



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

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



Thursday ~ June 4, 2015 at 7:00 PM

**Mayor – Christopher Fielder
Place 1 – Andrea Navarrette (Mayor Pro Tem)
Place 2 – Michelle Stephenson
Place 3 – Shanan Shepherd**

**Place 4 – Ron Abruzzese
Place 5 – Jeff Seiler
Place 6 – Troy Hill
City Manager – Kent Cagle**

1. Open meeting, Invocation, Pledges of Allegiance
**Mayor Fielder opened the meeting at 7:00 pm and welcomed those in attendance
Mayor Pro Tem Navarrette delivered the invocation
Boy Scout Troop #161 was introduced and led the Pledges of Allegiance**
2. Roll Call
**All present except Council Member Stephenson
Mayor Pro Tem Navarrette delivered the invocation**
Mayor Fielder introduced State Representative Tony Dale who recognized Jason Dishongh, former City Council member and presented him with a Texas Flag flown at the State Capital in his honor
3. Staff Comments: Wayne Watts, City Engineer – recognition of Mike O'Neal for passing the Professional Engineer's Exam
Wayne Watts, City Engineer recognized Mike O'Neal for passing his Professional Engineers Exam and becoming a P.E. for the City of Leander
4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins
**Chris Schwendenmann , 616 Emma Rose Trail – talked about the Williamson County Animal Shelter expansion
Tessa Schmitzinsky, PO Box 1 – Johnson City - representative with PEC – invited council to the annual business meeting June 20 at Cedar Park High School**
5. Recognition of the Leander Rattlers Soccer Team for their South Texas Director's Cup State Championship *Sponsored by Steve Bosak, Parks & Recreation Director*
Steve Bosak, Director of Parks & Recreation recognized the Leander Rattlers Soccer Team and congratulated them for their win to become State Champions
6. Presentation from United Way of Williamson County by LeAnn Powers, Chief Professional Officer
LeAnn Powers, Chief Professional Officer, United Way of Williamson County thanked the Council for use of the Library for free tax preparation service and updated council on how many people used the free service

CONSENT AGENDA: ACTION

7. Approval of the minutes: May 18, 2015 and May 21, 2015
8. Approval of the Liberty Fest Site Use Permit Agreement with Austin Community College

9. Approval of Street Closures for Liberty Fest
10. Approval to Accept Ownership for the Lakewood Park Properties
11. Zoning Case 15-Z-008: amending Ordinance #05-018, the Composite Zoning Ordinance for the properties located at 10800 and 10804 East Crystal Falls Parkway, Leander, Williamson County, Texas
12. Dedication and Acceptance of Subdivision Infrastructure Improvements for the Bluff at Crystal Falls, Section 3, Phase 3E
13. Authorize Mayor to execute an extension to the CDBG Cooperation Agreement between the City of Leander and Williamson County
14. Authorize City Manager to negotiate and Mayor to execute a License Agreement pursuant to the PID Financing Agreement for the Oak Creek Public Improvement District for the installation and maintenance of improvements located within the City rights-of-way and/or City property within the Oak Creek Subdivision

Motion made by Mayor Pro Tem Navarrette to approve the consent agenda. Second by Council Member Seiler. Motion passes, all voting "aye"

Mayor Fielder moved to items # 30 & 31 at this time and then back to item # 15

PUBLIC HEARING: ACTION

15. **Public Hearing** on Comprehensive Plan Amendment Case 15-CPA-004: an amendment to the Comprehensive Plan requesting a change to a community center node and a neighborhood center node shown on the Future Land Use Plan, proposing to reduce the size of portions of the community center node located at the future intersection of the Lakeline Blvd. and San Gabriel Pkwy. and the neighborhood center node located at the future intersection of Lakeline Blvd and CR 280 that are located within their subdivision boundaries, Leander, Williamson County, Texas
Applicant: Danny Martin on behalf of J.L. Development, Inc (John Lloyd)
Tom Yantis, Asst. City Manager explained

Jody Giddens, 14223 Old 2243 W – spoke in favor of the request

Action on Comprehensive Plan Amendment Case 15-CPA-004: an amendment to the Comprehensive Plan requesting a change to a community center node and a neighborhood center node shown on the Future Land Use Plan, proposing to reduce the size of portions of the community center node located at the future intersection of the Lakeline Blvd and San Gabriel Pkwy and the neighborhood center node located at the future intersection of Lakeline Blvd and CR 280 that are located within their subdivision boundaries, Leander, Williamson County, Texas

Danny Martin with Malone Wheeler, representative for the owner explained the request

Motion made by Council Member Abruzzese to deny the request. Second by Mayor Pro Tem Navarrette.

Council Member Abruzzese amended the motion to give a concession on the neighborhood node but not on the community center node. Second by Mayor Pro Tem Navarrette.

Council Member Abruzzese made another amended motion to give concession on the neighborhood node and on the community center node to give requested change plus retaining the additional 16 lots Second by Mayor Pro Tem Navarrette. Motion passes, 6 to 0 (unanimously)

16. **Public Hearing** on Zoning Case 15-Z-004: consider zoning change for several tracts of land, 197.55 acres, more or less, generally located to the north of Hero Way, west of Ronald Reagan Blvd. and south of San Gabriel Parkway, for an amendment to the Palmera Ridge PUD (Planned Unit Development) Leander, Williamson County, Texas
Applicant: Blake J. Magee on behalf of Palmera Ridge Development Inc.
Tom Yantis, Asst. City Manager explained

No speakers

Action on Zoning Case 15-Z-004: consider action on an amendment to the Palmera Ridge PUD (Planned Unit Development) for 197.55 acres, more or less, Leander, Williamson County, Texas
Blake Magee, Developer explained the request

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

17. **Public Hearing** on Special Use Case #15-SU-001: consider a Special Use Permit for a temporary parking lot associated with the model home complex, generally located to the northwest of the intersection of West Broade Street and Longhorn Cavern Road within the Oak Creek Subdivision, Leander, Williamson County, Texas
Tom Yantis, Asst. City Manager explained

Action on Special Use Case #15-SU-001: a Special Use Permit for a temporary parking lot within the Oak Creek Subdivision

Motion made by Mayor Pro Tem Navarrette to approve with recommendations from the Planning & Zoning Commission. Second by Council Member Hill. Motion passes, all voting "aye"

REGULAR AGENDA

18. Consider a proposed amendment to the LISD Land Development Agreement regarding the fence materials
Tom Yantis, Asst. City Manager explained

Jimmy Disler with LISD explained the request

Motion made by Mayor Fielder to approve the request with the school taking responsibility of maintenance of the pond. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

19. Consider a Resolution approving a change in the Rates of Atmos Energy Corporation, Mid-Tex Division
Robert Powers, Finance Director explained

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

20. Consider award of bid for the City's estimated annual supply of water meters to Zenner and authorize City Manager to execute the recommended 36-month Purchase Agreement
Robert Powers, Finance Director explained

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

21. Consider an Ordinance of the City of Leander, Texas amending Ordinance # 14-058-00 adopting the Annual Budget of the City of Leander, Texas for Fiscal Year 2014-2015
Robert Powers, Finance Director explained

**Motion made by Mayor Pro Tem Navarrette to approve. Second by Mayor Fielder.
Motion passes, all voting "aye"**

22. Consider Additive Alternate B to City of Liberty Hill's Bagdad Road Water Transmission Main, Phase 1 Project
Wayne Watts, City Engineer explained

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

23. Consideration of a Wholesale Wastewater Service Agreement between the City of Leander and the City of Liberty Hill

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

24. Consider Variance to Article 8.04, Noise, of the Leander Code of Ordinances for Bland Construction, L.P. for the Palmera Ridge Off-Site Wastewater Line
Wayne Watts, City Engineer explained

Motion made by Council Member Shepherd to approve with the requested 3 days. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

25. Consider Amendment #2 to Task order HDR-2 with HDR Engineering, Inc. for professional services for improvements of Old 2243 West from U.S. Hwy. 183 to Lakeline Blvd.
Wayne Watts, City Engineer explained

**Motion made by Mayor Pro Tem Navarrette to approve. Second by Council Member Seiler.
Motion passes, 5 to 0 with Mayor Fielder abstaining.**

26. Consideration and possible action on an Interlocal Cooperation Agreement with the City of Jonestown, for Wholesale Water and Wastewater Utility Services
Kent Cagle, City Manager explained

Motion made by Mayor Pro Tem Navarrette to approve the City Manager to negotiate changes and execute the agreement. Second by Council Member Hill. Motion passes, all voting "aye"

27. Consideration and possible action on a Municipal Boundary Change Agreement with the City of Jonestown to change the boundaries of the cities as they apply to the property described as 18.737 acres, more or less, located in the J.A. Yarbo Survey No. 421, Abstract 840, Travis County, Texas
Kent Cagle, City Manager explained

Motion made by Mayor Pro Tem Navarrette to approve. Second by Council Member Shepherd. Motion passes, all voting "aye"

28. Consider action relating to the Pedernales Electric Cooperative, Inc. 2015 Election for Directors, District 1, 6 and 7
This item is tabled until the next council meeting at which time council will need to take action and designate a person to vote in person at the PEC meeting

29. Consider a \$10 Cooler Fee for Liberty Fest
Sponsored by Mayor Fielder and Mayor Pro Tem Navarrette
Mayor Fielder explained

Motion made by Mayor Fielder to approve. Second by Mayor Pro Tem Navarrette. Motion passes, 5 to 1 with Council Member Abruzzese voting against

30. Consider appointment to the Economic Development Committee
Mayor Fielder nominated Jason Dishongh to the Economic Development Committee. Second by Council Member Shepherd. Motion passes, all voting "aye"

31. Consider appointment of Mayor Pro Tem
Mayor Fielder nominated Mayor Pro Tem Navarrette to serve as Mayor Pro Tem for the 2015-2016 year. Second by Council Member Seiler. Motion passes, all voting "aye"

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

EXECUTIVE SESSION

33. Convene into executive session:

1. pursuant to Section 551.072, Texas Government Code, to deliberate the acquisition and value of real property to consider the following:
 - a) Purchase Contract for the acquisition of 0.077 acres of Right-of-Way and 0.050 acres of Public Utility Easement from Dadsbaggs East, L.P., for the Old 2243 Roadway Improvements Project.
 - b) Purchase Contract for the acquisition of 0.046 acres of Right-of-Way and 0.060 acres of Public Utility Easement from Dadsbaggs East, L.P., for the Old 2243 Roadway Improvements Project.
 - c) Purchase Contract for the acquisition of 0.128 acres of Right-of-Way and 0.064 acres of Public Utility Easement from TWE Properties, L.P., for the Old 2243 Roadway Improvements Project.
2. pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding *Cause No. 15-0088-C277, Premas Global Leander I v. City of Leander, et al., In the 277th Judicial District Court of Williamson County, Texas*

**Council convened into executive session at 9:18 pm
Council reconvened into open session at 10:17 pm**

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

1. the acquisition and value of real property for the following:

a) Purchase Contract for the acquisition of 0.077 acres of Right-of-Way and 0.050 acres of Public Utility Easement from Dadsbaggs East, L.P., for the Old 2243 Roadway Improvements Project.

No action taken

b) Purchase Contract for the acquisition of 0.046 acres of Right-of-Way and 0.060 acres of Public Utility Easement from Dadsbaggs East, L.P., for the Old 2243 Roadway Improvements Project.

No action taken

c) Purchase Contract for the acquisition of 0.128 acres of Right-of-Way and 0.064 acres of Public Utility Easement from TWE Properties, L.P., for the Old 2243 Roadway Improvements Project.

No action taken

2. *Cause No. 15-0088-C277, Premas Global Leander I v. City of Leander, et al., In the 277th Judicial District Court of Williamson County, Texas*

Motion made by Mayor Pro Tem Navarrette to authorize City Attorney to move forward as discussed in executive session. Second by Council Member Shepherd. Motion passes, all voting "aye"

35. Consider Purchase Contract for the acquisition of 0.077 acres of Right-of-Way and 0.050 acres of Public Utility Easement from Dadsbaggs East, L.P., for the Old 2243 Roadway Improvements Project

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

36. Consider Purchase Contract for the acquisition of 0.046 acres of Right-of-Way and 0.060 acres of Public Utility Easement from Dadsbaggs East, L.P., for the Old 2243 Roadway Improvements Project

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

37. Consider Purchase Contract for the acquisition of 0.128 acres of Right-of-Way and 0.064 acres of Public Utility Easement from TWE Properties, L.P., for the Old 2243 Roadway Improvements Project

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

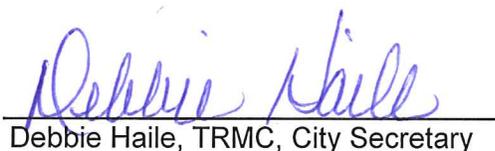
38. Adjournment

With there being no further business, the meeting adjourned at 10:19 pm

Attest:


Christopher Fielder, Mayor




Debbie Haile, TRMC, City Secretary