



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

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



Thursday ~ April 7, 2016 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
2. Roll Call
All present except Council Member Seiler
3. Staff Comments:
Pat Womack, Director of Public Works spoke about the Leander Spring clean-up on Saturday, April 23, 2016
4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins
No speakers
5. Proclamation declaring April 10–16, 2016 as “National Animal Control Appreciation Week” in the City of Leander *Sponsored by Police Chief Greg Minton*
Council Member Abruzzese read the Proclamation and presented it to Chief Greg Minton
Animal Service Officers were in attendance
6. Proclamation declaring April 10-16, 2016 as “National Public Safety Telecommunications Week” in the City of Leander *Sponsored by Police Chief Greg Minton*
Mayor Pro Tem Navarrette read the Proclamation and presented it to Chief Greg Minton
Leander Telecommunication Officers were in attendance

CONSENT AGENDA: ACTION

7. Approval of the minutes: March 17, 2016
8. Second Reading of an Ordinance of the City of Leander granting non-exclusive permit and license for right-of-way sign services to National Sign Plazas; and providing for related matters
9. Second Reading of an Ordinance on Zoning Case # 16-Z-002; amending Ordinance #05-018, the Composite Zoning Ordinance for one lot located at 523 Powell Drive for 6.948 acres, more or less from current zoning of PUD, Planned Unit Development with a base zoning district of MF-1-B, Multi-Family. The applicant is proposing an amendment to the PUD, Planned Unit Development, Leander, Williamson County, Texas
10. License Agreement for the installation and maintenance of irrigation within the Nolan Ranch Road, Myrna Bend, and Carlene Pruett Street rights-of-way within the Stewart Crossing Subdivision

11. License Agreement for the installation and maintenance of irrigation, decorative street lights, and landscaping within Merrill Drive right-of-way within the Leander Crossing Subdivision

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

PUBLIC HEARING: ACTION

12. **Public Hearing** on Zoning Case 15-Z-033: Consider a zoning change of two parcels of land generally located approximately 270 ft. south from the southwest corner of the intersection of Great Owl Pass and Council Springs Pass from interim zoning SFR-1-B, Single Family Rural with the remaining portion of the property in the ETJ to SFR-2-A, Single Family Rural, SFT-2-B, Single Family Townhome, LC-2-B, Local Commercial and LC-2-A, Local Commercial, Leander, Williamson County, Texas

Applicant: Danny Martin, P.E. on behalf of J.L. Development, Inc. John Lloyd

Robin Griffin, Senior Planner explained

No speakers

Action: on Zoning Case 15-Z-033: amending Ordinance 05-018, the Composite Zoning Ordinance for two parcels of land generally located approximately 270 ft. south from the southwest corner of the intersection of Great Owl Pass and Council Springs Pass from interim zoning SFR-1-B, Single Family Rural with the remaining portion of the property in the ETJ to SFR-2-A, Single Family Rural, SFT-2-B, Single Family Townhome, LC-2-B, Local Commercial and LC-2-A, Local Commercial, Leander, Williamson County, Texas

Motion made by Council Member Abruzzese to approve SFR-2-A, SFT-2-A, LC-2-A and LO-2-A as recommended by staff and the Planning & Zoning Commission. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

13. **Public Hearing** on Zoning Case 15-Z-028 & Subdivision Case #15-CP-005: Consider a zoning change and approval of the Devine Lake Concept Plan and PUD zoning for three parcels located at the southwest corner of Bagdad Road and San Gabriel Parkway, for 202.79 acres, more or less, from PUD, Planned Unit Development, GC-3-B, General Commercial and GC-3-C, General Commercial to PUD, Planned Unit Development with base zoning districts of SFU-2-A, Single Family Urban, SFC-2-A, Single Family Compact, SFL-2-A, Single Family Limited, GC-2-A, General Commercial and MF-2-A, Multi Family, Leander, Williamson County, Texas

Applicant: Mark Baker on behalf of Sixth Street Capital Investors LP and Devine Land Investments, LLC

Robin Griffin, Senior Planner explained

No speakers

Action: on Zoning Case 15-Z-028 & Subdivision Case #15-CP-005: amending Ordinance 05-018, the Composite Zoning Ordinance for three parcels located at the southwest corner of Bagdad Road and San Gabriel Parkway, for 202.79 acres, more or less, from PUD, Planned Unit Development, GC-3-B, General Commercial and GC-3-C, General Commercial to PUD, Planned Unit Development with base zoning districts of SFU-2-A, Single Family Urban, SFC-2-A, Single Family Compact, SFL-2-A, Single Family Limited, GC-2-A, General Commercial and MF-2-A, Multi Family, Leander, Williamson County, Texas

Mayor Fielder noted that MF-2-A zoning is not requested and was posted in error.

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

14. **Public Hearing** on Subdivision Case #15-CP-006: Consider Valley Vista Concept Plan, for 67.7 acres, more or less, located ½ mile north from the northwest corner of the intersection of CR 274 and Ronald Reagan Blvd. on the west side of Ronald Reagan Blvd., Leander, Williamson County, Texas

Robin Griffin, Senior Planner explained

Shawn Graham with Jones & Carter gave a presentation

Action on Subdivision Case #15-CP-006: Consider Valley Vista Concept Plan, for 67.7 acres, more or less, located ½ mile north from the northwest corner of the intersection of CR 274 and Ronald Reagan Blvd. on the west side of Ronald Reagan Blvd., Leander, Williamson County, Texas

Motion made by Council Member Shepherd to approve. Second by Council Member Stephenson.

Motion passes, all voting “aye”

REGULAR AGENDA

15. First Reading of an Ordinance on Area A: Annexation of all that certain parcel or tract of land containing 56.09 acres, more or less, located in Travis County, Texas, generally located north of RM 1431, and either side of Vista Rock Rd. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Council Member Abruzzese to approve. Second by Council Member Shepherd.

Motion passes, all voting “aye”

16. First Reading of an Ordinance on Area B: Annexation of all that certain parcel or tract of land containing 6.34 acres, more or less, located in Williamson County, Texas, generally located either side of CR 279 / Bagdad Rd, north of W San Gabriel Pkwy. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Abruzzese. Motion passes, all voting “aye”

17. First Reading of an Ordinance on Area C: Annexation of all that certain parcel or tract of land containing 288.22 acres, more or less, located in Williamson County, Texas, generally located south of County Road 280, west of County Road 279 / Bagdad Rd. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Council Member Abruzzese to approve. Second by Mayor Pro Tem Navarrette.

Motion passes, all voting “aye”

18. First Reading of an Ordinance on Area D: Annexation of all that certain parcel or tract of land containing 187.06 acres, more or less, located in Williamson County, Texas, generally located south of County Road 280, east of the Mesa Vista Estates subdivision including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve. Second by Council Member Shepherd.

Motion passes, all voting “aye”

19. First Reading of an Ordinance on Area E: Annexation of all that certain parcel or tract of land containing 62.69 acres, more or less, located in Williamson County, Texas, generally located north of County Road 280, west of the Greatwood subdivision including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

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

20. First Reading of an Ordinance on Area F: Annexation of all that certain parcel or tract of land containing 412.58 acres, more or less, located in Williamson County, Texas, generally located either side of CR 279 / Bagdad Rd, north of County Road 280, south of County Road 281 including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Abruzzese. Motion passes, all voting "aye"

21. First Reading of an Ordinance on Area G: Annexation of all that certain parcel or tract of land containing 31.08 acres, more or less, located in Williamson County, Texas, and generally located east of Oak Grove Rd, north of Heritage Grove Rd. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Hill. Motion passes, all voting "aye"

22. First Reading of an Ordinance on Area H: Annexation of all that certain parcel or tract of land containing 3.72 acres, more or less, located in Williamson County, Texas, and generally located west of US 183, east of County Road 276, south of the High Gabriel West subdivision. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Abruzzese. Motion passes, all voting "aye"

23. First Reading of an Ordinance on Area I: Annexation of all that certain parcel or tract of land containing 188.43 acres, more or less, located in Williamson County, Texas, and generally located south of W State Highway 29, west of Ronald W Reagan Blvd, either side of Kaufmann Loop, north and west of County Road 267 including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Council Member Abruzzese to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Hill. Motion passes, all voting "aye"

24. First Reading of an Ordinance on Area J: Annexation of all that certain parcel or tract of land containing 27.37 acres, more or less, located in Williamson County, Texas, and generally located south of W State Highway 29, east of Ronald W Reagan Blvd, north of County Road 268. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Abruzzese. Motion passes, all voting "aye"

25. First Reading of an Ordinance on Area K: Annexation of all that certain parcel or tract of land containing 64.18 acres, more or less, located in Williamson County, Texas, and generally located either side of County Road 270, south of E. San Gabriel Pkwy, north of Hero Way. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Council Member Abruzzese to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

26. First Reading of an Ordinance on Area L: Annexation of all that certain parcel or tract of land containing 106.26 acres, more or less, located in Williamson County, Texas, and generally located north of Hero Way, east of County Road 270, west of Ronald W Reagan Blvd, south and west of the Palmera Ridge subdivision including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Hill. Motion passes, all voting "aye"

27. First Reading of an Ordinance on Area M: Annexation of all that certain parcel or tract of land containing 146.15 acres, more or less, located in Williamson County, Texas, and generally located east of Ronald W Reagan Blvd, south of the South Fork of the San Gabriel River, north of the Reagans Overlook subdivision including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Council Member Abruzzese to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Shepherd. Motion passes, all voting "aye"

28. First Reading of an Ordinance on Area N: Annexation of all that certain parcel or tract of land containing 239.55 acres, more or less, located in Williamson County, Texas, and generally located east of Ronald W Reagan Blvd, north of RM 2243, south of the Reagans Overlook subdivision. including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

B.J. Hogan, 7650 RR 2243 – asked for Development Agreement to be accepted late

Motion made by Mayor Fielder to approve and authorize staff to accept development agreements and direct staff to reach out to the other property owners to see if they want to add the homestead to the development agreement. Second by Council Member Shepherd. Motion passes, all voting "aye"

29. First Reading of an Ordinance on Area O: Annexation of all those certain three parcels or tracts of land containing a total of 84.88 acres, more or less, located in Williamson County, Texas, and generally located east of Ronald W Reagan Blvd, south of County Road 176, north of Journey Pkwy, either side of County Road 175, west and north of the Parkside at Mayfield Ranch subdivision including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Mayor Pro Tem Navarrette to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Shepherd. Motion passes, all voting "aye"

30. First Reading of an Ordinance on Area P: Annexation of all that certain parcel or tract of land containing 98.42 acres, more or less, located in Williamson County, Texas, and generally located south of Journey Pkwy, north of the Stonehurst subdivision, either side of County Road 175, north of the Williamson County Regional Park, south of the Trails at Shady Oak / Borho subdivision including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

Motion made by Council Member Abruzzese to approve and direct staff to reach out to the owner of the homestead to see if they want to add the homestead to the development agreement Second by Council Member Shepherd. Motion passes, all voting "aye"

31. First Reading of an Ordinance on Area 1: Annexation of all that certain parcel or tract of land containing 1.55 acres, more or less, located in Williamson County, Texas, generally located north of County Road 280, east of the Greatwood subdivision, being generally known as the CR 280 Elevated Storage Tank site, being wholly owned by the City of Leander including the abutting streets, roadways, and rights-of-way; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

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

32. First Reading of an Ordinance on Area 2: Annexation of all that certain parcel or tract of land containing 43.18 acres, more or less, located in Williamson County, Texas, generally located east of US 183, north of the South Fork of the San Gabriel River, being generally known as the San Gabriel River Park site, being wholly owned by the City of Leander including the abutting streets, roadways, and rights-of-ay; and adjacent and contiguous to the city limits; and providing open meetings and other related matters

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

33. Consider Annexation Development Agreements under Section 43.035, Texas Local Government Code between the City of Leander and each of the following property owners:

- a. Stagliano Family Trust
- b. Page, Jeffrey and Russell Andrus
- c. Simpson, Peggy Borho

Robin Griffin, Senior Planner explained

Motion made by Council Member Shepherd to approve and direct staff to reach out to the owners of the homestead to see if they want to add the homestead to the development agreement. Second by Council Member Abruzzese. Motion passes, all voting "aye"

34. Consider the second amendment to the Oak Creek TIRZ Development and Reimbursement Agreement and the second amendment to the Oak Creek Public Improvement District Financing Agreement
Kent Cagle, City Manager explained
- Motion made by Mayor Pro Tem Navarrette to approve. Second by Council Member Hill.**
Motion passes, all voting “aye”
35. Consider the second addendum to the Village at Leander Station TIRZ Development and Reimbursement Agreement
This item was pulled from the agenda
36. Consider an ordinance of the City of Leander, Texas amending the project and financing plan for the Reinvestment Zone Number One to allocate the estimated project costs for the Village at Leander Station project among project categories; providing the estimated time when project costs will be incurred for the Village at Leander Station projects; establishing the Village at Leander station subaccount in the Tax Increment Fund; and providing for related matters
- This item was pulled from the agenda**
37. Consider 2nd Amended and Restated Development Agreement for the Benbrook Ranch Subdivision
Robin Griffin, Senior Planner explained
- Motion made by Council Member Shepherd to approve. Second by Mayor Pro Tem Navarrette.**
Motion passes, all voting “aye”
38. Consider Award to Water Smart for Behavioral Water Efficiency Software
Robert Powers, Finance Director introduced Michelle Camp with Water Smart who gave a presentation
- Motion made by Mayor Pro Tem Navarrette to approve. Second by Council Member Shepherd.**
Motion passes, all voting “aye”
39. Consider an Ordinance amending section 1.02.003 of Article 1.02, Chapter 1, City of Leander Code of Ordinance to amend requirements related to the payment of fees and other costs by credit card; authorizing the charging of fees to recover costs directly and reasonably incurred in providing access to information or services through the Internet
Robert Powers, Finance Director explained
- Motion made by Council Member Shepherd to approve. Second by Council Member Stephenson.**
Motion passes, all voting “aye”
40. Consider an Ordinance of the City of Leander, Texas amending Ordinance #15-046-00 adopting the Annual Budget of the City of Leander, Texas for Fiscal Year 2015-16
Robert Powers, Finance Director explained
- Motion made by Council Member Shepherd to approve. Second by Mayor Pro Tem Navarrette.**
Motion passes, all voting “aye”
41. Consider amendment to the Interlocal Agreement between the Leander Independent School District and the City of Leander
Greg Minton, Chief of Police explained
- Motion made by Council Member Stephenson to approve. Second by Council Member Shepherd.**
Motion passes, all voting “aye”
42. Council Member Closing Statements
Council Members gave their closing statements

43. Convene into executive session:

- a) pursuant to Section 551.072, Texas Government Code, to deliberate the acquisition and value of real property in consideration of the Settlement Agreement for the acquisition of a 5.217 acre tract of land in Travis County from Gary L. Gross and Cathy Gross for the BCRUA Deep Water Intake Project in the amount of \$2,565,000.00
- b) 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 Development Agreement for the Gateway Shopping Center and the Sales Tax Rebate Agreement for the Gateway Shopping Center

Council convened into executive session at 8:35 pm
Council reconvened into executive session at 9:07 pm

44. Reconvene into open session to take action as deemed appropriate in the City Council’s discretion to Consider:

- a) the acquisition and value of real property in consideration of the Settlement Agreement for the acquisition of a 5.217 acre tract of land in Travis County from Gary L. Gross and Cathy Gross for the BCRUA Deep Water Intake Project in the amount of \$2,565,000.00

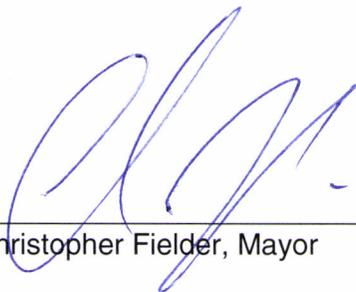
Motion made by Mayor Pro Tem Navarrette to move that the City of Leander proceed with settlement of litigation of acquisition of the 5.217 acre Gross property on the terms discussed in executive session, and that the City Manager be authorized to execute all documents associated with the settlement once approved by the City Attorney and special counsel. Second by Council Member Abruzzese. Motion passes, all voting “aye”

- b) the Development Agreement for the Gateway Shopping Center and the Sales Tax Rebate Agreement for the Gateway Shopping Center

No action taken

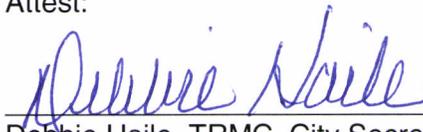
45. Adjournment

With there being no further action the meeting adjourned at 9:08 pm



Christopher Fielder, Mayor

Attest:



Debbie Haile, TRMC, City Secretary

