Established Single-Family Homes & Undeveloped Properties

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

PUD – PLANNED UNIT DEVELOPMENT:

The purpose and intent of the Planned Unit Development (PUD) district is to design unified standards for development in order to facilitate flexible, customized zoning and subdivision standards which encourage imaginative and innovative designs for the development of property within the City. The intent of this zoning request is to provide for the design of a development which permits a mixed-residential community. This integrated project will include a blend of single-family, multiple family housing types and commercial development. The intent of this zoning district is to cohesively regulate the development to assure compatibility with adjacent single-family residences, neighborhoods, and commercial properties within the region.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Provide for a variety of sustainable housing options for all age groups and economic levels. Determine ways to successfully integrate this variety within neighborhoods so as to accommodate the different needs of families throughout their life cycle. Create more desirable and livable neighborhoods while respecting the goal of maintaining stable real estate values and housing marketability.
- Establish high standards for development.

ANALYSIS:

The applicant is requesting the PUD (Planned Unit Development) district in order to allow for the development of a mixed residential community that includes multi-family and commercial development located along major roadways. The proposal includes residential lot widths ranging from as narrow as forty (40') feet to over one hundred twenty (120') feet wide. The applicant has incorporated the mixture of residential districts in a well integrated neighborhood plan providing a variety of lot sizes within the same neighborhood.

The original zoning case for this property was heard by the Planning & Zoning Commission on April 26, 2012, the City Council on May 3, 2012 and approved on May 17, 2012. A revision to this portion of the project was heard by the Planning & Zoning Commission on September 13, 2012, the City Council on September 20, 2012, and approved on October 4, 2012.

PROPOSED USE COMPONENTS

The PUD proposal includes three zoning districts: MU (Mixed Use), COM (Commercial), and RES (Residential).

The table below identifies which district each use component is permitted and the permitted percentages.

Use	RES District	MU District	COM District	Allowed with Limitations (See Section III.D)	Allowed Percent
Single Family Compact (SFC)	X				20% max
Single Family Urban (SFU)	X				N/A
Single Family Suburban (SFS)	X				20% min
Single Family Estate (SFE)	X				25% min
Single Family Rural (SFR)	X				
Single Family Townhome (SFT)		X			50% acreage & 300 units max
Single Family Limited (SFL)		X			
Multi-Family (MF)		X			
General Commercial (GC)		X	X	X	N/A

The MU district permits the development of uses listed in the MF (Multi-Family), SFL (Single-Family Limited), SFT (Single-Family Townhome) and/or GC (General Commercial) use components from the Composite Zoning Ordinance. No more than 300 multi-family units may be developed in the PUD. No more than 50% of the gross acreage may be developed with the multi-family or residential use components, the remaining 50% shall consist of uses permitted in the COM district or open space.

The COM district permits uses allowed in the GC (General Commercial) use component. The following uses are prohibited:

1. Venues with a primary use of live, amplified outdoor music;
2. Outdoor animal boarding;
3. Animal crematory;
4. Farms or truck gardens;
5. Funeral homes;
6. Manufactured housing and accessory building sales;
7. Office/Warehouse including painting, plumbing or other similar commercial service; provided that professional offices, medical offices, public offices, and similar offices are permitted;
8. Vehicle and major equipment sales, rental or leasing, unless such use is only a secondary and incidental part of the commercial use of such site;
9. Auto body shop; and
10. Processing of dry cleaning on premises.

The RES district permits the uses allowed in the SFC (Single-Family Compact), SFU (Single-Family Urban), SFS (Single-Family Suburban), SFE (Single-Family Estate), and SFR (Single-Family Rural) use components. The property will be developed to include not less than 2,100 and not more than 3,173 single-family residential lots. The Development Agreement limits the maximum density to 3,172 units. A minimum of a 250 foot buffer area adjacent to Grand

Mesa/Northern Crystal Falls residential property, is restricted to SFE and SFR use components only.

PROPOSED SITE & ARCHITECTURAL COMPONENTS

RES District

The site component for the RES District will comply with the Type 2 site component. The proposed architectural component will include 65% masonry overall, 85% masonry for the front elevation, 100% masonry for the first floor all sides, and 100% masonry for the second floor side and rear facing walls when street and greenbelt. The current architectural component is Type A and requires 85% masonry for the entire structure.

MU District

The permitted zoning districts in the MU District include:

- MF-2-B
- MF-2-A
- SFT-2-B
- SFL-1-B
- GC-3-A

The applicant is proposing the Type 2 site component for multi-family development. This site component requires that at least 35% of the units have at least one enclosed garage parking space. Currently, the multi-family portion of this property is zoned MF-2-B. This district limits the density to 18 units per acre. The proposed MF-2-A would allow for a density of 25 units per acre. The proposed GC-3-A district is consistent with the current zoning of the property.

COM District

The permitted zoning districts in the COM District includes GC-3-B. Currently, the general commercial portions of this property are zoned GC-3-B along Nameless Road and GC-3-A along FM 1431. The proposed Type B architectural component will change the required masonry from 85% overall to 85% for first story and 50% overall. In addition, the design features would be reduced from 7 to 4.

ADDITIONAL VARIATIONS

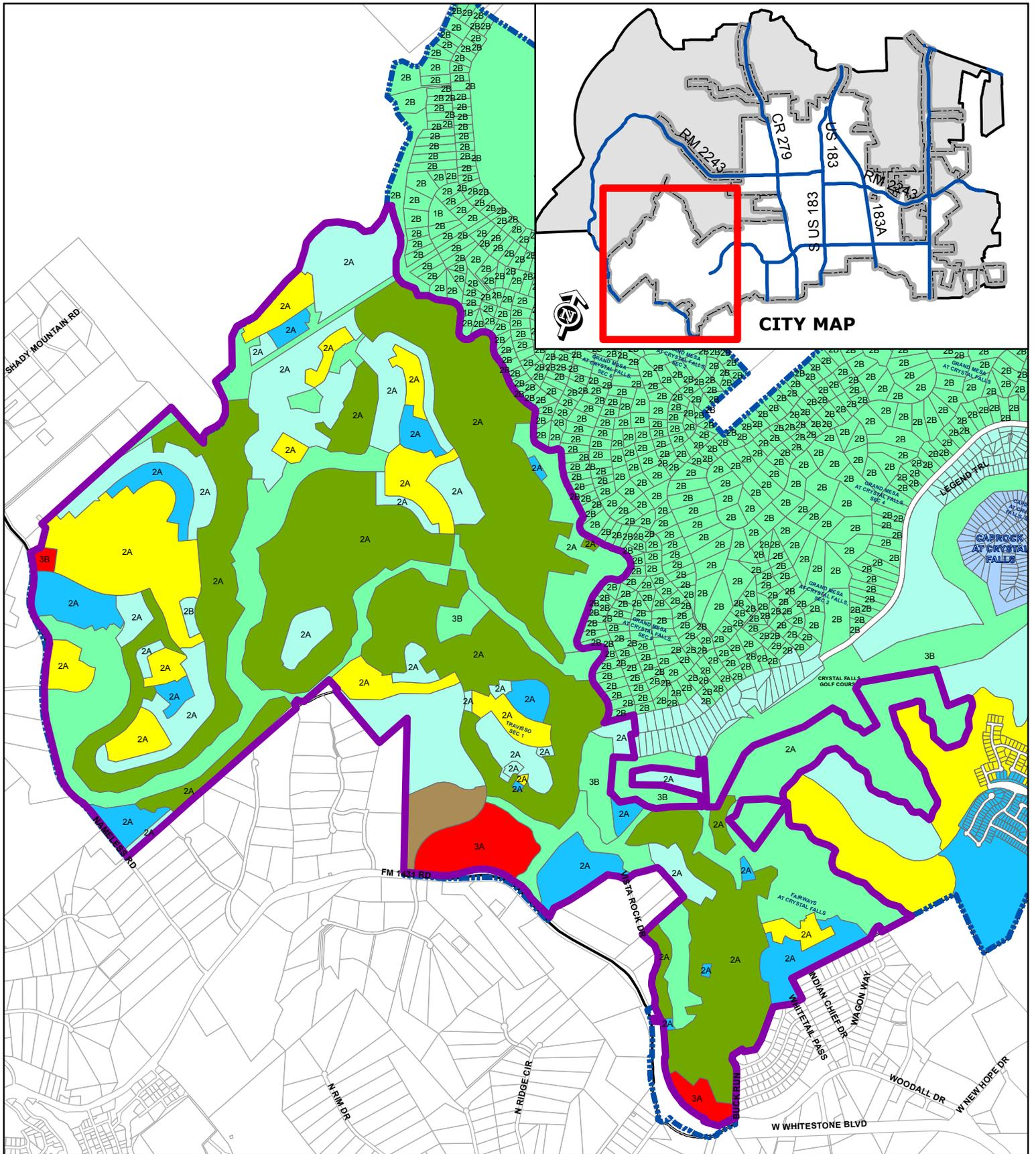
The applicant is requesting the following variations from the City Ordinances:

- Allowing temporary model home parking areas and permitting crushed granite as the parking lot material with a time frame of 10 years. Currently, we require a special use permit to be submitted and reviewed by Planning & Zoning Commission and City Council. Including this provision, would waive the requirement for the special use permit.
- Allowing tertiary entrance signs at entryways into sections within the PUD and are permitted only in subdivisions that exceed 50 acres. They may be used to identify various sections that are 15 acres or greater in size in order to enhance direction within the PUD. Currently, the ordinance requires that the sections are a minimum of 25 acres in size. In addition, they are requesting to increase the sign face from 10 square feet to 12 square feet.

- Allowing decorative poles with energy efficient LED light fixtures. A license agreement will also be required to allow the decorative poles.
- Not requiring sidewalks along FM 1431 frontage due to safety concerns. Sidewalks will be provided internally to all properties developed in the Mixed Use Areas, developed commercially, or developed as multi-family to maintain pedestrian connectivity to sidewalks abutting Divided Collector Road (Travisso Parkway) and Neighborhood Collector Road (Osage).
- Requiring additional landscaping for residential development (see Exhibit D).
- Requiring increased lot depths, lot area, and building square footages for residential development (see Exhibit D).

STAFF RECOMMENDATION:

Staff recommends approval of the requested PUD with the condition that the proposed COM district includes the Type A architectural component instead of the proposed Type B. The proposed PUD meets the intent of the current zoning, while allowing more flexibility with the location of the single-family districts. This application effectively utilizes composite zoning to incorporate a variety of land uses while maintaining high form standards. The modification to the architectural requirements increases the amount of masonry for the portion of the homes that is visible from the street and greenbelt areas. This requirement is reduced to a percentage that is between the Type A and Type B, however, the homes visible from the streets and greenbelts will be 100% masonry. The requested PUD meets the intent statements of the Composite Zoning Ordinance and the goals of the Comprehensive Plan.



ZONING CASE 13-Z-026

Attachment #2

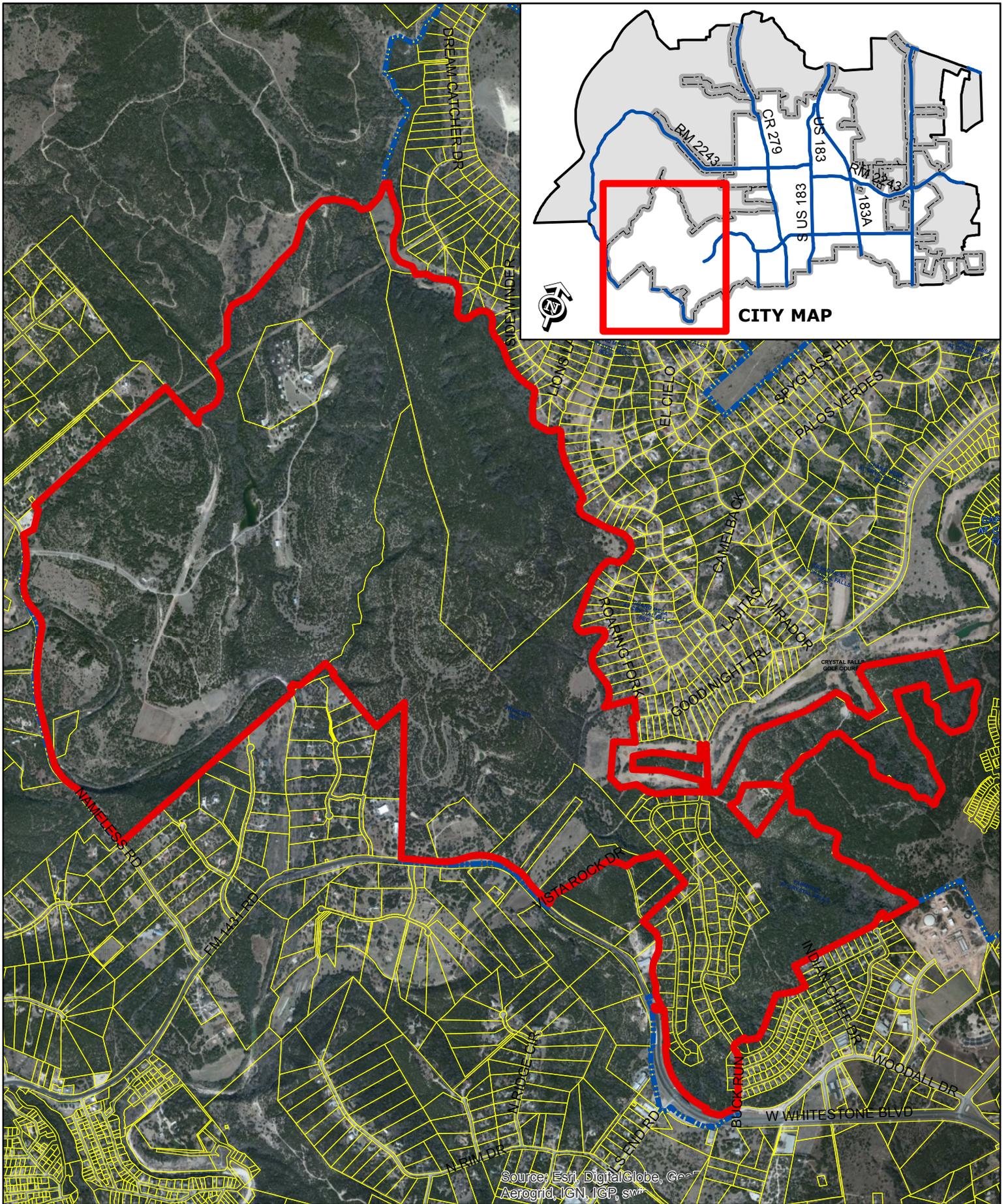
Current Zoning Map
Travisso PUD



- Subject Property
- City Limits
- Future Annexation Per DA
- Involuntary Annexation
- Voluntary Annexation

- | | | |
|-----|--------|-----|
| SFR | SFT | GC |
| SFE | SFU/MH | HC |
| SFS | TF | HI |
| SFU | MF | PUD |
| SFC | LO | |
| SFL | LC | |

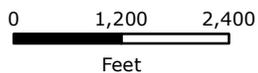
0 800
Feet



Source: Esri, DigitalGlobe, GeoEye, AeroGRID, IGN, IGP, swisstopo

ZONING CASE 13-Z-026 Attachment #3

Aerial Exhibit - Approximate Boundaries
Travisso PUD



- Subject Property
- City Limits

Travisso Planned Unit Development

I. General Notes

- A. The PUD consists of approximately 2118.6 acres (the “Property”) located in Travis County, Leander, Texas formerly known as Crystal Falls West or Nameless Valley Ranch, as particularly described in Exhibit A attached to this PUD ordinance.
- B. Except as otherwise provided in this PUD ordinance, including Exhibits B, C, and D, the Property and PUD shall be governed by the Composite Zoning Ordinance of the City of Leander in effect as of the date of this PUD Ordinance (the “Zoning Ordinance”). Any capitalized terms used herein but not defined herein shall have the meanings ascribed to them in the Zoning Ordinance.

II. Zoning Districts

- A. The PUD consists of three use districts depicted on Exhibit C attached hereto, including:
 - 1. MU (Mixed Use) containing approximately 64.3 acres;
 - 2. COM (Commercial) containing approximately 16.6 acres; and
 - 3. RES (Residential) containing approximately 2,037.7 acres.

III. Use Components

- A. Allowed Uses. The following table contains the Use Components allowed within the zoning use district boundaries shown on Exhibit C attached to this PUD ordinance.

Use	RES District	MU District	COM District	Allowed with Limitations (See Section III.D)	Allowed %
Single Family Compact (SFC)	X				20% max
Single Family Urban (SFU)	X				N/A
Single Family Suburban (SFS)	X				20% min
Single Family Estate (SFE)	X				25% min
Single Family Rural (SFR)	X				
Single Family Townhome (SFT)		X			50% acreage & 300 units max
Single Family Limited (SFL)		X			
Multi-Family (MF)		X			
General Commercial (GC)		X	X	X	N/A

B. RES District Permitted Uses and Limitations.

1. The Property will be developed to include not less than 2,100 and not more than 3,173 single-family residential lots.
2. Single-family residential lots in the RES District may be developed by the owner of the Property utilizing SFC, SFE, SFR, SFU and SFS Use Components, as more particularly set forth in Exhibit D attached to this PUD ordinance, in accordance with the following requirements:
 - (a) SFC – the maximum percentage of SFC lots allowed to be developed in the project is 20% of the total lots developed in the PUD (635 lots, if the maximum 3,173 single-family residential lots are developed in the PUD);
 - (b) SFE and SFR – the minimum percentage of SFE and SFR lots is 25% of the total lots developed in the PUD (793 lots, if the maximum 3,173 single-family residential lots are developed in the PUD); and
 - (c) SFU and SFS –any lots not developed as SFC lots may be developed as SFU, SFS, SFE, and SFR lots; the minimum percentage of SFS lots is 20% of the total lots developed in the PUD, provided the PUD shall not include more than 3,173 single-family residential lots.
3. A minimum of 250’ buffer area adjacent to Grand Mesa/Northern Crystal Falls residential property, as shown in the hatched area on Exhibit C attached to this PUD ordinance, may be developed as SFE and SFR Use Components only.

C. Mixed Use District Use Limitations.

1. Mixed Use is defined as combining different permitted uses in the same building and/or having multiple permitted uses within the MU District. The different uses are not required to be within the same building or the same Legal Lot or Legal Tract.
2. No more than 50% of the gross acreage in the MU district may be developed utilizing MF, SFL and/or SFT Use Components. No more than 300 MF Units may be developed in the PUD. The remainder of the property in the MU District shall be utilized for commercial uses permitted in the COM District or open space.

D. General Commercial District Permitted Uses and Limitations.

1. All uses permitted in the GC use component of the Zoning Ordinance are permitted in the COM District except for the following:
 - (a) Venues with a primary use of live, amplified outdoor music;
 - (b) Outdoor animal boarding;
 - (c) Animal crematory;
 - (d) Farms or truck gardens;
 - (e) Funeral homes;
 - (f) Manufactured housing and accessory building sales;

- (g) Office/Warehouse including painting, plumbing or other similar commercial service; provided that professional offices, medical offices, public offices, and similar offices are permitted;
- (h) Vehicle and major equipment sales, rental or leasing, unless such use is only a secondary and incidental part of the commercial use of such site;
- (i) Auto body shop; and
- (j) Processing of dry cleaning on premises.

IV. Site and Architectural Components and Standards

A. RES District.

- 1. Development Standards for each Use Component are shown on the table attached as Exhibit D to this PUD ordinance. This table sets out lot size, home size, setback, architectural, masonry, and landscaping, increasing the standards of many traditional zoning categories. To the extent that these requirements are inconsistent with the requirements of Article V (Site Components), Article VI (Site Standards), Article VII (Architectural Components), and Article VIII (Architectural Standards) of the Zoning Ordinance, the Development Standards set forth in this PUD ordinance and Exhibit D attached hereto will apply.
- 2. Development in the RES District of the PUD will comply with the Type 2 site component.
- 3. Temporary model home parking areas are permitted uses in the RES District in areas adjacent to or nearby model home sales areas for a maximum of ten (10) years after the issuance of a site development permit for such parking area. In addition to authorized materials, such temporary parking areas may be constructed with crushed granite.

B. MU District. Development in the MU District of the PUD will comply with one of the following Use, Site and Architectural Component standards:

- 1. MF-2-B;
- 2. MF-2-A;
- 3. SFT-2-B;
- 4. SFL-1-B or
- 5. GC-3-A.

C. COM District. Development in the COM District will comply with one of the following Use, Site and Architectural Component standards:

- 1. GC-3-B

V. Signage

- A. Tertiary entrance signs constructed within the PUD shall be regulated by Ordinance No. 03-023-00 and the Zoning Ordinance, with the following exceptions. Tertiary entrance signs may be located at the entryway into sections within the PUD and are permitted only in subdivisions that exceed fifty (50) acres. They may be used to identify various sections that are fifteen (15) acres or greater in size in order to enhance direction within the PUD. Tertiary entrance signs shall be comprised entirely of stone or masonry, with engraved lettering set within the stone or with pin-mounted aluminum or steel letters. The sign face of tertiary entrance signs shall be limited to a total size of twelve (12) square feet. The owner shall submit to the city restrictive covenants providing for perpetual maintenance of such signs by the homeowners' association for Travisso before a permit will be issued for such signs.

VI. Lighting

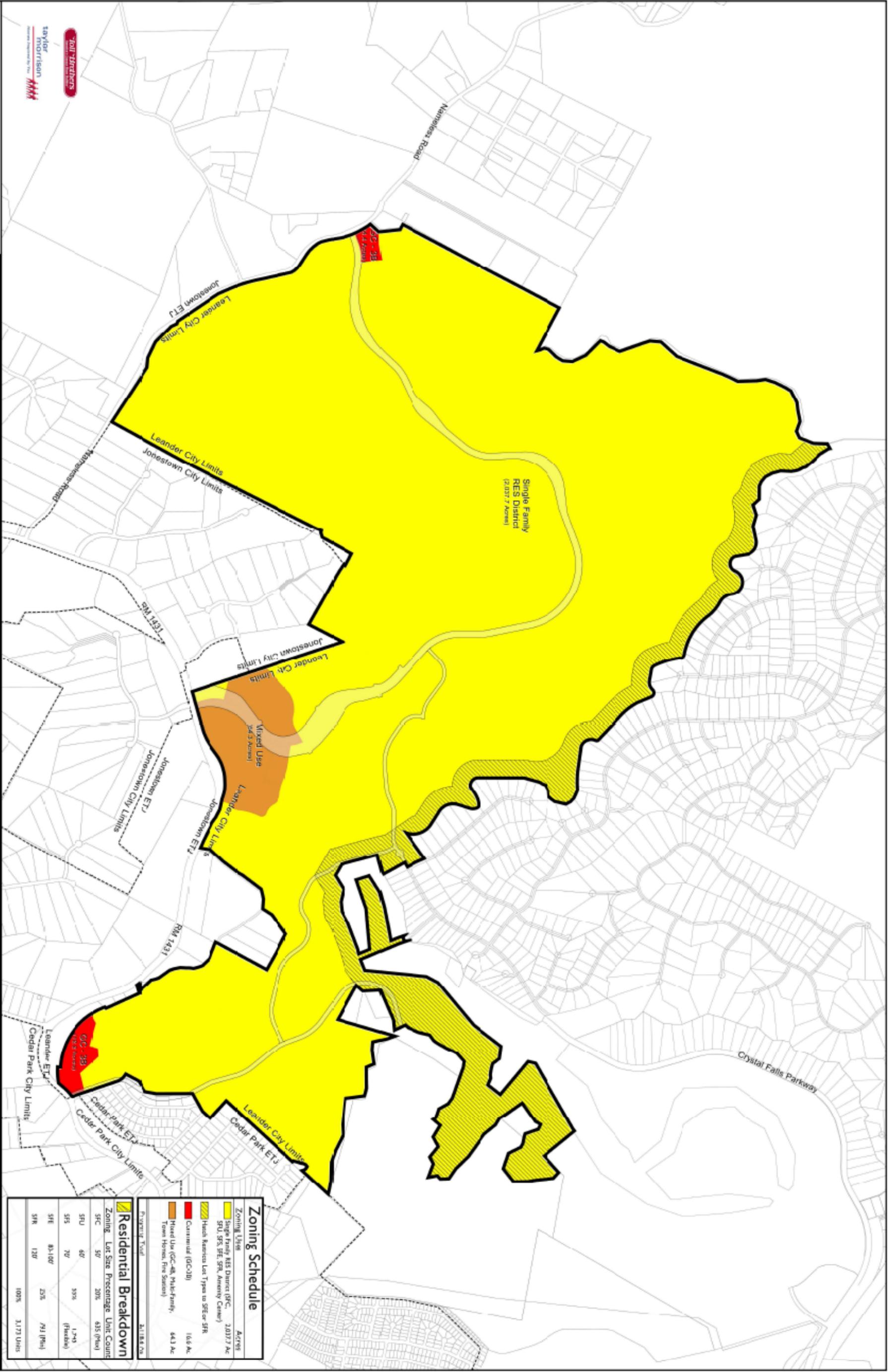
- A. Lighting constructed or installed within the PUD shall be regulated by Section 12 of Article V (Site Component) of the Zoning Ordinance in effect as of the date of this PUD Ordinance; provided, however, that all street lighting along Travisso Parkway will be decorative poles with energy efficient LED light fixtures.

VII. Sidewalks

- A. Pedestrian sidewalks are not required to be installed along FM 1431 frontage due to safety concerns. Sidewalks will be provided internally to all properties developed in the Mixed Use Areas, developed commercially, or developed as multi-family to maintain pedestrian connectivity to sidewalks abutting Divided Collector Road (Travisso Parkway) and Neighborhood Collector Road (Osage).

Exhibit C

PUD Zoning Plan



Toll Free
 Taylor Morrison
 Home by The Firm

TRAVISISO

Exhibit C - PUD Zoning Plan

Scale: 1" = 400'
 Date: 10/15/2015

Zoning Schedule		Acres
Single Family RES District (SFC, SFL, SFS, SFE, SFR, Avenue Center)	2,037.7 Ac	
Health Services Lot Types to SFE or SFR		
Community (GIC-3B)	16.6 Ac	
Mixed Use (GIC-4B, Multi-Family, Town Homes, Five Stories)	44.3 Ac	

Residential Breakdown		2018 URS
Zoning	Lot Size Percentage	Unit Count
SFC	50%	635 (Phased)
SFL	60%	1,293
SFS	70%	(Phased)
SFE	83.160%	791 (Phased)
SFR	120%	3,173 Units
	100%	

101 Corporate Avenue, Suite 200
 Austin, TX 78701
 Tel: (512) 462-1111 Fax: (512) 462-1112
 www.travisiso.com

T.V.I.
 Taylor Morrison
 Home by The Firm

Exhibit D

RES District Development Standards

RES DISTRICT MINIMUM STANDARDS

Zoning Use Component	Interior			Corner			Building Sq Foot	Front Setback	Side Setbacks	Street Side Setback	Rear Setback	Architectural / Masonry Req	Landscaping
	Lot Width	Lot Depth	Lot Area	Lot Width	Lot Depth	Lot Area							
SFC	50	130	6500	60	130	7800	1400	20 (25 street facing garage)	5	15 (20 street facing garage)	10	65% - Overall 85% Front Elev 100% - 1st Floor all sides 100% - 2nd Floor Side & Rear facing street & greenbelts	Trees: 2 x 3" hardwood Shrubs - 20 x 5 Gal Shrubs - 20 x 1 Gal - OG, GC, P Turf - Bermuda or Zoysia AC Units, Dry Utility pedestals must be screened. 24" min ht at planting 36" w/in 1-2 years
SFU	60	130	7800	70	130	9100	1850	20 (25 street facing garage)	5	15 (20 street facing garage)	15	65% - Overall 85% Front Elev 100% - 1st Floor all sides 100% - 2nd Floor Side & Rear facing street & greenbelts	Trees: 2 x 3" hardwood, 1 x 2" ornamental Shrubs - 20 x 5 Gal Shrubs - 20 x 1 Gal - OG, GC, P Turf - Bermuda or Zoysia AC Units, Dry Utility pedestals must be screened. 24" min ht at planting 36" w/in 1-2 years
SFS	70	130	9100	80	130	10400	2400	20 (25 street facing garage)	5	15 (20 street facing garage)	15	65% - Overall 85% Front Elev 100% - 1st Floor all sides 100% - 2nd Floor Side & Rear facing street & greenbelts	Trees: 3 x 3" hardwood, 1 x 2" ornamental Shrubs - 25 x 5 Gal Shrubs - 25 x 1 Gal - OG, GC, P Turf - Bermuda or Zoysia AC Units, Dry Utility pedestals must be screened. 24" min ht at planting 36" w/in 1-2 years
SFE	80	150	12000	90	150	13500	2600	20 (25 street facing garage)	7.5	15 (20 street facing garage)	15	65% - Overall 85% Front Elev 100% - 1st Floor all sides 100% - 2nd Floor Side & Rear facing street & greenbelts	Trees: 4 x 3" hardwood, 1 x 2" ornamental Shrubs - 30 x 5 Gal Shrubs - 30 x 1 Gal - OG, GC, P Turf - Bermuda or Zoysia AC Units, Dry Utility pedestals must be screened. 24" min ht at planting 36" w/in 1-2 years
SFR	120	160	19200	120	160	19200	3000	25 (30 street facing garage)	7.5	15 (20 street facing garage)	15	65% - Overall 85% Front Elev 100% - 1st Floor all sides 100% - 2nd Floor Side & Rear facing street & greenbelts	Trees: 4 x 3" hardwood, 2 x 2" ornamental Shrubs - 40 x 5 Gal Shrubs - 40 x 1 Gal - OG, GC, P Turf - Bermuda or Zoysia AC Units, Dry Utility pedestals must be screened. 24" min ht at planting 36" w/in 1-2 years

GENERAL NOTES

OG - Ornamental Grasses
GC - Ground Cover
P - Perennials



11200 Lakeline Boulevard
Suite 150A
Austin, TX 78717

p. (512) 532-2172
f. (512) 308-3975

February 6, 2014

Robin Griffin
Senior Planner
City of Leander
Planning Department
P.O. Box 319
Leander, Texas 78646

RE: Travisso – PUD Zoning Application – Letter of Intent

Dear Ms. Griffin

Please accept the following “Letter of Intent” to propose a residential development with adjustments to the Subdivision and Composite Zoning Ordinances, as required by the City of Leander’s PUD zoning application. The 2118 acre Travisso community (formerly known as Crystal Falls West or Nameless Valley Ranch) is currently subject to several zoning districts set forth in the Amended Zoning Ordinance No. 12-023-00 (the “Zoning Ordinance”). Travisso is currently owned by Travisso, Ltd.

Travisso, Ltd. proposes to amend the Zoning Ordinance to create a Planned Unit Development (PUD) district to raise the standard for development in order to facilitate flexible, customized zoning and subdivision standards to encourage superior and innovative designs for the development of the Travisso community. The proposed PUD would continue to include a blend of single family use, multifamily and general commercial use, and related parks, trails and public improvements without increasing the number of single family lots or multifamily or general commercial acreage. Numerous benefits to the City of Leander, the Travisso community, and the neighborhoods surrounding Travisso are detailed below.

The Travisso Planned Unit Development will raise the standard of development with the following purposes and intents:

1. To create unified development standards in order to provide flexible, customized zoning and subdivision standards;
2. To provide for development which is harmonious with nearby areas;
3. To enhance and preserve areas which are unique or have outstanding scenic, environmental, cultural or historic significance;
4. To provide for more efficient use of land, resulting in streets that are safer and open space that is larger superior;
5. To encourage harmonious and coordinated development by developing plans that better address natural features, community facilities, circulation patterns and surrounding properties and neighborhoods;
6. To enable productive development of land with unusual physical or location characteristics that may not be feasible under standard zoning district regulations;
7. To facilitate the development of the tax base, the local economy, population and public facilities;
8. To provide additional protections to the environment;
9. To provide and result in an enhanced residential and/or work environment for those persons living and/or working within the district;
10. To require the application of professional planning and design techniques to achieve overall coordinated mixed-use developments and avoid the negative effects of piecemeal, segregated, or unplanned development; and
11. To include a mixture of single family, multi-family and commercial zoning districts to promote diverse demographic and economic characteristics.

Travisso, Ltd. proposes a revision to the zoning map to establish composite zoning districts and to allow flexibility in the placement of particular product within such. The Zoning Map would consist of three districts: Residential (RES) district; Mixed Use (MU) district, and Commercial (COM) district, which would include the following:

A. Revise Zoning Map. Travisso, Ltd. proposes a revision to the zoning map to establish composite zoning districts and to allow flexibility in the placement of particular product within such districts upon confirmation of the City Manager or Director of Development Services that proposed development complies with the PUD and Development Agreement provisions. The Zoning Map would consist of three districts: Residential (RES) district; Mixed Use (MU) district, and Commercial (COM) district, which would include the following:

1. Increase the acreage and establish designated composite districts for improved green space, parks and a new trail system;
2. Continue to set aside convenient land for schools and a fire station;
3. Establish designated yet flexible Single Family Estate/Single Family Rural composite districts within 250' of adjacent existing neighborhoods along the northern property boundary to provide buffers to increase harmony with neighboring communities;
4. Establish Single Family Suburban/Single Family Urban/Single Family Compact composite districts to allow flexibility in placement of such uses; and
5. Establish designed yet flexible General Commercial/Multifamily use component districts to allow innovative town center or new urban designs.

B. Development Requirements. The PUD would provide for required minimum and maximum utilization or development of particular zoning use component districts, including:

1. No increase in the maximum number of single family lots allowed under the current PUD and Development Agreement (limited to 3173);
2. A maximum number of Single Family Compact lots to be developed limited to 20% of lots up to 635 lots;
3. A flexible number of Single Family Urban and Single Family Suburban lots to be developed, limited to 55% of lots up to 1745 lots; and a minimum of 20% of Single Family Suburban lots
4. A minimum number of Single Family Rural and Single Family Estate lots to be developed, with a flexible mix of such uses, including at least 25% of lots and at least 793 lots if 3173 lots are developed.

C. Increase Standards for Travisso. The PUD would raise the standards of all square footage requirements, landscaping requirements, lot depths and lighting requirements. Several undesirable uses currently permitted in the General Commercial districts would be prohibited.

We look forward to working with the City of Leander Staff, Planning and Zoning Commission and the City Council on this application.

Sincerely,

Travisso, Ltd.
A Texas limited partnership

By: TMC Travisso GP, LLC,
a Texas limited liability company,
its general partner

By: 
Adib Khoury, Vice President

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING SEVERAL PARCELS OF LAND FROM SFR-2-A (SINGLE-FAMILY RURAL), SFR-2-B (SINGLE-FAMILY RURAL), SFR-3-B (SINGLE-FAMILY RURAL), SFE-2-A (SINGLE-FAMILY ESTATE), SFS-2-A (SINGLE-FAMILY SUBURBAN), SFS-2-B (SINGLE-FAMILY SUBURBAN), SFU-2-A (SINGLE-FAMILY URBAN), SFC-2-A (SINGLE-FAMILY COMPACT), MF-2-B (MULTI-FAMILY), GC-3-A (GENERAL COMMERCIAL), AND GC-3-B (GENERAL COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcels of land, which is herein referred to as the "Property:" That certain parcels of land being 2,118.6 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A" and Exhibit "B"; and identified by tax identification numbers 186323, 352969, 353024, 353246, 353247, 353650, 382583, 459376, 459380-459395, 459399-459401, 467140-467160, 467162-467187, 467192-467197, 467200-467213, 467215-467217 467219-467228, 467230-467233, 467236-467238, 513803, 513809, 796296, 796297, 796302, 819093, 825510, 827467, 827468.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from SFR-2-A (Single-Family Rural), SFR-2-B (Single-Family Rural), SFR-3-B (Single-Family Rural), SFE-2-A (Single-Family Estate), SFS-2-A (Single-Family

Suburban), SFS-2-B (Single-Family Suburban), SFU-2-A (Single-Family Urban), SFC-2-A (Single-Family Compact), MF-2-B (Multi-Family), GC-3-A (General Commercial), and GC-3-B (General Commercial) to PUD (Planned Unit Development) known as the Trivisso PUD. The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibit "C", which are hereby adopted and incorporated herein for all purposes, and the Composite Zoning Ordinance to the extent not amended by this Ordinance. In the event of a conflict between the Composite Zoning Ordinance and the requirements for the Property set forth in this Ordinance, this Ordinance shall control.

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 20th day of March, 2014.
FINALLY PASSED AND APPROVED on this the 3rd day of April, 2014.

THE CITY OF LEANDER, TEXAS

ATTEST:

Christopher Fielder, Mayor

Debbie Haile, City Secretary

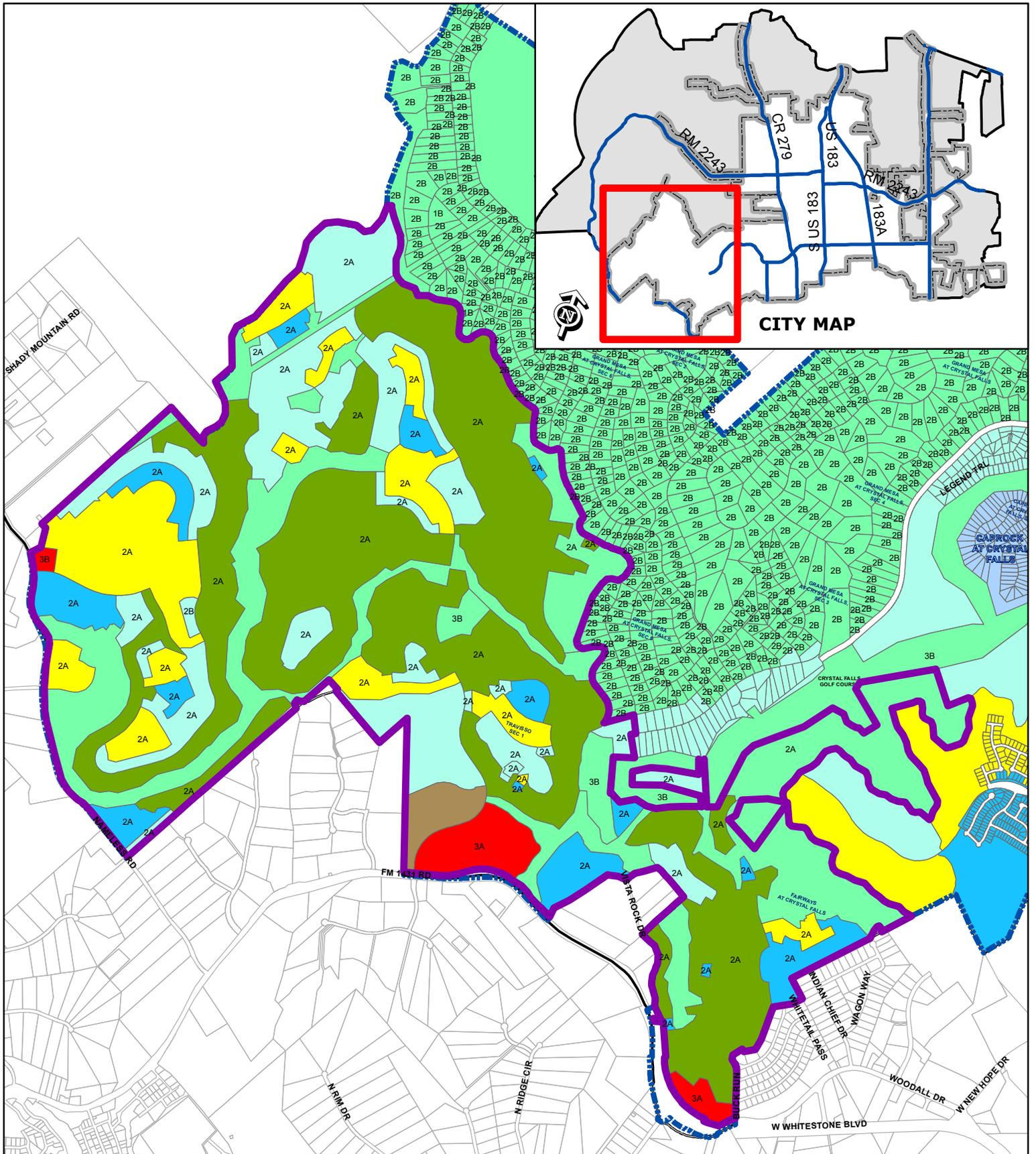


EXHIBIT B

**Zoning Case
13-Z-026**

Travisso PUD



- Subject Property
- City Limits
- Future Annexation Per DA
- Involuntary Annexation
- Voluntary Annexation

- | | | |
|-----|--------|-----|
| SFR | SFT | GC |
| SFE | SFU/MH | HC |
| SFS | TF | HI |
| SFU | MF | PUD |
| SFC | LO | |
| SFL | LC | |
- 0 800
Feet

9. Zoning Case 13-Z-026: Hold a public hearing and consider action on the rezoning of several parcels of land generally located to the west of Bloody Hollow, abutting FM 1431 on the south and Nameless Road on the west; 2,118.6 acres more or less: Parcels: 186323, 352969, 353024, 353246, 353247, 353650, 382583, 459376, 459380-459395, 459399-459401, 467140-467160, 467162-467187, 467192-467197, 467200-467213, 467215-467217 467219-467228, 467230-467233, 467236-467238, 513803, 513809, 796296, 796297, 796302, 819093, 825510, 827467, 827468. Currently, the property is zoned SFR-2-A (Single-Family Rural), SFR-2-B (Single-Family Rural), SFR-3-B (Single-Family Rural), SFE-2-A (Single-Family Estate), SFS-2-A (Single-Family Suburban), SFS-2-B (Single-Family Suburban), SFU-2-A (Single-Family Urban), SFC-2-A (Single-Family Compact), MF-2-B (Multi-Family), GC-3-A (General Commercial), and GC-3-B (General Commercial). The property is proposed to be zoned PUD (Planned Unit Development); Leander, Travis County, Texas. Applicant: Nancy Stroder (Taylor Morrison) on behalf of Travisso, LTD (Taylor Morrison Homes of Texas, Inc).

a) Staff Presentation

Robin Griffin, Senior Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Heath Melton and Nancy Stroder explained the purpose of the zoning request.

c) Open Public Hearing

**Chairman Seiler opened the public hearing.
Kevin Keerney spoke against.
Larry Oaks spoke against.
Dan Warner spoke against.
Lanny Clopton spoke against.
Dudy Tobey spoke against.
Myrnz Herbgr spoke against.**

d) Close Public Hearing

Chairman Seiler closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Saenz moved to approve the zoning request with staff recommendation and the following conditions, Commissioner Anderson seconded the motion. Motion passed unanimously.

- 1. The sidewalk along FM 1431 shall be constructed if FM 1431 is improved to accommodate sidewalks during the term of the development agreement.**
- 2. The applicant will hold a meeting with the neighboring property owners to discuss issues raised during the P&Z hearing prior to final Council action.**

3. **The zoning district permitted in the COM district shall be GC-3-A instead of GC-3-B.**
4. **The architectural standard in the MU district shall require 100% masonry on the walls of structures visible from a greenbelt.**
5. **Fencing will be limited to wrought iron (or tubular metal) when constructed along greenbelts.**

10. Meeting adjourned at 9:10 pm.

Chairman Seiler

ATTEST: _____
Ellen Pizalate, P & Z Secretary



Executive Summary

March 20, 2014

-
- Agenda Subject:** Zoning Case #14-Z-003: Hold a public hearing and consider action on the rezoning of a parcel of land located at 1101 CR 177 for 0.40 acres more or less;. Parcel #R031540. Currently, the property is zoned interim SFR-1-B (Single-Family Rural). The property is proposed to be zoned HC-4-D (Heavy Commercial) formerly known as LI-4-D (Light Industrial) Leander, Williamson County, Texas.
- Background:** This request is the second step in the rezoning process.
- Origination:** Applicant: Richard E. & Sharon Kaydean Bott.
- Financial Consideration:** None
- Recommendation:** See Planning Analysis. The Planning & Zoning Commission recommended denial and requested that the applicant return with a proposal that included a buffer strip on the south side of the property. The motion passed with a 5 to 1 vote at the March 13, 2014 meeting.
- Attachments:**
1. Planning Analysis
 2. Current Zoning Map
 3. Aerial Map
 4. Letter of Intent
 5. Ordinance
 6. Minutes - Planning & Zoning Commission March 13, 2014
- Prepared By:** Tom Yantis, AICP
Development Services Director
- 03/14/2014



PLANNING ANALYSIS

ZONING CASE 14-Z-004
409 and 503 Horseshoe Dr

GENERAL INFORMATION

Owner: Richard E. & Sharon Kaydean Bott

Current Zoning: Interim SFR-1-B (Single-Family Rural)

Proposed Zoning: HC-4-D (Heavy Commercial) formerly known as LI-4-D (Light Industrial).

Size and Location: The property is located at 1101 CR 177 and includes 0.40 acres more or less.

Staff Contact: Martin Siwek, GISP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	Interim SFR-1-B	Non-developed property
EAST	Interim SFR-1-B	Developed single family home
SOUTH	OCL	City ETJ
WEST	GC-2-A	Non-developed commercial property

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

HC – HEAVY COMMERCIAL:

Features: Any use in GC plus commercial laundry, contractor storage yard, lumber yards, indoor manufacture, assembly and processing, mini-warehouse, RV, trailer and boat storage, testing and research, warehouse and distribution, wholesale, wrecker impoundment.

Intent: Development of a variety of light manufacturing, assembly and processing businesses, storage, warehouses and lumber sales. Access should be provided by an industrial or commercial collector street.

SITE COMPONENT:

TYPE 4 (non-residential only):

Features: Accessory buildings up to 60% of primary building; drive-thru service; outdoor fueling and washing of vehicles; overhead service doors; maximum outdoor display; substantial outdoor storage; outdoor entertainment venues and animal boarding.

Intent:

- (1) The Type 4 site component is intended to be utilized in combination with GC, LI or HI components where appropriate for moderately intense outdoor site requirements and a need to utilize the outdoor site area for significant outdoor display, storage and accessory buildings and similar permitted uses.
- (2) This site component is intended only for industrial or heavy commercial uses and may be utilized only with GC, LI or HI use components.
- (3) This site component is not intended for retail or office development not requiring the available limits of outdoor storage and accessory buildings or adjacent to residential neighborhoods where not adequately buffered from residential uses.

ARCHITECTURAL COMPONENTS:

TYPE D (non-residential only):

Features: 35% masonry (60% street facing); metal siding for remainder not facing a street; 2 or more architectural features.

Intent:

- (1) This architectural component is intended only for industrial warehouse, heavy commercial service and other similar applications and shall be utilized only with GC, LI or HI use components.
- (2) This component is not intended to be utilized with the majority of GC districts.
- (3) This component is not intended for retail or office development or adjacent to residential neighborhoods where not adequately buffered from residential uses.
- (4) This site component is discouraged along major thoroughfares and is intended to be utilized within industrial park development.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide Opportunities for coordinated, well-planned growth and development that are consistent with the Comprehensive Plan.
- Plan for continued growth and development that improves the community's overall quality of life and economic viability.

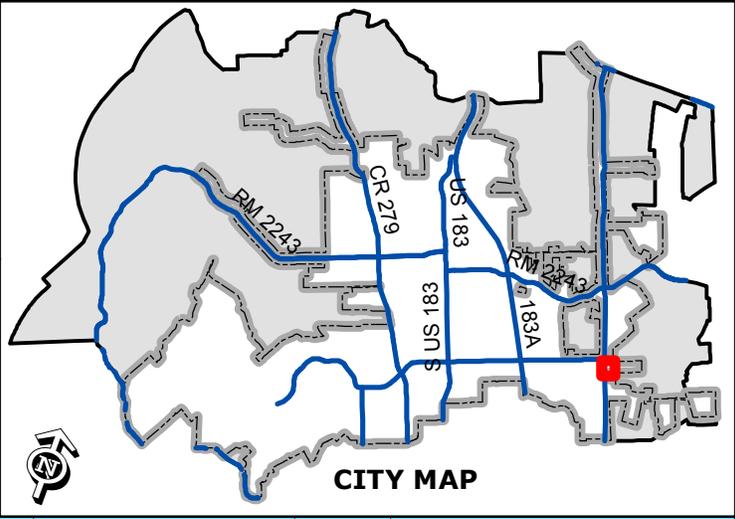
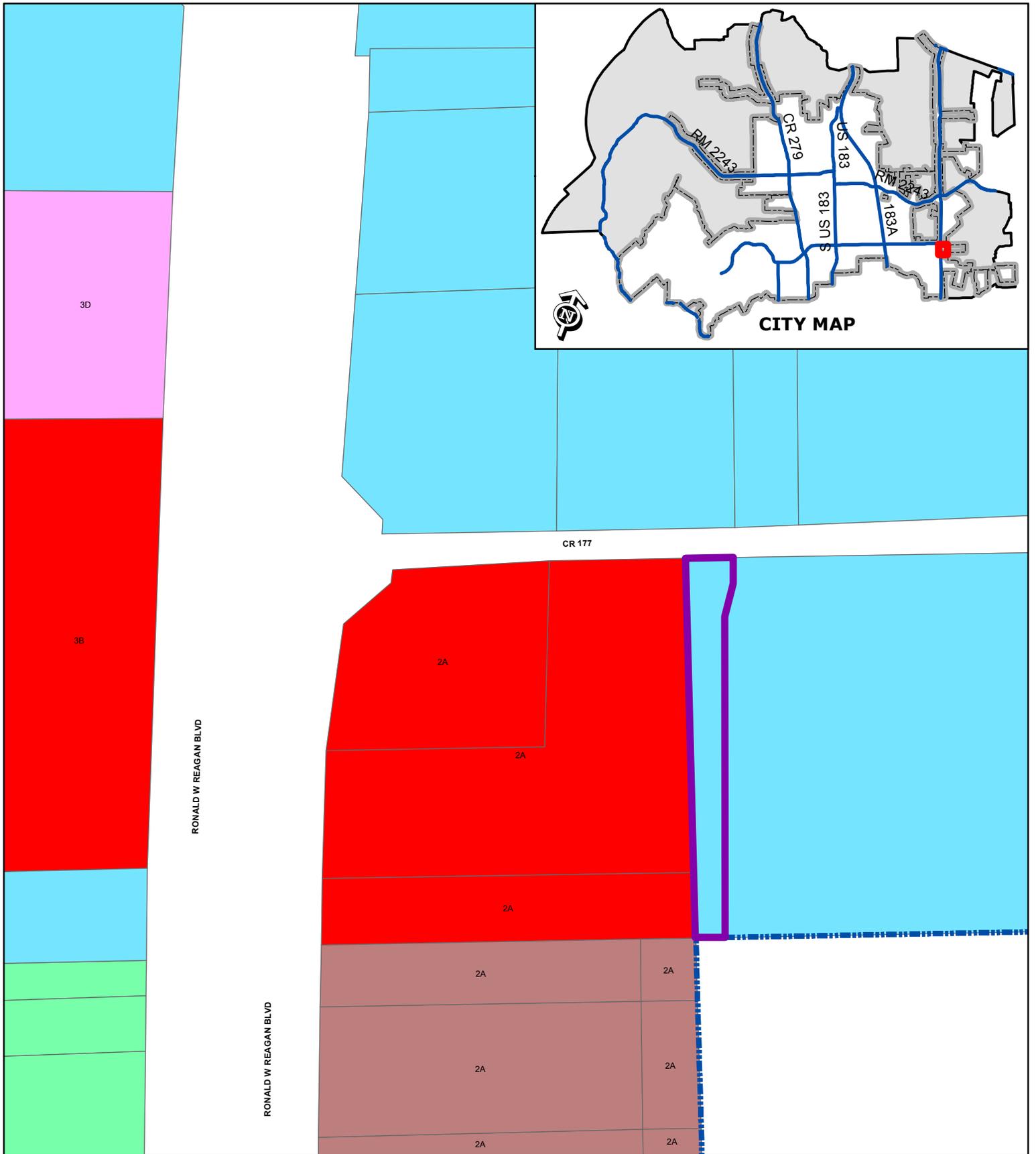
ANALYSIS:

The property is presently zoned Interim SFR-1-B (Single Family Rural) district. The property to the north is zoned Interim SFR-1-B, and is currently not developed. The property to the east is also zoned Interim SFR-1-B, and is currently developed with a single family home. The properties to the west are zoned GC-2-A (General Commercial) district, and are currently not developed. The property to the south is located within the City's ETJ (Extra-Territorial Jurisdiction) and is currently not developed.

The applicant is seeking to rezone this property to allow for the construction of a commercial driveway, which is not permitted in residential districts. The proposed strip of land requested to be rezoned is approximately 55 feet wide and 440 feet deep. The applicants are seeking to develop the rear portion of their property for commercial use which is located within the City's ETJ. The drive that would connect to the rear portion of their property is under the jurisdiction of the City's Composite Zoning Ordinance, and therefore requires a paved drive to support the commercial use.

STAFF RECOMMENDATION:

The requested zoning change fits in with the commercial properties zoned to the west and south, and would cause minimal conflict with the other surrounding zoned districts. Staff recommends approval for the requested zone change with a more restrictive zoning class of GC-2-A. The applicant's objective may be achieved with a more restrictive zoning class that conforms to the adjacent commercially zoned properties.



ZONING CASE 14-Z-003

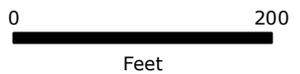
Attachment #2

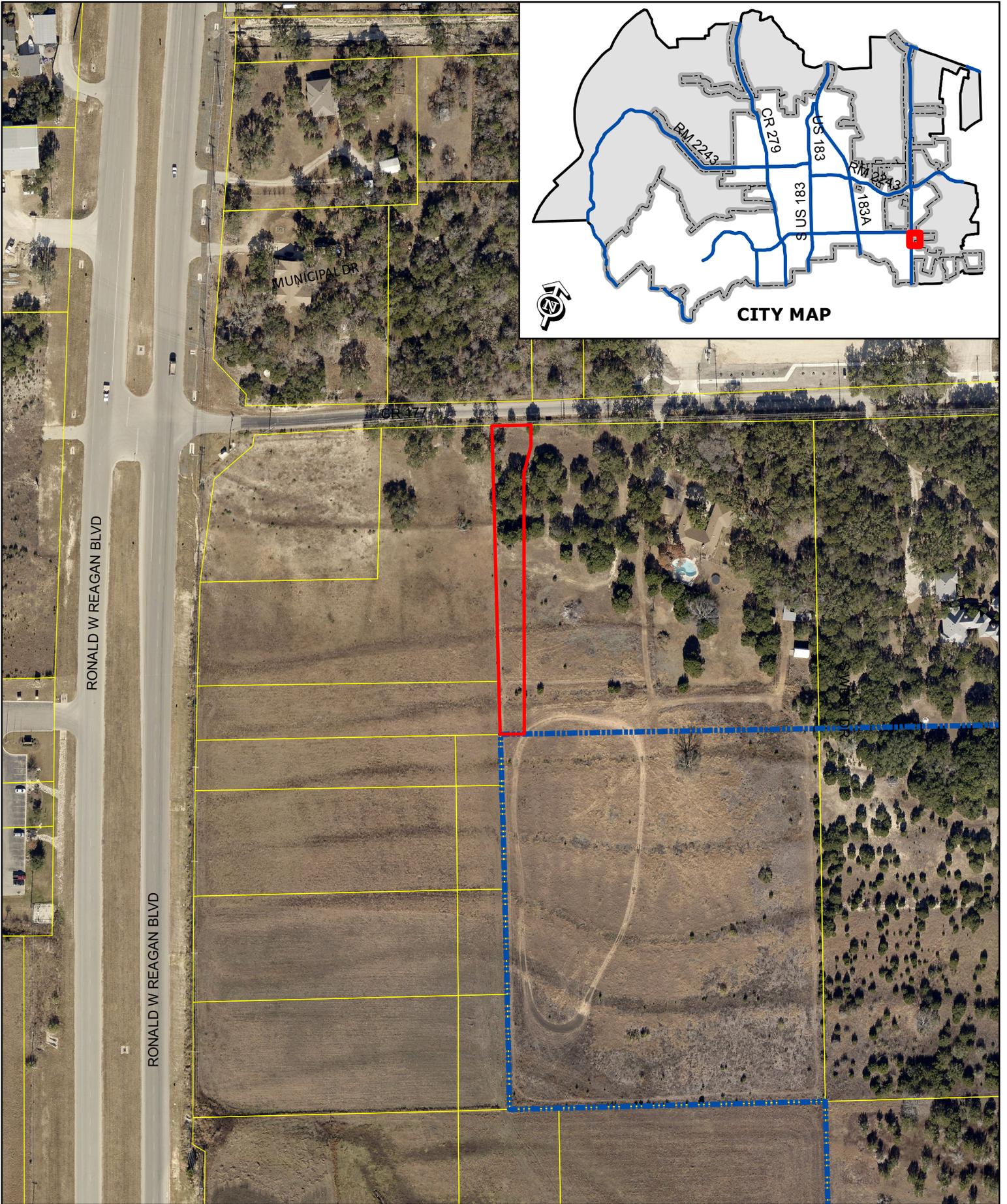
Current Zoning Map
1101 CR 177



-  Subject Property
-  City Limits
-  Future Annexation Per DA
-  Involuntary Annexation
-  Voluntary Annexation

- | | | |
|--|--|---|
|  SFR |  SFT |  GC |
|  SFE |  SFU/MH |  HC |
|  SFS |  TF |  HI |
|  SFU |  MF |  PUD |
|  SFC |  LO | |
|  SFL |  LC | |





ZONING CASE 14-Z-003 Attachment #3

Aerial Exhibit - Approximate Boundaries
1101 CR 177



-  Subject Property
-  City Limits

Rick Bott
1101 CR 177
Leander, TX 78641
January 30, 2014

Robin Griffin
Planner
City of Leander Planning Department
104 Brushy Street
Leander, TX 78646-0319

Dear Robin:

I would like to request a zoning change for a portion of my property, located at 1101 CR 177, in order to provide drive access from CR 177 to the rear of the property which is not in the city.

I would like to be able to access the acreage located in the county for possible future commercial purposes.

Please note that the back of my property is currently sharing two borders with property that has already been zoned commercial.

Sincerely,

Richard E. Bott

A handwritten signature in black ink, appearing to read "Richard E. Bott", with a horizontal line underneath it.

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PORTION OF A PARCEL OF LAND FROM INTERIM SFR-1-B (SINGLE-FAMILY RURAL) TO HC-4-D (HEAVY COMMERCIAL) FORMERLY KNOWN AS LI-4-D (LIGHT INDUSTRIAL); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" That certain portion of a parcel of land being 0.40 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 1011 CR 177, Leander, Texas; legally described as 0.40 acres out of the A. Carr Survey, more particularly described in Document Number 2012093408 of the Official Public Records of Williamson County, Texas, and identified by tax identification number R031540.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from Interim SFR-1-B (Single-Family Rural) to HC-4-D (Heavy Commercial) formerly known as LI-5-D (Light Industrial).

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 20th day of March, 2014.
FINALLY PASSED AND APPROVED on this the 3rd day of April, 2014.

THE CITY OF LEANDER, TEXAS

ATTEST:

Christopher Fielder, Mayor

Debbie Haile, City Secretary

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Saenz moved to approve the zoning to MF-2-A with the condition that the density is limited to 15 units per acre, Commissioner Anderson seconded the motion. Motion passed 4 to 2 with Commissioner Wixson and Commissioner Sokol opposing. Commissioner Wixson and Commissioner Sokol were in support of the requested Type B architectural component.

8. **Zoning Case #14-Z-003:** Hold a public hearing and consider action on the rezoning of a parcel of land located at 1101 CR 177 for 0.40 acres more or less;. Parcel #R031540. Currently, the property is zoned interim SFR-1-B (Single-Family Rural). The property is proposed to be zoned HC-4-D (Heavy Commercial) formerly known as LI-4-D (Light Industrial) Leander, Williamson County, Texas. Applicant: Richard E. & Sharon Kaydean Bott.

a) Staff Presentation

Martin Siwek, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Richard Bott explained the purpose of the zoning request.

c) Open Public Hearing

**Chairman Seiler opened the public hearing.
Joanne Lattrell spoke against.
Ghassan Yammine spoke against.**

d) Close Public Hearing

Chairman Seiler closed the public hearing.

e) Discussion

Discussion took place

f) Consider Action

Commissioner Wixson moved to deny the zoning request and requested that the applicant return with a proposal that included a buffer strip on the south side of the property, Commissioner Sokol seconded the motion. Motion passed unanimously with Commissioner Anderson abstaining.



Executive Summary

March 20, 2014

Agenda Subject: Zoning Case #14-Z-004: Hold a public hearing and consider action on the rezoning of two parcels of land located at 409 & 503 Horseshoe Drive for 3.37 acres more or less;. Parcels #R036482 and R036483. Currently, the property is zoned TF-2-B (Two-Family). The property is proposed to be zoned MF-2-B (Multi-Family), Leander, Williamson County, Texas.

Background: This request is the second step in the rezoning process.

Origination: Applicant: Gary Eli Jones on behalf of Ricky Shipman

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission recommended approval of the MF-2-A (Multi-Family) district with the condition that the density is limited to 15 units per acre. The motion passed with a 4 to 2 vote at the March 13, 2014 meeting.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Aerial Map
4. Letter of Intent
5. Ordinance
6. Minutes - Planning & Zoning Commission March 13, 2014

Prepared By: Tom Yantis, AICP
Development Services Director

03/14/2014



PLANNING ANALYSIS

ZONING CASE 14-Z-004
409 and 503 Horseshoe Dr

GENERAL INFORMATION

Owner: Ricky Shipman

Current Zoning: TF-2-B (Two-Family)

Proposed Zoning: MF-2-B (Multi-Family)

Size and Location: The property is at 409 & 503 Horseshoe and is approximately 3.37 acres in size.

Staff Contact: Martin Siwek, GISP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	TF-2-B MF-2-B	Developed Single Family Home Developed Single Family Home
EAST	GC-3-C	Developed Commercial Property
SOUTH	SFU/MH-2-B	Developed Single Family Homes
WEST	SFU/MH-2-B	Developed Single Family Home

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:**MF – MULTI-FAMILY:**

Features: Apartments (25 un./ac. if Type A; 18 un./ac. if Type B)

Intent: Development of multi-family dwelling structures. Such components are generally intended to serve as a buffer between single-family neighborhoods and more intensive uses such as commercial uses or arterial roadways. Such components are also intended to create more variety in housing opportunities and in the fabric of the community but are intended to be utilized in small areas to avoid large tracts devoted to strictly multi-family residential development. The goal is to avoid more than twenty-five (25) acres of contiguous land having a Multi-Family component. Access should be provided by a collector or higher classification street.

SITE COMPONENT:**TYPE 2:**

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

Intent:

- (1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.
- (2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.
- (3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.
- (4) This component is generally not intended to be utilized with LI and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

ARCHITECTURAL COMPONENTS:**TYPE B**

Features: 85% masonry 1st floor, 50% overall; 4 or more architectural features.

Intent:

- (1) The Type B architectural component is intended to be utilized for the majority of residential development except that which is intended as a Type A architectural component.
- (2) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions.
- (3) This component may be utilized to raise the building standards and help ensure compatibility for non-residential uses adjacent to property that is more restricted.
- (4) This component is intended for the majority of the LO and LC use components except those meeting the intent of the Type A or C architectural components.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide Opportunities for coordinated, well-planned growth and development that are consistent with the Comprehensive Plan.
- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Plan for future development that is compatible with existing residential neighborhoods.
- Provide for a variety of sustainable housing options for all age groups and economic levels. Determine ways to successfully integrate this variety within neighborhoods so as to accommodate the different needs of families throughout their life cycle. Create more desirable and livable neighborhoods while respecting the goal of maintaining stable real estate values and housing marketability.

ANALYSIS:

The property is presently zoned TF-2-B (Two-Family) district, and the applicant is requesting to rezone the property to MF-2-B (Multi-Family) district. Immediately north of this property is a TF-2-B district with a developed single family home, and a MF-2-B district with a developed single family home. The property to the east is zoned as GC-3-C (General Commercial) and is a developed commercial property. The southern properties are zoned SFU/MH-2-B (Single Family Urban / Manufactured Home), and are developed with single family homes. The property to the west is zoned SFU/MH-2-B and is developed with a single family home.

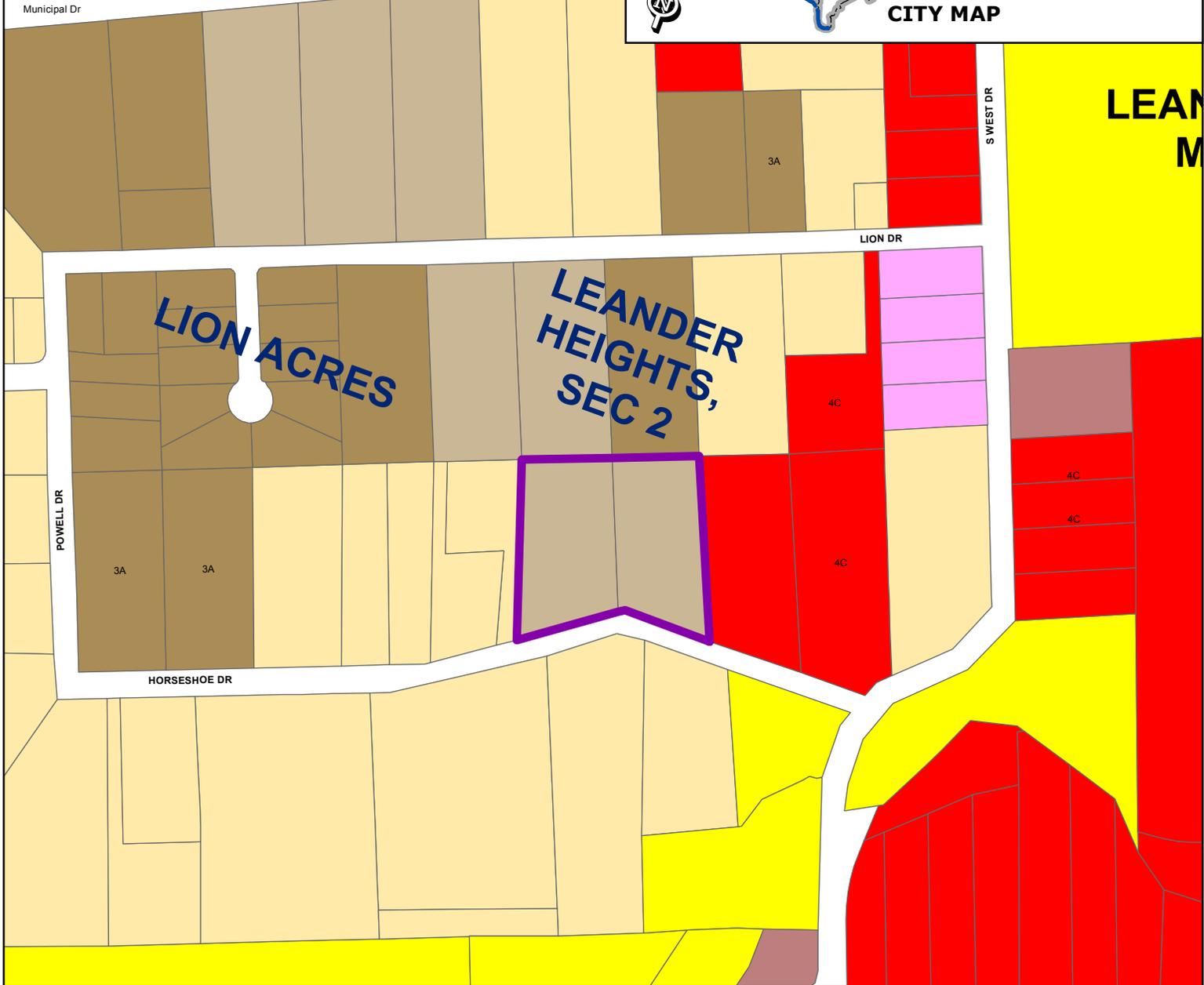
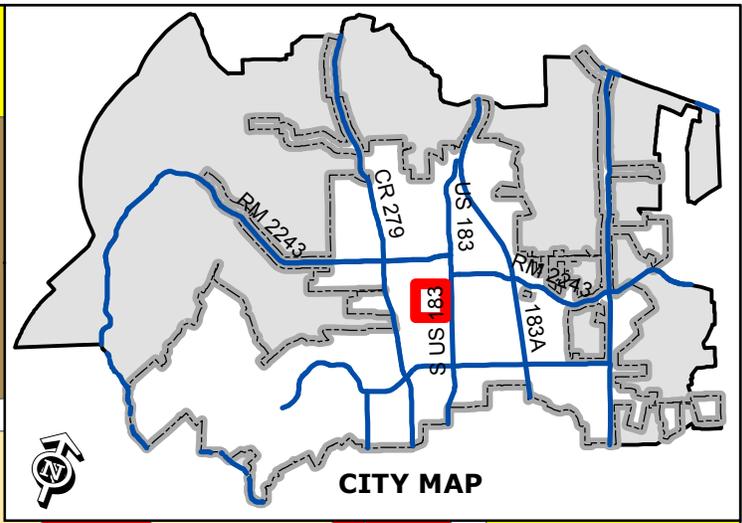
This property was requested to be rezoned from SFU/MH-2-B to TF-2-B at the June 13th, 2013 Planning and Zoning Commission meeting. The request was approved by the Commission, and subsequently approved by the City Council.

The intent of the Multi-Family district is to serve as a buffer between single family uses, and more intensive commercial developments or arterial class roadways. The goal is to create more variety in housing, while seeking to avoid creating a zoning district of Multi-Family larger than 25 acres. Additionally, access to Multi-Family zoned property should be provided to the property through the use of a collector street. The Type B architectural requirement will allow for 18.0 units/acre, and the Type A architectural requirement would allow for 25.0 units/acre. Additionally, the Type 2 site component requires that 35% of the units are provided with an enclosed garage parking space.

STAFF RECOMMENDATION:

The applicant's request meets several of the intent statements for the Multi-Family district. It would provide a buffer between existing single family developments to the west and buffer more intensive commercial developments immediately to the east. The property is approximately three and a half acres, and avoids forming a 25 acre contiguous tract of Multi-Family zoning.

However, the property is located on a residential class street, and fails to meet the intent statement for locating Multi-Family districts on collector or higher classified streets. Staff recommends approval of this request, as the proposed request does satisfy the majority of the intent statements outlined in the composite zoning ordinance. The Commission may wish to consider limiting the unit density of the property given the project's size.



ZONING CASE 14-Z-004

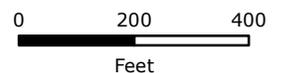
Attachment #2

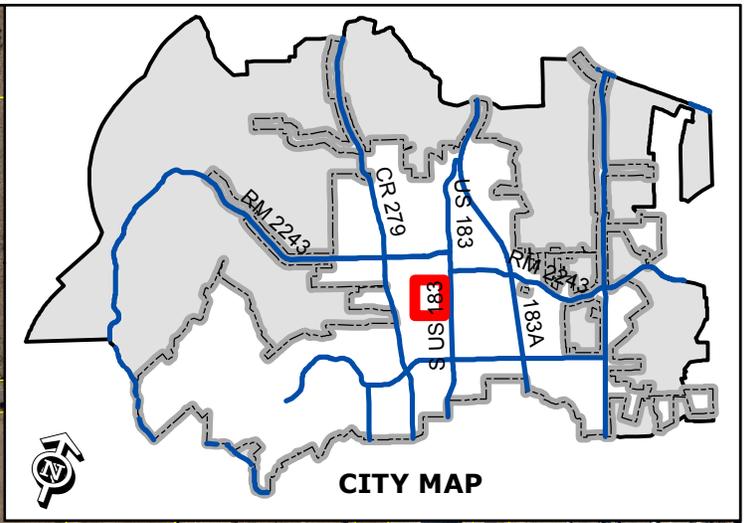
Current Zoning Map
409 & 503 Horseshoe Dr



- City Limits
- Subject Property
- Future Annexation Per DA
- Involuntary Annexation
- Voluntary Annexation

- | | | |
|-----|--------|-----|
| SFR | SFT | GC |
| SFE | SFU/MH | HC |
| SFS | TF | HI |
| SFU | MF | PUD |
| SFC | LO | |
| SFL | LC | |





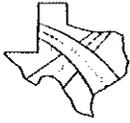
ZONING CASE 14-Z-004 Attachment #3

Aerial Exhibit - Approximate Boundaries
409 & 503 Horseshoe Dr



0 200
Feet

-  Subject Property
-  City Limits



Firm # 10967



February 10, 2014

To: Ms. Robin Griffin, AICP
Senior Planner
City of Leander

From: Gary Eli Jones, P.E.

Re: 409 and 503 Horseshoe Drive Zoning Application

On behalf of the Owner, CarTex Engineering is submitting a request for zoning change to the referenced property from TF-2-B to MF-2-B. The Owner intends on developing a fourplex style of development on the property within the limits of the multi-family zoning maximum density. Due to the configuration of the property, it is highly unlikely the property will support any more than 15 units per acre. The zoning request is consistent with other zoning in the immediate vicinity and close to an existing collector. Utility extensions to provide fire flows for the property have already been submitted to the City for review and are pending the final approval of this zoning case.

The boundary of the proposed zoning change is defined as Lot 21 and 22, Block "B" of the Leander Heights Section 2 Final Plat recorded in Cabinet 5, Slide 105, Williamson County Official Records.

The topography of the site is relatively flat with slopes less than two (2) percent. The property has a few trees around where the previous mobile homes were located on the property consisting of Hackberry, Oak and Mountain Laurel. There are no defined waterways that cross the property and there are currently no existing structures located on either lot. There are remnants of the previous mobile homes such as utility poles and impervious cover located on the property that will be removed when the property is developed.

We respectfully request Staff's recommendation for approval of the request and welcome any questions you have with regard to the request.

Sincerely,

Gary Eli Jones, P.E.
President

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING TWO PARCELS OF LAND FROM TF-2-B (TWO-FAMILY) TO MF-2-B (MULTI-FAMILY); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" That certain portion of a parcel of land being 3.37 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "A", commonly referred to as 409 & 503 Horseshoe Drive, Leander, Texas; legally described as Lot 21 and Lot 22, Block B, Leander Heights, Section 2, more particularly described in Document Number 2013000842 of the Official Public Records of Williamson County, Texas, and identified by tax identification numbers R036482 and R036483.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from TF-2-B (Two-Family) to MF-2-B (Multi-Family).

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 20th day of March, 2014.
FINALLY PASSED AND APPROVED on this the 3rd day of April, 2014.

THE CITY OF LEANDER, TEXAS

ATTEST:

Christopher Fielder, Mayor

Debbie Haile, City Secretary

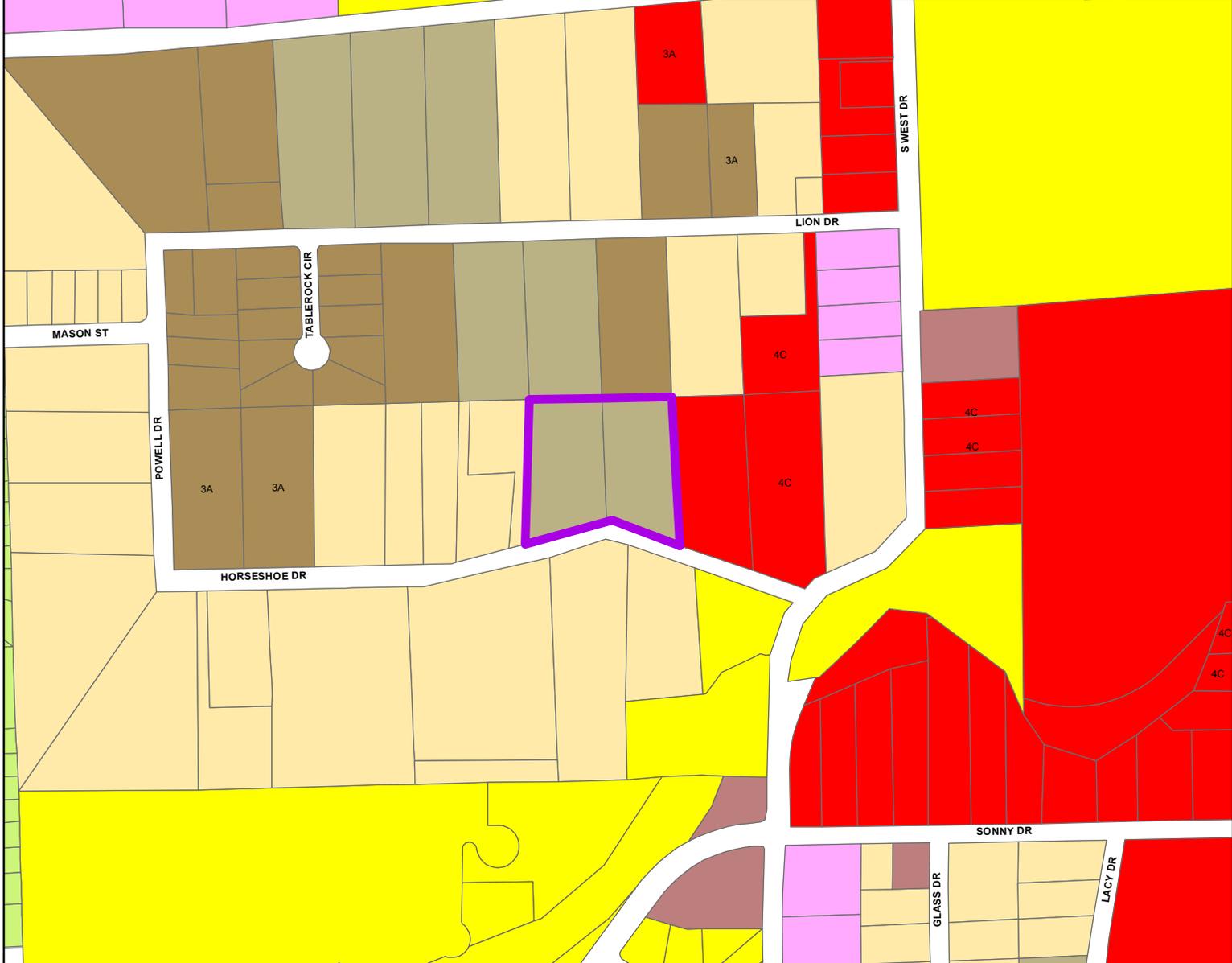
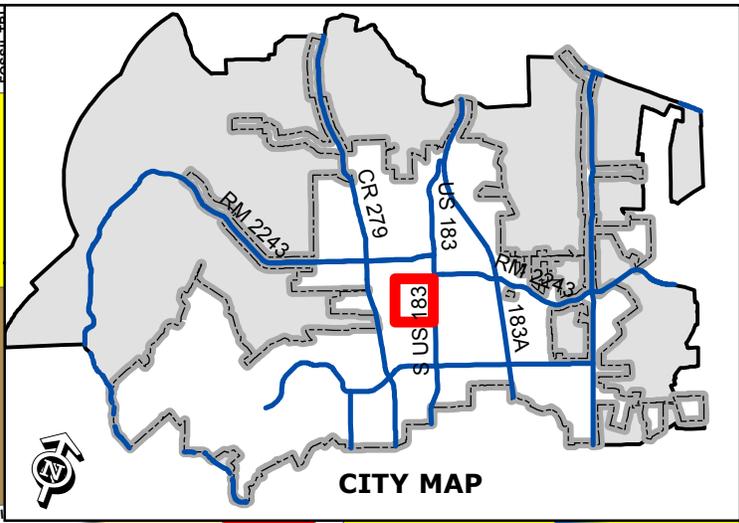
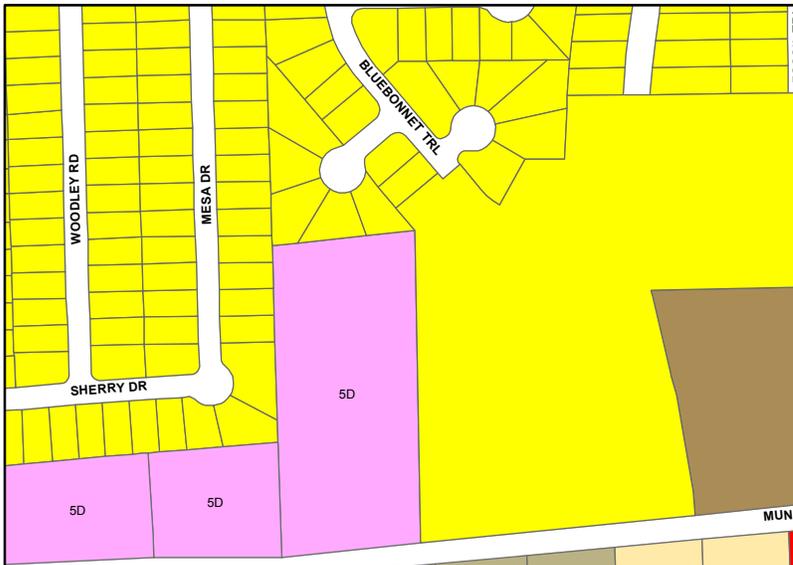


EXHIBIT A

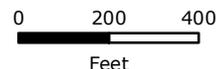
Zoning Case 14-Z-004

409 & 503 Horseshoe Drive



-  Subject Property
-  City Limits
-  Future Annexation Per DA
-  Involuntary Annexation
-  Voluntary Annexation

- | | | |
|---|--|---|
|  SFR |  SFT |  GC |
|  SFE |  SFU/MH |  HC |
|  SFS |  TF |  HI |
|  SFU |  MF |  PUD |
|  SFC |  LO | |
|  SFL |  LC | |



Public Hearing

6. Subdivision Case 13-PP-011: Hold a public hearing and consider action on the Fairways at Crystal Falls, Section 6 Preliminary Plat Revision for 50.61 acres more or less; TCAD Parcel #796313; generally located to the southwest of the intersection Cantina Sky Drive and Crystal Falls Parkway, north of the Crystal Falls Golf Course; Travis County, Texas. Applicant/Agent: Samuel Kiger, P.E. on behalf of Lookout Development Group, L.P.

a) Staff Presentation

Robin Griffin, Senior Planner, stated that staff reviewed the request and it has staff approval.

b) Applicant Presentation

Mike Seifert was present for questions.

c) Open Public Hearing

**Chairman Seiler opened the public hearing.
No one wished to speak.**

d) Close Public Hearing

Chairman Seiler closed the public hearing.

e) Discussion

Some discussion took place.

f) Consider Action

Commissioner Wixson moved to approve with staff recommendation, Commissioner Saenz seconded the motion. Motion passed unanimously.

7. **Zoning Case #14-Z-004**: Hold a public hearing and consider action on the rezoning of two parcels of land located at 409 & 503 Horseshoe Drive for 3.37 acres more or less; Parcels #R036482 and R036483. Currently, the property is zoned TF-2-B (Two-Family). The property is proposed to be zoned MF-2-B (Multi-Family), Leander, Williamson County, Texas. Applicant: Gary Eli Jones on behalf of Ricky Shipman

a) Staff Presentation

Martin Siwek, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Gary Jones explained the purpose of the zoning request.

c) Open Public Hearing

**Chairman Seiler opened the public hearing.
No one wished to speak.**

d) Close Public Hearing

Chairman Seiler closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Saenz moved to approve the zoning to MF-2-A with the condition that the density is limited to 15 units per acre, Commissioner Anderson seconded the motion. Motion passed 4 to 2 with Commissioner Wixson and Commissioner Sokol opposing. Commissioner Wixson and Commissioner Sokol were in support of the requested Type B architectural component.

8. Zoning Case #14-Z-003: Hold a public hearing and consider action on the rezoning of a parcel of land located at 1101 CR 177 for 0.40 acres more or less;. Parcel #R031540. Currently, the property is zoned interim SFR-1-B (Single-Family Rural). The property is proposed to be zoned HC-4-D (Heavy Commercial) formerly known as LI-4-D (Light Industrial) Leander, Williamson County, Texas. Applicant: Richard E. & Sharon Kaydean Bott.

a) Staff Presentation

Martin Siwek, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Richard Bott explained the purpose of the zoning request.

c) Open Public Hearing

**Chairman Seiler opened the public hearing.
Joanne Lattrell spoke against.
Ghassan Yammine spoke against.**

d) Close Public Hearing

Chairman Seiler closed the public hearing.

e) Discussion

Discussion took place

f) Consider Action

Commissioner Wixson moved to deny the zoning request and requested that the applicant return with a proposal that included a buffer strip on the south side of the property, Commissioner Sokol seconded the motion. Motion passed unanimously with Commissioner Anderson abstaining.



Executive Summary

March 20, 2014

Council Agenda Subject: Consideration of an Ordinance Establishing a Train Horn Quiet Zone for the Railroad Crossing at Hero Way Adjacent to U.S. Hwy 183

Background: This proposed ordinance, prepared by the City Attorney, amends Section 12.06.002 of the Leander Code of Ordinances in order to establish and add the railroad crossing at Hero Way adjacent to U.S. Hwy. 183 as a “Quiet Zone Crossing”. The effective date for the commencement of the Hero Way Quiet Zone is March 25, 2014.

Origination: Wayne S. Watts, P.E., CFM, City Engineer

Financial Consideration: Approximately \$600.00 from Street Department budget for regulatory warning signs on Hero Way and U.S. Hwy. 183.

Recommendation: Staff requests approval of the proposed quiet zone ordinance.

Attachments: Ordinance Establishing a Train Horn Quiet Zone at Hero Way Rail Crossing

Prepared by: Wayne S. Watts, P.E., CFM, City Engineer

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, ESTABLISHING A TRAIN HORN QUIET ZONE AT THE HERO WAY RAIL CROSSING; AMENDING SECTION 12.06.002 OF THE LEANDER CODE OF ORDINANCES TO ADD THE HERO WAY RAIL CROSSING AS AN ESTABLISHED QUIET ZONE WITHIN THE CITY OF LEANDER IN WHICH TRAIN HORNS MAY NOT BE SOUNDED EXCEPT IN CASE OF EMERGENCY; PROVIDING A PENALTY; PROVIDING SEVERABILITY, EFFECTIVE DATE, OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the City Council of the City of Leander, Texas (“City”), has determined it necessary to establish quiet zones on a certain portion of the rail line within the City, in which train horns may not be sounded, except in case of emergency;

Whereas, the establishment of quiet zones is necessary for the public health, safety and welfare;

Whereas, City staff has followed proper procedure, including compliance with Part 222 of Title 49 of the Code of Federal Regulations, in order to establish the Hero Way railroad crossing quiet zone; and

Whereas, supplemental safety measures or alternative safety measures have been installed by the City or other local authorities at the Hero Way public highway rail grade crossing within the quiet zone;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment Section 12.06.02 of Article 12.600, Quiet Zones. Chapter 12, City of Leander Code of Ordinances is hereby amended by adding the Hero Way railroad crossing quiet zone to Section 12.06.02 of Article 12.06, Quiet Zones, to read as follows:

(4) The railroad crossing located at Hero Way at MP 86.79.

Section 3. Savings Clause. All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting the regulation of railway quiet zones within the City which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 4. Penalty. Any person who shall violate any of the provisions of this Ordinance, or shall fail to comply therewith, or with any of the requirements thereof limits shall be deemed

guilty of a misdemeanor and shall be liable for a fine not to exceed the sum of five hundred dollars (\$500.00). Each day the violation exists shall constitute a separate offense. Such penalty shall be in addition to all the other remedies provided herein.

Section 5. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 6. Amendment of Ordinances. All prior ordinances of the City dealing with or applicable to the subject-matter of this Ordinance are hereby amended to the extent of any conflict herewith, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 7. Effective Date. This ordinance shall go into effect on March 25, 2014.

Section 8. Open Meetings. It is officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Chapter 551, Tex. Gov't. Code.*

PASSED AND APPROVED on this the 20th day of March, 2014.

Attest:

City of Leander, Texas

Debbie Haile, City Secretary

Christopher Fielder, Mayor



Executive Summary

March 20, 2014

Council Agenda Subject: Consideration of Task Order KFA-23 with K. Friese & Associates, Inc., for professional services for Ridgmar Landing Water Line Improvements

Background: Task Order KFA-23 provides for professional services for design, advertising, bidding, and construction services for approximately 14,100 linear feet of 8-inch water distribution lines and appurtenances within Ridgmar Landing Subdivision. This project will replace the existing system of small diameter water lines and will provide fire flows for the first time within Ridgmar Landing. This project will also facilitate the full development of Ridgmar Landing, which has been limited by regulatory limits on the number of homes allowed to be served by the existing small diameters water lines. Compensation for this work is a combination of a lump sum amount of \$67,320.00 and time and materials not to exceed \$82,028.00 for a combined total of \$149,348.00. Draft Task Order KFA-23 is attached along with a detailed scope of services and supporting documentation.

Origination: Wayne S. Watts, P.E., CFM, City Engineer

Financial Consideration: \$149,348.00 from Utility Fund Reserves, GL # TBD.

Recommendation: Staff requests authorization of the City Manager to negotiate and execute Task Order-KFA-23.

Attachments: Draft Task Order KFA-23 and Scope of Services with supporting documents.

Prepared by: Wayne S. Watts, P.E., CFM, City Engineer

TASK ORDER FOR PROFESSIONAL SERVICES

TASK ORDER NO. KFA-23

This will constitute authorization by the City of Leander, Texas (Owner), for K Friese & Associates, Inc., Austin, Texas (Engineer), to proceed with the following described engineering services.

RIDGMAR LANDING WATERLINE IMPROVEMENTS

A. PROJECT DESCRIPTION

The City of Leander has requested that KFA perform the design of Ridgmar Waterline Improvements. The proposed project will include approximately 14,100 linear feet of 8-inch diameter waterline, valves and fire hydrants to replace existing 2 to 3-inch diameter mains and extend water service and fire protection availability.

B. SCOPE OF SERVICES

KFA will provide design services as described in the attached Scope of Services.

C. DELIVERABLES

KFA will provide deliverables as described in the attached Scope of Services.

D. BASIS OF COMPENSATION

The total compensation for the Ridgmar Waterline Improvements shall be on a partially lump sum basis of \$67,320.00 and on a time and materials basis not to exceed \$82,028.00 without prior authorization from the Owner, for a total authorization amount is \$149,348.00. A Manpower/Budget Estimate is attached. The City shall make payments to the Engineer for performing the engineering services described on a monthly billing basis in accordance with monthly statements submitted by the Engineer and approved by the City. Final payment shall be due upon completion of the services described.

E. TIME FOR COMPLETION

The Engineer will work expeditiously to complete the services described herein. Design phase services are anticipated to take approximately 4 months.

KFA will begin work as soon as authorized and as services are requested. Design and construction phase services are anticipated to be completed within 16 months after notice to proceed.

APPROVED:

CITY OF LEANDER, TEXAS

By _____

Title _____

Attest _____

Date _____

ACCEPTED:

K FRIESE & ASSOCIATES, INC.

By _____

Karen A. Friese, P.E.
President

Attest _____

Date _____

SCOPE OF SERVICES RIDGMAR WATERLINE IMPROVEMENTS

The Ridgmar Waterline Improvements will provide additional fire flow to the Ridgmar subdivision within the City of Leander. Currently the subdivision is serviced by 2- to 3-inch diameter waterlines that do not extend to all areas of the subdivision.

This Scope of Services includes the design of new 8-inch waterlines within existing right-of-way extended to serve all areas of the subdivision. There are approximately 14,100 linear feet of new waterline proposed and includes reconnection of all existing services. The Scope has been divided into "Time and Material" tasks and "Lump Sum" tasks.

PHASE I - DESIGN AND BID PHASE (LUMP SUM TASKS)

1. Project Management/Administration – This task includes monitoring budgets and schedules, communications, and other tasks directly associated with the project.
2. Project Design Meetings – KFA will prepare for and attend meetings with City of Leander staff to kick off the project (1 kick off meeting) and to review plan and specification submittals at the 30%, 75% and 100% design levels (3 review meetings).
3. Route Analysis: The general route for the interceptor will be within the Ridgmar subdivision from the existing waterline within Crystal Falls Parkway to south of Brushy Creek. Additional lines will be located within Fair Oaks Street, Warfield Road, East Windemere Street, and West Windemere Street. Possible cultural resource sites, and possible endangered species site impacts will also be evaluated to determine the final route.
4. Utility Research: Coordinate with utility companies to identify the location of existing utilities along the route.
5. Plan Preparation – For purposes of this proposal, it is assumed that the total length of waterline will be approximately 14,100 linear feet. Once the horizontal alignment has been finalized, KFA will develop construction plans, contract documents and technical specifications. Construction plans will include notes, plan and profile sheets, erosion and sedimentation controls, tree protection, and traffic control. Additionally, plans will include connection to the existing City of Leander water system and a storm water pollution prevention plan (SWPPP).
6. Technical specifications will be prepared for the project and KFA will coordinate with the City of Leander to incorporate front end and contract documents.
7. KFA will provide 30%, 75%, and 100% submittals to the City of Leander for review and comment. Submittals will include 3 sets of full size drawings and contract documents and technical specifications as they are developed. Each submittal will also include an updated project cost estimate. The final submittal will include one full size set of reproducible construction plans and complete set of contract documents and technical specifications and one electronic set of construction plans, contract documents and technical specifications.

SCOPE OF SERVICES
RIDGMAR WATERLINE IMPROVEMENTS

8. Develop construction cost estimates for the project at each plan submittal.
9. Quality Assurance/Quality Control – The QA/QC task includes review of the work at various stages of progress as well as review of all materials to be submitted.
10. KFA will prepare a Final Design Report documenting the rationale for pipeline design and alignment selection.
11. Permitting/SWPPP - KFA will prepare the Stormwater Pollution Prevention Plan document per TCEQ. Permitting documents will be prepared and coordination with Williamson County and the floodplain administrator will be performed by KFA to receive any required permits from these entities.
12. KFA will assist the City of Leander during the Bid Phase with contract document distribution, conducting the pre-bid conference and bid opening, and providing assistance throughout the bidding process. Services during the bid phase will include:
 - a. Attend pre-bid conference. KFA will attend the pre-bid conference document any questions and any responses provided at the meeting, and issue a follow-up addendum if necessary.
 - b. Interpret plans and specifications and draft addenda, as necessary, for issuance by the City of Leander. One (1) addendum has been assumed for budgeting purposes.
 - c. Attend bid-opening, prepare bid tabulation and issue a recommendation for award. KFA will attend the public bid opening. After receipt of bids, KFA will tabulate the bids in unit price format. KFA will evaluate the bids for responsiveness, meet with the low bidder if necessary, and issue a recommendation of award to the City of Leander.

PHASE I - DESIGN AND BID PHASE (TIME & MATERIALS TASKS)

1. Water System Modeling – KFA will perform water system modeling to confirm fire flow rates within the subdivision.
2. Environmental Services (Atkins North America)
 - a. Threatened and Endangered Species Assessment
 - b. Jurisdictional Wetlands and/or Waters of the United States Assessment
 - c. Cultural and Historic Resources Assessment
3. Geotechnical Engineering Services (Raba-Kistner):
 - a. Field Investigation – Fugro will perform up to five borings at a depth of twenty feet each.
 - b. Laboratory Testing – Fugro will perform laboratory tests to classify soil strata and evaluate plasticity
 - c. Engineering Report – Fugro will draft a geotechnical engineering report that will include boring locations, general subsurface conditions, bore logs, trench

SCOPE OF SERVICES
RIDGMAR WATERLINE IMPROVEMENTS

safety discussion, groundwater conditions and recommendations for earthwork.

4. Design Survey (Macias & Associates, LP):
 - a. Topographic Survey – Macias & Associates, LP will establish horizontal and vertical control and perform a detailed topographic route survey for the entire proposed alignment for the right-of-way width including trees 8-inches in diameter and larger, manhole inverts and visible utilities in the area. Macias & Associates, LP will prepare CADD files with a digital terrain model processed with 1 foot contours.

PHASE II - CONSTRUCTION PHASE SERVICES (TIME & MATERIALS)

1. KFA will assist the City of Leander with contract administration during the construction phase of the project. We understand the City of Leander will provide required construction inspection services, and have assumed that the construction duration will be approximately 6 months. KFA's services will include:
 - a. Construction plan reproduction and distribution. KFA will incorporate addenda items in the construction plans as appropriate and reproduce and distribute the documents.
 - b. Attend pre-construction conference. KFA will attend a pre-construction conference with the City of Leander, Contractor, and other parties as appropriate, and prepare the meeting minutes.
 - c. Attend regular construction meetings. KFA will attend regular construction meetings with the City of Leander, Contractor, and other parties as appropriate, including preparing the meeting minutes. For budgeting purposes we have assumed eight (8) meetings.
 - d. Site Visits. KFA will visit the site (8 visits) to check the progress of the work and verify general conformance with the project plans and technical specifications.
 - e. Submittal Review. KFA will maintain a log of all Contractor submittals, track review progress, review and approve submittals, and distribute submittals to the appropriate parties.
 - f. Pay Estimate Review. KFA will review the Contractor's pay estimates after approval by the City of Leander's on-site Inspector and make recommendations for payment.
 - g. Preparation of Change Orders. KFA will review all Contractor's requests for Change Orders and prepare Change Orders as appropriate. For budgeting purposes we have assumed two (2) change orders.
 - h. Provide answers to requests for information (RFI's) from Contractor as related to possible conflicts and clarifications needed between plans and specifications. Four (4) RFI's have been assumed.
 - i. Contract Close-out. KFA will attend a final project walk-thru, document "punch list items", and issue an Engineer's Concurrence for Project Acceptance letter. KFA will also notify TCEQ and other jurisdictional agencies of project completion.

SCOPE OF SERVICES
RIDGMAR WATERLINE IMPROVEMENTS

- j. Record Drawings. KFA will use the Contractor's redline as-built drawings to document as-built conditions in the final record drawings. KFA will supply the City of Leander with one set of reproducible record drawings and provide one set of record drawings in electronic format.

**KFA MANPOWER/BUDGET ESTIMATE
RIDGMAR WATERLINE IMPROVEMENTS**

Task		Project Manager Hours	Project Engineer Hours	EIT Hours	CADD Technician Hours	Clerical Hours	Total Labor Hours	Total Labor Cost	Sub-Consultant Cost	Expenses Cost	Total Cost
Lump Sum - Phase I - Design & Bid Phase											
1	Project Management/Administration	16	16			8	40	\$4,840			\$4,840
2	Project Design Meetings (4)	12	12	8			32	\$3,832		\$400	\$4,232
3	Route Analysis - Finalize Alignment	4	4	6	8		22	\$2,228		\$100	\$2,328
4	Utility Research		2	12	4		18	\$1,564			\$1,564
5	Plan Preparation (38 Sheets)	24	60	100	140		324	\$30,108			\$30,108
6	Technical Specifications	4	16	32		8	60	\$5,648			\$5,648
7	30%, 75%, 100% Submittals		6	12	24	6	48	\$4,110		\$500	\$4,610
8	Construction Cost Estimates		6	12			18	\$1,632			\$1,632
9	QA/QC of Contract Documents	16					16	\$2,592			\$2,592
10	Final Design Report	2	8	12	8	4	34	\$3,144		\$100	\$3,244
11	Permitting/SWPPP	2	8	12	4	2	28	\$2,650			\$2,650
12	Bid Phase Services	6	10	12	4	6	38	\$3,822		\$50	\$3,872
a	Pre-Bid Conference	4	4				8	\$1,048			\$1,048
b	Contractor Questions and Addenda (1)	2	2	4	4	4	16	\$1,524		\$50	\$1,574
c	Bid Opening, Tabulation, & Recommendation		4	8		2	14	\$1,250			\$1,250
Lump Sum Totals		86	148	218	192	34	678	\$66,170	\$0	\$1,150	\$67,320
T & M - Phase I - Design & Bid Phase											
1	Water System Modeling	6					6	\$972			\$972
2	Environmental Services (Atkins)	4	2		2		8	\$1,014	\$6,550		\$7,564
3	Geotechnical Investigation (Raba-Kistner)	4	2		2		8	\$1,014	\$7,850		\$8,864
4	Design Survey (Macias)	4	2		4		10	\$1,180	\$36,500		\$37,680
Subtotal Phase I		18	6	0	8	0	32	\$4,180	\$50,900	\$0	\$55,080
T & M - Phase II - Construction Phase											
1	Construction Phase Services	48	108	50	28	8	242	\$25,848		\$1,100	\$26,948
a	Construction Plan Reproduction and Distribution		2		4	8	14	\$1,180			\$1,180
b	Pre-Construction Conference	6	4	2			12	\$1,544			\$1,544
c	Construction Meetings (8)	12	16				28	\$3,544		\$600	\$4,144
d	Site Visits (8)	12	16				28	\$3,544		\$300	\$3,844
e	Submittal Review	4	16	32			52	\$5,000			\$5,000
f	Pay Estimate Review (9)	4	18				22	\$2,448			\$2,448
g	Change Orders (2)	2	8	8	8		26	\$2,476			\$2,476
h	RFI's (4)	4	12				16	\$1,848			\$1,848
i	Contract Close-out	2	12				14	\$1,524			\$1,524
j	Record Drawings	2	4	8	16		30	\$2,740		\$200	\$2,940
Subtotal Phase II		48	108	50	28	8	242	\$25,848	\$0	\$1,100	\$26,948
T & M Project Totals		66	114	50	36	8	274	\$30,028	\$50,900	\$1,100	\$82,028
Total Project Budget =											\$149,348



February 21, 2014

K Friese & Associates, Inc.
1120 S. Capital of Texas Highway
The Setting III, Suite 100
Austin, Texas 78746

ATTN: Ms. Victoria McEvoy, P.E.

RE: City of Leander – Ridgmar Waterline

Ms. McEvoy,

Thank you for the opportunity of submitting this proposal for professional surveying services in connection with your request to prepare a route survey for the City of Leander Ridgmar Waterline Project. The project limits are approximately 50' wide and 14,655 feet long. We understand that the alignment for this project is largely located in existing residential streets as shown on a sketch sent to our office on January 8, 2014.

We also understand that we are to prepare a route survey showing the location of the right of way lines, existing improvements, utilities on the surface and the underground record utilities of the subject area and trees. We also understand that there is no requirement for easements or sub-surface investigation.

SCOPE OF SERVICES FOR ROUTE SURVEY

1. Obtain and review pertinent ownership, right of way and utility information from the Williamson County Tax Office and utility owners.
2. Provide a field crew to locate right of way evidence, fences, sidewalks, driveways, top of water valve nut, water meters, water valves and hydrants, wastewater manholes (opened and detailed), storm, electric telephone/utility poles, gas and other underground and surface utilities. Also, field locate traffic signs, light poles, power poles, guide wires, electric manholes, telephone manholes, electric or telephone pull boxes, traffic pull boxes, traffic control loops, warning signs for underground utilities and other surface features within the right of way.
3. Wastewater manholes, storm manholes and storm inlets will be opened and an elevation will be taken on inverts, if accessible. Pipe sizes will be measured.
4. Set approximately 14 horizontal and vertical control points, not more than 1000' apart. Control points will contain horizontal and vertical data and will be placed outside of the construction area.

5. Tag and measure trees 8" trunk diameter and greater. Prepare a table listing the tag number, tree diameter and tree identification and tree condition. No Cedar Trees will be located, unless they are protected.
6. Prepare a base map showing the above information to include property owners name, legal description, tax ID number, right of way lines and property lines. The use of photogrammetry will be used.
7. Take sufficient elevations to produce a design quality 1' contour map.
8. Locate approximately 8 boreholes.
9. A base map will be prepared using ACAD v2009 and furnished in 2D and 3D format on a compact disk. A hard copy of the signed and sealed survey will also be furnished.
10. Drawing standards will be based on KFA drawing standards. Drawing will be on a scale of 1" = 20'.
11. Project Base Map will be based on NAVD 1988 and NAD 1983.

BASIS FOR COMPENSATION FOR ROUTE SURVEY

We propose to provide the above scope of services on a lump sum amount of \$36,500.00.

SCHEDULE FOR ROUTE SURVEY

We can begin work on this project approximately 7 working days after we receive a written notice to proceed. It will take approximately 45 working days to complete the route survey.

If this proposal is acceptable please issue a notice to proceed and send it to our office for our files.

Please call me at 442.7875 if you have any comments or questions.

Sincerely,



Carmelo L. Macias RPLS
Vice-President

CLM/cg

z:/jobs/KFriese/Leander/RouteSurvey-Pro3

February 13, 2014

Mr. Dale Murphy, P.E.
K Friese & Associates
1120 S. Capital of Texas Highway, City View 2, Suite 100
Austin, Texas 78746

RE: Scope of Work and Cost Estimate for Environmental and Cultural Resources Services for a new 8" waterline for the City of Leander in Williamson County, Texas.

Dear Mr. Murphy,

Atkins is pleased to provide a scope of work and cost estimate to perform an assessment of threatened and endangered species, potentially-regulated Waters of the U.S., including wetlands (under Section 404 of the Clean Water Act), and cultural and historical resources associated with the construction of a new proposed 8" waterline in Williamson County, Texas. Based on information provided by K Friese & Associates, Atkins understands that the area of interest involves a 14,055-linear foot project area located within the Ridgmar neighborhood in Williamson County, TX.

If a portion of this proposal does not meet your needs, or if those needs have changed, Atkins is prepared to consider appropriate modifications, subject to the standards of care to which we adhere as professionals. Modifications such as changes in scope, methodology, scheduling, and contract terms and conditions may result in changes to the risks assumed by K Friese & Associates, as well as adjustments to the estimated fee.

The purpose of this assessment is to determine the presence of sensitive or protected ecological resources, Section 404 jurisdictional Waters of the U.S., and cultural or historic resources. The following describes the services Atkins proposes to provide.

Scope of Work

Task 1: Threatened and Endangered Species Assessment

Atkins will conduct a threatened and endangered (T&E) species habitat assessment, general vegetation community assessment, and desktop mapping of the subject site. The assessment will evaluate the likely presence or absence of suitable habitat for state or federally-listed sensitive resources. To develop information pertaining to previously documented T&E species and/or their associated habitat on the project site, we propose to complete the scope of services outlined below.

- Atkins will review natural resource database accounts to determine any previously documented T&E plant and animal species that are known to occur in or near the project area.
- Atkins will review state and federal lists to identify any T&E plant and animal species that have the potential to occur within the project area.
- Atkins will perform a one-day, limited field analysis to evaluate the area for habitat characteristics described as suitable for T&E species, or otherwise protected resources.

Presence/absences surveys for T&E species are not included in this scope of services, but can be provided upon K Friese & Associates' request. If T&E species or suitable habitat are identified, or if other evidence suggesting these species may be present is discovered, focused protocol-level surveys may be provided under separate scope of work and negotiated fee.

- Atkins will identify the proximity of the project site to known protected resources, such as state or federal lands, wildlife management areas, sensitive migration corridors, or designated critical habitat.
- Based upon the information gathered during this assessment, Atkins will prepare a report to document study methods, findings, and provide a discussion of possible permitting needs. The information collected will be evaluated in view of the proposed land use and existing federal and state regulations. This report will also make recommendations to create applicable recommendations for impact avoidance. The information gathered in this assessment will be compiled with the information from the associated environmental services and evaluated within the context of the overall project development.
- The estimated total time for Task-1 completion is approximately three weeks, depending upon agency response.

Task 2: Jurisdictional Wetlands and/or Waters of the United States Assessment

Atkins proposes to evaluate the project site for the presence of potential jurisdictional Waters of the U.S., including wetlands and other waterbodies, as defined in Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, Technical Report Y87-1, and other applicable reports or memoranda. The focus of this task is to map the regulated limits of the San Gabriel River and identify applicable permitting constraints associated with an open-cut pipeline crossing of the river. This task will also identify the presence or absence of other potentially jurisdictional waterbodies and establish their need for permitting. All aquatic features observed on readily available map resources, and those observed during a one-day site visit, will be evaluated for potential jurisdiction. Should wetlands be present, formal delineation per the 1987 US Army Corps of Engineers (USACE) Wetland Delineation Manual would be performed. To develop information pertaining to the presence of jurisdictional waters within the project site, we propose to complete the scope of services outlined below.

- Atkins will review the Natural Resources Conservation Service (NRCS) soil survey maps to identify the presence of known hydric soils on or near the project site.
- Atkins will review the National Hydrologic Data (NHD) to evaluate the hydrologic features within the project site.
- Atkins will review the United States Geological Survey (USGS) 7.5-minute topographic maps, recent aerial photographs, and associated National Wetlands Inventory (NWI) maps to evaluate the potential for Waters of the U.S.
- Atkins will review Federal Emergency Management Agency (FEMA) floodplain maps to evaluate the potential for construction within mapped floodplains.
- Atkins will conduct a one-day site visit of the project site, during which readily observed streams and potentially jurisdictional waterbodies will be identified and characterized. If wetlands or jurisdictional features are identified, Atkins would delineate the features using a handheld handheld Trimble® GPS unit and digitally overlay the information onto USGS quadrangle maps and aerial photographs. The total spatial coverage of the waterbodies would be quantified and tabulated to establish impact avoidance buffer zones, properly report and permit potential impacts, and report the total acreage of wetlands currently under jurisdiction.
- Based on the results of this assessment, Atkins will provide a written report describing the presence or absence of jurisdictional waterbodies within the project site boundaries. This report will also make recommendations to create applicable measures for impact avoidance and/or

requisite permitting. The information gathered in this assessment will be compiled with the information from the associated environmental services and evaluated within the context of the overall project development.

- The estimated total time for Task-2 completion is approximately three weeks, depending upon the availability of seasonal limitations to wetland surveys (i.e. vegetative growth (bloom) periods and non-typical rainfall), and agency response.

Task 3: Cultural and Historic Resources Assessment

Based on a preliminary review of available records Atkins was unable to identify resources indicating that the current project area has been previously surveyed for cultural resource properties. Because Atkins was unable to determine previous clearance for the area, the Texas Historical Commission (THC) will use the results of the desktop review to determine whether an intensive pedestrian survey will be required.

Atkins will conduct a desktop review of the area within 1,000 ft of the proposed ROW which will include: digital data provided by the Texas Archeological Research Laboratory (TARL) on 12/18/2013, the THC's on-line Restricted Archeological Sites Atlas files, the National Park Service's (NPS) NRHP database and GIS Spatial Data as well as the NHL Program, the NPS El Camino Real de los Tejas Comprehensive Management Plan/Environmental Assessment Maps and Geographic Resources Program National Historic Trails Map Viewer, soils data available via the Bureau of Economic Geology, and aerial photographs accessed through Google Earth, version 6.0. Following completion of the records/literature search, Atkins will prepare a letter with the results of the desktop review, including a map showing the location of previously recorded sites and previous investigations, if any, for submission to the THC for their comment. If the THC determines that field work is necessary a scope of work for an intensive survey will be completed and submitted to K Friese & Associates for approval.

ASSUMPTIONS

- K Friese & Associates will provide Atkins with maps of the proposed project site and any additional work areas portraying accurate boundaries.
- K Friese & Associates will provide any necessary property access outside of the right-of-way to Atkins personnel to complete the field assessment.
- Atkins is not performing focused flora or fauna surveys as part of this scope of services. No protocol-level surveys will be completed under this scope of services.
- No agency consultation will be initiated under this scope of services other than the U.S. Fish and Wildlife Service, Texas Parks and Wildlife Department, and Texas Historical Commission to request additional information and concurrence of existing conditions.
- Atkins will provide two hardcopies and one electronic copy of the final report, in portable document format (PDF) including necessary shapefiles, to K Friese & Associates following the completion of the proposed assessment services.

Cost Estimate and Schedule

Atkins anticipates commencement of the work upon receiving a written authorization to proceed. Atkins will provide a final assessment report containing the findings of the assessments approximately three weeks from the date of written authorization to proceed and receipt of property access information if necessary. Atkins will perform the described scope of services on a Time and Materials basis in

accordance. As previously noted, the following cost estimate provides two scenarios for Task 3 (Cultural and Historic Resources); one with a field study and one without. The estimated cost for the proposed services is described below:

Task 1: Threatened and Endangered Species Assessment	\$1,500
Task 2: Jurisdictional Wetlands and/or Waters of the United States Assessment	\$2,750
<u>Task 3: (Desktop Review): Cultural and Historical Resources Review</u>	<u>\$2,300</u>
Project Total (No Cultural Field Study):	\$6,550

We trust this proposal is in accordance with your requirements. If acceptable, this proposal will serve as the agreement between our organizations. You may acknowledge by signing, dating, and returning this document; receipt of which would then constitute your authorization for us to proceed. If additional assessment efforts are necessary based upon our research, a separate scope of services, schedule, and budget will be prepared and submitted for your approval.

Atkins appreciates the opportunity to provide this proposal for environmental services and we look forward to assisting you with this project. Please contact me by telephone at (512) 342-3319 or by email at gary.newgord@atkinglobal.com at your earliest convenience if you have any questions or comments concerning this scope of work or associated cost estimate.

Sincerely,
Atkins

Gary Newgord
Ecologist

Client signature of approval

Date

[Delivery by Email: vmcevoy@kfriese.com]

Proposal No. PAA14-004-00
January 10, 2013

Victoria McEvoy, P.E.
K Friese & Associates, Inc.
1120 S. Capital of Texas Hwy, City View 2, Ste. 100
Austin, Texas 78746

**RE: Geotechnical Engineering Study
City of Leander Ridgmar Waterline
Leander, Texas**

In accordance with your request, RABA KISTNER Consultants Inc. (RKCI) is pleased to submit this proposal for Geotechnical Engineering Services to K Friese & Associates for the referenced project. The broad objectives of our study will be to determine soil conditions at the site and to develop information concerning foundation design and construction recommendations for the proposed waterline to be constructed in Leander, Texas. Described in this letter are:

- our understanding of pertinent project characteristics;
- our proposed scope for field and laboratory study;
- our proposed scope for engineering evaluation and reporting;
- our tentative project schedule; and
- our lump sum study cost.

Project Description

The project will consist of an 8-inch water line to be installed along the existing residential street alignments of Ridgmar Road, Fair Oaks Street, Warfield Road, E. Windermere Street, and W. Windermere Street. We understand that the water line will be approximately 14,665 lf.

Field Study

Based on requests from the client in determining the geotechnical needs of the project, the following number of borings and boring depths are proposed:

Consideration	No. of Borings	Depth of Borings (ft)
Waterline	5	20

Samples will be taken using conventional split-spoon/Shelby-tube sampling techniques. Borings will be located in the field utilizing a recreation grade hand-held GPS device and/or tape and right angle measurements from existing benchmarks. Our scope of service does not include surveying in the boring locations.

Proposal No. PAA14-04-00
January 10, 2014

Since the borings will be located along an existing roadway alignment, one day of traffic control will be provided during our drilling activities. The borings will be backfilled utilizing auger cuttings generated during drilling activities and capped with asphalt.

Laboratory Study

Upon completion of the subsurface exploration, a testing program will be designed to define the strength and classification characteristics of the subsurface soils. The testing program may include moisture content tests, Atterberg Limits (plasticity tests), unconfined compression (of the soil samples), corrosivity tests and grain size analyses; however, the type and number of tests will be based on subsurface conditions encountered in the field.

Engineering Report

The results of the field and laboratory phases of the study will be reviewed by our staff of engineers and geologists. The results of our review, together with the supporting field and laboratory data, will be presented in a written, engineering report. Included therein will be recommendations concerning the design and construction for the waterline. The Geotechnical Engineering Report will include the following information and recommendations, if applicable:

- A summary of the field and laboratory sampling and testing program,
- Boring logs and laboratory testing results;
- A review of general site conditions including descriptions of the site, the subsurface stratigraphy, groundwater conditions, and the presence and condition of fill materials, if encountered.

Since site grading plans can result in changes in the subgrade conditions, final site grading plans will be helpful information in the preparation of engineering recommendations. In the absence of site grading information, we will prepare recommendations based on the existing topography.

The final report will be reproduced in 1 spirally-bound copy and a digital PDF file will also be provided.

Tentative Project Schedule

Based on our present workload, we anticipate that we could begin the field exploration phase of this study within three to five working days of receiving your written authorization, provided the site is accessible to our truck-mounted drill rigs. The field exploration and laboratory testing phase of the study is expected to take approximately three to five working days to complete. Engineering analyses and preparation of the engineering report is expected to take an additional two to three weeks to complete. We will be pleased to provide the design team with verbal design information as the data becomes available.

Proposal No. PAA14-004-00

January 10, 2014

Project Cost

The lump sum cost for the study scope outlined herein will be **\$7,850**.

Should unusual soil conditions be encountered in the field that indicates the desirability of significantly broadening the scope of the study, we will contact you to receive authorization before proceeding with any additional work. Additional services will be billed on a unit basis in accordance with our standard fees as indicated on the attached Schedule of Fees for Professional Services.

If available, we request that the Client provide RKCI with a recent plat of the project site, a drawing illustrating existing and proposed construction locations, and preliminary site grading plans prior to the start of our field exploration services. Also, it is our understanding that the Client will provide access to all boring locations for a conventional, truck-mounted drilling rig. RKCI will take all precautions to prevent damage to property; however, RKCI can not be responsible for tire rutting, or damage of landscaping. It is our standard protocol to contact the "ONE CALL" utility location service. As such, RKCI cannot be responsible for damaging utility lines that are not located by this service since there is no way to know where all lines are located. We will also contact the civil engineer and the City of Leander to inquire whether there is a municipal utility district or other utility entity in the vicinity that needs to locate their lines that may not subscribe to the "ONE CALL" service. RKCI will not perform any site utility engineering prior to drilling our borings.

Historically the cost of our field services is about 45 percent of our total fee. These services are predominantly provided by subcontractors. In order to promptly pay our subcontractors and continue to be able to respond to your needs, we will send you an interim invoice for 45 percent as soon as the field exploration phase of our study is complete.

It should be noted that our study scope (and project cost) includes attendance of a kick-off meeting. Any additional professional time or travel expenses for participation in design team meetings, if required, will be billed at our standard billing rates for professional time plus expenses.

It should also be noted that our study scope (and project cost) does not include plan review or earthwork and foundation excavation observations during the construction of the project. However, plan review and construction observation costs should be included in the project budget.

Acceptance

We appreciate the opportunity of submitting this contract and look forward to working with you in the development of this project, which will be carried out in accordance with this letter and the K Frieze Subcontract for Professional Services.

Please return one signed copy of this letter proposal to provide written authorization for our firm to complete work on the services outlined herein. Our invoices are due and payable upon receipt at P.O. Box 971037, Dallas, Texas 75397-1037.

Proposal No. PAA14-004-00
January 10, 2014

RKCI considers the data and information contained in this proposal to be proprietary. This statement of qualifications and any information contained herein shall not be disclosed and shall not be duplicated or used in whole or in part of any purpose other than to evaluate this proposal.

Very truly yours,

RABA KISTNER CONSULTANTS, INC.

Accepted

By:

Signature

Typed or Printed Name

Gabriel Ornelas, Jr., P.E., PMP
Vice President

Title

GO: tlc

Attachments I & II

Date

Copies Submitted: Above (1-electronic)



STANDARD TERMS AND CONDITIONS

1. **SERVICES.** Raba Kistner, Inc., by and through one of its subsidiaries (Raba Kistner Consultants, Inc., Raba Kistner Environmental, Inc., Raba Kistner Facilities, Inc. or Raba Kistner Infrastructure, Inc.) (the relevant subsidiary, being engaged to provide the services to CLIENT in connection with the delivery of this instrument, is referred to as "RK" herein) is being engaged by the CLIENT to render professional services ("Services") involving only RK's advice, judgment and opinion. RK may subcontract all or a portion of the Services performed hereunder. RK shall apply professional judgment in determining the extent to which RK complies with any given standard identified in RK's instruments of professional services. CLIENT expressly acknowledges that RK makes no warranties or guarantees, expressed or implied, regarding the Services.
2. **INFORMATION PROVIDED BY CLIENT.** CLIENT may provide or direct RK to utilize or rely upon certain information ("CLIENT Information") in the performance of RK's services. RK shall be entitled to rely upon such CLIENT Information. RK will not conduct an independent evaluation of the accuracy or completeness of such CLIENT Information and shall not be responsible for any errors or omissions in such information. . RK's report, as well as any recommendations, findings, and conclusions made by RK, are dependent on information received from CLIENT. Changes or modifications to the information provided by CLIENT can affect RK's evaluation, recommendations, findings and conclusions, and CLIENT agrees—as a material term of this Agreement—to notify RK immediately, in writing, if CLIENT becomes aware of any such changes or modifications, including changes to the size, scope, location, or other material characteristics of CLIENT's project. The CLIENT shall be responsible for providing the location of all underground utilities and other structures in the vicinity of RK borings or excavations. RK will not accept responsibility and will not be liable for affecting or damaging any underground utility, underground storage tank, or other subsurface condition not previously identified and located, or improperly located, by the CLIENT, a utility, or a utility locating agency.
3. **SITE ACCESS AND SITE SAFETY.** CLIENT shall provide right-of-entry to the buildings and sites which are the subjects of RK's services. CLIENT represents that it possesses authority for such right-of-entry and that the building/site operator(s) possess the necessary permits and licenses for current activities at the site. RK shall be responsible for supervision and site safety measures of its own employees and subconsultants, but shall not be responsible for the supervision or health and safety precautions of any other parties, including CLIENT, CLIENT'S contractors, subcontractors, or other parties present at the site.
4. **SUBSURFACE EXPLORATIONS.** Subsurface conditions throughout the site may vary from those depicted on logs of discrete borings, test pits, or other exploratory services. CLIENT understands RK's layout of boring and test locations is approximate and that RK may deviate a reasonable distance from those locations. RK will take reasonable precautions to reduce damage to the site when performing services; however, CLIENT accepts that invasive services such as drilling or sampling may damage or alter the site. Site restoration is not provided unless specifically included in the scope of services.
5. **CHANGED CONDITIONS.** If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to RK are uncovered or revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks or other material terms of this Agreement, RK may call for renegotiation of appropriate portions of this Agreement. RK shall notify the CLIENT of the changed conditions necessitating renegotiation, and RK and the CLIENT shall promptly and in good faith enter into renegotiation of this Agreement to address the changed conditions. If changes cannot be agreed to with respect to changed conditions, the parties shall utilize the Dispute Resolution/Litigation procedures in this Agreement.
6. **TESTING AND OBSERVATIONS.** CLIENT understands that testing and observation are discrete sampling procedures, and that such procedures indicate conditions only at the depths, locations, and times the procedures were performed. RK will provide test results and opinions based on tests and field observations only for the work tested. CLIENT understands that testing and observation are not continuous or exhaustive, and are conducted to reduce – not eliminate – project risk. CLIENT agrees to the level or amount of testing performed and the associated risk. CLIENT is responsible (even if delegated to contractor) for notifying and scheduling RK so RK can perform these services. RK shall not be responsible for the quality and completeness of contractor's work or their adherence to the project documents, and RK's performance of testing and observation services shall not relieve contractor in any way from its responsibility for defects discovered in its work, or create a warranty or guarantee. CLIENT acknowledges that RK will not supervise or direct the work performed by contractor or its subcontractors and is not responsible for their means and methods.
7. **ESTIMATE OF FEES FOR CONSTRUCTION AND MATERIALS TESTING SERVICES.** If included as part of RK's proposal, RK will, to the best of its ability, perform the scope of services related to Construction and Materials Testing Services within the proposed fee estimate provided by RK. RK's proposal fees are based upon an estimate of the services required to meet the specifications for the project and following generally accepted engineering practices. The CLIENT recognizes that unforeseen circumstances along with changes in scope and project/contractor's schedules can influence the successful completion of the scope of services within the estimated proposed fees. Because the contractor has sole control over the project and determines the means and methods used to build/construct the project, RK's service fees are estimates and not lump sum or guaranteed maximum fees. The CLIENT is fully responsible for payment of all services provided, including retests of contractor's failed areas.
8. **REPORTS.** RK may provide CLIENT with written reports in connection with the Services performed. Such reports will present such findings and conclusions as RK may reasonably make with the information gathered while performing its services, and provided by CLIENT. The reports may be copied for inclusion in other documents related to the project provided it is reproduced in its entirety; however reports and other instruments of service are prepared for, and made available for, the sole use of the CLIENT, and the contents thereof may not be used or relied upon by others without the express written authorization of RK. Any unauthorized use or distribution shall be at the CLIENT's sole risk and without liability to RK..
9. **TOXIC AND HAZARDOUS MATERIALS.** CLIENT shall provide RK with all information within CLIENT'S possession or knowledge as to the potential or presence of toxic or hazardous materials or pollutants at the site. CLIENT agrees that RK neither created nor contributed to the creation or existence of any toxic or hazardous

materials or pollutants. In no event shall RK be required to sign a hazardous waste manifest or take ownership of any toxic or hazardous materials or pollutants. If unanticipated toxic or hazardous materials or pollutants are encountered while performing RK's services, RK reserves the right to stop field operations and notify the CLIENT and CLIENT assumes responsibility to notify appropriate regulatory agencies. RK and CLIENT must mutually agree to remobilize.

10. **NO THIRD-PARTY BENEFICIARIES.** The services and any report(s) prepared under this Agreement are for the sole benefit and sole use of CLIENT and are not for the use of any other party or person. Only CLIENT may rely upon the services and any report or work product. Nothing in this Agreement, or any subsequent amendments or modifications, or in any report issued under this Agreement, shall create a contractual relationship with or a cause of action in the favor of any third party against either RK or CLIENT. If CLIENT provides a copy of any report prepared by RK to others, it shall advise the recipient that the information contained in the report is provided for information only and is not to be relied upon by third parties.
11. **LEED PROJECTS.** Unless specifically addressed elsewhere in this agreement, RK has no responsibility or liability, including duty to defend or duty to indemnify, any party (including but not limited to CLIENT, owner, owner's agents, architects, engineers, contractors, construction managers, subcontractors) for the LEED certification process including: developing, producing, or retaining any documentation relating to the calculation of LEED points; and attainment of LEED certification points or LEED ratings.
12. **STANDARD OF CARE.** RK shall perform its professional services in accordance with the standard of care and diligence normally practiced by professional firms in performing services of a similar nature, in the same locality, under similar circumstances. CLIENT expressly acknowledges that RK makes no other warranties or guarantees, expressed or implied, regarding its professional services or its work product.
13. **RISK ALLOCATION.** RK will be responsible only for its own work, and that of its sub-consultants, and not for defects in the work designed or built by others.
14. **LIMITATION OF LIABILITY.** CLIENT AND RK HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING RK'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE RISKS SO, TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF RK (AND ITS RELATED ENTITIES, EMPLOYEES, OWNERS, AGENTS, AND REPRESENTATIVES) TO CLIENT (AND THIRD PARTIES GRANTED RELIANCE ON RK'S WORK PRODUCT, OR OTHERWISE SEEKING RECOVERY UNDER THIS AGREEMENT) IS LIMITED TO THE GREATER OF \$100,000 OR THE FEE PAID RK UNDER THIS AGREEMENT, FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF RK'S SERVICES OR THIS AGREEMENT REGARDLESS OF CAUSE(S) OR THE THEORY OF LIABILITY,
15. **CONSEQUENTIAL DAMAGES.** Neither CLIENT nor RK will be liable to the other for any special, consequential, indirect, incidental or penal losses or damages of any kind, nor will CLIENT or RK be liable to the other for losses, damages, or claims, regardless of how defined, related to: lost profits; unavailability of property or facilities; shutdowns or service interruptions; loss of use, , revenue, opportunity, or inventory; use charges, carrying costs, cost of substitute facilities, goods, or services; cost of capital, or claims of any other party and/or its customers.
16. **SUSPENSION OF SERVICES.** If the CLIENT fails to make payments when due or otherwise is in breach of this Agreement, RK may suspend performance of services upon seven (7) calendar days' notice to the CLIENT. RK shall have no liability whatsoever to the CLIENT for any costs or damages as a result of such

suspension. Upon payment in full by the CLIENT, RK may resume services under this Agreement, and the time schedule and compensation shall be equitably adjusted to compensate for the period of suspension plus any other reasonable time and expense necessary for RK to resume performance. Payment of invoices shall not be subject to any discounts or set-offs by the CLIENT unless agreed to in writing by RK. Payment to RK for services rendered and expenses incurred will be due and payable regardless of any subsequent suspension or termination of this Agreement by either party.

17. **WAIVER OF SUBROGATION.** To the extent damages are covered by property insurance, or any other available insurance coverage, CLIENT and RK waive all rights against each other and against the contractors, consultants, agents and employees of the other for damages. CLIENT agrees that CLIENT shall procure, or cause to be procured builder's risk insurance or other property insurance for its project. RK and CLIENT waive all rights against each other and any of their consultants, contractors, subcontractors, sub-subcontractors, agents, and employees, for damages caused by fire, flood, or other causes of loss to the extent covered by CLIENT's or CLIENT's Contractor's builder's risk insurance, or other available insurance coverage. The policies shall provide waivers of subrogation by endorsement or otherwise. CLIENT shall require of its contractors, consultants, agents and employees similar waivers in favor of RK and its subconsultants. A waiver of subrogation shall be effective as to a person or entity even though that person or entity would otherwise have a duty of indemnification, contractual or otherwise, did not pay the insurance premium directly or indirectly, and whether or not the person or entity had an insurable interest in the property damaged.
18. **OWNERSHIP OF DOCUMENTS.** R-K's reports, drawings, plans, specifications, and other documents and deliverables are instruments of professional service ("Instruments of Service") developed by RK in contemplation of a wide array of project-specific variables, including how the documents will be used and by whom. RK shall be the author, owner and custodian of the Instruments of Service, and shall retain all common law, statutory, and other reserved rights, including copyright. By execution of this Agreement, RK grants to CLIENT a limited, nonexclusive license to use the Instruments of Service for purposes of constructing, using, and maintaining the project for which the services are performed, provided CLIENT substantially performs its obligations, including prompt payment of all sums when due, under this agreement.

Upon completion of the services, and payment in full of all monies due RK, CLIENT may retain copies of all such documents. **THE INSTRUMENTS OF SERVICE ARE NOT INTENDED NOR REPRESENTED TO BE SUITABLE FOR REUSE ON EXTENSIONS, MODIFICATIONS, OR ADAPTATIONS OF THE PROJECT, OR ANY OTHER PROJECT, ANY REUSE OF SUCH DOCUMENTS, WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY RK FOR THE SPECIFIC PURPOSE INTENDED, WILL BE AT CLIENT'S SOLE RISK WITHOUT LIABILITY OR LEGAL EXPOSURE TO RK, AND CLIENT AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO INDEMNIFY, DEFEND, AND HOLD HARMLESS RK, ITS OFFICERS, DIRECTORS, EMPLOYEES, AND CONSULTANTS AGAINST ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES (INCLUDING REASONABLE ATTORNEYS' FEES, DEFENSE COSTS, AND COURT COSTS) ARISING FROM OR ALLEGEDLY ARISING FROM OR IN ANY WAY CONNECTED WITH THE UNAUTHORIZED REUSE OR MODIFICATION OF THE DOCUMENTS BY CLIENT OR ANY PERSON OR ENTITY THAT ACQUIRES OR OBTAINS THE DOCUMENTS FROM OR THROUGH THE CLIENT WITHOUT THE WRITTEN AUTHORIZATION OF R-K REGARDLESS OF WHETHER SUCH CLAIMS, DEMANDS, OR ACTIONS ARE FOUNDED IN WHOLE OR IN PART UPON ALLEGED NEGLIGENCE OF RK, ITS OFFICERS, DIRECTORS, EMPLOYEES, OR CONSULTANTS.**

Parties other than CLIENT and RK may apply to use an instrument, using a form prepared by RK for that purpose. Others' use of an instrument shall be permitted only when CLIENT and RK both so agree; either shall have the right to forbid use by others. In

addition, R-K shall make its permission contingent upon the satisfaction of certain conditions when, in RK's professional judgment, such a contingency is necessary.

19. **DISPUTE RESOLUTION/LITIGATION.** All claims, disputes, and other controversy between RK and CLIENT arising out of or in any way related to the services provided by RK shall be submitted to mediation, before and as a condition precedent to other remedies provided by law. If a dispute at law arises related to these services and that dispute requires litigation as provided above, the CLIENT assents to personal jurisdiction in the State of Texas; the claim will be brought and tried in Bexar County, the county where RK's principal place of business is located, and CLIENT waives the right to remove or transfer the action to any other county or jurisdiction. The prevailing party will be entitled to recovery of all court costs, attorneys' fees, and other legally recoverable claim-related expenses. As a condition precedent to mediation of any claim arising out of the services provided under this Agreement, CLIENT shall obtain the written opinion from a registered, independent, and reputable professional engineer that RK has violated the standard of care applicable to RK's performance of services, in a form that meets the requirements of Texas Civil Practice & Remedies Code Chapter 150.
20. **TERMINATION OF CONTRACT.** CLIENT and RK may terminate services at any time upon ten (10) calendar days' written notice. In the event of termination, CLIENT agrees to fully compensate RK for services performed including reimbursable expenses through the termination date, as well as reasonable demobilization expenses. RK will terminate services without waiving any claims or incurring any liability.
21. **STATUTE OF LIMITATIONS.** Any applicable statute of limitations will commence to run and any cause of action shall be deemed to have accrued not later than the earlier of the following: (1) the date of the report issued by RK giving rise to the cause of action; (2) the date on which RK issues its last report under this Agreement; or (3) if RK is retained to perform construction observation, the date of substantial completion of the project.
22. **FORCE MAJEURE.** Neither party shall be liable in damages or have the right to terminate this Agreement for any delay or default in performing hereunder if such delay or default is caused by conditions beyond its control ("Force Majeure") including, but not limited to Acts of God, Government restrictions (including the denial or cancellation of any export or other necessary license), wars, insurrections and/or any other cause beyond the reasonable control of the party whose performance is affected. Force Majeure may not be claimed as a cause for delay in payment of money due and payable hereunder.
23. **NO ASSIGNMENT.** Neither RK nor CLIENT shall assign, sublet, or transfer its interest in this Agreement without the express written consent of the other.
24. **SEVERABILITY.** Each provision of this Agreement is intended to be severable. If any terms or provisions of this agreement shall be held to be invalid, illegal, or unenforceable for any reason whatsoever, the validity, legality, and enforceability of the remaining provisions hereof shall remain in full force and effect and shall not in any way be affected or impaired thereby. Moreover, to the maximum extent allowed by law, the Parties hereto stipulate that any offending provisions will be modified or altered, as necessary, so as to give such provision the maximum permissible effect and application intended.
25. **ENTIRE AGREEMENT.** This Agreement, and all of its attachments, constitutes the entire, integrated Agreement between the Parties to it, and this Agreement supersedes all other Agreements, oral or written between the Parties, concerning the subject set forth in this Agreement. This Agreement may not be amended except in writing, with that amendment being signed by both Parties.



SCHEDULE OF FEES FOR PROFESSIONAL SERVICES

PERSONNEL:

Principal.....	\$135 to \$250/hour
Professional.....	\$70 to \$200/hour
Auto Cad Operator.....	\$65 to \$110/hour
Technical/Clerical/Administrative	\$40 to \$80/hour

The specific hourly rate within each classification listed above depends on the experience, special training, and qualifications of the personnel needed for the project. For projects requiring work at any hazardous waste site, there will be a \$10 per hour surcharge added to the normal billing rate for all personnel. Consultants to Raba Kistner (RK) will be charged according to their professional classification.

EXPENSES: Use of company automobiles will be charged at \$1.00 per mile. Automobiles and light trucks assigned to field sites will be charged at \$70.00 per day, plus \$1.00 per mile over 50 miles per day. Copies will be charged at \$0.25 per page.

Other project specific charges for use of RK equipment or for RK testing will be in accordance with established fee schedules. All other project specific, third-party costs will be charged at cost plus 15 percent.

Invoices will be submitted monthly for work in progress in our standard format. They are due and payable upon receipt and become past due 30 days after the billing date. Past due invoices may be subject to late charges at the rate of 1-1/2 percent per month (18 percent per annum). In the event that the State of Texas legislates a sales tax on Professional Services, the amount of the tax will be PAYMENT added to the appropriate service rate charged. Our invoices are due and payable upon receipt at P.O. Box 971037, Dallas, Texas 75397-1037.

Preparation of non-standard invoice will be charged on a time and materials basis in accordance with the rates in this fee schedule.

CONDITIONS: Services will be performed in accordance with our Standard Terms and Conditions.

The proposal to which this schedule is an attachment is valid for 90 days from the date of the proposal.



Executive Summary

03/20/14

Council Agenda Subject: A resolution agreement to provide matching funds as required by the Criminal Justice Division (CJD) of the Governor’s Office grant for the creation a Victim Services Coordinator position.

Background: Victim Services Coordinator (Volunteer Victim Services Team)

The Leander Police Department is seeking to create a Victim Services Coordinator Position to respond to the needs of crime victims within the Leander community. Currently all services are referred to the Williamson County Sheriff’s Office or Williamson County District Attorney’s Office. Where these two organizations have helped to fill the gap in services, the Leander Police Department has reached a size where we must be able to provide immediate and comprehensive services to victims in-house and at the initial scene of the crime. These are not services that we currently offer, or are critically delayed when referred to outside agencies. Likewise, there is no coordinative effort between Criminal Investigations and the providers of these victim-oriented services. Developing an in-house capability, like that available in neighboring communities, will significantly enhance services to the community. In an attempt to balance competing needs, the Leander Police Department is looking to take advantage of available grant resources from the Texas Governor’s Office to initiate this program. If we are unable to secure grant funding, the police department will submit this position for consideration during the next applicable budgetary process.

Origination: Greg Minton, Chief of Police

Financial Consideration: If approved, this General Victim Assistance Grant will help fund the Victim Services Coordinator project for one year. The Leander Police Department will be able to reapply for this grant each subsequent year after initial approval. The grant requires the city of Leander to provide matching funds up to 20% and the grant itself will fund 80% of total cost of the project. If the grant is not approved the city will need to decide whether to continue funding the full cost of the Victim Services Coordinator position or discontinue the program.

Requested funds:

<u>Item</u>	<u>CJD Requested Amount</u>	<u>City Match</u>
1. Victim Services Coordinator position	\$52,198.86	\$13,099.72
2. Laptop Computer and accessories	\$1,000.00	\$200.00

Recommendation: Staff recommends the acceptance of the grant.

Attachments: Copy of proposed resolution; Copy of the General Victim Assistance - Direct Services Program Solicitation

Prepared by: Lt. Billy Fletcher, Criminal Investigations Division

WHEREAS, The Leander City Council finds it in the best interest of the citizens of Leander that the Leander Police Department Victim Services Program be operated for the 2014-2015 fiscal year; and

WHEREAS, the Leander City Council agrees to provide applicable matching funds for the said project as required by the Criminal Justice Division (CJD) of the Governor's Office grant application; and

WHEREAS, the Leander City Council agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Leander assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the Leander City Council designates Mr. Kent Cagle, City Manager, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the Leander City Council approves submission of the grant application for the Leander Police Department Victim Services Program to the Office of the Governor, Criminal Justice Division.

Signed by: _____

Approved this _____ (Day) of _____ (Month), _____ (Year)

Grant Number: 2759501

General Victim Assistance – Direct Services Program Solicitation

The Criminal Justice Division (CJD) of the Governor's Office is soliciting applications for projects that provide services to victims of crime under the state fiscal year 2015 grant cycle.

Purpose: The purpose of this program is to provide services and assistance directly to victims of crime to speed their recovery and aid them through the criminal justice process. Services may include the following:

- 1) responding to the emotional and physical needs of crime victims;
- 2) assisting victims in stabilizing their lives after a victimization;
- 3) assisting victims to understand and participate in the criminal justice system; and
- 4) providing victims with safety and security.

Available Funding: Federal funding is authorized for these projects under the Victims of Crime Act of 1984 (VOCA) as amended, 42 U.S.C. 10601, and under the Violence Against Women Act of 2013 Pub. L. No. 113-4 (VAWA 2013). Congress has not finalized federal appropriations for federal fiscal year 2014. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

Funding Levels:

Minimum : \$5,000

Maximum: None

Required Match: Grantees, other than Native American Tribes, may be required to provide matching funds of at least twenty percent (20%) of total project expenditures. Native American Tribes may be required to provide a five percent (5%) match. This requirement may be met through either cash or in-kind contributions or a combination of both. Please note: projects that are awarded with match above the required amount will be held to the higher amount.

Standards: Grantees must comply with the standards applicable to this funding source cited in the *Texas Administrative Code* (1 TAC Chapter 3), and all statutes, requirements, and guidelines applicable to this funding.

Prohibitions: Grant funds may not be used to support the following services, activities, and costs:

- 1) inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- 2) lobbying and administrative advocacy;
- 3) perpetrator rehabilitation and counseling or services to incarcerated individuals;
- 4) needs assessments, surveys, evaluations, and studies;
- 5) prosecution activities;
- 6) reimbursement to crime victims for expenses incurred as a result of the crime, such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills;
- 7) most medical costs. Grantees may not use grant funds for nursing-home care (except for short-term emergency), home health-care costs, in-patient treatment costs, hospital care, or other types of emergency or non-emergency medical or dental treatment.
- 8) relocation expenses, for crime victims such as moving expenses, security deposits on housing, rent, and mortgage payments;
- 9) administrative staff expenses. Grantees may not use grant funds to pay salaries, fees and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals unless the grantee incurs the expense while providing direct services to crime victims;
- 10) costs of sending individual crime victims to conferences;
- 11) activities exclusively related to crime prevention or community awareness;
- 12) non-emergency legal representation such as for divorces, court ordered mediation or civil restitution recovery efforts;
- 13) victim-offender meetings that serve to replace criminal justice proceedings;
- 14) management and administrative training for executive directors, board members, and other individuals that do not provide direct services;
- 15) training to persons or groups outside the applicant agency;
- 16) indirect organization costs, such as liability insurance on buildings, capital improvements, security guards and body guards, property losses and expenses, real estate purchases, mortgage payments, renovations and construction of any kind.

General Victim Assistance – Direct Services Program Solicitation

- 17) any activities or related costs for diligent search;
- 18) job skills training;
- 19) in-patient alcohol and drug abuse treatment;
- 20) fundraising activities;
- 21) property loss; any portion of the salary of, or any other compensation for, an elected or appointed government official;
- 22) purchase or leasing of vehicles;
- 23) purchase of equipment for governmental agencies that are for general agency use;
- 24) admission fees or tickets to any amusement park, recreational activity, or sporting event;
- 25) promotional gifts, cash payments, gift cards or fuel vouchers;
- 26) non-emergency food, meals, beverages, or other refreshments;
- 27) membership dues or professional fees for individuals;
- 28) development of protocols, interagency agreements and other working agreements;
- 29) generated program income;
- 30) employee allowances covering routine expenses (i.e. cell phone allowances or vehicle allowances);
- 31) purchasing prepaid credit/debit or store cards for either agency or victim use; and
- 32) salaries for licensed peace officers funded at greater than 90% of overall salary; and
- 33) any other prohibitions imposed by federal, state, or local law.

Eligible Applicants:

- 1) State agencies;
- 2) Units of local government;
- 3) Hospital districts;
- 4) Nonprofit corporations with an active charter number from the Texas Secretary of State;
- 5) Native American tribes;
- 6) Universities;
- 7) Colleges;
- 8) Community supervision and corrections departments;
- 9) Councils of governments that offer direct services to victims of crime;
- 10) Hospital and emergency medical facilities that offer crisis counseling, support groups, and/or other types of victims services; and
- 11) Faith-based organizations that provide direct services to victims of crime. Faith-based organizations must be tax-exempt nonprofit entities as certified by the Internal Revenue Service.

Note: Agencies applying for funds to support a CASA or Children's Advocacy Center program must apply through either Texas CASA, Inc. or Children's Advocacy Centers of Texas.

Eligible Activities:

- 1) Crisis Services;
- 2) Forensic Interviews;
- 3) Legal Advocacy;
- 4) Multi-Disciplinary Teams and Case Coordination;
- 5) Peer Support Groups;
- 6) Professional Therapy and Counseling;
- 7) Protective Order Assistance;
- 8) Public Presentations (designed to help identify victims);
- 9) Shelter; and
- 10) Victim-Offender Meetings

Eligibility Requirements:

- 1) In order for an applicant to be eligible, the county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions to the Texas Department of Public Safety for calendar years 2008 through 2012. This requirement must be met by August 1, 2014.
- 2) Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency, to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>.

General Victim Assistance – Direct Services Program Solicitation

- 3) Eligible applicants must be registered in the federal system for award and management (SAM) database located at <http://www.sam.gov> and maintain an active registration throughout the grant period.
- 4) Applicants must explain how their organization is culturally competent when providing services to victims. Here are some guidelines to follow: Victim service providers must have the ability to blend cultural knowledge and sensitivity with victim restoration skills for a more effective and culturally appropriate recovery process. Cultural competency occurs when: a) cultural knowledge, awareness and sensitivity are integrated into action and policy; b) the service is relevant to the needs of the community and provided by trained staff, board members, and management; and c) an advocate or organization recognizes each client is different with different needs, feelings, ideas and barriers.
- 5) Applicants must certify that they will comply with the following requirements:
 - a) Services to Victims of Crime - Applicant agrees to provide services to victims of crime which include: responding to the emotional and physical needs of crime victims; assisting victims in stabilizing their lives after victimization; assisting victims to understand and participate in the criminal justice system; and providing victims with safety and security.
 - b) Effective Services - Applicant must demonstrate a record of providing effective services to crime victims. If the applicant cannot yet demonstrate a record of providing effective services, the applicant must demonstrate that at least 25 percent of its financial support comes from non-federal sources.
 - c) Volunteers - Applicant agrees to use volunteers to support either the project or agency-wide services, unless CJD determines that a compelling reason exists to waive this requirement.
 - d) Community Efforts - Applicant agrees to promote community efforts to aid crime victims. Applicants should promote, within the community, coordinated public and private efforts to aid crime victims. Coordination efforts qualify an organization to receive these funds, but are not activities that can be supported with these funds.
 - e) Crime Victims' Compensation - Applicant agrees to assist crime victims in applying for crime victims' compensation benefits.
 - f) Records - Applicant agrees to maintain daily time and attendance records specifying the time devoted to allowable victim services.
 - g) Civil Rights Information - Applicant agrees to maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability of victims served, within the timeframe established by CJD. This requirement is waived when providing services, such as telephone counseling, where soliciting the information may be inappropriate or offensive to the crime victim.
 - h) Victims of Federal Crime - Applicant agrees to provide equal services to victims of federal crime. (Note: A victim of a federal crime is a victim of an offense that violates a federal criminal statute or regulation. Federal crimes also include crimes that occur in an area where the federal government has jurisdiction, such as Indian reservations, some national parks, some federal buildings, and military installations.)
 - i) No Charge - Applicant agrees to provide grant-funded services at no charge to victims of crime.
 - j) Confidentiality - Applicant agrees to maintain the confidentiality of client-counselor information and research data, as required by state and federal law.
 - k) Discrimination - Applicant agrees not to discriminate against victims because they disagree with the State's prosecution of the criminal case.
 - l) Forensic Medical Examination Payments – Health care facilities shall conduct a forensic medical examination of a victim of an alleged sexual assault if the victim arrived at the facility within 96 hours after the assault occurred and the victim consents to the examination. The victim is not required to participate in the investigation or prosecution of an offense as a condition of receiving a forensic medical examination, nor pay for the forensic examination or the evidence collection kit. The evidence collection portion of the exam is to be paid by law enforcement per state law. Crime Victim Compensation funds may be used to pay for the medical portion of the exam unless the victim of sexual assault is required to seek reimbursement for the examination from their insurance carrier. If a health care facility does not provide diagnosis or treatment services for sexual assault victims, the facility is required to refer the victim to a facility that provides those services.
 - m) Protective Orders – Victims applying for a protective order or their attorney may not bear the costs associated with the filing of an order of protections.
 - n) Nondisclosure of Confidential or Private Information – Personally identifying information or individual information collected in connection with services requested, utilized, or denied may not be disclosed; or, individual client information may not be revealed without informed, written, reasonably time-limited consent of the person about whom information is sought. If release of information is compelled by

General Victim Assistance – Direct Services Program Solicitation

statutory or court mandate, reasonable attempts to provide notice to victims affected by the disclosure of information will be made and steps necessary will be taken to protect the privacy and safety of the persons affected by the release of information.

Project Period: Grant-funded projects must begin on or after September 1, 2014, and expire on or before August 31, 2015.

Application Process: Applicants can access CJD's eGrants website at <https://egrants.governor.state.tx.us> to register and apply for funding.

Preferences: Preference will be given to applicants that provide core services to victims and that promote comprehensive victim restoration while incorporating an emphasis on cultural competency in underserved populations. Applicants are also strongly encouraged to streamline administrative and reporting processes by consolidating grant requests whenever possible in lieu of submitting multiple applications.

Closing Date for Receipt of Applications: All applications must be certified via CJD's grant management website on or before February 28, 2014.

Selection Process:

- 1) For eligible local and regional projects:
 - a) Applications will be forwarded by CJD to the appropriate regional council of governments (COG).
 - b) The COG's criminal justice advisory committee will prioritize all eligible applications based on State priorities, identified community priorities, cost and program effectiveness.
 - c) CJD will accept priority listings that are approved by the COG's executive committee.
 - d) CJD will make all final funding decisions based upon eligibility, approved COG priorities, reasonableness of the project, availability of funding, and cost-effectiveness.
- 2) For state discretionary projects, applications will be reviewed by CJD staff members or a review group selected by the executive director. CJD will make all final funding decisions based on eligibility, reasonableness, availability of funding, and cost-effectiveness.

Contact Information: If additional information is needed, contact the eGrants Help Desk at eGrants@governor.state.tx.us or (512) 463-1919.



Executive Summary

March 20, 2014

Council Agenda Subject: Consideration of an Amendment to the Drought Contingency Plan (DCP), Ordinance No. 11-027-00

Background: The initial DCP was adopted in March 2007 and last amended in September 2011. Previous revisions included administrative fees for not following mandatory conservation measures, and a variance to install and establish landscaping associated with new development without requiring a separate variance request.

The proposed amendment deletes the prohibition on installing swimming pools under Stage 3 Mandatory Conservation Measures. It also allows for the initial filling of swimming pools outside of designated watering days under Stage 2 (twice-a-week outdoor watering) and Stage 3 (once-a-week outdoor watering).

Origination: Patrick A. Womack, P.E. Public Works Director

Financial Consideration: None

Recommendation: Staff requests approval of the amended Drought Contingency Plan (Exhibit A) as presented.

Attachments: Drought Contingency Plan Amendment Ordinance

Prepared by: Patrick A. Womack, P.E. Public Works Director

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS; AMENDING DROUGHT STAGE 3 POOL INSTALLATION, FILLING OR REPLENISHING PROHIBITIONS, SECTION 13.09.013 OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

Whereas, periodic review and amendment to the City of Leander (the “City”) Water Conservation and Drought Contingency Plan is necessary for the protection and preservation of the public health, welfare and safety as well as reflecting regional cohesion, standards and norms.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Amend Section 13.09.012 of Article 13.09. The City Council hereby amends Section 13.09.012, part (c)(2)(C) of Article 13.09, Water Conservation and Drought Contingency Plan of the Leander Code of Ordinances in its entirety to read as follows:

Pools: Use of water to refill, top off or add to any swimming pools, hot tubs or wading pools is prohibited except on designated watering days and hours with the exception of the initial filling of newly constructed pools.

Section 3. Amend Section 13.09.013 of Article 13.09. The City Council hereby amends Section 13.09.013, part (c)(2)(C) of Article 13.09, Water Conservation and Drought Contingency Plan of the Leander Code of Ordinances in its entirety to read as follows:

Pools: Use of water to refill, top off or add to any swimming pools, hot tubs or wading pools is prohibited except on designated watering days and hours with the exception of the initial filling of newly constructed pools. Public or community swimming pools may be exempt from this prohibition to maintain safe levels of water quality for human contact.

Section 4. Amendment of Ordinances. Article 13.09, Section 13.09.013, part (c)(2)(C) of Leander Code of Ordinances is amended in its entirety as provided herein. All prior ordinances of the City dealing with or applicable to water conservation and drought contingency plans are hereby amended to the extent of any conflict herewith, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this

Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 5. Effective Date. This Ordinance shall take effect after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED this the ____ day of _____, 2014.

ATTEST:

City of Leander, Texas

Debbie Haile, City Secretary

Christopher Fielder, Mayor



Executive Summary

March 20, 2014

Agenda Subject: Consider action to approve an ordinance renaming a portion of CR 290 to High Lonesome as shown in the attached exhibit.

Background: In order to provide consistency in street naming and addressing to improve service delivery and emergency services response times, the City attempts to designate continuous sections of roadways with a single name. Additionally, recently annexed areas with existing County roads are typically renamed as City streets after annexation. The road under consideration in this agenda item falls in both categories and the renaming will provide for continuation of street names and rename a County road that has been annexed.

Residents along the sections of road proposed to be renamed were notified of the proposed name change and of the date and time of this meeting.

Origination: Development Services Department

Financial

Consideration: The cost of replacing street signs will come from the Public Works Department budget.

Recommendation: Staff recommends approval of the proposed name changes.

Attachments:

1. Exhibit
2. Ordinance

Prepared By: Tom Yantis, AICP
Director of Development Services

3/12/14



City Of Leander, Texas

Exhibit A

Renaming a portion of CR 290 to High Lonesome

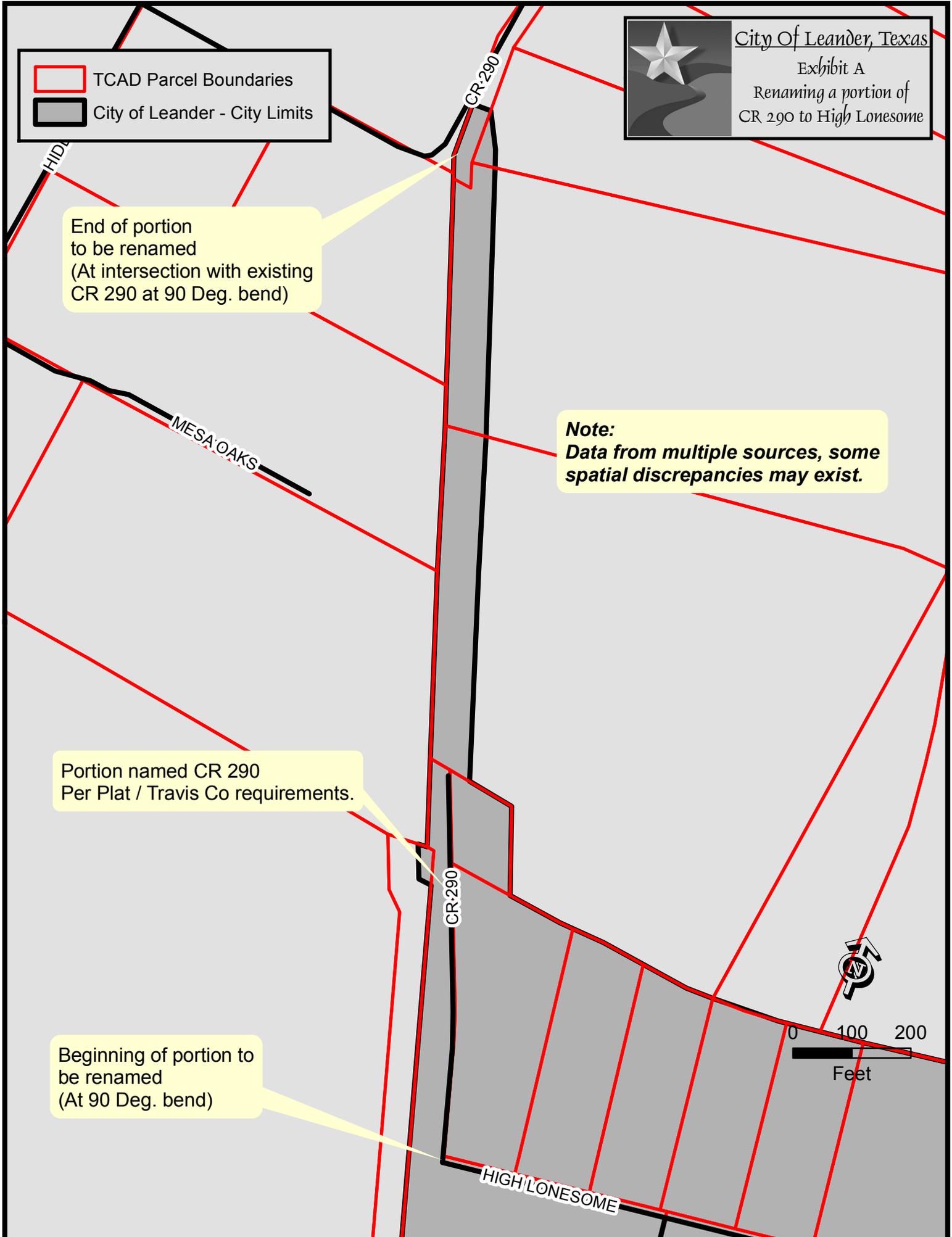
-  TCAD Parcel Boundaries
-  City of Leander - City Limits

End of portion to be renamed (At intersection with existing CR 290 at 90 Deg. bend)

Note:
Data from multiple sources, some spatial discrepancies may exist.

Portion named CR 290
Per Plat / Travis Co requirements.

Beginning of portion to be renamed (At 90 Deg. bend)



ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, RENAMING A PORTION OF CR 290 TO HIGH LONESOME; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Leander, Texas, is a Texas home rule municipality, (herein the “City”) with portions of CR 290 running through the City; and

WHEREAS, street name designations provide for easier identification for City staff, citizens, and emergency services providers;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Name Changes. (1) The portion of the extension of CR 290 included in annexation ordinance 13-074-00 is hereby renamed to High Lonesome. These roadway name change is more particularly shown and described in Exhibit “A”, attached hereto and incorporated herein for all purposes. In the event of a discrepancy between roadway name change descriptions, Exhibit “A” shall control. The City Manager is hereby directed to take such actions as are reasonably necessary to ensure signs are posted reflecting the new name, to ensure emergency response personnel are notified, to modify the official maps of the City to reflect the name change and to ensure that all departments of the City requiring changes in addressing are duly notified and provided the necessary information to effectuate the change.

Section 3. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

PASSED AND APPROVED this the 20th day of March, 2014.

ATTEST:

THE CITY OF LEANDER, TEXAS

Debbie Haile, City Secretary

Christopher Fielder, Mayor