



**AGENDA
CITY COUNCIL MEETING
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, August 21, 2025
Briefing Workshop at 6:00 PM
Regular Meeting at 7:00 PM



**Mayor – Christine DeLisle
Place 1 – Stephen Chang
Place 2 – Michael Herrera
Place 3 – David McDonald**

**Place 4 – Na'Cole Thompson, Mayor Pro Tem
Place 5 – Andrew Naudin
Place 6 – Becki Ross
City Manager – Todd Parton**

The meeting will also be live-streamed at the following link: <https://www.leandertx.gov/video>.

BRIEFING WORKSHOP - CONVENE AT 6:00 PM

1. Open Meeting.
2. Roll Call.
3. Convene into Executive Session pursuant to:
 1. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding acquisition of property for public purpose;
 2. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Docket No. 57824, Petition of Hero Way Development, LLC to Amend Certificates of Convenience and Necessity in Travis and Williamson Counties by Streamlined Expedited Release with the Public Utilities Commission; and
 3. Section 551.087, Texas Government Code, deliberate the purchase, exchange, lease, or value of real property and deliberate proposed economic development incentives for one or more business prospects that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body is conducting economic development negotiations along with consideration and possible action on a Chapter 380 Agreement for Project EDA-25-007; and
 4. Section 551.071 and 551.074, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Second Amendment to the City Manager Employment Agreement.

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

1. Property for public purpose; and
2. Docket No. 57824, Petition of Hero Way Development, LLC to Amend Certificates of Convenience and Necessity in Travis and Williamson Counties by Streamlined Expedited Release with the Public Utilities Commission; and
3. Chapter 380 Agreement for Project EDA-25-007; and

4. Second Amendment to the City Manager Employment Agreement.

REGULAR MEETING – CONVENE AT 7:00 PM

4. Open Meeting, Invocation and Pledges of Allegiance.
5. Roll Call.
6. Public comments on items not listed in the agenda.

Public comments on items listed in the agenda will be heard at the time each item is discussed.

[All comments are limited to no more than 3 minutes (6 minutes if translation is needed) per individual.]

7. Recognitions/Proclamations/Visitors.
 - Lightning 12 Under Flag Football NFL National Championship Certificate of Recognition
8. Staff Reports
 - Water Update including current water usage and lake levels.
 - Capital Improvement Project Update: Senior Center (CIP P.6) including construction update and timeline for completion.
9. Leander History - receive presentation on the Leander Independent School District.

CONSENT AGENDA: ACTION

10. Approval of the minutes for meetings held on August 1, 2025 and August 7, 2025.
11. Acceptance of infrastructure improvements associated with Subdivision Case 18-PICP-034 The Collective at Leander for public streets, drainage, water and wastewater.
12. Approval of joining the Texas Attorney General's opioid settlements with Purdue/Sackler; and authorize the City Manager to execute Settlement Participation Form and any and all necessary documents.
13. Approval of resolution authorizing the City Manager to pursue State legislation amending the local law creating the Leander Municipal Management District No. 1.

PUBLIC HEARING: ACTION

14. Conduct a Public Hearing and consider action regarding Zoning Case Z-24-0114 to amend the Leander Springs Planned Unit Development (PUD) with base zoning districts of MF-2-A (Multi-Family) and GC-3-A (General Commercial) to update the language as it relates to phasing and timing of the development, reduce the total number of apartments, and modify the phasing requirements on two (2) parcels of land approximately 77.90 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R403524 and R051592; and generally located southwest of the intersection of 183A Toll Road and RM 2243, Leander, Williamson County, Texas.
 - Discuss and consider action regarding Zoning Case Z-24-0114 as described above.

15. Conduct a Public Hearing regarding the adoption of an updated Service and Assessment Plan for Calendar Year 2025 for the Oak Creek Public Improvement District and updated assessment roll to apportion assessment levied against property located in the District among subdivided lots.
 - Discuss and consider action on an Ordinance adopting an updated Service and Assessment Plan for Calendar Year 2025 for the Oak Creek Public Improvement District as described above.
16. Conduct a Public Hearing regarding an updated Service and Assessment Plan for Calendar Year 2025 for the Deerbrooke Public Improvement District and an updated assessment roll to apportion assessments levied against property located in the District among subdivided lots.
 - Discuss and consider action on an Ordinance adopting an updated Service and Assessment Plan for Calendar Year 2025 for the Deerbrooke Public Improvement District as described above.
17. Conduct a Public Hearing regarding the adoption of an updated Service and Assessment Plan for Calendar Year 2025 for the Crystal Springs Public Improvement District and an updated assessment roll to apportion assessments levied against property located in the District among subdivided lots, and to adjust boundaries between assessable and non-assessable lots.
 - Discuss and consider action on an Ordinance adopting an updated Service and Assessment Plan for Calendar Year 2025 for the Crystal Springs Public Improvement District as described above.

REGULAR AGENDA

18. Discuss receiving No-New-Revenue and Voter-Approval tax rate calculations; take action to consider a proposed tax rate; and schedule a public hearing date for the proposed tax rate.
19. Discuss and consider action on a Resolution authorizing the Brushy Creek Regional Utility Authority, Inc., (BCRUA) to execute a Financing Agreement with the Texas Water Development Board relating to the sale of \$36,240,000.00 Brushy Creek Regional Utility Authority, Inc., City of Leander, Texas Contract Revenue Bonds, Proposed Series 2025 (Brushy Creek Regional Water Treatment and Distribution Project).
20. Discuss and consider action on the Second Reading of an Ordinance regarding Ordinance Case OR-25-0030 to amend the Composite Zoning Ordinance to adopt standards and a permitting process associated with Micro-Trenching, and to provide for related matters; Williamson and Travis Counties, Texas.
21. Discuss and consider action regarding Ordinance Case OR-25-0033 to amend the Sign Ordinance to update Section 3.08.014 regarding time frames associated with the Promotional Event Package, and to provide for related matters; Leander, Williamson and Travis Counties, Texas.
22. Receive an update from City staff regarding potential ordinance updates associated with Short Term Rentals and provide feedback regarding changes to the ordinance; Leander, Williamson and Travis Counties, Texas.
23. Receive an update from City staff regarding potential ordinance updates associated with artificial turf and provide feedback regarding changes to the ordinance; Leander, Williamson and Travis Counties, Texas.
24. Discuss and consider directing staff on establishing a process for approval of an alternative landscaping plan by the Planning and Zoning Commission.
25. Council Member Closing Statements.

26. If needed, convene back into Executive Session pursuant to:

1. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding acquisition of property for public purpose;
2. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Docket No. 57824, Petition of Hero Way Development, LLC to Amend Certificates of Convenience and Necessity in Travis and Williamson Counties by Streamlined Expedited Release with the Public Utilities Commission; and
3. Section 551.087, Texas Government Code, deliberate the purchase, exchange, lease, or value of real property and deliberate proposed economic development incentives for one or more business prospects that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body is conducting economic development negotiations along with consideration and possible action on a Chapter 380 Agreement for Project EDA-25-007; and
4. Section 551.071 and 551.074, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Second Amendment to the City Manager Employment Agreement.

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

1. Property for public purpose; and
2. Docket No. 57824, Petition of Hero Way Development, LLC to Amend Certificates of Convenience and Necessity in Travis and Williamson Counties by Streamlined Expedited Release with the Public Utilities Commission; and
3. Chapter 380 Agreement for Project EDA-25-007; and
4. Second Amendment to the City Manager Employment Agreement.

27. 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 for which state law authorizes Executive Session to be held, including but not limited to Sections 551.071 [litigation and certain Consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [prospective gift to city], 551.074 [certain personnel deliberations], 551.076 [deployment/implementation of security personnel or devices], or 551.087 [Deliberations regarding Economic Development Negotiations]. 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 telecommunication 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 15 day of August 2025 by 5:00 p.m. pursuant to Chapter 551 of the Texas Government Code.



Dara Crabtree, City Secretary, TRMC



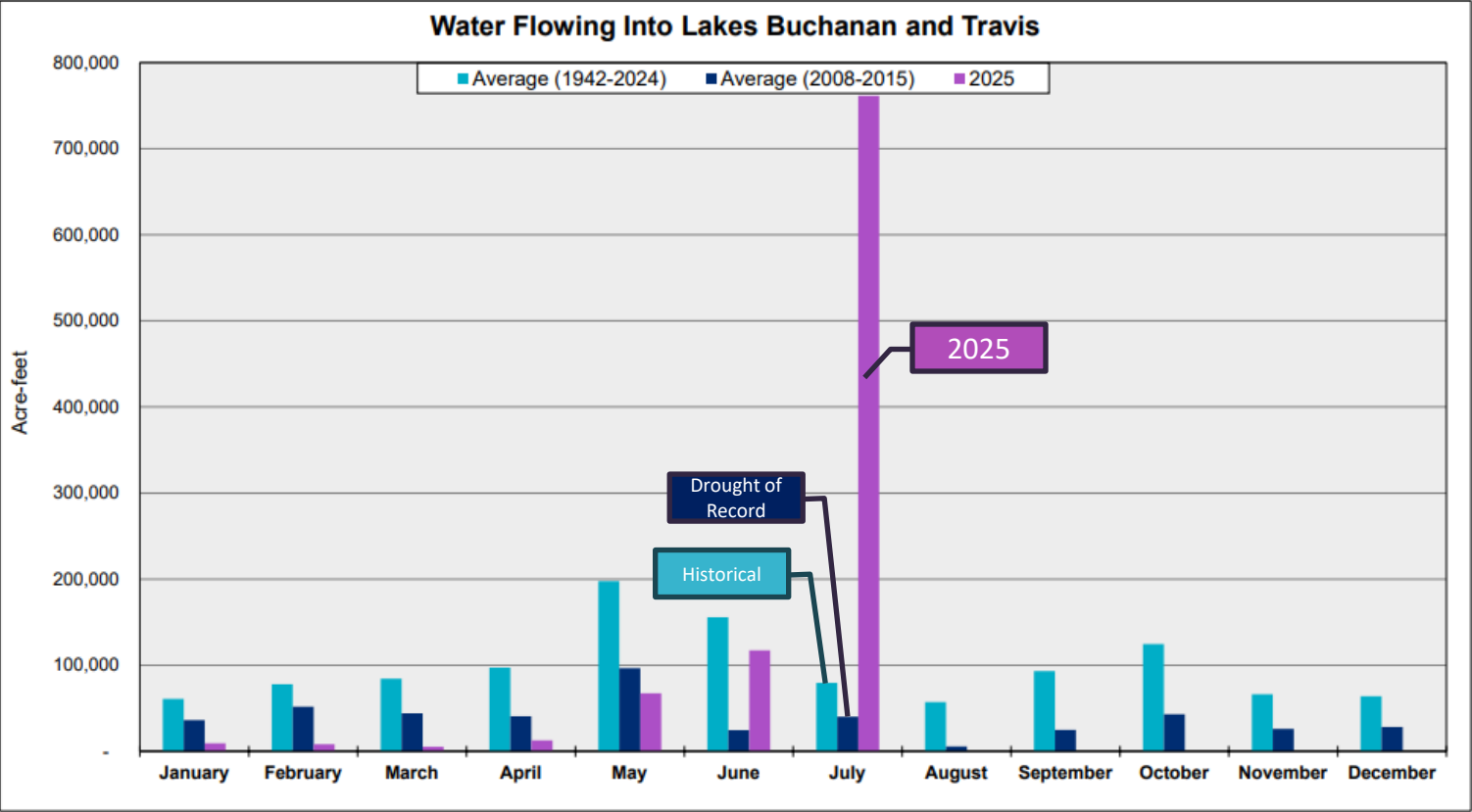
Water Update

August 21, 2025

Gina Ellison, P.E.

Executive Director of Public Works

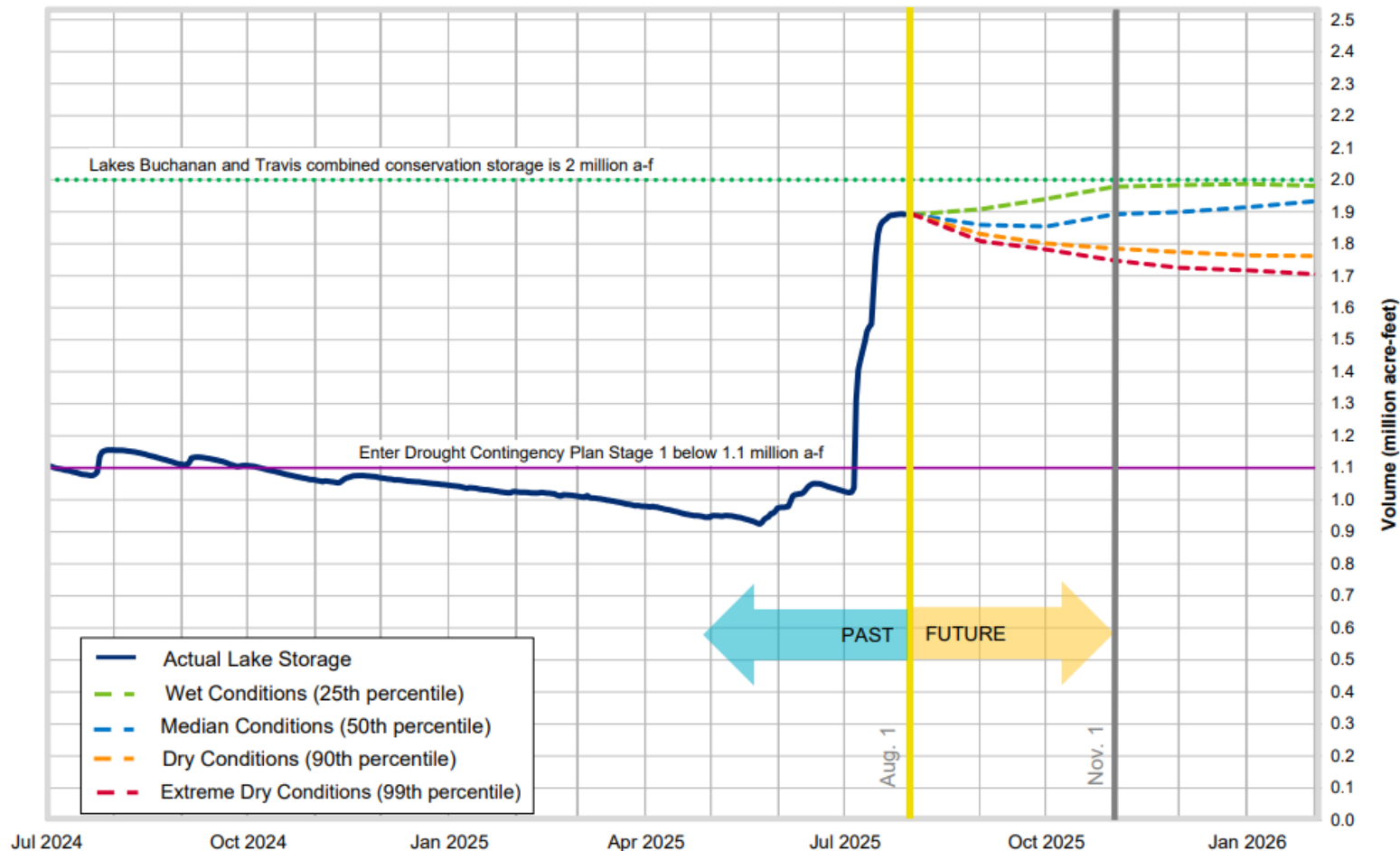
2025 Inflows Through May



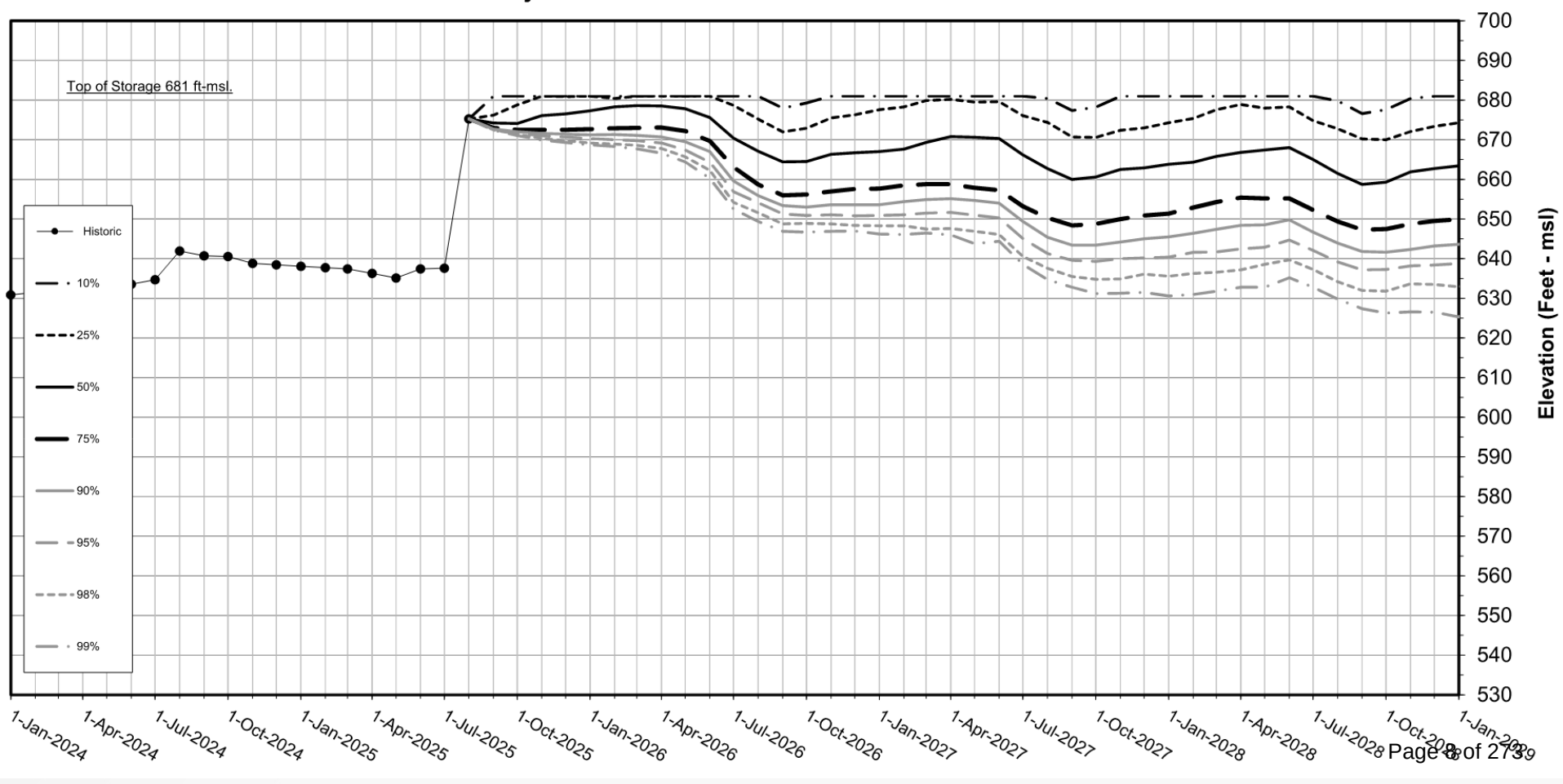
Inflows: the estimated amount of water flowing into lakes Buchanan and Travis from rivers and streams.
Data for 2024 and 2025 is preliminary and subject to change.

Period:	July
Since 1942, July Average (acre-feet):	79,714
2008-2015, July Average (acre-feet):	40,405
July 2025 (acre-feet):	761,382

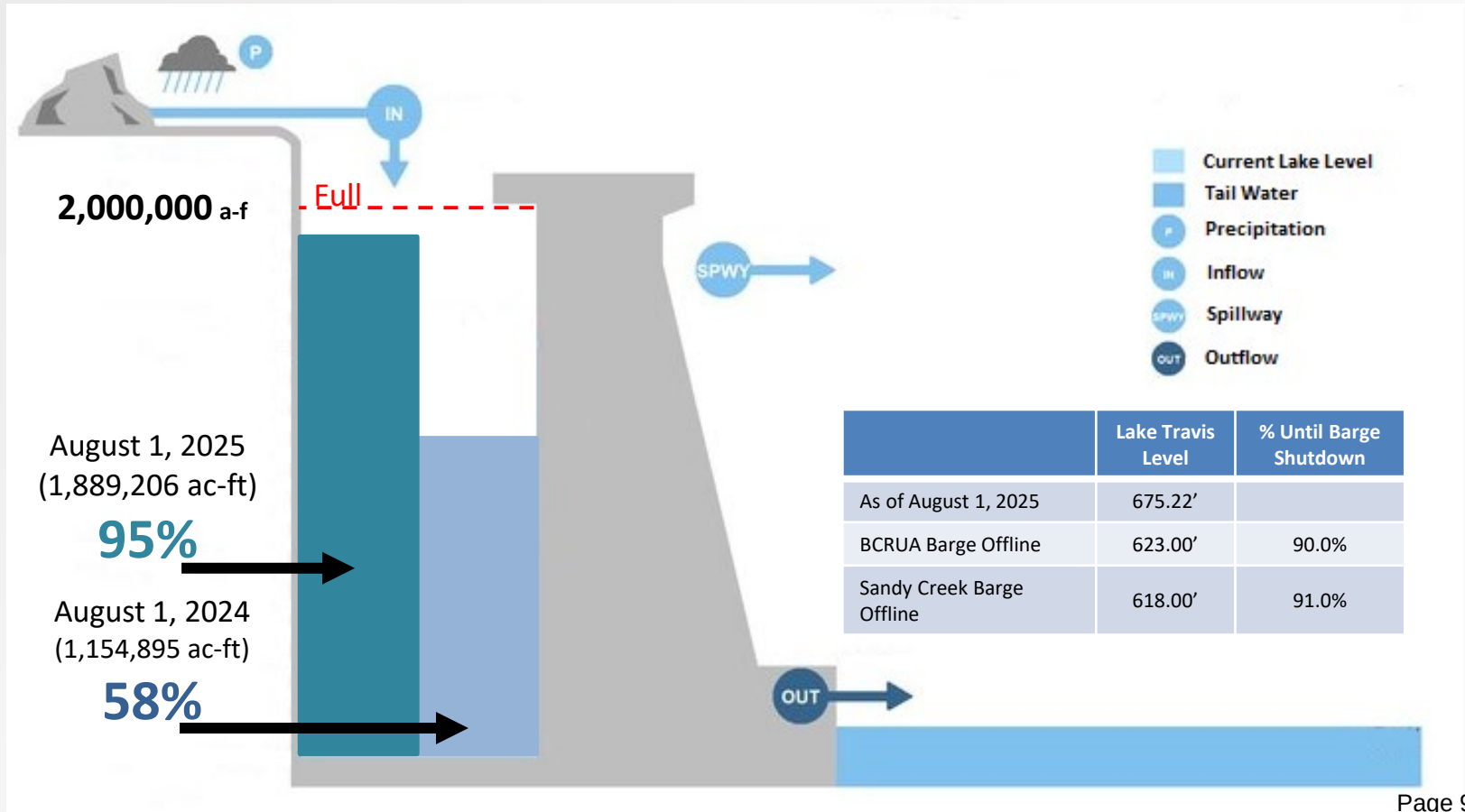
Lakes Buchanan and Travis Total Combined Storage Projections



Lake Travis Long Range Elevation Forecast
Projections of Constant Future Likelihood for Lake Elevation Exceedence
Projected Demands and 2020 WMP

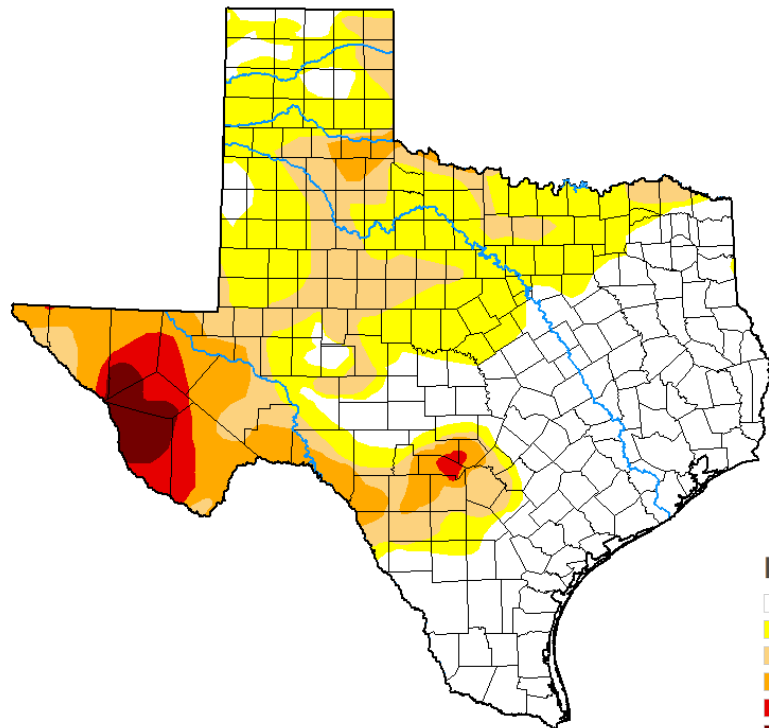


LCRA Combined Lake Storage

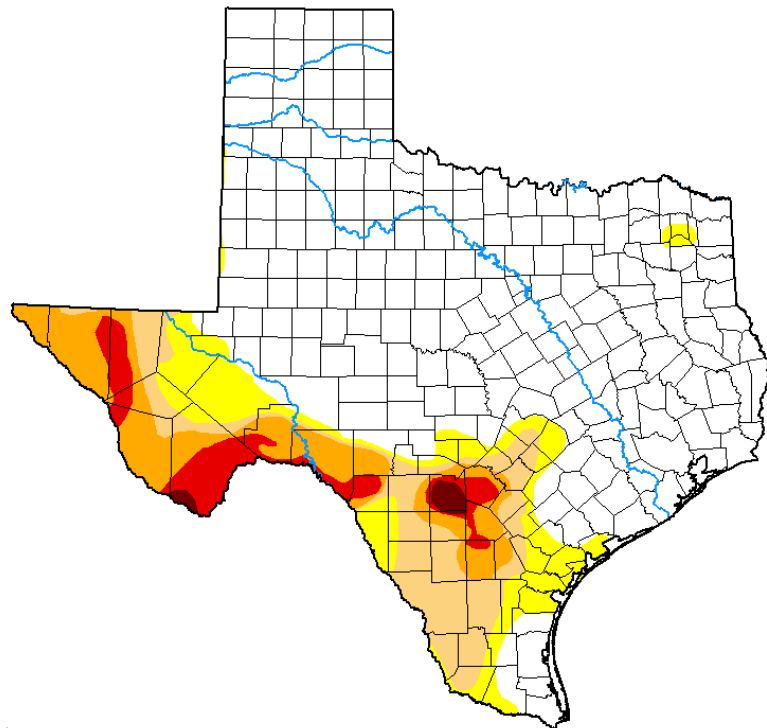


Drought Soil Moisture Monitor

August 13, 2024



August 12, 2025



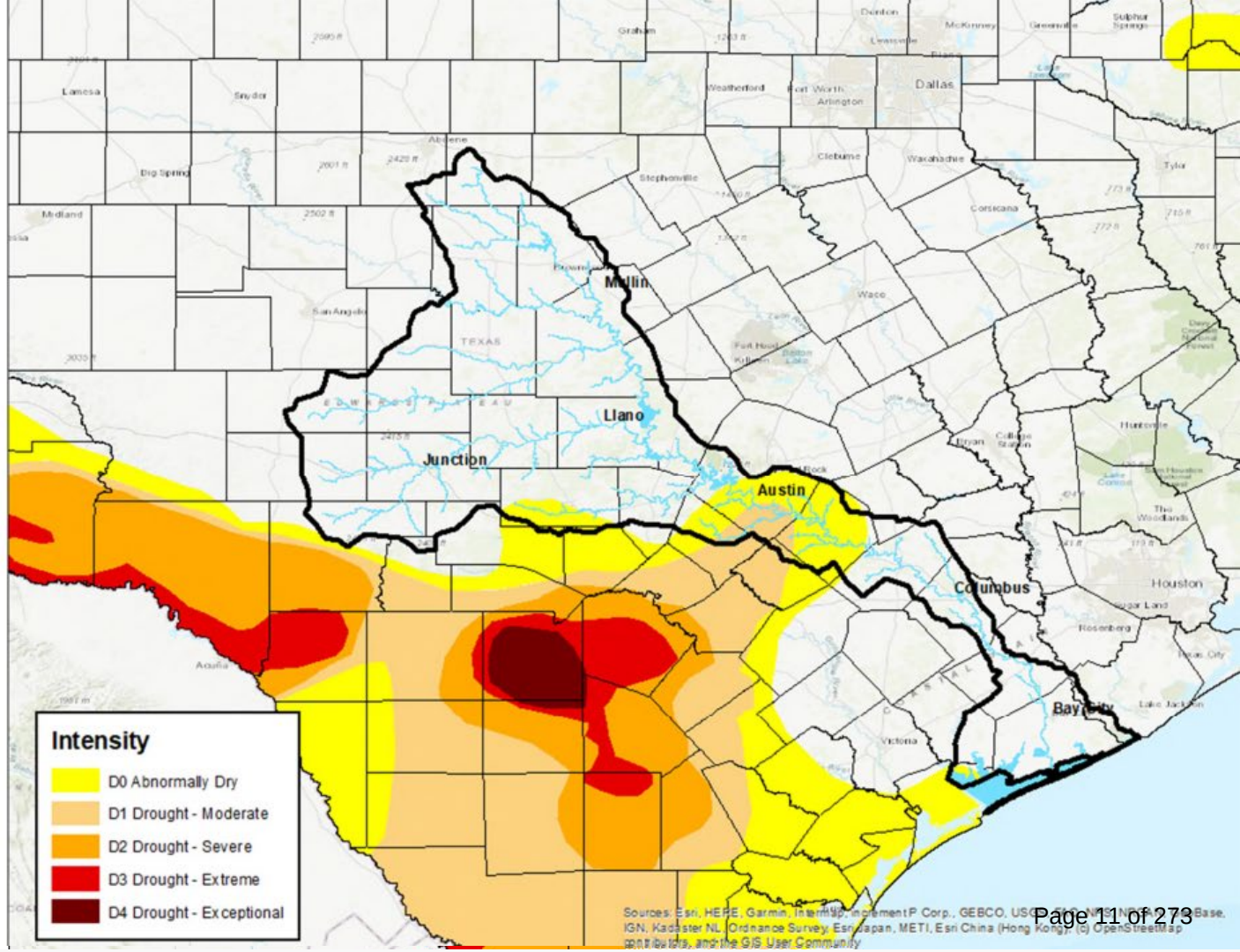
Intensity

- None
- D0 (Abnormally Dry)
- D1 (Moderate Drought)
- D2 (Severe Drought)
- D3 (Extreme Drought)
- D4 (Exceptional Drought)
- No Data

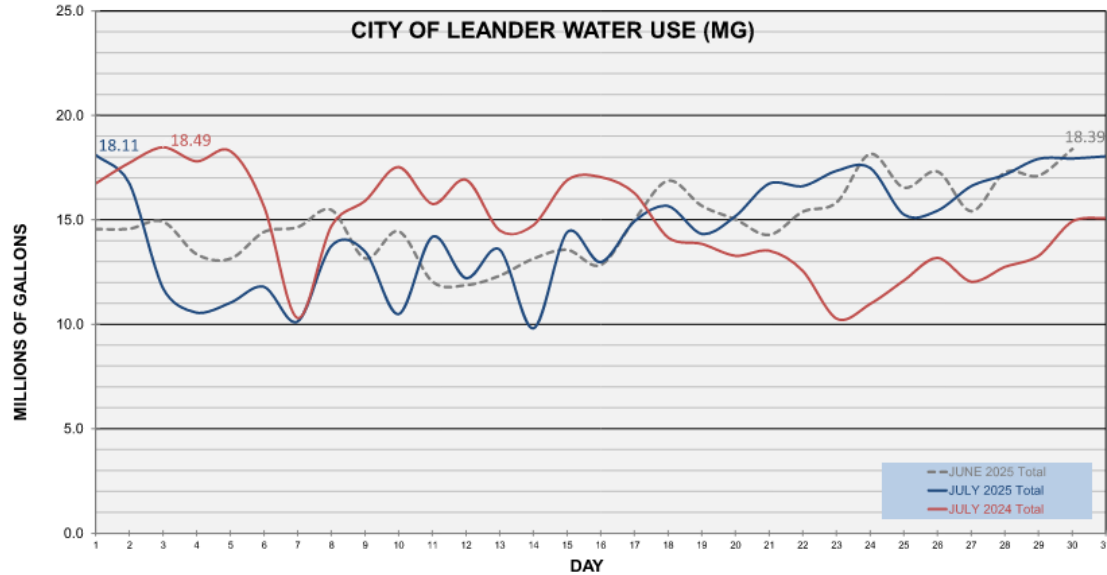
U.S. Drought Monitor

Lower Colorado River Basin

As of Aug. 12, 2025



Daily Water Usage

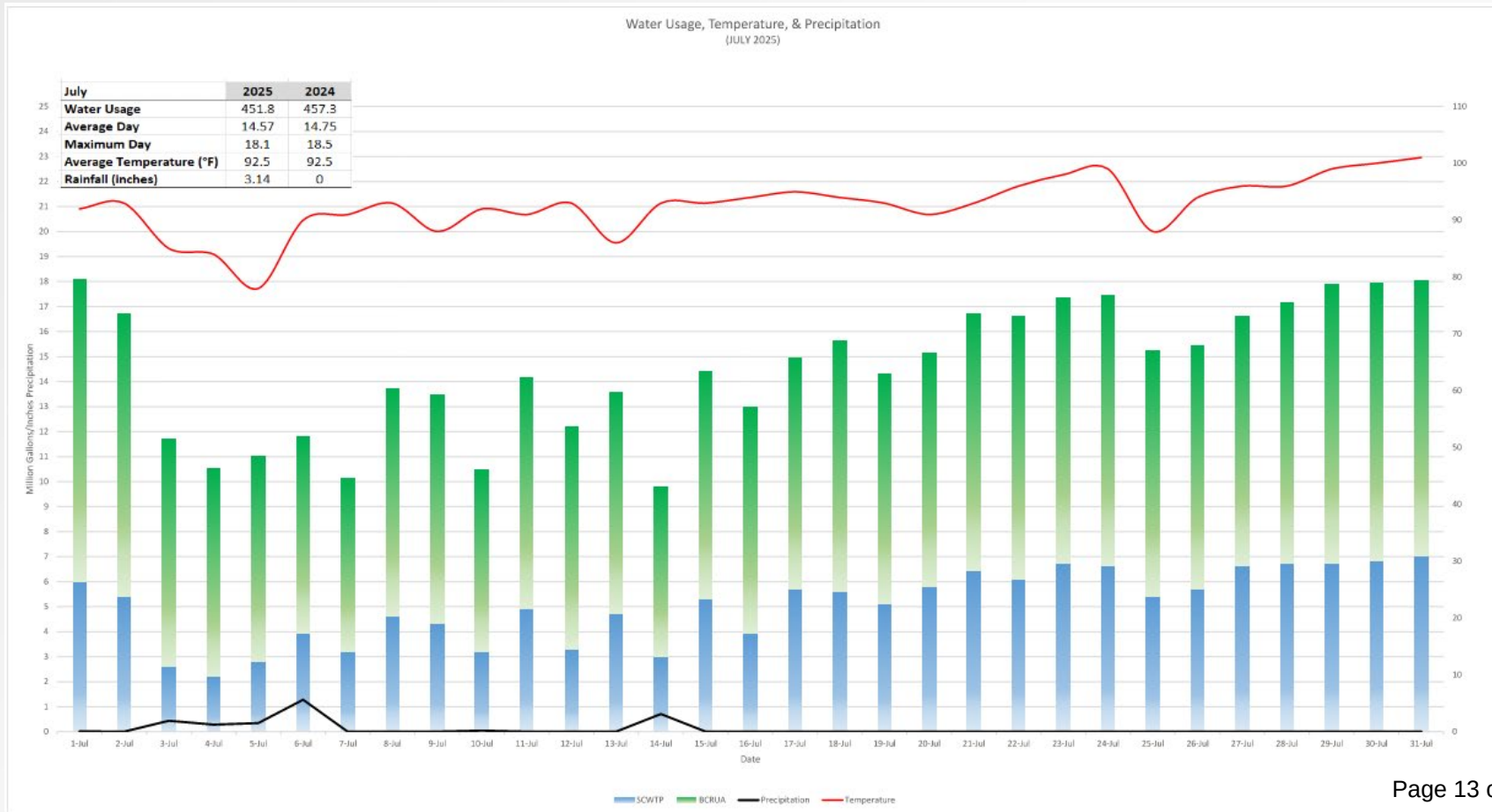


(MG)	JULY 2025 BCRUA Reagan	JULY 2025 BCRUA Travieso	JULY 2025 BCRUA Bagdad	JULY 2025 BCRUA	JULY 2025 SCWTP	JULY 2025 Total	JULY 2024 Total	JULY 2024 BCRUA	JULY 2024 SCWTP
Total	223.25	65.80	6.50	296.55	156.20	451.75	457.30	296.70	160.60
Average	7.20	2.12	0.21	9.53	5.04	14.57	14.75	9.57	5.18
Peak Day	9.31	3.30	0.72	12.11	7.00	18.11	18.49	11.73	7.20
Min. Day	4.59	1.74	0.00	6.60	2.20	9.86	10.27	5.99	3.20

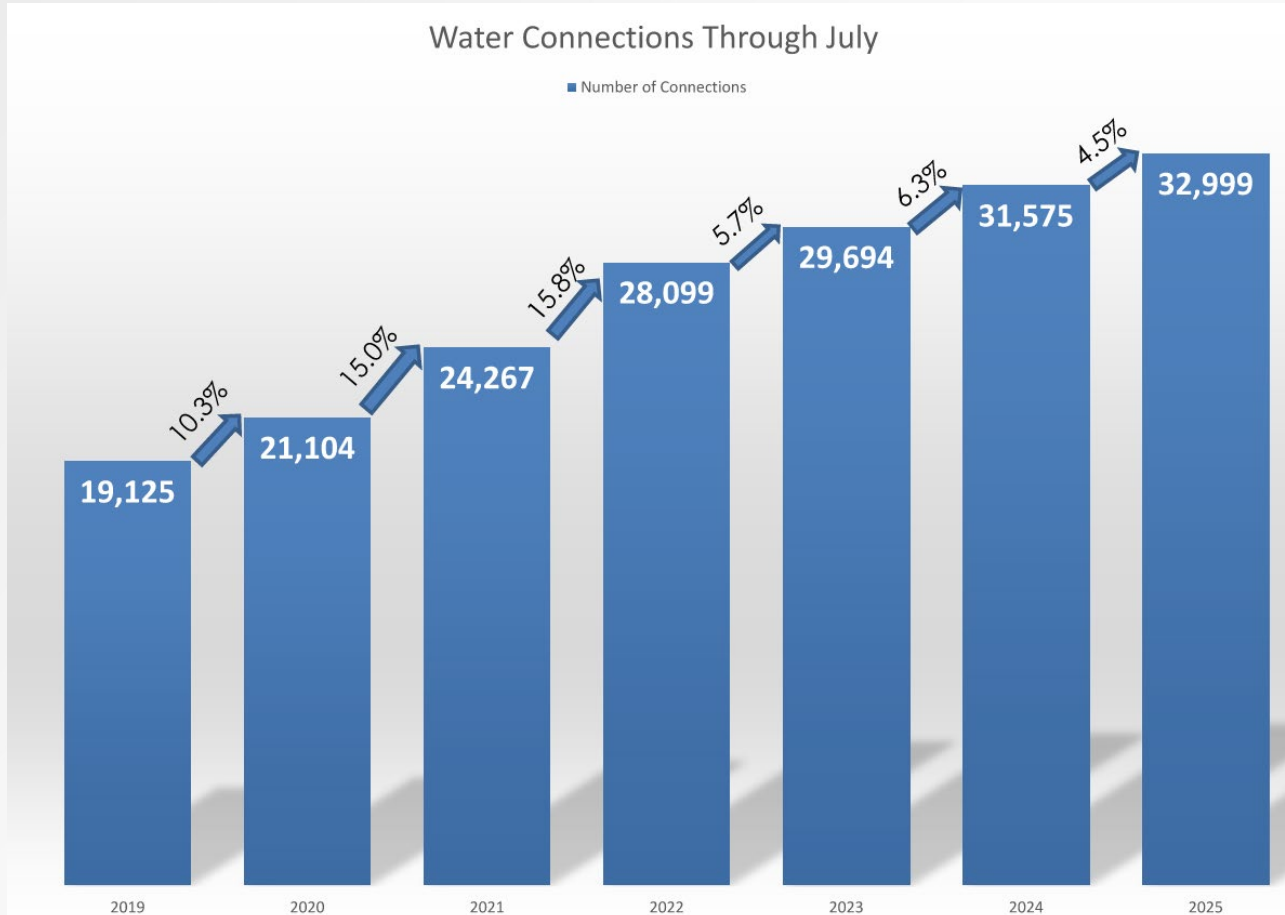
JULY 2025 COLH	JULY 2025 COGT
14.49	0.00
6.47	0.00
0.70	0.00
0.29	0.00

Historical Water Use																	
Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Month/Day	8/8	8/3	8/7	8/13	8/9	5/7	9/10	8/12	8/4	7/12	8/4	8/11	8/15	8/25	8/3	9/6	8/22
Peak Day (MG)	9.18	7.79	6.75	7.44	8.38	8.86	9.10	11.90	11.50	10.84	12.74	15.29	16.79	14.74	20.46	18.74	19.44
Avg Day (MG)	3.72	3.21	3.18	4.21	3.78	3.85	4.14	4.71	5.52	6.05	7.05	8.16	9.50	8.66	11.01	11.07	12.04
Annual (MG)	1,359	1,171	1,160	1,535	1,380	1,404	1,512	1,719	2,022	2,209	2,574	2,979	3,478	3,161	4,019	4,042	4,405
Annual (AC-FT)	4,171	3,593	3,561	4,712	4,234	4,308	4,640	5,276	6,205	6,778	7,901	9,141	10,673	9,701	12,334	12,404	13,520

Daily Water Usage with Temperature and Rainfall



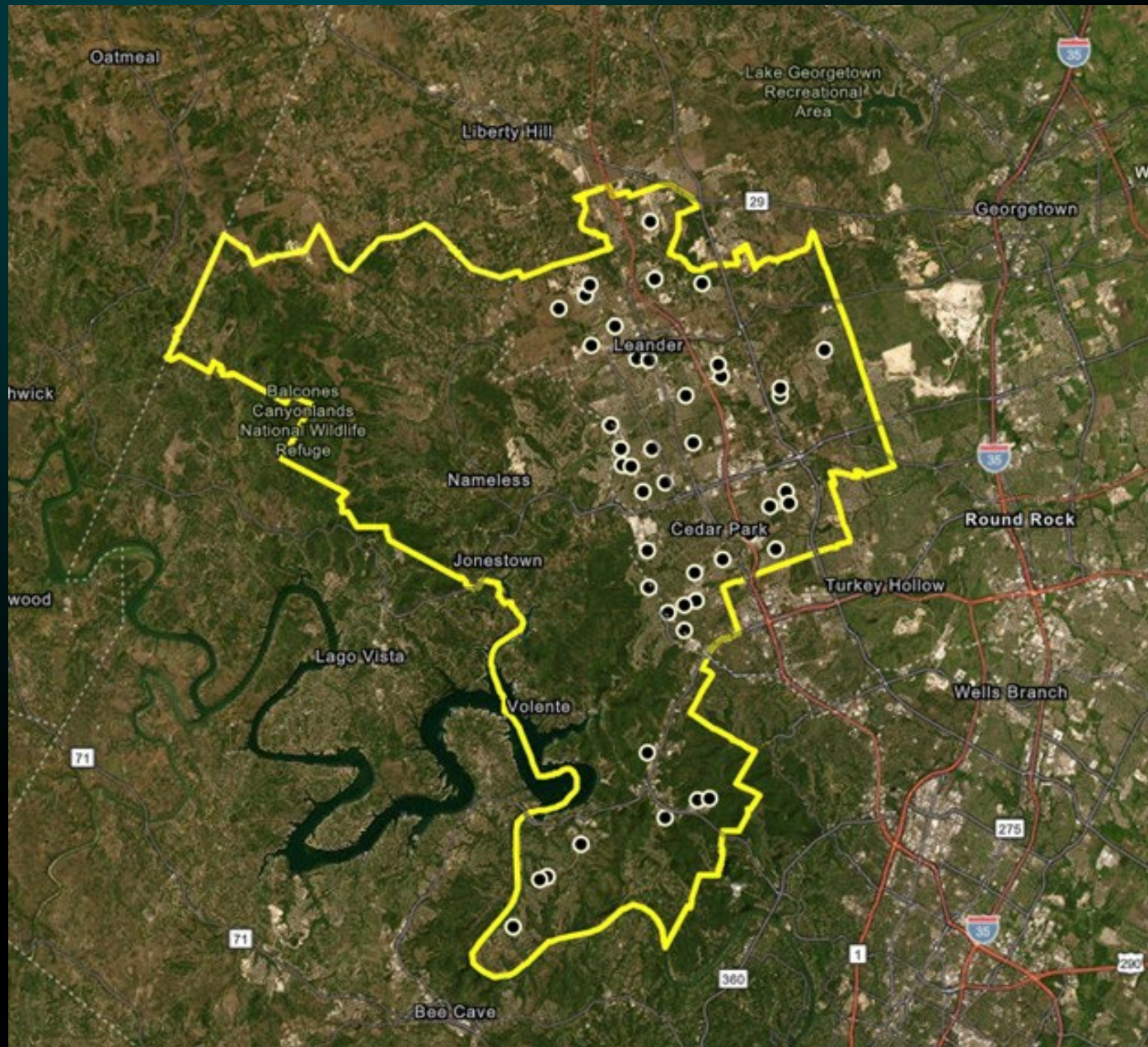
Water Connection Growth



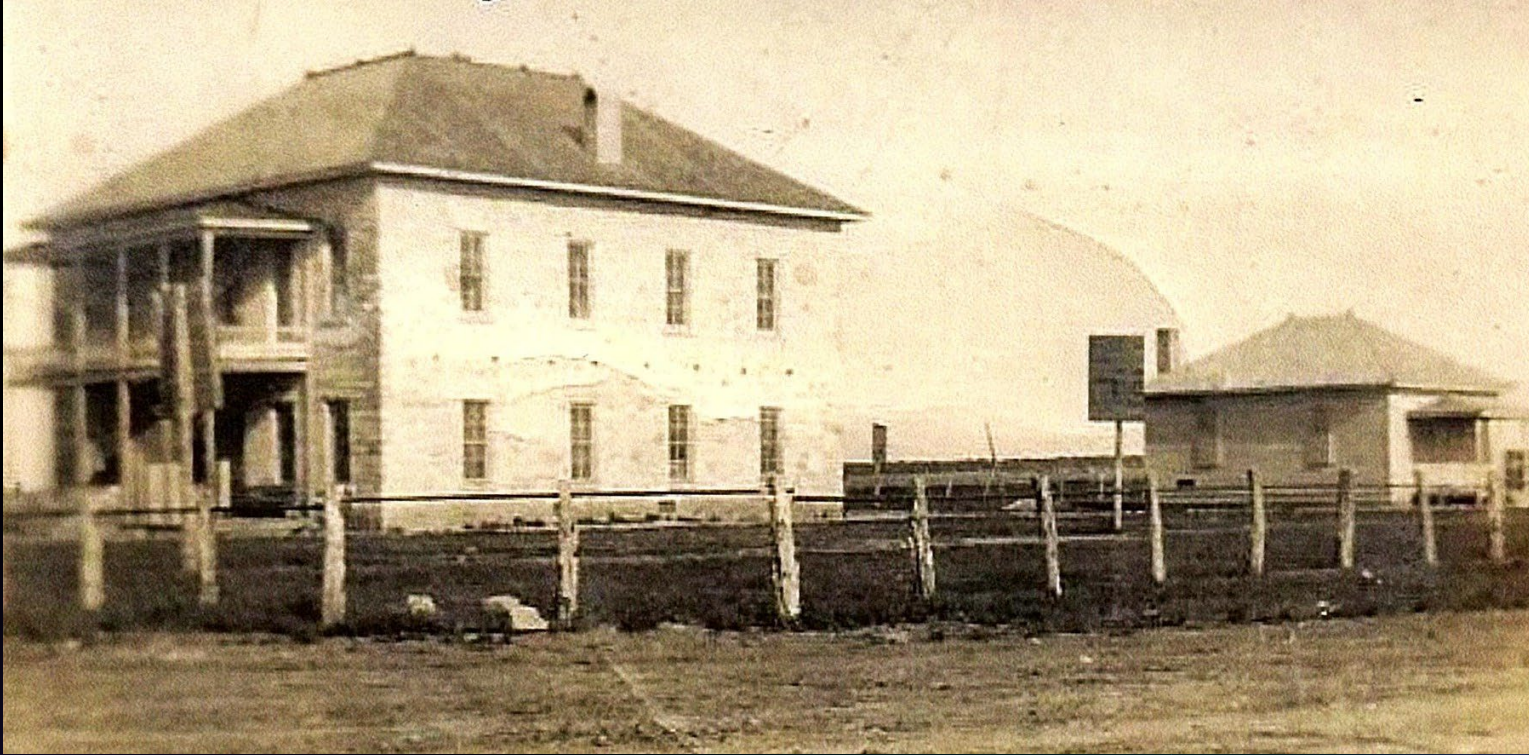
Leander ISD History

PART 2

AUGUST 21, 2025



Leander ISD - 2025 map



Leander School - new school built 1893

-Cox Springs School - began 1885
consolidated - 1938

-Cypress Creek School - began
1860's - consolidated 1938 (dam)

-Jenks Branch/Miller School - began
1870 - split 1945

-Nameless School - began 1870's -
consolidated 1945

-Pleasant Hill School - began 1850's
consolidated 1928

-Whitestone School - Built 1923 -
consolidated 1952

Early Teachers who schools are
named for:

-Giddens

-Faubion

-Naumann

Whitestone School - 1955

WhiTesTone FAVORITes



From Mrs.
Faubion's
third grade

GRACE ANN
MARONEEY

and

TED KIRKPATRICK



Pleasant Hill School - 1900

Nameless School



Nameless School – Spring 2023

Round Mountain School



Morning flag raising - 1939



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Approval of the minutes for meetings held on August 1, 2025 and August 7, 2025.

BACKGROUND:

Attached are the minutes for the budget retreat held on August 1, 2025 and regular meeting held on August 7, 2025.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

PRESENTER:

Dara Crabtree, City Secretary

Fiscal Impact

Attachments:

1. Draft Minutes 08.01.2025
2. Draft Minutes 08.07.2025



**MINUTES
CITY COUNCIL RETREAT MEETING
CITY OF LEANDER, TEXAS**

201 N. Brushy Street
Development Services - San Gabreil Conference Room
Leander, TX 78641
Friday, August 1, 2025
Meeting at 8:30 AM



Mayor - Christine DeLisle
Place 1 - Stephen Chang
Place 2 - Michael Herrera
Place 3 - David McDonald

Place 4 - Na'Cole Thompson, Mayor Pro Tem
Place 5 - Andrew Naudin
Place 6 - Becki Ross
City Manager - Todd Parton

The City Council of the city of Leander, Texas will convene on Friday, August 1, 2025, at the time stated above to hold a retreat regarding the items listed in this agenda. The items listed below are for discussion purposes only and no formal action or votes will be taken. As a quorum of the members of the city council will be present, this agenda is being posted in compliance with chapter 551 Texas Government Code and the Texas Open Meeting Act. Lunch is anticipated around noon along with a 15 minute break mid-morning and mid-afternoon.

RETREAT - CONVENE AT 8:30 AM

1. Discuss the Proposed Fiscal Year 2026 Budget and provide direction to City Staff.
Mayor DeLisle called the meeting to order at 8:35 a.m.; confirmed a quorum and all were present with Councilmember Naudin arriving at 8:36 a.m.

Discussion included agenda for today; Vision and Mission Statements; guiding principles and goals; balance; possibilities; atmosphere; and culture. *[Council took a brief recess at 9:23 a.m.; reconvened at 9:44 a.m.]* Discussion continued with tax rate and adoption schedule; fiscal forecast including general fund revenues versus expenditures; general fund; property tax; sales tax revenue; building permits; residential units; population; franchise fees; water and wastewater annualized and cumulative growth; and golf fund; property tax rate calculations; property tax rate history and comparison; Fiscal Year 2026 operating funds; operating funds 5-year history; general fund revenue sources; general fund expenditures; utility fund revenue sources; utility fund expenditures; golf fund revenue sources; golf fund expenditures; and organizational chart. *[Council took a brief recess at 10:37 a.m.; reconvened at 10:50 a.m.]*

Discussion included departmental budgets; City Manager; City Secretary; Finance; Communications; Economic Development; Human Resources; Information Technology; Municipal Court; *[Council took a brief recess at 12:04 p.m.; reconvened at 12:25 p.m.]* Discussion continued with Development Services; Planning; Engineering; Building Inspections; Parks; Library; Facilities Maintenance; Police Administration; Uniform Services; Support Services; Animal Services; Criminal Investigation; Police Communications; Special Operations; *[Council took a brief recess at 1:44 p.m.; reconvened at 2:02 p.m.]* Discussion continued with Fire; Fire Administration; Emergency Operations; Community Risk Reduction; Code Enforcement; Homeland Security and Emergency Management; Public Works; Non-Departmental; Utility Billing; Water; Wastewater; Wastewater Treatment; Water Conservation; Water Non-Departmental; Golf Grounds Maintenance; Pro Shop; City Council; included and not included supplements one-time and recurring.

Retreat adjourned at 3:21 p.m.

APPROVED

MAYOR

ATTEST:

CITY SECRETARY



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, August 7, 2025
REVISED Briefing Workshop at 6:00 PM
REVISED Regular Meeting at 7:00 PM



Mayor – Christine DeLisle
Place 1 – Stephen Chang
Place 2 – Michael Herrera
Place 3 – David McDonald

Place 4 – Na'Cole Thompson, Mayor Pro Tem
Place 5 – Andrew Naudin
Place 6 – Becki Ross
City Manager – Todd Parton

BRIEFING WORKSHOP - CONVENE AT 6:00 PM

1. Open Meeting.

Opened meeting at 6:01 p.m.

2. Roll Call.

Roll call reflected all present.

3. Convene into Executive Session pursuant to:

1. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding acquisition of property for public purpose; and
2. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Cause No. 20-0217-C425 Daniel Brown, Maria Brown, and ZG Properties, LLC v. City of Leander, and
3. Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding development impact on flooding; and
4. Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Tax Increment Reinvestment Zone (TIRZ) No. 1 reimbursements; and
5. Section 551.087, Texas Government Code, deliberate the purchase, exchange, lease, or value of real property and deliberate proposed economic development incentives for one or more business prospects that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body is conducting economic development negotiations along with consideration and possible action on a Chapter 380 Agreement for Project EDA-25-007; and
6. Section 551.089, Texas Government Code, deliberation regarding deployments relating to information resources technology.

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

1. Acquisition of property for public purpose; and
2. Cause No. 20-0217-C425 Daniel Brown, Maria Brown, and ZG Properties, LLC v. City of Leander; and
3. Development impact on flooding; and
4. Tax Increment Reinvestment Zone (TIRZ) No. 1 reimbursements; and
5. Chapter 380 Agreement for Project EDA-25-007; and
6. Deployments relating to information resources technology.

Convened into Executive Session at 6:03 p.m.; reconvened back into open session at 7:06 p.m.

[Deliberations not completed and went back into Executive Session at the end of the regular meeting.]

Adjourned at 7:06 p.m.

REGULAR MEETING – CONVENE AT 7:00 PM

4. Open Meeting, Invocation and Pledges of Allegiance.

Opened meeting at 7:06 p.m.; Police and Fire Chaplain Joe Bob Ellison provided the invocation; following the invocation Mayor DeLisle led the Pledges of Allegiance.

5. Roll Call.

Roll call reflected all present.

6. Public comments on items not listed in the agenda.

Public comments on items listed in the agenda will be heard at the time each item is discussed.

[All comments are limited to no more than 3 minutes (6 minutes if translation is needed) per individual.]

No one spoke.

7. Recognitions/Proclamations/Visitors.

- National Golf Month Proclamation
- Safe and Secure Week Proclamation (August 11 - 15)

CONSENT AGENDA: ACTION

Motion: Approve consent agenda items 8 through 15.

By: Mayor Pro Tem Thompson
Seconded: Councilmember Ross

Vote: 7 - 0

8. Approval of the minutes for meeting held on July 17, 2025.
9. Acceptance of a letter of resignation from David McDonald, Councilmember Place 3, and approval of an Ordinance ordering and establishing procedures for Special Called Election in the City of Leander to elect Councilmember for the office held by Place 3 to fill an unexpired term; providing for notice of election; providing election precinct and polling places; providing for early voting; providing for an effective date and open meetings clause; providing for City Manager to execute any and all necessary documents; and providing for related matters.

Aceptación de la carta de renuncia de David McDonald, concejal del lugar 3, aprobación de una ordenanza que ordena y establece procedimientos para una elección especial convocada en la ciudad de Leander para elegir a un concejal para el cargo ocupado por el lugar 3 para cubrir un período no vencido; que dispone la notificación de la elección; que dispone el recinto electoral y los lugares de votación; que dispone la votación anticipada; que dispone una fecha de entrada en vigor y una cláusula de reuniones abiertas; que dispone que el administrador de la ciudad ejecute todos y cada uno de los documentos necesarios; y que dispone sobre asuntos relacionados.
10. Approval of a Development and Cost Participation Agreement for public improvements for Hawkes Landing North Phase 3 Subdivision on one (1) parcel of land approximately 37.967 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R616492; generally located on the east side of N. Bagdad Road south of W. San Gabriel Parkway, Leander, Williamson County, Texas.
11. Approval of an Ordinance to update the Roadway Service Area Map to incorporate recently annexed areas into the City including the Bagdad Retail Center, Oakwood Hills, Oak Grove Estates, and Barksdale Phase 3 Annexations.
12. Acceptance of infrastructure improvements associated with Subdivision Case PICP-22-0040 Bar W Ranch West Phase 11 for water and wastewater improvements.
13. Acceptance of public infrastructure improvements associated with Subdivision Case PICP-24-0125 Travisso Phase 4 Sections 7 and 8, and Phase 5 Section 3 for reclaimed water irrigation.
14. Approval of Change Order No.1 for the Roadway Rehabilitation Fiscal Year 2025 project with Asphalt Inc., LLC dba Lone Star Paving Company for the addition of rehabilitation to a section of northbound Ronald Reagan Boulevard, increasing the current contract by \$347,713.50 for a new total of \$1,758,933.05; and authorize the City Manager to execute any and all necessary documents.
15. Approval of an Interlocal Agreement by and between the City of Leander and the Williamson County and Cities Health District (WCCHD) providing for the continuation of sharing public information to combat the spread of communicable diseases in Williamson County.

PUBLIC HEARING: ACTION

16. Conduct a Public Hearing and consider action regarding Zoning Case Z-24-0114 to amend the Leander Springs Planned Unit Development with base zoning districts of MF-2-A (Multi-Family) and GC-3-A (General Commercial) to update the language as it relates to phasing and timing of the development, reduce the total number of apartments, and modify the phasing requirements on two (2) parcels of land approximately 77.90 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R403524 and R051592; and generally located southwest of the intersection of 183A Toll Road and RM 2243, Leander, Williamson County, Texas. *[Postponed due to City staff publication error.]*

REGULAR AGENDA

17. Discuss and consider action on the Second Reading of an Ordinance regarding Ordinance Case OR-25-0030 to amend the Composite Zoning Ordinance to adopt standards and a permitting process associated with Micro-Trenching, and to provide for related matters; Williamson and Travis Counties, Texas. *[Postponed until August 21, 2025, to allow City staff time to evaluate comments provided by the private sector.]*

18. Discuss and consider action on Meet and Confer Agreement by and between City of Leander and Leander Law Enforcement Association for a term of three (3) years effective October 1, 2025.

Motion: Approve Meet and Confer Agreement.

By: Councilmember McDonald

Seconded: Councilmember Ross

Vote: 7 - 0

19. Receive presentation regarding a proposed affordable housing single-family development associated with the Preserve at Mason Creek Site Development; more particularly described as 7.675 acres ± in size out of Williamson Central Appraisal District Parcel R655944; and generally located south of Horseshoe Drive, approximately 480 feet west of S. West Drive, Leander, Williamson County, Texas and possible action to direct staff regarding next steps.

Motion: Approve staff bringing back in the future the resolution, cooperative agreement and PILOT agreement.

By: Mayor DeLisle

Seconded: Councilmember Naudin

Vote: 7 - 0

20. Receive a status report from City staff on the status and implementation of the sign ordinance and to receive direction from City Council.

No action.

[Council took a brief recess at 8:25 p.m.; reconvened at 8:42 p.m.]

21. Discuss and consider action on an Ordinance amending Ordinance No. 24-075-00 to update the City of Leander's annual budget for Fiscal Year 2025, ensuring alignment with financial priorities and necessary funding adjustments.

Motion: Approve Ordinance amending Ordinance No. 24-075-00 amending the the Fiscal Year 2025 budget.

By: Mayor DeLisle

Seconded: Councilmember McDonald

Vote: 7 - 0

22. Discuss and consider action on the 2025 Special Legislative Session; reaffirm the City's 2025 Legislative Program; and direct Staff on any appropriate program priorities being considered at the

Special Session.

No action.

23. Discuss and consider directing City staff on the selection of benchmark cities for comparative analysis of the City of Leander Community Survey.

No action.

24. Council Member Closing Statements.

Na'Cole Thompson - wished everyone a happy back to school; appreciated the teachers; and be mindful of the school zones.

Andrew Naudin - commented on upcoming Benbrook Park Disc Golf Tournament.

Becki Ross - stated it was her 32 wedding anniversary and wished her husband happy anniversary.

Christine DeLisle - commented on Councilmember McDonald's resignation and appreciated his service; stated tonight's dinner came from Torchy's Tacos and reminded everyone to shop locally; and commented on upcoming LPACC Artfest event.

25. Convene back into Executive Session, if needed, pursuant to:

1. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding acquisition of property for public purpose; and
2. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Cause No. 20-0217-C425 Daniel Brown, Maria Brown, and ZG Properties, LLC v. City of Leander, and
3. Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding development impact on flooding; and
4. Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Tax Increment Reinvestment Zone (TIRZ) No. 1 reimbursements; and
5. Section 551.087, Texas Government Code deliberate the purchase, exchange, lease, or value of real property and deliberate proposed economic development incentives for one or more business prospects that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body is conducting economic development negotiations along with consideration and possible action on a Chapter 380 Agreement for Project EDA-25-007; and
6. Section 551.089, Texas Government Code, deliberation regarding deployments relating to information resources technology.

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

1. Acquisition of property for public purpose; and
2. Cause No. 20-0217-C425 Daniel Brown, Maria Brown, and ZG Properties, LLC v. City of Leander; and
3. Development impact on flooding; and
4. Tax Increment Reinvestment Zone (TIRZ) No. 1 reimbursements; and

5. Chapter 380 Agreement for Project EDA-25-007; and
6. Deployments relating to information resources technology.

Convened back into Executive Session at 9:17 p.m.; reconvened back into open session at 10:06 p.m.

1. No action.
2. No action.
3. No action.
4. No action.
5. No action.
6. No action.

26. Adjournment

Adjourned at 10:06 p.m.

APPROVED

MAYOR

ATTEST:

CITY SECRETARY



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Acceptance of infrastructure improvements associated with Subdivision Case 18-PICP-034 The Collective at Leander for public streets, drainage, water and wastewater.

BACKGROUND:

Approximately \$820,986.00 in required public infrastructure improvements for The Collective at Leander have been installed, inspected, and are substantially completed. All documentation required for acceptance of this project has been received, including record drawings, statement of substantial completion prepared by a professional engineer licensed in the State of Texas, copies of all inspection reports and certified test results, electronic files of the improvements, an affidavit of all bills paid, and a two-year (2) term maintenance bond. The subdivision includes 8.243 acres and two (2) commercial lots.

The maintenance bond will commence the two-year (2) term upon City Council acceptance, as anticipated, on August 21, 2025, which will provide warranty and maintenance coverage for the public infrastructure improvements through August 21, 2027. The Engineering Division of the Development Services Department will perform a formal inspection of the improvements approximately 30 days prior to the expiration of the maintenance bond to ensure that any defects in materials, quality construction, or maintenance are corrected prior to the expiration of the maintenance bond.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

Staff recommends approval.

PRESENTER:

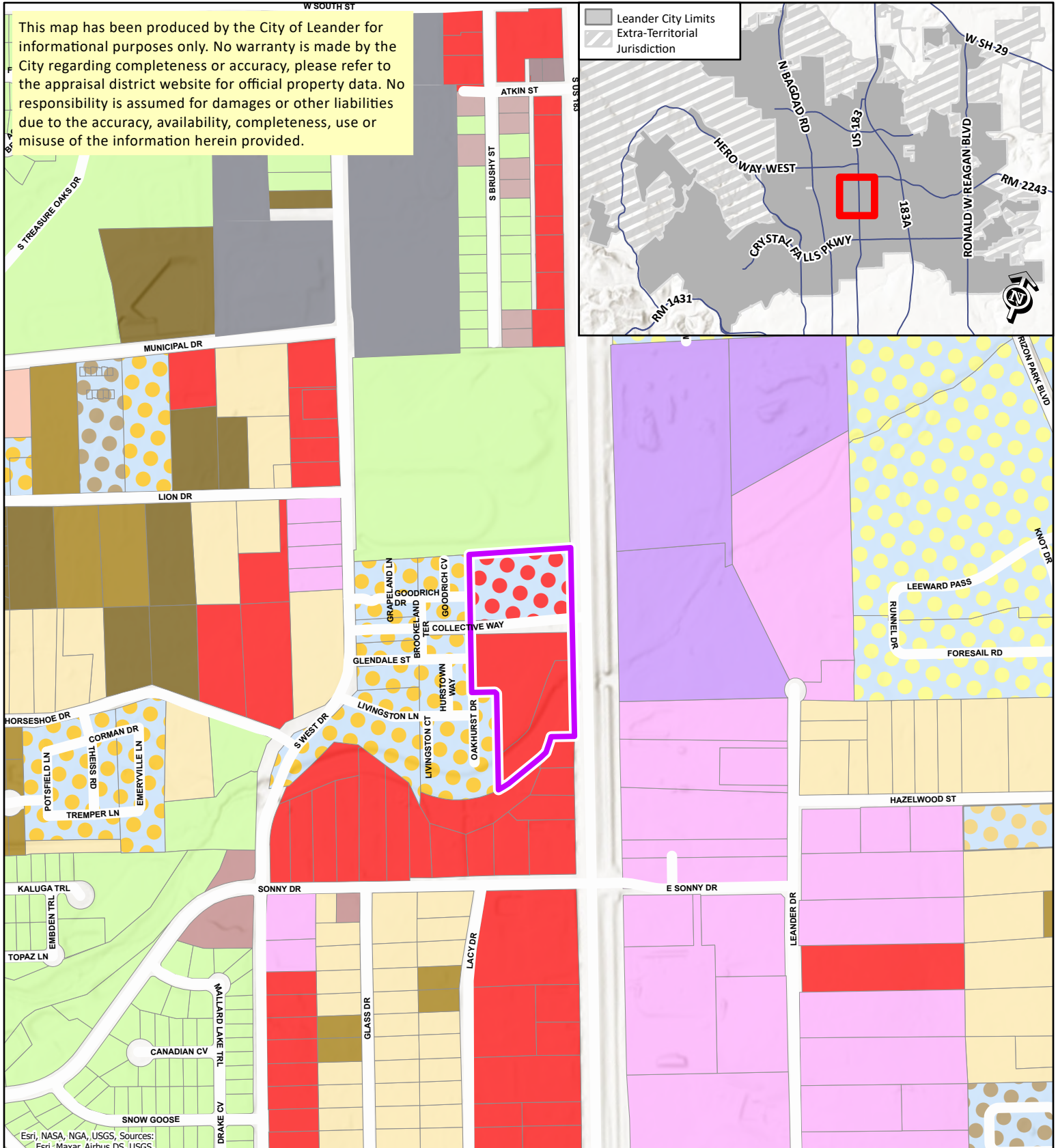
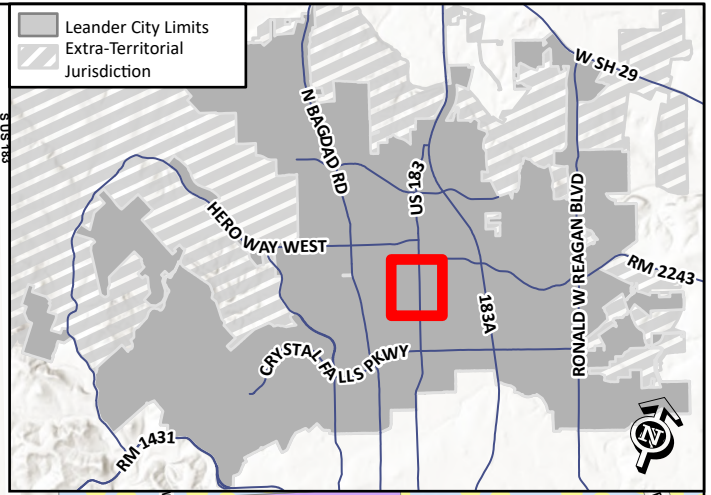
Emily Truman, P.E., CFM, PMP, City Engineer

Fiscal Impact

Attachments:

1. Collective at Leander Acceptance

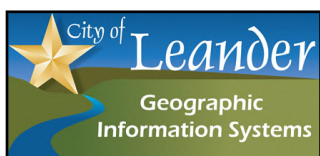
This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy, please refer to the appraisal district website for official property data. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



SUBDIVISION ACCEPTANCE

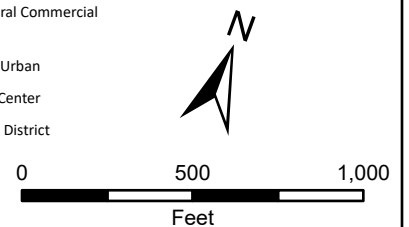
Collective at Leander - 18-PICP-034

- Accepted Subdivision
- City Limits



- | | |
|--|-------------------------|
| RESIDENTIAL | INDUSTRIAL |
| SFU - Single-Family Urban | GC - General Commercial |
| SFU/MH - Single-Family Urban/Manufactured Home | HC - Heavy Commercial |
| TF - Two Family | HI - Heavy Industrial |
| MF - Multi-Family | PUD LAND USE |
| RETAIL / COMMERCIAL | PUD - Single-Family |
| LO - Local Office | PUD-CH |
| LC - Local Commercial | PUD - Townhomes |
| | PUD - Multi-Family |

- PUD - Local Commercial
- PUD - General Commercial
- TRANSECTS**
- T4 - Genral Urban
- T5 - Urban Center
- SD - Special District



Engineer's Concurrence for Project Acceptance

Project: The Collective at Leander Date: 06/23/2025

City of Leander Issued Permit Number: 18-PICP-034

Owner's Name & Address

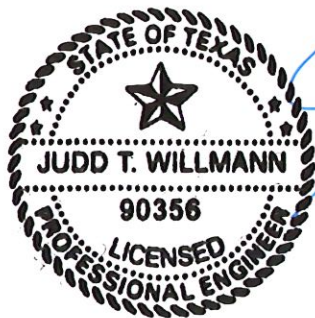
ISHAV Properties, LLC
6700 Bridge Hill Cove
Austin, TX 78646

Consultant Engineer's Name & Address

Judd T. Willmann, PE - HR Green
5508 Highway 290 West |
Austin, TX 78735

On this date, I, the undersigned Professional Engineer in the State of Texas, or my representative, have made a visual inspection of the above referenced project. No discrepancies from the approved construction plans or deficiencies in construction were visible or brought to my attention. I, therefore, certify that these improvements are in substantial compliance with the approved construction plans and all City, State, and Federal requirements, including the City of Leander Subdivision Ordinance and Composite Zoning Ordinance.

I additionally certify that all project closeout procedures with other governmental entities have been completed and finalized with each entity prior to submittal of my concurrence letter to the City of Leander.



Judd T. Willmann
Signature

Judd T. Willmann, PE

Typed Name

HR Green

Engineering Firm Name

TBPE Firm #16384

Registered Engineering Firm Number



Date: June 26, 2025

Suresh Lavani
3801 N. Capital of TX Hwy
Austin, TX 78746

RE: The Collective @ Leander
& Associated Public Infrastructure
US Highway 183
Leander, TX 78641

TABS: 2023005716

TAS INSPECTION COMPLETED - NO VIOLATIONS

To Whom It May Concern:

We are pleased to inform you that the referenced facility has been inspected and found to be in substantial compliance with provisions of the Texas Government Code, Chapter 469.

The inspection results will be forwarded to the Texas Department of Licensing and Regulation for issuance of the final approval letter. For newly constructed buildings and facilities, the Department will provide a Notice of Substantial Compliance (Certificate and Decal) to the owner upon receipt of a completed Notice of Substantial Compliance Request Form.

Please note, this determination does not address the requirements of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other state, local or federal requirements. For information on the ADA, please contact the United States Department of Justice, Civil Rights Division at (202) 514-0301.

If you have any questions concerning the results of the inspection, or the requirements of the Architectural Barriers Act, or if you are not the owner of record of this facility, contact Doug Martine at 210-912-3779.

Please reference the EABPRJ project number in all future correspondence pertaining to this project.

Sincerely,

A handwritten signature in blue ink that reads 'Doug Martine'.

Doug Martine, TDLR RAS #1162

Enclosures

CC: Michael Pena - Open Studio Architecture

Date: June 16,2025

City Official being addressed
City of Leander
201 N. Brushy Street
Leander, Texas 78641

Att:Tessa Heins

The following is the information as applicable for _____ of this project.

Final Plat Legal Name as Recorded: LOT 23, BLK A, LEANDER HEIGHTS

Name on Approved Construction Documents: The Collective at Leander PICP (18-PICP-034)

Name on Bank Bond for Fiscal Posting:

(Ensure that each relevant item being submitted is included above)

COSTS CATEGORIES	AMOUNT
Streets	\$189,852.00
Drainage	\$357,630.00
Water	\$105,630.00
Wastewater	\$107,320.00
Streetlights	\$32,954.00
Landscape Improvements	\$27,600.00
TOTAL	\$820,986.00

Add other relevant information. For example of related items such as a maintenance bond and how much of the value is applied to said item.

Total Improvements =	\$820,986.00
Maintenance Bond (10%) =	\$82,098.60

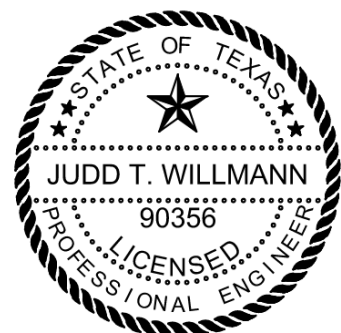
An example of related items such as the inspection fees and how much of the value is applied to said item.

Total Improvements =	\$820,986.00
Currently Paid Inspection Fees =	\$25,458.30
Inspection Fees (3.5%) =	\$28,734.51
Remaining Insp. Fees to be Paid =	\$3,276.21

[Contact information if not posted elsewhere on this document, to include email, phone number, and address.] Ishav Properties LLC, 6700 Bridge Hill Cove, Austin, TX 78746, suresh@sparkrootconstruction.com, (512)507-4210

[Sign and Seal from a Texas Licensed Professional Engineer]

07/11/2025



MAINTENANCE BOND
Subdivision Improvements

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

KNOW ALL BY THESE PRESENTS, that Ishav Properties LLC as Principal, whose address is 6700 Bridge Hill Cove, Austin, TX 78746 and Philadelphia Indemnity Insurance Company, a Corporation organized under the laws of the State of Pennsylvania, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto the City of Leander, Texas as Obligee, in the penal sum of Eighty Two Thousand Nine Hundred Eighty Six and 00/100 Dollars (\$82,986.00) to which payment will and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal has constructed The Collective at Leander
Public Improvements Construction Plan, PICIP # 18-PICIP-034 (the "improvements") pursuant to the ordinances of the Obligee, which ordinances are hereby expressly made a part hereof as though the same were written and embodied herein;

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of two (2) years after acceptance by the Obligee, against all defects in workmanship and materials which may become apparent during said period;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal keeps and perform the requirement of the Obligee's ordinances and this Maintenance Bond to maintain the improvements and keep the same in good repair and shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of two (2) years from and after the date of acceptance by the Owner, then this obligation shall be void, otherwise to remain in full force and effect, and Owner shall have and cover from said Principal and Surety damages in the premises, as provided, and it is further agreed that this obligation shall be a continuing one against the Principal and Surety hereon, and that successive recoveries may be had thereon for successive breaches until the full amount shall have been exhausted; and it is further understood that the obligation herein to maintain said improvements shall continue throughout the maintenance period, and the same shall not be diminished in any manner from any cause during said time.

Principal agrees to repair or reconstruct the improvements in whole or in part at any time within the two year period to such extent as the Obligee deems necessary to properly correct all defects except for normal wear and tear. If the Principal fails to make the necessary corrections within ten days after being notified, the Obligee may do so or have done all said corrective work and shall have recovery hereon for all expenses thereby incurred. Principal will maintain and keep in good repair the improvements for a period of two years from the date of acceptance; it being understood that the purpose of this Maintenance Bond is to cover all defective conditions arising by reason of defective material, work, or labor performed by said Principal or its

subcontractors, and in the case the said Principal shall fail to do so within ten days after being notified, it is agreed that the Oblige may do said work and supply such materials and charge the same against Principal and Surety on this obligation.

The Surety shall notify the Oblige at least fifteen (15) days prior to the end of the first full calendar year and prior to the lapse of this Maintenance Bond at the end of the second full calendar year.

Surety and Principal agree that whenever a defect or failure of the improvement occurs within the period of coverage under this Bond, the Surety and Principal shall provide a new maintenance bond or other surety instrument in a form acceptable to the Oblige and compliant with the Oblige's ordinances conditioned to guarantee for the period of one (1) year after the Oblige's acceptance of the corrected defect or failure, against all defects in workmanship and materials associated with the corrected defect or failure which may become apparent during said period, which shall be in addition to this Maintenance Bond.

The Surety agrees to pay the Oblige upon demand all loss and expense, including attorneys' fees, incurred by the Oblige by reason of or on account of any breach of this obligation by the Surety. Provided further that in any legal action be filed upon this bond, venue shall lie in the county where the improvements are constructed.

This Bond is a continuing obligation and shall remain in full force and effect until cancelled as provided for herein.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the improvements, or the work to be performed thereon, or the plans, specifications or drawings accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the improvements, or the work to be performed thereon.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 30th day of June, 2025.

Ishav Properties LLC
Principal

Philadelphia Indemnity Insurance Company
Surety

By: ltg

By: Brandi J. Tetley

Title: President

Title: Brandi J. Tetley, Attorney-in-Fact

Address: 6700 Bridge Hill Cove

Address: One Bala Plaza, Suite 100

Austin, TX 78746

Bala Cynwyd, PA 19004-0950

The name and address of the Resident Agent of Surety is:

IMA, Inc., 6200 LBJ Freeway, Dallas, TX 75240

(Seal)



1705 17th Street, Suite 100
Denver, CO 80202
(303) 534-4567

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Jennifer L. Clampert, Amy Coonts, Michael Lischer, Jr., Nicole L. McCollam, Danielle Waring, David Dondlinger, Brandi J. Tetley, Lindsey Minuttillo, and Mary Ashley Allen of IMA, Inc.,** its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$50,000,000.**

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF OCTOBER 2024.

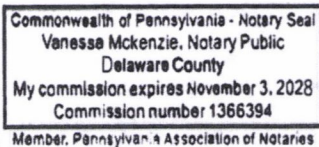


(Seal)

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of October, 2024 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:



residing at: Linwood, PA

My commission expires: November 3, 2028

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day October 2024 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 30th day of June, 20 25.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

**FINAL BILLS PAID AFFIDAVIT
AND WAIVER OF LIEN**

Updated 10.20.14

STATE OF TEXAS
COUNTY OF

Date: June 24, 2025

Developer: Ishav Properties LLC

Contractor/Material
Provider ("Affiant"): Spark Root Construction LLC

Project: Thhe Collective at Leander

This is to acknowledge and certify that Affiant has completed the construction of all improvements for the project noted above and that Affiant has been paid in full for all labor and material provided to the above-noted construction project, except for retainage, and acknowledges and certifies that Affiant, and all of his or its agents, employees, successors, assigns, subsidiaries, and legal representatives will and do release and waive all Mechanic's liens, or similar lien rights, which have or might arise as a result of the Affiant's or Affiant's agents' or employees' providing labor and materials to the above-noted project. Affiant understands that a portion or all of the property upon which the project is located has been or will be accepted by the City of Leander, Texas, for ownership, maintenance, and operation. Affiant further agrees that it shall look solely to the Developer for payment of the retainage and shall have no cause of action whatsoever, against the City in the event that the retainage is not paid to the Affiant, and that Affiant shall not file a lien of any kind which has or may arise related to the release of the retainage for the project. Affiant acknowledges and understands that the City is relying on the representations made in this document to accept the phase or portion of the subdivision in which the project is located.

In addition to the foregoing, Affiant acknowledges and certifies that Affiant has paid all laborers, subcontractors, materialmen, and all other persons or parties who have provided labor or materials through, for, or on behalf of the Affiant to the above-noted construction project.

Affiant indemnifies and holds Owner harmless from any liens, debts or obligations which arise as a result of labor or materials provided by or through Affiant to the project through the date set out above. Affiant further indemnifies and holds harmless all real property on which the improvements were constructed and all interests in such property, including leasehold interests, from any liens, debts, or obligations arising from any labor or materials provided by or through Affiant to the project through the date set out above.

SUBSCRIBED AND SWORN TO BY Affiant on this 24th day of Jun, 2025.

Initialed: SL

PAGE 1 of 2

AFFIANT:

Signature: _____

Typed Name: Sunil Lavani

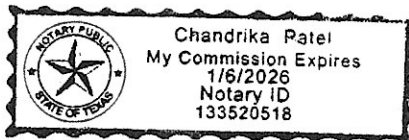
Title: President

STATE OF TEXAS
COUNTY OF Travis

BEFORE ME the undersigned authority on this day personally appeared _____, known to me to be the person noted above, and acknowledged to me the following: that he/she executed the foregoing for the purpose and consideration therein expressed, in the capacity therein stated, and as the duly authorized act and deed of the party releasing and waiving the lien therein; and that every statement therein is within his/her knowledge and is true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 24th day of 06, 2025

[SEAL]



Chandrika Patel
Notary in and for the State of Texas

Name: Chandrika Patel

My commission expires: 1/06/2026

Initialed: SL



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Approval of joining the Texas Attorney General's opioid settlements with Purdue/Sackler; and authorize the City Manager to execute Settlement Participation Form and any and all necessary documents.

BACKGROUND:

The proposed settlement requires Purdue/Sackler to pay \$286.5 million (the "Settlement Amount") to Texas and its political subdivisions. Of the Settlement Amount, the vast majority is earmarked for use by Texas and its subdivisions to remediate and abate the impacts of the opioid crisis. The settlement also contains injunctive relief provisions governing the marketing of opioids as well as the sale and dispensing practices at the heart of the opioid claims in the lawsuits.

In the past, Leander participated in the settlement of Walgreens, Walmart, Allergan, CVS and Kroger; to date the city has received \$39,915.73. The funding must be used to support any of a wide variety of strategies to fight the opioid crisis, including, but not limited to, drug take-back disposal and destruction programs; public education relating to drug disposal, public education relating to emergency responses to overdoses and engaging non-profits and faith-based communities as systems to support prevention.

The subdivisions within Texas are entitled to decide whether they wish to participate in the settlement. Any subdivision that does not participate cannot directly share in any of the settlement funds. Participating in the settlement includes the City waiving any right it has to bring its own lawsuit against Purdue/Sackler.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

PRESENTER:

Paige Saenz, City Attorney

Fiscal Impact

Attachments:

1. Participation and Release Form 08.21.2025

EXHIBIT K
Subdivision Participation and Release Form

Governmental Entity: City of Leander	State: TX
Authorized Signatory:	
Address 1: 105 N. Brushy Street	
Address 2:	
City, State, Zip: Leander, Texas 78641	
Phone: 512.528.2702	
Email: tparton@leandertx.gov	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to that certain Governmental Entity & Shareholder Direct Settlement Agreement accompanying this participation form (the “*Agreement*”)¹, and acting through the undersigned authorized official, hereby elects to participate in the Agreement, grant the releases set forth below, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Agreement, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Agreement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly after the Effective Date, and prior to the filing of the Consent Judgment, dismiss with prejudice any Shareholder Released Claims and Released Claims that it has filed. With respect to any Shareholder Released Claims and Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
3. The Governmental Entity agrees to the terms of the Agreement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Agreement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning following the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Agreement solely for the purposes provided therein.
6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as and to the extent provided in, and for resolving disputes to the extent provided in, the

¹ Capitalized terms used in this Exhibit K but not otherwise defined in this Exhibit K have the meanings given to them in the Agreement or, if not defined in the Agreement, the Master Settlement Agreement.



Agreement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Agreement.

7. The Governmental Entity has the right to enforce the Agreement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Agreement, including without limitation all provisions of Article 10 (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Subdivision Releasor, to the maximum extent of its authority, for good and valuable consideration, the adequacy of which is hereby confirmed, the Shareholder Released Parties and Released Parties are, as of the Effective Date, hereby released and forever discharged by the Governmental Entity and its Subdivision Releasors from: any and all Causes of Action, including, without limitation, any Estate Cause of Action and any claims that the Governmental Entity or its Subdivision Releasors would have presently or in the future been legally entitled to assert in its own right (whether individually or collectively), notwithstanding section 1542 of the California Civil Code or any law of any jurisdiction that is similar, comparable or equivalent thereto (which shall conclusively be deemed waived), whether existing or hereinafter arising, in each case, (A) directly or indirectly based on, arising out of, or in any way relating to or concerning, in whole or in part, (i) the Debtors, as such Entities existed prior to or after the Petition Date, and their Affiliates, (ii) the Estates, (iii) the Chapter 11 Cases, or (iv) Covered Conduct and (B) as to which any conduct, omission or liability of any Debtor or any Estate is the legal cause or is otherwise a legally relevant factor (each such release, as it pertains to the Shareholder Released Parties, the “Shareholder Released Claims”, and as it pertains to the Released Parties other than the Shareholder Released Parties, the “Released Claims”). For the avoidance of doubt and without limiting the foregoing: the Shareholder Released Claims and Released Claims include any Cause of Action that has been or may be asserted against any Shareholder Released Party or Released Party by the Governmental Entity or its Subdivision Releasors (whether or not such party has brought such action or proceeding) in any federal, state, or local action or proceeding (whether judicial, arbitral, or administrative) (A) directly or indirectly based on, arising out of, or in any way relating to or concerning, in whole or in part, (i) the Debtors, as such Entities existed prior to or after the Petition Date, and their Affiliates, (ii) the Estates, (iii) the Chapter 11 Cases, or (iv) Covered Conduct and (B) as to which any conduct, omission or liability of any Debtor or any Estate is the legal cause or is otherwise a legally relevant factor.
9. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Shareholder Released Claims or Released Claims against any Shareholder Released Party or Released Party in any forum whatsoever, subject in all respects to Section 9.02 of the Master Settlement Agreement. The releases provided for herein (including the term “Shareholder Released



Claims” and “Released Claims”) are intended by the Governmental Entity and its Subdivision Releasors to be broad and shall be interpreted so as to give the Shareholder Released Parties and Released Parties the broadest possible release of any liability relating in any way to Shareholder Released Claims and Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Agreement shall be a complete bar to any Shareholder Released Claim and Released Claims.

10. To the maximum extent of the Governmental Entity’s power, the Shareholder Released Parties and the Released Parties are, as of the Effective Date, hereby released and discharged from any and all Shareholder Released Claims and Released Claims of the Subdivision Releasors.
11. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Agreement.
12. In connection with the releases provided for in the Agreement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Shareholder Released Claims or such other Claims released pursuant to this release, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Shareholder Released Claims or such other Claims released pursuant to this release that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities’ decision to participate in the Agreement.

13. Nothing herein is intended to modify in any way the terms of the Agreement, to which Governmental Entity hereby agrees. To the extent any portion of this Participation and Release Form not relating to the release of, or bar against, liability is interpreted differently from the Agreement in any respect, the Agreement controls.
14. Notwithstanding anything to the contrary herein or in the Agreement, (x) nothing herein shall (A) release any Excluded Claims or (B) be construed to impair in any way the rights and obligations of any Person under the Agreement; and (y) the Releases set forth herein shall be subject to being deemed void to the extent set forth in Section 9.02 of the Master Settlement Agreement.



I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____





EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Approval of resolution authorizing the City Manager to pursue State legislation amending the local law creating the Leander Municipal Management District No. 1.

BACKGROUND:

At the City Council meeting on January 7, 2021, the City Council approved authorizing the City Manager to pursue State legislation benefiting the City of Leander by the creation of a Municipal Management District (MMD). The purpose was to create a MMD over the geographical boundaries of the Northline Development in Leander. MMDs allow commercial property owners the ability to enhance a defined business area and have the ability to finance facilities, infrastructure, and services beyond those already provided by a municipality.

Permitted services under an MMD include:

- Economic development;
- Business recruitment;
- Promotion of health and sanitation;
- Public safety, traffic control, and recreation;
- Landscaping, lighting, and signs;
- Streets, walkways, and drainage;
- Solid waste, water, sewer, and power facilities;
- Parks, open space, and art; or
- Parking facilities and transit stations.

During the 2021 87th State Legislative Regular Session, the City pursued House Bill 4638 amending the Special District Local Laws Code to create the Leander Municipal Management District No. 1 to provide certain improvements, projects, and services for public use and benefits as it relates to the Northline Development. The bill provides for, among other provisions, improvement projects or services within all or a portion of the Northline area, an exemption from certain supervision and approval requirements relating to the issuance of bonds to provide water, sewage, or drainage facilities, the addition or removal of territory, and the dissolution of the district. The district's powers and duties include, subject to certain requirements, compliance with a development agreement with the City of Leander, the owner of the majority of the land in the district, and any other entities, and the authority to issue obligations and impose property and operation and maintenance taxes and assessments, including to pay costs related to electrical or optical lines. The bill prohibits the district from exercising the power of eminent domain. The State Legislature passed House Bill 4638 with an effective date of January 1, 2022, creating the Leander Municipal Management District No. 1.

On August 6, 2025, the City was informed by the Developer of the Northline Development that there is specific language in House Bill 4638 under Section 3918.0302 indicating the Leander Municipal Management District No. 1 will expire on the fourth anniversary of the effective date (January 1, 2026) if a development agreement has

not been approved by the City of Leander. After discussions with the Developer, staff recommends pursuing bill amendments during the 89th State Legislative Special Sessions to remove or modify the expiration date along with any other necessary changes to help prevent the MMD from expiring. The Governor has indicated he will call special session after special session until the State gets the first agenda passed.

Pursuant to State laws, the City would need to publish a notice of intent to introduce a bill seeking amendments to the Leander Municipal Management District No. 1. The notice would need to be published in a newspaper not later than 30 days before the bill is introduced in the legislature. Staff is seeking approval of a resolution from the City Council to pursue bill amendments during the special sessions. Should the State Legislature pass a bill amendment during a special session, a bill cannot become effective until at least 90 days after the session ends unless the bill passes both chambers with a favorable vote by two-thirds of the members.

As an alternate plan, staff will be working on a proposed development agreement for the Northline Development to be considered by the City Council prior to January 1, 2026, to help ensure the Leander Municipal Management District No. 1 does not expire.

HISTORY/TIMELINE:

01.07.2021 - City Council approved authorizing the City Manager to pursue State legislation benefiting the City of Leander by the creation of a Municipal Management District (MMD).

03.04.2021 - City of Leander published notice of intent to introduce a bill to create the Leander Municipal Management District No. 1.

04.14.2021 - House Bill 4638 was filed and authored by Representative John Bucy III. The bill was also sponsored by Senator Charles Schwertner.

05.16.2021 - House Bill 4638 was passed by the House.

05.27.2021 - House Bill 4638 was passed by the Senate.

06.18.2021 - House Bill 4638 was filed without the Governor's signature.

01.01.2022 - House 4638 became effective as law.

APPLICANT/AGENT:

RECOMMENDATION:

Staff recommends approving the resolution to pursue bill amendments during the 89th State Legislative Special Sessions in order to help prevent the expiration of the Leander Municipal Management District No. 1.

PRESENTER:

Kent Souriyasak, Assistant to the City Manager/Innovation Coordinator

Fiscal Impact

Attachments:

1. House Bill 4638
2. Resolution

Chapter 990

H.B. No. 4638

AN ACT

relating to the creation of certain municipal management districts;
providing authority to issue bonds; providing authority to impose
assessments, fees, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws
Code, is amended by adding Chapter 3918 to read as follows:

CHAPTER 3918. LEANDER MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3918.0101. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means Leander.

(3) "Director" means a board member.

(4) "District" means the Leander Municipal Management
District No. 1.

Sec. 3918.0102. CREATION AND NATURE OF DISTRICT. The
Leander Municipal Management District No. 1 is a special district
created under Section 59, Article XVI, Texas Constitution.

Sec. 3918.0103. PURPOSE; LEGISLATIVE FINDINGS. (a) The
creation of the district is essential to accomplish the purposes of
Sections 52 and 52-a, Article III, and Section 59, Article XVI,
Texas Constitution, and other public purposes stated in this
chapter.

(b) By creating the district and in authorizing the city and

1 other political subdivisions to contract with the district, the
2 legislature has established a program to accomplish the public
3 purposes set out in Section 52-a, Article III, Texas Constitution.

4 (c) The creation of the district is necessary to promote,
5 develop, encourage, and maintain employment, commerce,
6 transportation, tourism, recreation, the arts, entertainment,
7 economic development, safety, and the public welfare in the
8 district.

9 (d) This chapter and the creation of the district may not be
10 interpreted to relieve the city from providing the level of
11 services provided as of the effective date of the Act enacting this
12 chapter to the area in the district. The district is created to
13 supplement and not to supplant city services provided in the
14 district.

15 Sec. 3918.0104. FINDINGS OF BENEFIT AND PUBLIC USE. (a)
16 All land and other property included in the district will benefit
17 from the improvements and services to be provided by the district
18 under powers conferred by Sections 52 and 52-a, Article III, and
19 Section 59, Article XVI, Texas Constitution, and other powers
20 granted under this chapter.

21 (b) The district is created to serve a public use and
22 benefit.

23 (c) The creation of the district is in the public interest
24 and is essential to further the public purposes of:

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

4 (1) promote the health, safety, and general welfare of
5 residents, employers, potential employees, employees, visitors,
6 and consumers in the district, and of the public;

7 (2) provide needed funding for the district to
8 preserve, maintain, and enhance the economic health and vitality of
9 the district territory as a community and business center;

10 (3) promote the health, safety, welfare, and enjoyment
11 of the public by providing pedestrian ways and by landscaping and
12 developing certain areas in the district, which are necessary for
13 the restoration, preservation, and enhancement of scenic beauty;

14 (4) provide for water, wastewater, drainage, road, and
15 recreational facilities for the district; and

16 (5) promote and secure expanded and improved
17 transportation and pedestrian facilities and systems designed to
18 benefit the land and property in the district, the employees,
19 employers, and consumers in the district, and the general public.

20 (e) Pedestrian ways along or across a street, whether at
21 grade or above or below the surface, and street lighting, street
22 landscaping, parking, and street art objects are parts of and
23 necessary components of road, transportation, and pedestrian
24 facilities and systems and are considered to be a street,
25 transportation, or pedestrian improvement.

26 (f) The district will not act as the agent or
27 instrumentality of any private interest even though the district

1 will benefit many private interests as well as the public.

2 Sec. 3918.0105. INITIAL DISTRICT TERRITORY. (a) The
3 district is initially composed of the territory described by
4 Section 2 of the Act enacting this chapter.

5 (b) The boundaries and field notes contained in Section 2 of
6 the Act enacting this chapter form a closure. A mistake in the
7 field notes or in copying the field notes in the legislative process
8 does not affect the district's:

9 (1) organization, existence, or validity;

10 (2) right to issue any type of bonds for the purposes
11 for which the district is created or to pay the principal of and
12 interest on the bonds;

13 (3) right to impose or collect an assessment or tax; or

14 (4) legality or operation.

15 Sec. 3918.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
16 All or any part of the area of the district is eligible to be
17 included in:

18 (1) a tax increment reinvestment zone created under
19 Chapter 311, Tax Code;

20 (2) a tax abatement reinvestment zone created under
21 Chapter 312, Tax Code; or

22 (3) an enterprise zone created under Chapter 2303,
23 Government Code.

24 Sec. 3918.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
25 DISTRICT LAW. Except as otherwise provided by this chapter,
26 Chapter 375, Local Government Code, applies to the district.

27 Sec. 3918.0108. LIMITED WAIVER OF SOVEREIGN IMMUNITY. The

1 district is considered to have waived sovereign immunity to suit by
2 the city for the purpose of adjudicating a claim for breach of the
3 development agreement described by Section 3918.0302.

4 Sec. 3918.0109. CONSTRUCTION OF CHAPTER. This chapter
5 shall be liberally construed in conformity with the findings and
6 purposes stated in this chapter.

7 Sec. 3918.0110. CONFLICT OF LAWS. In the event of a
8 conflict between this chapter and any other law, this chapter
9 prevails.

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 3918.0201. GOVERNING BODY; TERMS. (a) The district is
12 governed by a board of five directors who serve staggered terms of
13 four years with two or three directors' terms expiring June 1 after
14 the fourth anniversary of the date of the directors' appointment.

15 (b) The board may not create an executive committee to
16 exercise the powers of the board.

17 Sec. 3918.0202. QUALIFICATIONS OF DIRECTORS. To be
18 qualified to serve as a director, a person must be:

19 (1) an owner of property in the district;

20 (2) an owner of stock or a partnership or membership
21 interest, whether beneficial or otherwise, of a corporate owner of
22 an interest in property in the district;

23 (3) an owner of a beneficial interest in a trust, or a
24 trustee in a trust, that directly or indirectly owns property in the
25 district; or

26 (4) an agent, employee, or tenant of a person
27 described by Subdivision (1), (2), or (3).

1 Sec. 3918.0203. APPOINTMENT OF DIRECTORS. The governing
2 body of the city shall appoint directors from persons recommended
3 by the board.

4 Sec. 3918.0204. VACANCY. (a) If a vacancy occurs on the
5 board, the remaining directors shall appoint a director for the
6 remainder of the unexpired term.

7 (b) A director may resign from the board at any time.

8 Sec. 3918.0205. OFFICERS. The board shall elect from among
9 the directors a chair, a vice chair, and a secretary. The offices
10 of chair and secretary may not be held by the same person.

11 Sec. 3918.0206. COMPENSATION; EXPENSES. (a) A director
12 may not receive compensation for service on the board.

13 (b) A director is entitled to reimbursement for necessary
14 and reasonable expenses incurred in carrying out the duties and
15 responsibilities of the board. The total amount of expenses for
16 each director in one year may not exceed the amount approved by the
17 board and may not exceed the amount of expenses budgeted for a
18 member of the governing body of the city.

19 Sec. 3918.0207. LIABILITY INSURANCE. The district may
20 obtain and pay for comprehensive general liability insurance
21 coverage from a commercial insurance company or other source that
22 protects and insures a director against personal liability and from
23 all claims relating to:

24 (1) actions taken by the director in the director's
25 capacity as a member of the board;

26 (2) actions and activities taken by the district; or

27 (3) the actions of others acting on behalf of the

1 district.

2 Sec. 3918.0208. BOARD MEETINGS. (a) The board shall hold
3 meetings at a place accessible to the public.

4 (b) The board must post notice of each meeting with the city
5 secretary not later than 72 hours before the scheduled time of the
6 meeting.

7 Sec. 3918.0209. INITIAL DIRECTORS. (a) On or after January
8 1, 2022, the owner or owners of a majority of the assessed value of
9 real property in the district may submit a petition to the governing
10 body of the city requesting that the governing body appoint five
11 persons as initial directors from a list of persons in the district.

12 (b) A petition must name more than five qualified persons.

13 (c) The governing body shall appoint as initial directors
14 five persons listed in the petition who are qualified to serve as
15 directors.

16 (d) The initial directors shall determine by lot which three
17 positions expire June 1 following the second anniversary of the
18 date of the appointment and which two positions expire June 1
19 following the fourth anniversary of the date of the appointment.

20 (e) This section expires September 1, 2027.

21 SUBCHAPTER C. POWERS AND DUTIES.

22 Sec. 3918.0301. GENERAL POWERS AND DUTIES. (a) The
23 district has the powers and duties necessary to accomplish the
24 purposes for which the district is created.

25 (b) The board may not take any action or exercise any power
26 granted under this chapter other than to hold an initial
27 organizational meeting until the development agreement described

1 by Section 3918.0302 is approved by the city and executed by the
2 parties to the agreement.

3 Sec. 3918.0302. DEVELOPMENT AGREEMENT. (a) The city, the
4 district, the owner of the majority of the land in the district, and
5 any other entities the city determines are necessary to the
6 agreement may execute a development agreement if approved by the
7 city.

8 (b) This chapter expires on the fourth anniversary of the
9 effective date of the Act enacting this chapter if the development
10 agreement under Subsection (a) is not executed before that date.

11 Sec. 3918.0303. IMPROVEMENT PROJECTS AND SERVICES. (a) The
12 district, using any money available to the district for the
13 purpose, may provide, design, construct, acquire, improve,
14 relocate, operate, maintain, or finance an improvement project or
15 service authorized under this chapter or Chapter 375, Local
16 Government Code.

17 (b) The district may contract with a governmental or private
18 entity to carry out an action under Subsection (a).

19 (c) The implementation of a district project or service is a
20 governmental function or service for the purposes of Chapter 791,
21 Government Code.

22 (d) A district improvement project or service must comply
23 with:

- 24 (1) any city zoning and subdivision requirements; and
25 (2) city codes and ordinances.

26 (e) The district may not provide, conduct, or authorize an
27 improvement project on any street, highway, right-of-way, or

easement owned or controlled by the city unless the governing body of the city by resolution consents to the improvement.

Sec. 3918.0304. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE AREA; BENEFIT BASIS. The district may undertake an improvement project or service that confers a special benefit on a definable area in the district and levy and collect a special assessment on benefited property in the district in accordance with Chapter 375, Local Government Code.

Sec. 3918.0305. LAW ENFORCEMENT SERVICES. To protect the public interest, with the consent of the city by resolution, the district may contract with a qualified party, including the city, to provide supplemental and enhanced law enforcement and security services in the district for a fee.

Sec. 3918.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district, in coordination with the city, may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs with the prior consent of the governing body of the city in accordance with the development agreement to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

(1) make loans and grants of public money; and

(2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers that Chapter 380, Local Government Code, and Subchapter A, Chapter 1509, Government

1 Code, provide to a municipality.

2 Sec. 3918.0307. PARKING FACILITIES. (a) The district may
3 acquire, lease as lessor or lessee, construct, develop, own,
4 operate, and maintain parking facilities or a system of parking
5 facilities, including lots, garages, parking terminals, or other
6 structures or accommodations for parking motor vehicles off the
7 streets and related appurtenances.

8 (b) The district's parking facilities serve the public
9 purposes of the district and are owned, used, and held for a public
10 purpose even if leased or operated by a private entity for a term of
11 years.

12 (c) The district's parking facilities are parts of and
13 necessary components of a street and are considered to be a street
14 or road improvement.

15 (d) The development and operation of the district's parking
16 facilities may be considered an economic development program.

17 Sec. 3918.0308. ADDING OR REMOVING TERRITORY. (a) The
18 board may add or remove territory as provided by Subchapter J,
19 Chapter 49, Water Code.

20 (b) The district may add or remove territory as described by
21 Subsection (a) only if the governing body of the city by ordinance
22 or resolution consents to the addition or removal.

23 Sec. 3918.0309. EXEMPT PROPERTY. The district may not
24 impose an impact fee, assessment, tax, or other charge on property
25 owned by the city, the county, or other political subdivision or on
26 property exempted under this section except as provided by
27 Subchapter H, Chapter 375, Local Government Code.

1 Sec. 3918.0310. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4 Sec. 3918.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The
5 board by resolution with the prior consent of the governing body of
6 the city in accordance with the development agreement shall
7 establish the number of directors' signatures and the procedure
8 required for a disbursement or transfer of district money.

9 Sec. 3918.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
10 The board by resolution may impose and collect an assessment to
11 finance improvement projects and services authorized by this
12 chapter in all or any definable part of the district in the manner
13 provided by Subchapter F, Chapter 375, Local Government Code.

14 (b) An assessment, a reassessment, or an assessment
15 resulting from an addition to or correction of the assessment roll
16 by the district, penalties and interest on an assessment or
17 reassessment, an expense of collection, and reasonable attorney's
18 fees incurred by the district:

19 (1) are a first and prior lien against the property
20 assessed;

21 (2) are superior to any other lien or claim other than
22 a lien or claim for county, school district, or municipal ad valorem
23 taxes; and

24 (3) are the personal liability of and a charge against
25 the owners of the property even if the owners are not named in the
26 assessment proceedings.

27 (c) The lien is effective from the date of the board's

1 resolution imposing the assessment until the date the assessment is
2 paid. The board may enforce the lien in the same manner that the
3 board may enforce an ad valorem tax lien against real property.

4 (d) The board may make a correction to or deletion from the
5 assessment roll after providing notice and holding a hearing as
6 provided by Subchapter F, Chapter 375, Local Government Code.

7 Sec. 3918.0403. USE OF ELECTRICAL OR OPTICAL LINES. (a)
8 The district may impose an assessment to pay the cost of:

9 (1) burying, relocating, or removing electrical power
10 lines, telephone lines, cable or fiber-optic lines, or any other
11 type of electrical or optical line;

12 (2) removing poles and any elevated lines using the
13 poles; and

14 (3) reconnecting the lines described by Subdivision
15 (2) to the buildings or other improvements to which the lines were
16 connected.

17 (b) The assessment under Subsection (a) may not be imposed
18 on the property, including the equipment, rights-of-way,
19 easements, facilities, or improvements, of a telecommunications
20 provider as defined by Section 51.002, Utilities Code, or a cable
21 service provider or video service provider as defined by Section
22 66.002, Utilities Code, unless in accordance with an agreement with
23 the city.

24 (c) The district may acquire, operate, or charge fees for
25 the use of the district conduits for:

26 (1) another person's:

27 (A) telecommunications network;

1 (B) fiber-optic cable; or
2 (C) electronic transmission line; or
3 (2) any other type of transmission line or supporting
4 facility.

5 (d) The district may not require a person to use a district
6 conduit.

7 SUBCHAPTER E. TAXES AND BONDS

8 Sec. 3918.0501. BONDS AND OTHER OBLIGATIONS. With the
9 consent of the governing body of the city by resolution in
10 accordance with Section 375.207, Local Government Code, the
11 district may issue bonds, notes, or other obligations payable
12 wholly or partly from ad valorem taxes or assessments in the manner
13 provided by Chapter 375, Local Government Code.

14 Sec. 3918.0502. TAX ELECTION REQUIRED. The district must
15 hold an election in the manner provided by Chapter 49, Water Code,
16 or, if applicable, Chapter 375, Local Government Code, to obtain
17 voter approval before the district may impose an ad valorem tax.

18 Sec. 3918.0503. OPERATION AND MAINTENANCE TAX. (a) If
19 authorized by a majority of the district voters voting at an
20 election under Section 3918.0502, the district may impose an
21 operation and maintenance tax on taxable property in the district
22 in the manner provided by Section 49.107, Water Code, for any
23 district purpose, including to:

- 24 (1) maintain and operate the district;
25 (2) construct or acquire improvements; or
26 (3) provide a service.

27 (b) The board shall determine the operation and maintenance

1 tax rate. The rate may not exceed the rate approved at the
2 election.

3 Sec. 3918.0504. BONDS SECURED BY REVENUE OR CONTRACT
4 PAYMENTS. The district may issue, without an election, bonds
5 secured by:

6 (1) revenue other than ad valorem taxes, including
7 contract revenues; or

8 (2) contract payments, provided that the requirements
9 of Section 49.108, Water Code, have been met.

10 Sec. 3918.0505. BONDS SECURED BY AD VALOREM TAXES;
11 ELECTIONS. (a) If authorized at an election under Section
12 3918.0502, the district may issue bonds payable from ad valorem
13 taxes.

14 (b) Section 375.243, Local Government Code, does not apply
15 to the district.

16 (c) At the time the district issues bonds payable wholly or
17 partly from ad valorem taxes, the board shall provide for the annual
18 imposition of a continuing direct annual ad valorem tax, without
19 limit as to rate or amount, for each year that all or part of the
20 bonds are outstanding as required and in the manner provided by
21 Sections 54.601 and 54.602, Water Code.

22 (d) All or any part of any facilities or improvements that
23 may be acquired by a district by the issuance of its bonds may be
24 submitted as a single proposition or as several propositions to be
25 voted on at the election.

26 Sec. 3918.0506. WRITTEN AGREEMENT REGARDING SPECIAL
27 APPRAISALS. Before the district may issue bonds, the district and

1 any person to whom the board intends that proceeds of the bonds be
2 distributed, including the developer, another owner of land in the
3 district, and any entity acting as a lender to the developer or
4 other landowner for the purpose of a project relating to the
5 district, must enter into a written agreement that:

6 (1) waives for the term of the agreement the right to a
7 special appraisal with respect to taxation by the district under
8 Subchapters B, C, D, E, F, and H, Chapter 23, Tax Code; and

9 (2) remains in effect for 30 years and is binding on
10 the parties, on entities related to or affiliated with the parties,
11 and on their successors and assignees.

12 Sec. 3918.0507. EXEMPTION FROM CERTAIN SUPERVISION AND
13 APPROVAL REQUIREMENTS. Section 375.208, Local Government Code,
14 does not apply to the district.

15 SUBCHAPTER J. DISSOLUTION

16 Sec. 3918.0901. DISSOLUTION BY CITY. (a) The city may
17 dissolve the district in the manner provided by Section 375.263,
18 Local Government Code, only if the city also complies with any
19 dissolution procedures in the development agreement described by
20 Section 3918.0302.

21 (b) In the case of a conflict between Section 375.263, Local
22 Government Code, and the development agreement, the development
23 agreement controls.

24 SECTION 2. The Leander Municipal Management District No. 1
25 initially includes all territory contained in the following area:
26 Being all of that certain tract or parcel of land containing
27 115.7076 acres, more or less, comprised of those three (3) certain

1 tracts of land containing 22.781 acres, more or less, our of the
2 William Mancil Survey, Abstract No. 437 in Leander, Williamson
3 County, Texas, more described by metes and bounds shown on Exhibit
4 "A-1" attached hereto; 47.5871 acres, more or less, in the Talbot
5 Chambers Survey, Abstract No. 125 in Leander, Williamson County,
6 Texas, more described by metes and bounds shown on Exhibit "A-2"
7 attached hereto; 47.3395 acres, more or less, in the Talbot
8 Chambers Survey, Abstract No. 125 in Leander, Williamson County,
9 Texas, more described by metes and bounds shown on Exhibit "A-3"
10 attached hereto

11 EXHIBIT A-1

12 Talbot Chambers Survey, Abstract No. 125

13 Legal Description

14 BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 47.5871 ACRES
15 (2,072,892 SQUARE FEET) OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT
16 NO. 125, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED
17 269.836 ACRE TRACT CONVEYED TO RB 270 PARTNERSHIP, RECORDED IN
18 DOCUMENT NO. 2004036768 OF THE OFFICIAL PUBLIC RECORDS OF
19 WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID 47.5871 ACRES BEING
20 MORE PARTICULARLY DESCRIBED BY METES AND AS FOLLOWS:

21 BEGINNING, at a 1/2-inch iron rod with "Ward-5811" cap found in the
22 curving east right-of-way line of Mel Mathis Boulevard
23 (right-of-way varies), and being the southwest corner of a called
24 9.850 acre tract conveyed to Area Leander 1 LP, recorded in Document
25 No. 2016069577 (O.P.R.W.C.T.) and being in the north line of said
26 269.836 acre tract, for the northwest corner and POINT OF BEGINNING
27 hereof, from which a 1/2-inch iron rod with "Ward-5811" cap found at

1 point of tangency in the east right-of-way line of said Mel Mathis
2 Boulevard, and being in the west line of said 9.850 acre Area
3 Leander 1 LP tract, bears, 24.13 feet along the arc of a curve to the
4 right, having a radius of 999.00 feet, and whose chord bears
5 N18°36'59"W, a distance of 24.13 feet;
6 THENCE, leaving the east right-of-way line of said Mel Mathis
7 Boulevard, with the north line of said 269.836 acre RB 270
8 Partnership tract and the south line of said 9.850 acre Area Leander
9 1 LP tract, the following three (3) courses and distances:
10 1) N70°42'41"E, a distance of 938.70 feet to a 1/2-inch iron
11 rod found for an angle point hereof,
12 2) N70°36'57"E, a distance of 53.16 feet to a 1/2-inch iron
13 rod found for an angle point hereof, and
14 3) N71°20'07"E, a distance of 79.42 feet to a 1/2-inch iron
15 rod found for the northeast corner hereof, said point being the
16 southeast corner of said 9.850 acre Area Leander 1 LP tract, and
17 being in the north line of said 269.836 acre RB 270 Partnership
18 tract, and being in the west right-of-way line of US Highway 183A
19 (400' right-of-way, conveyed in Document No(s). 2004068741 and
20 2004088731 (O.P.R.W.C.T.);
21 THENCE, leaving the north line of said 269.836 acre RB 270
22 Partnership tract, with the west right-of-way line of said US
23 Highway 183A, over and across said 269.836 acre RB 270 Partnership
24 tract, S56°03'41"E, passing at a distance of 524.73 feet a TxDOT
25 Type II Brass Disc Monument with "CTRMA" stamp found, and
26 continuing for a total distance of 1,299.85 feet to a 1/2-inch iron
27 rod with "KHA" cap found for the southeast corner hereof, said point

1 being the northeast corner of a called 100.000 acre tract, conveyed
2 to Austin Community College District recorded in Document
3 No. 2010030836 (O.P.R.W.C.T.), from which a TxDOT Type II Brass
4 Disc Monument with "CTRMA" stamp found at a point of curvature in
5 the west right-of-way line of said US Highway 183A, and being in the
6 east line of said 100.000 acre Austin Community College District
7 tract bears, S56°03'41"E, a distance of 724.81 feet;

8 THENCE, over and across said 269.836 acre RB 270 Partnership tract,
9 with the north line of said 100.000 acre Austin Community College
10 District tract, the following three (3) courses and distances:

11 1) S33°55'23"W, a distance of 371.76 feet to a 5/8-inch iron
12 rod with aluminum "MWM" cap found for a point of curvature hereof,

13 2) 390.32 feet along the arc or a curve to the right, having
14 a radius of 630.00 feet, and whose chord bears S51°42'47"W, a
15 distance of 384.11 feet to a 5/8-inch iron rod with aluminum "MWM"
16 cap found for a point of tangency hereof, and

17 3) S69°24'42"W, a distance of 1,157.38 feet to a 1/2-inch
18 iron rod with "Ward-5811" cap set for the southwest corner hereof,
19 said point being the northwest corner of said 100.000 acre Austin
20 Community College District tract, and being in the east
21 right-of-way line of said Mel Mathis Boulevard;

22 THENCE, over and across said 269.836 acre RB 270 Partnership tract,
23 with the east right-of-way line of said Mel Mathis Boulevard, and
24 the west line of the herein described tract the following two (2)
25 courses and distances:

26 1) N20°34'14"W, a distance of 1,393.85 feet to a 1/2-inch
27 iron rod with "Ward-5811" cap set for a point of curvature hereof,

1 and

2 2) 22.41 along the arc of a curve to the right, having a
3 radius of 999.00 feet, and whose chord bears N19°55'40"W, a distance
4 of 22.41 feet to the POINT OF BEGINNING, and containing 47.5871
5 Acres (2,072,892 Square Feet) more or less.

6 NOTE:

7 All bearings are based on the Texas State Plane Coordinate System,
8 Grid North, Central Zone (4203), all distances were adjusted to
9 surface using a combined scale factor of 1.000138805545. See
10 attached sketch (reference drawing: 00508 47 Acre Tract.dwg)

11 EXHIBIT A-2

12 DOROTHY R. WINTERS EXEMPT FAMILY TRUST

13 WILLIAM MANCIL SURVEY, ATRACT NO. 437

14 22.781 ACRES (992,343 SQ. FT.)

15 DESCRIPTION OF 22.781 ACRES (992,343 SQ. FT.) OF LAND SITUATED IN
16 WILLIAMSON COUNTY, TEXAS, OUT OF THE WILLIAM MANCIL SURVEY, ATRACT
17 NO. 437, BEING A PORTION OF A 159.838 ACRE TRACT DESCRIBED IN A DEED
18 OF RECORD TO DOROTHY R. WINTERS EXEMPT FAMILY TRUST IN DOCUMENT NO.
19 2014021295 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY,
20 TEXAS; SAID 22.781 ACRES (992,343 SQ. FT.), BEING TWO TRACTS OF LAND
21 MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

22 TRACT 1:

23 BEGINNING at a 1/2" iron rod found in the easterly line of a 100 foot
24 wide right-of-way for railroad purposes, quitclaimed to the City of
25 Austin by deed of record in Volume 1417, Page 282, Official Records
26 of Williamson County, Texas, same being the westerly line of said
27 159.838 Acre Tract, at the southwesterly corner of a 3.733 acre

1 tract conveyed to Williamson County, Texas for street right-of-way
2 purposes (San Gabriel Parkway - R.O.W. width varies) by deed of
3 record in Document No. 2004068740, Official Public Records of
4 Williamson County, Texas, for the northwesterly corner of the
5 herein described tract;

6 THENCE over and across said 159.838 Acre Tract, with the southerly
7 line of said 3.733 Acre Tract, same being the northerly line of the
8 herein described tract the following two (2) courses:

9 1. N71°51'31"E, a distance of 261.37 feet to a 1/2" iron rod
10 found;

11 2. N71°29'44"E, a distance of 843.54 feet to an iron rod with
12 cap found at the most westerly corner of a 163 square foot tract
13 conveyed to Williamson County, Texas for street right-of-way
14 purposes (San Gabriel Parkway R.O.W. width varies) by deed of
15 record in Document No. 2010082651, Official Public Records of
16 Williamson County, Texas;

17 THENCE N72°06'36"E, continuing over and across said 159.838 Acre
18 Tract with the southerly line of said 163 square foot tract, same
19 being the northerly line of the herein described tract, a distance
20 of 81.22 feet to an iron rod with cap found in the westerly line of a
21 2.124 acre tract conveyed to Williamson County, Texas for street
22 right-of-way purposes (San Gabriel Parkway - R.O.W. width varies)
23 by deed of record in Document No. 2006066934, Official Public
24 Records of Williamson County, Texas, at the southwesterly corner of
25 said 163 Square Foot Tract;

26 THENCE continuing over and across said 159.838 Acre Tract with the
27 westerly and southerly lines of said 2.124 Acre Tract, same being

1 the northerly line of the herein described tract the following two
2 (2) courses:

3 1. S16°45'56"E, a distance of 8.41 feet to a cotton spindle
4 found at the southwesterly corner of said 2.124 Acre Tract ;

5 2. N69°57'17"E, a distance of 39.44 feet to an iron rod with
6 G&R Cap set at the northwesterly corner of a 0.821 acre tract
7 conveyed to The City of Leander, Texas for street right-of-way
8 purposes (Mel Mathis Avenue-80' R.O.W.) by deed of record in
9 Document No. 2012077074, Official Public Records of Williamson
10 County, Texas, for the northeasterly corner of the herein described
11 tract;

12 THENCE continuing over and across said 159.838 Acre Tract with the
13 westerly line of said 0.821 Acre Tract, same being the easterly line
14 of the herein described tract the following two (2) courses:

15 1. S71°55'56"E, a distance of 420.33 feet to an iron rod with
16 G&R Cap set at the point of curvature of a curve to the left;

17 2. Along said curve to the left, having a radius of 1079.00
18 feet, an arc length of 25.93 feet and a chord which bears
19 S18°37'14"E, a distance of 25.93 feet to an iron rod with G&R Cap set
20 in the northerly line of a 269.836 acre tract described in a deed of
21 record to RB 270 Partnership in Document No. 2004036768, Official
22 Public Records of Williamson County Texas, same being the southerly
23 line of said 159.838 Acre Tract, for the southeasterly corner of the
24 herein described tract;

25 THENCE with the southerly line of said 159.838 Acre Tract, same
26 being in part the northerly line of said 269.836 Acre Tract and in
27 part the northerly line of Lot 2, San Gabriel Park, a subdivision of

1 record in Cabinet Y. Slides 364-367, Plat Records of Williamson
2 County Texas, the following five (5) courses:

3 1. S70°42'59"W, a distance of 3.13 feet to an iron rod with
4 G&R Cap set at the common northerly corner of said 269.836 Acre
5 Tract and said Lot 2;

6 2. S71°12'01"W, a distance of 61.83 feet to a 1/2" iron rod
7 found;

8 3. S69°02'16"W, a distance of 90.38 feet to a 1/2" iron rod
9 found;

10 4. S70°43'16"W a distance of 728.63 feet to a 1/2" iron rod
11 found;

12 5. S70°11'21"W, a distance of 314.93 feet to a 1/2" iron rod
13 found in the easterly line of said 100 foot wide right-of-way for
14 railroad purposes and the westerly line of said 159.838 Acre Tract,
15 for the southwesterly corner of the herein described tract;

16 THENCE N21°11'57"W, with the common line of said 100 foot wide
17 right-of-way for railroad purposes and said 159.838 Acre Tract, a
18 distance of 477.91 feet to the POINT OF BEGINNING, containing an
19 area of 12.931 acres (563,261 sq. ft.) of land, more or less.

20 TRACT 2:

21 BEGINNING at a cotton spindle found in the westerly line of a 24.697
22 acre tract, conveyed to Williamson County, Texas for Highway 183-A
23 right-of-way purposes (400' R.O.W.) by deed of record in Document
24 No. 2004068741, Official Public Records of Williamson County,
25 Texas, for the northeasterly corner of the herein described tract;

26 THENCE S56°04'40"E, over and across said 159.818 Acre Tract, with
27 the westerly line of said 24.697 Acre Tract, same being the easterly

1 line of the herein described tract, a distance of 712.18 feet to a
2 1/2" iron rod found in northerly line of a 269.836 acre tract
3 described in a deed of record to RB 270 Partnership in Document No.
4 2004036768, Official Public Records of Williamson County Texas, for
5 the southeasterly corner of the herein described tract;

6 THENCE with the common line of said 159.838 Acre Tract and said
7 269.836 Acre Tract the following three (3) courses:

8 1. S71°18'14"W, a distance of 79.46 feet to a 1/2" iron rod
9 found;

10 2. S70°37'32"W, a distance of 53.16 feet to a 1/2" iron rod
11 found;

12 3. S70°42'59"W, a distance of 938.59 feet to an iron rod with
13 G&R Cap set at the southeasterly corner of a 0.821 acre tract
14 conveyed to The City of Leander, Texas for street right-of-way
15 purposes (Mel Mathis Avenue - 80' R.O.W.) by deed of record in
16 Document No. 2012077074, Official Public Records of Williamson
17 County, Texas, for the southwesterly corner of the herein described
18 tract;

19 THENCE leaving the common line of said 159.838 Acre Tract and said
20 269.836 Acre Tract and continuing over and across said 159.838 Acre
21 Tract with the easterly line of said 0.821 Acre Tract, same being
22 the westerly line of the herein described tract, the following two
23 (2) courses:

24 1. Along a curve to the right, having a radius of 999.00
25 feet, an arc length of 24.05 feet and a chord which bears
26 N18°37'19"W, a distance of 24.05 feet to an iron rod with G&R Cap set
27 at the end of said curve

H.B. No. 4638

1 2. N17°55'56"W, a distance of 423.28 feet to an iron rod with
2 G&R Cap set in the southerly line of a 2.124 acre tract conveyed to
3 Williamson County, Texas for street right-of-way purposes (San
4 Gabriel Parkway - R.O.W. width varies) by deed of record in Document
5 No. 2006066934, Official Public Records of Williamson County,
6 Texas, for the northwesterly corner of the herein described tract;
7 THENCE N69°57'17"E, continuing over and across said 159.838 Acre
8 Tract with the southerly line of said 2.124 Acre Tract, same being
9 the northerly line of the herein described tract, a distance of
10 115.16 feet to an iron rod with cap found at the southwesterly
11 corner of a 0.808 acre tract conveyed to Williamson County, Texas
12 for street right-of-way purposes (San Gabriel Parkway - R.O.W.
13 width varies) by deed of record in Document No. 2010082651,
14 Official Public Records of Williamson County, Texas;
15 THENCE continuing over and across said 159.838 Acre Tract with the
16 southerly line of said 0.808 Acre Tract, same being the northerly
17 line of the herein described tract, the following two (2) courses:
18 1. Along a curve to the left, having a radius of 1113.00
19 feet, an arc length of 444.24 feet and a chord which bears
20 N59°35'56"E, a distance of 441.30 feet to an iron rod with cap found
21 at the end of said curve;
22 2. N48°11'55"E, a distance of 93.35 feet to the POINT OF
23 BEGINNING, containing an area of 9.850 (429,082 sq. ft.) acres of
24 land, more or less. FOR A TOTAL AREA OF 22.781 (992,343 SQ. FT.)
25 ACRES OF LAND WITHIN TRACTS 1 AND 2.

26 EXHIBIT A-3

27 Talbot Chambers Survey, Abstract No. 125

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 45.3395 ACRES (1,974,990 SQUARE FEET) OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT NO. 125, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 2, SAN GABRIEL PARK, A SUBDIVISION RECORDED IN CABINET Y, SLIDES 364-367 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.T.), SAID 45.3395 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod found in the east right-of-way line of the Capital Metropolitan Transportation Authority Railroad (100' right-of-way), conveyed in Document No. 2000020773 of the Official Public Records of Williamson County, Texas (O.P.R.W.C.T.), being the southwest corner of a called 12.931 acre tract conveyed to Area Leander 1, L.P. in Document No. 2016069577 (O.P.R.W.C.T.), and being the northwest corner of said Lot 2, for the northwest corner hereof, from which a 1/2-inch iron rod found at the intersection of the south right-of-way line of San Gabriel Parkway (right-of-way width varies), partially dedicated in Document No. 2004068740 (O.P.R.W.C.T.), and the east right-of-way line of said Railroad, bears N21°12'43"W, a distance of 477.90 feet; THENCE, leaving the east right-of-way line of said Railroad, with the common line of said 12.931 acre tract and said Lot 2, the following four (4) courses and distances:

1) N70°11'45"E, a distance of 314.90 feet to a 1/2-inch iron rod found for an angle point hereof,

2) N70°43'28"E, a distance of 728.71 feet to a 1/2-inch iron rod found for an angle point hereof,

1 3) N69°06'10"E, a distance of 90.47 feet to a 1/2-inch iron
2 rod found for an angle point hereof, and

3 4) N71°06'42"E, a distance of 61.67 feet to a 1/2-inch iron
4 rod with "Ward-5811" cap set for the northeast corner hereof, being
5 an angle point in the west right-of-way line of Mel Mathis Boulevard
6 (right-of-way width varies), partially dedicated in Document
7 No. 2014077239 (O.P.R.W.C.T.), and being the northeast corner of
8 said Lot 2;

9 THENCE, with the west right-of-way line of said Mel Mathis
10 Boulevard and the east line of said Lot 2, the following three (3)
11 courses and distances:

12 1) S20°36'40"E, a distance of 1,117.48 feet to a 1/2-inch
13 iron rod with "Ward-5811" cap set for an angle point hereof,

14 2) S20°26'00"E, a distance of 27.68 feet to a 1/2-inch iron
15 rod with "Ward-5811" cap set for an angle point hereof, and

16 3) S20°29'52"E, a distance of 128.25 feet to a 1/2-inch iron
17 rod with "Ward-5811" cap set for an angle point hereof;

18 THENCE, with the east line of said Lot 2, in part being the west
19 right-of-way line of Mel Mathis Boulevard, and in part being the
20 west line of a called 3.827 acre tract conveyed to the City of
21 Leander, Texas in Document No. 2014005725 (O.P.R.W.C.T.),
22 S20°28'10"E, a distance of 493.39 feet to a 1/2-inch iron rod with
23 "Ward-5811" cap set for an angle point hereof and being an angle
24 point in the common line of said Lot 2 and said 3.827 acre tract;

25 THENCE, continuing with the common line of said Lot 2 and said 3.827
26 acre tract, the following seven (7) courses and distances:

27 1) S22°49'04"E, a distance of 50.01 feet to a 1/2-inch iron

1 rod with "Ward-5811" cap set for an angle point hereof,
2 2) S16°12'32"E, a distance of 67.74 feet to a 1/2-inch iron
3 rod with "Ward-5811" cap set for an angle point hereof,
4 3) S21°18'20"E, a distance of 61.32 feet to a 1/2-inch iron
5 rod with "Ward-5811" cap set for an angle point hereof,
6 4) S20°56'16"E, a distance of 136.77 feet to a 1/2-inch iron
7 rod with "Ward-5811" cap set for an angle point hereof
8 5) S21°13'59"E, a distance of 70.93 feet to a 1/2-inch iron
9 rod with "Ward-5811" cap set for an angle point hereof,
10 6) S25°02'37"E, a distance of 366.51 feet to a Mag nail with
11 "4Ward Boundary" washer set for an angle point hereof, and
12 7) S24°25'23"W, a distance of 17.00 feet to a calculated
13 point for southeast corner hereof, from which a 1/2-inch iron rod
14 found for an angle point in the common line of said Lot 2 and said
15 3.827 acre tract bears S24°25'23"W, a distance of 33.09 feet;
16 THENCE, over and across said Lot 2, the following twenty-five (25)
17 courses and distances:
18 1) N50°07'41"W, a distance of 60.74 feet to a calculated
19 point for an angle point hereof,
20 2) N73°38'59"W, a distance of 66.59 feet to a calculated
21 point for an angle point hereof,
22 3) N01°56'09"E, a distance of 123.08 feet to a calculated
23 point for an angle point hereof,
24 4) N57°13'47"W, a distance of 201.97 feet to a calculated
25 point for an angle point hereof,
26 5) N26°00'29"W, a distance of 171.59 feet to a calculated
27 point for an angle point hereof,

- 1 6) N54°28'17"W, a distance of 188.91 feet to a calculated
- 2 point for an angle point hereof,
- 3 7) N64°34'23"W, a distance of 73.26 feet to a calculated
- 4 point for an angle point hereof,
- 5 8) S70°35'47"W, a distance of 116.88 feet to a calculated
- 6 point for an angle point hereof,
- 7 9) N85°17'49"W, a distance of 101.63 feet to a calculated
- 8 point for an angle point hereof,
- 9 10) N64°04'31"W, a distance of 40.75 feet to a calculated
- 10 point for an angle point hereof,
- 11 11) N23°03'16"W, a distance of 40.58 feet to a calculated
- 12 point for an angle point hereof,
- 13 12) N23°06'23"E, a distance of 108.63 feet to a calculated
- 14 point for an angle point hereof,
- 15 13) N38°35'17"W, a distance of 36.64 feet to a calculated
- 16 point for an angle point hereof,
- 17 14) N82°04'13"W, a distance of 84.65 feet to a calculated
- 18 point for an angle point hereof,
- 19 15) N67°25'14"W, a distance of 33.59 feet to a calculated
- 20 point for an angle point hereof,
- 21 16) N28°42'54"W, a distance of 32.70 feet to a calculated
- 22 point for an angle point hereof,
- 23 17) N66°18'33"W, a distance of 60.73 feet to a calculated
- 24 point for an angle point hereof,
- 25 18) S58°21'10"W, a distance of 86.21 feet to a calculated
- 26 point for an angle point hereof,
- 27 19) S46°19'59"W, a distance of 131.18 feet to a calculated

1 point for an angle point hereof,

2 20) S57°26'06"W, a distance of 63.53 feet to a calculated
3 point for an angle point hereof,

4 21) N80°03'30"W, a distance of 169.03 feet to a calculated
5 point for an angle point hereof,

6 22) N51°26'55"W, a distance of 123.90 feet to a calculated
7 point for an angle point hereof,

8 23) N35°13'10"W, a distance of 149.36 feet to a calculated
9 point for an angle point hereof,

10 24) N18°38'44"W, a distance of 183.61 feet to a calculated
11 point for an angle point hereof,

12 25) N32°05'59"W, a distance of 222.61 feet to a calculated
13 point for an angle point hereof, said point being in the east
14 right-of-way line of said Railroad, and being in the west line of
15 said Lot 2, from which a 1/2-inch iron rod with "Ward-5811" cap set
16 in the common line of said Lot 2 and said Railroad, for the
17 northwest corner of a called 0.548 acre right-of-way dedication
18 conveyed in Document No. 2014003534 (O.P.R.W.C.T.), bears
19 S21°06'14"E, a distance of 930.19 feet;

20 THENCE, with the east right-of-way line of said Railroad and the
21 west line of said Lot 2, N21°06'14"W, a distance of 779.40 feet to
22 the POINT OF BEGINNING, and containing 45.3395 Acres (1,974,990
23 Square Feet) more or less.

24 SECTION 3. (a) Subtitle C, Title 4, Special District Local
25 Laws Code, is amended by adding Chapter 3992 to read as follows:

26 CHAPTER 3992. NEW WAVERLY MUNICIPAL MANAGEMENT DISTRICT NO. 1

27 SUBCHAPTER A. GENERAL PROVISIONS

1 Sec. 3992.0101. DEFINITIONS. In this chapter:

2 (1) "Board" means the district's board of directors.

3 (2) "City" means the City of New Waverly, Texas.

4 (3) "Commission" means the Texas Commission on
5 Environmental Quality.

6 (4) "Director" means a board member.

7 (5) "District" means the New Waverly Municipal
8 Management District No. 1.

9 Sec. 3992.0102. CREATION AND NATURE OF DISTRICT. The
10 district is a special district created under Sections 52 and 52-a,
11 Article III, and Section 59, Article XVI, Texas Constitution.

12 Sec. 3992.0103. PURPOSE; LEGISLATIVE FINDINGS. (a) The
13 creation of the district is essential to accomplish the purposes of
14 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
15 Texas Constitution, and other public purposes stated in this
16 chapter. By creating the district and in authorizing the city and
17 other political subdivisions to contract with the district, the
18 legislature has established a program to accomplish the public
19 purposes set out in Section 52-a, Article III, Texas Constitution.

20 (b) The creation of the district is necessary to promote,
21 develop, encourage, and maintain employment, commerce,
22 transportation, housing, tourism, recreation, the arts,
23 entertainment, economic development, safety, and the public
24 welfare in the district.

25 (c) This chapter and the creation of the district may not be
26 interpreted to relieve the city from providing the level of
27 services provided to the area in the district as of the effective

1 date of the Act enacting this chapter. The district is created to
2 supplement and not to supplant the city services provided in the
3 district.

4 Sec. 3992.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

5 (a) The district is created to serve a public use and benefit.

6 (b) All land and other property included in the district
7 will benefit from the improvements and services to be provided by
8 the district under powers conferred by Sections 52 and 52-a,
9 Article III, and Section 59, Article XVI, Texas Constitution, and
10 other powers granted under this chapter.

11 (c) The district is created to accomplish the purposes of a
12 municipal management district as provided by general law and
13 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
14 Texas Constitution.

15 (d) The creation of the district is in the public interest
16 and is essential to:

17 (1) further the public purposes of developing and
18 diversifying the economy of the state;

19 (2) eliminate unemployment and underemployment;

20 (3) develop or expand transportation and commerce; and

21 (4) provide quality residential housing.

22 (e) The district will:

23 (1) promote the health, safety, and general welfare of
24 residents, employers, potential employees, employees, visitors,
25 and consumers in the district, and of the public;

26 (2) provide needed funding for the district to
27 preserve, maintain, and enhance the economic health and vitality of

1 the district territory as a community and business center;

2 (3) promote the health, safety, welfare, and enjoyment
3 of the public by providing pedestrian ways and by landscaping and
4 developing certain areas in the district, which are necessary for
5 the restoration, preservation, and enhancement of scenic beauty;
6 and

7 (4) provide for water, wastewater, drainage, road, and
8 recreational facilities for the district.

9 (f) Pedestrian ways along or across a street, whether at
10 grade or above or below the surface, and street lighting, street
11 landscaping, parking, and street art objects are parts of and
12 necessary components of a street and are considered to be a street
13 or road improvement.

14 (g) The district will not act as the agent or
15 instrumentality of any private interest even though the district
16 will benefit many private interests as well as the public.

17 Sec. 3992.0105. DISTRICT TERRITORY. (a) The district is
18 composed of the territory described by Section 3(b) of the Act
19 enacting this chapter, as that territory may have been modified
20 under other law.

21 (b) The boundaries and field notes contained in Section 3(b)
22 of the Act enacting this chapter form a closure. A mistake in the
23 field notes or in copying the field notes in the legislative process
24 does not affect the district's:

25 (1) organization, existence, or validity;

26 (2) right to contract;

27 (3) authority to borrow money or issue bonds or other

1 obligations or to pay the principal and interest of the bonds or
2 other obligations;

3 (4) right to impose or collect an assessment, or
4 collect other revenue; or

5 (5) legality or operation.

6 Sec. 3992.0106. APPLICABILITY OF MUNICIPAL MANAGEMENT
7 DISTRICTS LAW. Except as otherwise provided by this chapter,
8 Chapter 375, Local Government Code, applies to the district.

9 Sec. 3992.0107. CONSTRUCTION OF CHAPTER. This chapter
10 shall be liberally construed in conformity with the findings and
11 purposes stated in this chapter.

12 Sec. 3992.0108. CONFLICTS OF LAW. This chapter prevails
13 over any provision of Chapter 375, Local Government Code, that is in
14 conflict or inconsistent with this chapter.

15 Sec. 3992.0109. CONSENT OF MUNICIPALITY REQUIRED. The
16 board may not hold an election to authorize the issuance of bonds
17 until the governing body of the city by ordinance or resolution
18 consents to the creation of the district and to the inclusion of
19 land in the district. The city's consent must be granted in the
20 manner provided by Section 54.016, Water Code, for including land
21 within the corporate limits or extraterritorial jurisdiction of a
22 city.

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 3992.0201. GOVERNING BODY; TERMS. (a) The district is
25 governed by a board of five directors who serve staggered terms of
26 four years, with two or three directors' terms expiring June 1 of
27 each even-numbered year.

1 (b) The governing body of the city, by a majority vote,
2 shall appoint one member of the board.

3 (c) The commission shall appoint four members of the board
4 in the manner provided by Section 3992.0202.

5 Sec. 3992.0202. APPOINTMENT BY COMMISSION. (a) Before the
6 term of a director appointed by the commission expires, the board
7 shall recommend to the commission a person to serve as a successor
8 director. The commission shall appoint as director the person
9 recommended by the board.

10 (b) A person recommended by the board under Subsection (a)
11 must be:

- 12 (1) at least 18 years of age;
13 (2) an owner of property in the district;
14 (3) an owner of stock, whether beneficial or
15 otherwise, of a corporate owner of property in the district;
16 (4) an owner of a beneficial interest in a trust that
17 owns property in the district; or
18 (5) an agent, employee, or tenant of a person
19 described by Subdivision (2), (3), or (4).

20 Sec. 3992.0203. VACANCY. (a) Except as provided by
21 Subsection (b), if a vacancy occurs on the board, the remaining
22 directors shall appoint a director for the remainder of the
23 unexpired term.

24 (b) If a vacancy occurs in the position of the board member
25 appointed by the city, the city shall appoint a director for the
26 remainder of the unexpired term.

27 Sec. 3992.0204. COMPENSATION; EXPENSES. (a) The district

1 may compensate each director in an amount not to exceed \$150 for
2 each board meeting. The total amount of compensation a director may
3 receive each year may not exceed \$7,200.

4 (b) A director is entitled to reimbursement for necessary
5 and reasonable expenses incurred in carrying out the duties and
6 responsibilities of the board.

7 Sec. 3992.0205. INITIAL DIRECTORS. (a) On or after the
8 effective date of the Act enacting this chapter, the owner or owners
9 of a majority of the assessed value of the real property in the
10 district according to the most recent certified tax appraisal rolls
11 for the county may submit a petition to the commission requesting
12 that the commission appoint as initial directors four persons named
13 in the petition. The commission shall appoint as initial directors
14 the persons named in the petition.

15 (b) The initial directors, including the initial
16 city-appointed director, shall determine by lot which three
17 positions expire June 1, 2024, and which two positions expire June
18 1, 2022.

19 (c) This section expires September 1, 2025.

20 SUBCHAPTER C. POWERS AND DUTIES

21 Sec. 3992.0301. GENERAL POWERS AND DUTIES. The district
22 has the powers and duties necessary to accomplish the purposes for
23 which the district is created.

24 Sec. 3992.0302. IMPROVEMENT PROJECTS AND SERVICES. The
25 district may provide, design, construct, acquire, improve,
26 relocate, operate, maintain, or finance an improvement project or
27 service using money available to the district for the purpose, or

contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3992.0303. LOCATION OF IMPROVEMENT PROJECT. A district improvement project may be located inside or outside of the district.

Sec. 3992.0304. NO EMINENT DOMAIN. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 3992.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of the district's money.

Sec. 3992.0402. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, or finance an improvement project or service authorized by this chapter or Chapter 375, Local Government Code, using any money available to the district for that purpose.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3992.0501. OPERATION AND MAINTENANCE TAX. The district may impose an operation and maintenance tax on taxable property in the district for any district purpose in the manner provided by Section 49.107, Water Code, if authorized by a majority of the district voters voting at an election held in accordance with the Water Code, the Election Code, and any other applicable law, including for:

- (1) maintaining and operating the district;
- (2) constructing or acquiring improvements; or
- (3) providing a service.

Sec. 3992.0502. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

(1) the board shall impose a continuing direct annual ad valorem tax for each year that all or part of the bonds are outstanding; and

(2) the board annually shall impose an ad valorem tax on all taxable property in the district in an amount sufficient to:

(A) pay the interest on the bonds or other obligations as the interest becomes due; and

(B) create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date.

(b) The New Waverly Municipal Management District No. 1 initially includes all the territory contained in the following area:

Tract 1 - 101.605 Acres:

FIELDNOTES TO 101.605 ACRES OF LAND AS SITUATED IN THE CITY OF NEW WAVERLY, IN THE C. A. SLEIGHT SURVEY, A-496, WALKER COUNTY, TEXAS, AND BEING OUT OF THAT CERTAIN CALLED 132.629 ACRE TRACT CONVEYED BY JOE T. HODDE, TRUSTEE, TO HMH-WALKER 140 LIMITED BY DEED RECORDED IN VOLUME 255, PAGE 1 OF THE DEED RECORDS OF SAID COUNTY. SAID 101.605 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

1 BEGINNING at a 1/2 inch iron rod set for the north corner of this and
2 of said 132.629 acres on the southwest right-of-way of State
3 Highway 150, same being the east corner of the Emma Reese 1.0 acre
4 tract described in Volume 265, Page 625 of said deed records;
5 THENCE: S 59° 58' E 647.74 Ft., with said southwest right-of-way, to
6 a 1/2 inch iron rod set for an exterior corner of this tract, same
7 being the north corner of proposed New Waverly Ridge II Commercial
8 Lot 4;
9 THENCE: S 30° 02' W 600.00 Ft., on a line within said 132.629 acres
10 and with the northwest line said Lot 4 to its west corner, a 1/2 inch
11 iron rod set for an interior corner of this tract;
12 THENCE: S 59° 58' E 300.00 Ft., continuing within said 132.629 acres
13 and with the southwest line of said Lot 4 to its south corner, a 1/2
14 inch iron rod set for an interior corner of this tract;
15 THENCE: N 30° 02' E 600.00 Ft., continuing within said 132.629 acres
16 and with the southeast line of said Lot 4 to its east corner, a 1/2
17 inch iron rod set for an exterior corner of this tract on the
18 northeast line of said 132.629 acres, same being on the southwest
19 right-of-way of said State Highway 150;
20 THENCE: S 59° 58' E 669.60 Ft., with said southwest right-of-way and
21 132.629 acre northeast line, to a 1/2 inch iron rod set for an
22 exterior corner of this tract, same being the north corner of
23 proposed New Waverly Ridge II Commercial Lot 1;
24 THENCE: S 30° 02' W 600.00 Ft., on a line within said 132.629 acres
25 and with the northwest line of said Lot 1 to its west corner, a 1/2
26 inch iron rod set for an interior corner of this tract;
27 THENCE: S 59° 58' E 836.94 Ft., continuing within said 132.629 acres

1 and with the southwest lines of said Lot 1, of New Waverly Ridge
2 Commercial Lot 2 as shown on plat recorded in Volume 3, Page 130 of
3 the plat records of said county and of New Waverly Ridge Commercial
4 Lot 3, as shown on plat recorded in Volume 3, Page 154 of said plat
5 records to a 1/2 inch iron rod set for an interior corner of this
6 tract, same being the south corner of said New Waverly Ridge Lot.3;
7 THENCE: N 30° 02' E 591.12 Ft., continuing on said 132.629 acres and
8 with the southeast lines of said New Waverly Ridge Lot 3 to its east
9 corner, a 1/2 inch iron rod set for an exterior corner of this tract
10 on the southwest right-of-way of said State Highway 150, same being
11 on the northeast line of said 132.629 acres;
12 THENCE: S 58° 03' E 80.04 Ft., with said southwest right-of-way and
13 being 132.629 acre northeast line, to a 1/2 inch iron rod set for
14 the upper east corner of this tract, same being the north corner of
15 the proposed New Waverly Ridge Commercial Lot 4;
16 THENCE: N 30° 02' W 588.44 Ft., on a line within said 132.629 acres
17 and with the northwest line of said New Waverly Ridge Lot 4 to its
18 west corner, a 1/2 inch iron rod set for an interior corner of this
19 tract;
20 THENCE: S 59° 58' E 286.28 Ft., continuing within said 132.629 acres
21 and with the southwest line of said Lot 4 to its south corner, a 1/2
22 inch iron rod set for the east corner of this tract on the northwest
23 line of New Waverly Ridge Commercial Lot 1 as shown on plat recorded
24 in Vole 3, Page 130 of said plat records;
25 THENCE: S 16° 03' W 516.29 Ft., continuing within said 132.629 acres
26 and with said Lot 1 northwest line to its west corner, a 1/2 inch
27 iron rod set for the lower east corner of this tract on the

1 southeast line of said 132.629 acres, same being on the northwest
2 right-a-way of Longstreet Road;
3 THENCE: With said 132.629 acre southeast line and Longstreet Road
4 northwest right-of-way as follows:
5 S 81° 03' W 45.11 Ft. S 80° 05' W 216.95 Ft.
6 S 77° 48' W 222.57 Ft. S 75° 05' W 122.55 Ft.
7 to a 1/2 inch iron rod set for an exterior corner of this tract, same
8 being the east corner of the Southwestern Bell Telephone Company
9 0.057 acre tract described in Volume 423, Page 556 of said deed
10 records;
11 THENCE: N 10° 43' W 50.00 Ft., on a line within said 132.629 acres
12 and with the northeast line of said 0.057 acre to its north corner,
13 a 1/2 inch iron rod set for an interior corner of this tract;
14 THENCE: S 75° 05' W 50.00 Ft., continuing within said 132.629 acres
15 and with the northwest line of said 0.057 acre to its west corner, a
16 1/2 inch iron rod set for an interior corner of this tract;
17 THENCE: S 10° 43' E 50.00 Ft., continuing within said 132.629 acres
18 and with the southwest line of said 0.057 acre to its south corner,
19 a concrete monument found for exterior corner of this tract on the
20 southeast line of said 132.629 acres, same being on the northwest
21 right-of-way of said Longstreet Road;
22 THENCE: S 74° 19' W 472.13 Ft. and S 68° 33' W 147.67 Ft., with said
23 132.629 acre southeast line and Longstreet Road northwest
24 right-of-way, to a 3 inch iron pipe found for the south corner of
25 this and of said 132.629 acres, same being the east corner of the
26 Western Grove Missionary Baptist Church tract which no deed of
27 record was located;

1 THENCE: N 24° 49' W 170.48 Ft, with the northeast line of said church
2 tract to its north corner, a 1/2 inch iron rod set for an interior
3 corner of this tract;

4 THENCE: S 53° 09' W 157.03 Ft., with the northwest line of said
5 church tract to its west corner, a 1/2 inch iron rod set for an
6 exterior corner of this tract on the northeast line of Fritz Kelly
7 2.0 acre tract described in Volume 123, Page 716 of said deed
8 records;

9 THENCE: N 60° 07' W 1003.34 Ft., with the southwest line of said
10 132.629 acres and the northeast lines of said 2.0 acres, of the
11 Jimmie Cain Jr. 5.89 acre tract described in Volume 252, Page 75 of
12 the official records of said county, of the Jourdon Sanders 1.0 acre
13 tract described in Volume 395, Page 899 of said deed records and of
14 the Mildred Harris 1.07 acre tract described in Volume 227, Page 285
15 of said deed records, to a 1 inch iron pipe found for an exterior
16 corner of this tract, same being the south corner of the City of New
17 Waverly 2.8708 acre tract described in Volume 425, Page 874 of said
18 deed records;

19 THENCE: N 29° 55' E 304.96 Ft., with the southeast line of said
20 2.8708 acres to its east corner, a 1 inch iron pipe found for an
21 interior corner of this tract;

22 THENCE: N 60° 07' W 409.90 Ft., with the northeast line of said
23 2.8708 acres to its north corner, a 1 inch iron pipe found for an
24 interior corner of this tract;

25 THENCE: S 29° 51' W 304.96 Ft., with the northwest line of said
26 2.8708 acres to its west corner, a 1 inch iron pipe found for an
27 exterior corner of this tract on the southwest line of said 132.629

1 acres, same being on the northeast line of the Roy Clark 2.44 acre
2 tract described in Volume 311, Page 569 of said deed records;
3 THENCE: N 60° 07' W 389.41 Ft., with said 132.629 acre southwest line
4 and the northeast lines of said 2.44 acres and of the Patricia L.
5 Crowley 0.771 acre described as Tract One in Volume 248, Page 497 of
6 said official records, to a 1/2 inch iron rod set for an exterior
7 corner of this and of said 132.629 acres on the northeast
8 right-of-way of Interstate Highway 45, same being the north corner
9 of said 0.771 acre;
10 THENCE: N 11° 12' W 46.73 Ft., with said northeast right-of-way, to a
11 1/2 inch iron pipe found for the west corner of this and of said
12 132.629 acres, same being the south corner of the Patricia L.
13 Crowley 2.559 acres described as Tract Two in Volume 248, Page 497
14 of said official records;
15 THENCE: N 30° 27' E 507.40 Ft., with the southeast line of said 2.559
16 acres to its east corner, a 1/2 inch iron rod found for an interior
17 corner of this and of said 132.629 acres, same being the south
18 corner of the Artie L. Moses, et. al., residue of a 15 acre tract
19 described in Volume 272, Page 667 of said official records;
20 THENCE: N 29° 57' E 542.03 Ft., with the southeast line of said
21 residue of 15 acres to its east corner, a 5/8 inch iron rod found for
22 an interior corner of this and of said 132.629 acres, same being the
23 south corner of the Ned Jourdan 3.842 acre tract described in Volume
24 390, Page 640 of said deed records;
25 THENCE: N 29° 47' E 960.15 Ft., with the southeast lines of said
26 3.842 acres, of the Frances Gillaspie 1.50 acre tract described in
27 Volume 162, Page 85 of said deed records and of said Reese 1.0 acre,

1 to the PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS
2 101.605 ACRES OF LAND.

3 TRACT 2:

4 Being 1.07 acres of land, situated in the C.A. SLEIGHT Survey,
5 Abstract No. 496, Walker County, Texas, and being out of and a part
6 of the residue of a called 15.00 acre tract of land described in a
7 Deed Deed from Isom Mickle, et ux. to Lucretia Moses dated 17 Nov.
8 1925 and recorded in Volume 56, Page 147, Deed Records, Walker
9 County, Texas, said 1.07 acres being more definitely described by
10 metes and bounds as follows:

11 BEGINNING at the most westerly corner of the said 15 acre tract,
12 same being a northern corner of a called 523.55 acre tract described
13 in a Deed from John Henry Hall et al to Judy C. Campbell recorded in
14 Volume 0861, Page 140, Official Records and being a point in the
15 southeastern line of a called 3.76 acre tract described in a Deed
16 from Joan Lee, Trustee to Ralph A. Cadwallader, recorded in Volume
17 0787, Page 501, Official Records, Walker County, Texas, found a 3"
18 iron pipe (set a 5/8" iron rod w/cap in center of pipe) for corner;
19 THENCE S 59°36'04" E along the common boundary line of said 523.55
20 acre Campbell tract and the said 15 acre Moses tract, a distance of
21 286.28 feet to a 5/8" iron rod set in the west right-of-way line of
22 Interstate 45, said iron rod being the most southern corner of the
23 herein described 1.07 acre and the southwest corner of a called 7.43
24 acre tract described in a Deed from Lucretia Moses to the State
25 Highway Commission, dated 5 Aug. 1958 and recorded in Volume 161,
26 Page 111, Deed Records, Walker County, Texas;

27 THENCE N 11°07'21" W along the said west right-of-way line of

1 Interstate 45, a distance of 435.60 feet to the most northern corner
2 of the herein described 1.07 acre tract, same being a southeast
3 corner of the said 3.76 acre Cadwallader tract, set a 5/8" iron rod
4 w/cap, from which a 1/2" iron rod bears S 29°57'48" W a distance of
5 1.62 feet, and a 5/8" iron rod w/cap brs. N 11°46'38" W a distance of
6 79.19 feet;

7 THENCE S 29°57'48" W along the common boundary line of the said 3.76
8 acre Cadwallader tract and the said 15 acre Moses tract, a distance
9 of 326.15 feet to the POINT OF BEGINNING.

10 Containing 1.07 acres of land.

11 TRACT 3:

12 Being 6.56 acres of land, situated in the C.A. SLEIGHT Survey,
13 Abstract No. 496, Walker County, Texas, and being out of and a part
14 of the residue of a called 15.00 acre tract of land described in a
15 Deed from Isom Mickle, et ux. to Lucretia Moses dated 17 Nov. 1925
16 and recorded in Volume 56, Page 147, Deed Records, Walker County,
17 Texas, said 6.56 acres being more definitely described by metes and
18 bounds as follows:

19 BEGINNING at the most southern corner of the said 15 acre tract,
20 same being the most eastern corner of a called 2.559 acre tract
21 described as Tract 2 in a deed dated 29 March 1995 from Martin J.
22 Ross III, et al to Patricia L. Crowley, recorded in Volume 0248,
23 Page 497, Official Records, and a point in the west line of a called
24 101.65 acre tract described in a Deed dated 26 April 2006 from
25 HMM-Walker 140 Limited to Thornberry Family Partnership, recorded
26 in Volume 0745, Page 678, Official Records, found a 1/2" iron rod
27 for corner;

1 THENCE N 30°01'04" W along an old barbed wire fence and with the
2 common line of said 101.65 acre Thornberry and the 15 acre Moses
3 tracts, a distance of 398.88 feet to a 5/8" iron rod set for the most
4 easterly corner of the said Moses tract, said iron rod also being
5 the south corner of called 1 acre tract described in a deed to Emma
6 Reece and recorded in Volume 273, Page 702, Deed Records and from
7 which a iron stake found (disturbed) brs S 60°38'04" E distance of
8 1.89 feet and a found 5/8" iron rod w/cap brs. N 30°01'04"E a
9 distance of 143.36 feet;

10 THENCE N 60°38'04 W along the common line of said 1 acre Reece and 15
11 acre Moses tracts, at a calculated distance of 285 feet pass the
12 southwest corner of said 1 acre Reece tract, same being the
13 southeast corner of a called 1 acre tract described in a deed to
14 Carolyn Anderson and recorded in Volume 389, Page 642, Deed
15 Records, and continuing on a total distance of 570 feet to a found
16 3/8"x2" flat iron stake (set a 5/8" iron rod w/cap beside) for a
17 reentrant corner of the said 15 acre Moses tract and the most
18 westerly corner of said 1 acre Anderson tract;

19 THENCE N 29°21'56" E with the common boundary line of the 1 acre
20 Anderson tract and the 15 acre Moses tract, a distance of 142.33 to
21 a 5/8" iron rod set for corner, said iron rod being the northwest
22 corner of said 1 acre Anderson tract and a point in the south line of
23 a 2 acre tract described in a deed to Lula Rogers, et al, and
24 recorded in Volume 83, Page 596, Deed Records, Walker County,
25 Texas;

26 THENCE N 60°44'12" W along common line of said 2 acre Rogers and 15
27 acre Moses tracts, at a distance of 97.32 feet pass a found 5"x 3.5"

1 wagon axle housing for the west corner of said 2 acre Rogers tract
2 and the south corner of the residue a called 7 acre tract described
3 in a deed to Harrison Hector and recorded in Volume 83, Page 595,
4 Deed Records, and continuing on for a total distance of 338.96 to a
5 set 5/8" iron rod for the most north corner of the herein described
6 tract, said iron rod being in the east right-of-way of said
7 Interstate 45 and being the southern corner of a called 2.67 acre
8 tract described in a deed to the State Highway Commission and
9 recorded in Volume 161, Page 161, Deed Records, Walker County,
10 Texas;

11 THENCE S 11°09'E with the said east right-of-way line of Interstate
12 45 a distance of 716.09 feet to a point for corner, said point being
13 in the southwest line of the said 15 acre tract and being the most
14 northern corner of the said Crowley 2.559 acre tract and from which
15 the center of a 3" galvanized fence post brs S 63°43'36"E a distance
16 of 0.42 feet, a 1/2" iron pipe (disturbed) brs S58°20'05"W a
17 distance of 1.06 feet and a 5/8" iron rod with cap (set for
18 reference) brs N 72° W a distance of 0.21 feet;

19 THENCE S 61°07'56" W with the common line of said 2.559 acre P.
20 Crowley and 15 acre Moses tracts, a distance of 439.22 feet to the
21 PLACE OF' BEGINNING.

22 Containing 6.56 acres of land.

23 Tract 4 - 4.846 ACRES:

24 A tract or parcel of land containing 4.846 acres (211,071 square
25 feet) out of the C.A. Sleight 1/3 League, Abstract No. 496, Walker
26 County, Texas, being all of the called 3.842 acre tract and all of
27 the called 1.000 acre tract conveyed to Ned Jordan, Jr., as recorded

1 in Volume 390, Page 640 of the Walker County Deed Records
2 (W.C.D.R.), said 4.846 acres being more particularly described by
3 metes and bounds as follows: (The basis of bearing for this
4 description is the monumented north line of the subject tract
5 called SOUTH 61 degrees 05 minutes 45 seconds EAST, as recorded in
6 said Volume 390, Page 640)
7 BEGINNING at a 1/2-inch iron rod found at the northwest corner of
8 said 1.000 acre tract and the northwest corner of the herein
9 described tract, being the northeast corner of the 2 acre tract
10 conveyed to Edward Crawford, as recorded in Volume 83, Page 596 of
11 the W.C.D.R., and the southwest corner of the 1.50 acre tract
12 conveyed to Frances Gillaspie, as recorded in Volume 162, Page 85 of
13 the W.C.D.R., lying at the terminus of Colony Road;
14 THENCE SOUTH 61 degrees 05 minutes 45 seconds EAST along the south
15 line of said 1.50 acre tract, at 264.05 feet passing a 5/8-inch iron
16 rod found at the northeast corner of said 1.000 acre tract and
17 continuing for a total distance of 473.50 feet to a 5/8-inch iron
18 rod found at the northeast corner of the herein described tract;
19 THENCE SOUTH 29 degrees 32 minutes 14 seconds WEST, 444.11 feet
20 (called S 29 Deg. 37'03" W, 444.12') along the west line of the
21 101.605 acre tract conveyed to the Thornberry Family Partnership,
22 Ltd., as recorded in Volume 776, Page 655 of the Official Public
23 Records of Walker County (O.P.R.W.C.), to a 5/8-inch iron rod found
24 at the southeast corner of the herein described tract;
25 THENCE NORTH 61 degrees 05 minutes 45 seconds WEST, 477.09 feet
26 (called 476.47') along the north lines of a 1 acre tract, described
27 as a save & except tract to Emma Reese and another 1 acre tract

1 conveyed to Carolyn Anderson, as recorded in Volume 389, Page 642 of
2 the W.C.D.R., to a 5/8-inch iron rod found at the southwest corner
3 of the herein described tract;

4 THENCE NORTH 30 degrees 00 minutes 00 seconds EAST along the east
5 line of said 2 acre Crawford tract, at 279.16 feet passing the
6 southwest corner of said 1.000 acre Jordan tract, and continuing
7 for a total distance of 444.17 feet to the POINT OF BEGINNING of the
8 herein described tract, containing 4.846 acres (211,071 square
9 feet) of land. Drawing No. B-502 was prepared to accompany this
10 description, and is on file in the office of C&R Surveying, Inc.

11 Tract 5:

12 Field Notes to 3.285 acres of land situated in the City of New
13 Waverly, in the C.A. Sleight Survey, A-496, Walker County, Texas,
14 and being out of the 124.818 acres residue of that certain called
15 132.629 acres tract conveyed by Joe. T. Hode, Trustee, to HMW-I40
16 Walker Limited by deed recorded in volume 253, page 1 of the deed
17 records of said Walker County, Texas, said 3.285 acres being more
18 particularly described by metes and bounds as follows;

19 BEGINNING at a 5/8 inch iron rod found for the northeast corner of
20 this and of said 124.818 acre residue tract, same being the
21 northwest corner of the Earl Biscamp 3.00 acre tract described in
22 Volume 338, Page 735 of the official records of said County and
23 being on the south right of way of State Highway 150;

24 THENCE: S 26°58' W 429.09 ft., with the west line of said 3.00 acres
25 to its southwest corner, a 5/8 inch iron rod found for an interior
26 corner of this tract, same being the northwest corner of commercial
27 lot 1 of New Waverly Ridge Subdivision as shown on plat recorded in

1 Volume 3, Page 130 of the plat records of said County;

2 THENCE: S 16°03' W 157.08 ft., with the west line of said Lot 1, to a
3 1/2 inch iron rod set for the southeast corner of this tract;

4 THENCE: N 59°58' W 286.28 ft., on a line within said 132.629 acres,
5 to a 1/2 inch iron rod set for the southwest corner of this tract;

6 THENCE: N 30°02' W 588.44 ft., continuing within said 132.629 acres,
7 to a 1/2 inch iron rod set for the northwest corner of this tract on
8 the south right of way of State Highway 150, same being the north
9 line of said 132.629 acres;

10 THENCE: S 58°03' E 225.49 ft., with said north line and south right
11 of way, to the place of beginning and containing within these bounds
12 3.285 acres of land.

13 SECTION 4. (a) The legal notice of the intention to file
14 bills creating each district described by this Act has been
15 published as provided by law, and the notice and a copy of this Act
16 have been furnished to all persons, agencies, officials, or
17 entities to which they are required to be furnished under Section
18 59, Article XVI, Texas Constitution, and Chapter 313, Government
19 Code.

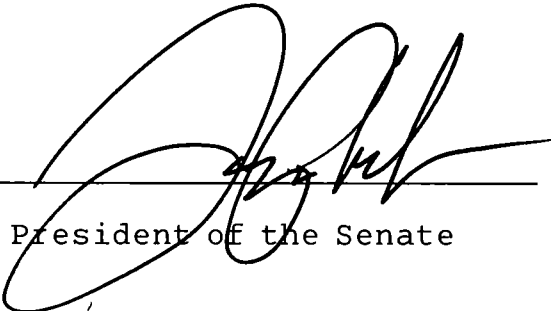
20 (b) The governor, one of the required recipients, has
21 submitted the notice and a copy of a bill to create each district
22 described by this Act to the Texas Commission on Environmental
23 Quality.

24 (c) The Texas Commission on Environmental Quality has filed
25 its recommendations relating to each bill to create each district
26 described by this Act with the governor, the lieutenant governor,
27 and the speaker of the house of representatives within the required

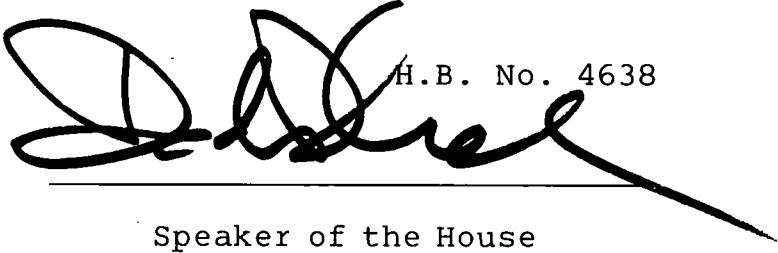
1 time.

2 (d) All requirements of the constitution and laws of this
3 state and the rules and procedures of the legislature with respect
4 to the notice, introduction, and passage of each bill to create each
5 district described by this Act are fulfilled and accomplished.

6 SECTION 5. This Act takes effect January 1, 2022.

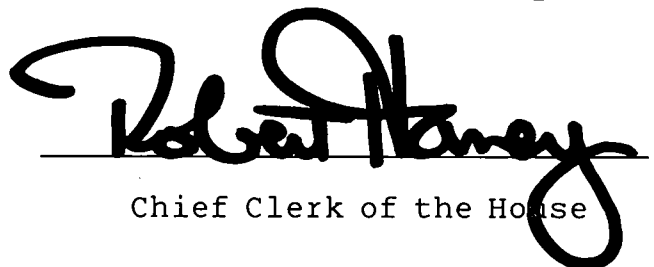


President of the Senate

H.B. No. 4638


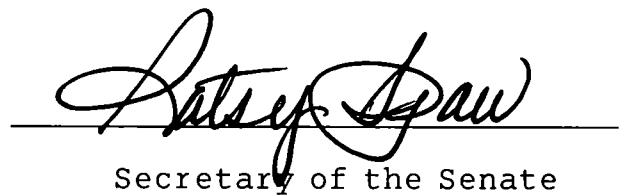
Speaker of the House

I certify that H.B. No. 4638 was passed by the House on May 14, 2021, by the following vote: Yeas 105, Nays 40, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4638 on May 28, 2021, by the following vote: Yeas 89, Nays 54, 1 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 4638 was passed by the Senate, with amendments, on May 26, 2021, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

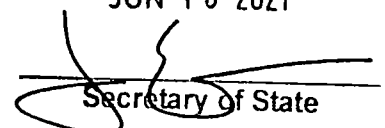
APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
6 pm O'CLOCK

JUN 18 2021



Secretary of State

A RESOLUTION OF THE CITY OF LEANDER, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, AUTHORIZING THE CITY MANAGER TO PURSUE STATE LEGISLATION AMENDING THE LOCAL LAW CREATING THE LEANDER MUNICIPAL MANAGEMENT DISTRICT NO. 1

WHEREAS, the Leander Municipal Management District No. 1 (the “MMD”) was established by HB 4638 adopted in 2021 during the 87th Regular Legislative Session (the “MMD Creation Law”); and

WHEREAS, the MMD has the ability to finance facilities, infrastructure, and services within the boundaries of the district beyond those already provided by the city; and

WHEREAS, the MMD contains expiration dates for the property owners within the boundaries of the MMD to petition the Council for appointment of the initial board of directors; for appointment of the initial board of directors; and the execution of a development agreement between the City and specified representatives of the MMD; and

WHEREAS, the City wishes to pursue legislation to remove those deadlines and to make any other amendments to the MMD Creation Law that are in the best interest of the City;

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

SECTION 1. The City Council supports legislation that would facilitate the purposes described in the recitals.

SECTION 2. The City Council authorizes the City Manager and/or his designee to pursue amendments to the MMD Creation Law in any special session called by the Governor that are consistent with this Resolution.

DULY PASSED and approved on this 21st day of August, 2025.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, Secretary

Christine DeLisle, Mayor



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Conduct a Public Hearing and consider action regarding Zoning Case Z-24-0114 to amend the Leander Springs Planned Unit Development (PUD) with base zoning districts of MF-2-A (Multi-Family) and GC-3-A (General Commercial) to update the language as it relates to phasing and timing of the development, reduce the total number of apartments, and modify the phasing requirements on two (2) parcels of land approximately 77.90 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R403524 and R051592; and generally located southwest of the intersection of 183A Toll Road and RM 2243, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-24-0114 as described above.

BACKGROUND:

This request is the second step in the zoning process. The applicant has submitted a request to amend the Leander Springs PUD language to reflect changes to the development as it relates to project phasing, the lagoon, hotel and multi-family elements.

The original PUD Zoning request (18-TOD-Z-013) was approved on August 2, 2018. The PUD included a provision that provided for its expiration if the developer did not close on the property by November 17, 2018. The property failed to close and the zoning reverted to the Conventional Development (CD) Sector.

A new developer submitted a PUD Zoning request (20-TOD-Z-014) with a similar development which was approved on February 4, 2021. This version of the PUD included a timeline for project completion as part of the phasing plan that was tied to a State of Texas Chapter 380 economic development agreement. The phasing required that a Certificate of Completion be issued for a large lagoon as a central feature of the project by December 31, 2023, in order to maintain the entitlements. Since this deadline was not met, no additional development permits may be issued until the PUD is amended. **If the PUD is not amended, then only 35,000 square feet of commercial uses are allowed where commercial uses include commercial, office and retail uses.**

This PUD amendment, if approved, would allow for the following:

- Lagoon – A lagoon may be constructed prior to or concurrently with the construction of the first phase of multi-family. There is no deadline for the completion of the lagoon.
- Multi-Family – This proposal includes 1,200 apartment units as part of a vertical mixed-use building. The original PUD included 1,600 apartment units.
- Building Height – The building height is proposed to be limited to 35 feet at the southern and western boundaries. The original PUD included a height limit of 60 feet at the southern and western boundaries.
- Trail System – Adds a connection to the Brushy Creek Trail system.

GENERAL INFORMATION:

Current Zoning: Leander Springs PUD (Planned Unit Development) with base zoning districts of MF-2-A (Multi-Family) and GC-3-A (General Commercial).

Proposed Zoning: Leander Springs Planned Unit Development with base zoning districts of MF-2-A (Multi-Family) and GC-3-A (General Commercial).

Size and Location: The property is generally located southwest of the intersection of 183A Toll Road and RM 2243, including approximately 77.90 acres.

Surrounding Area: This property is located at the southwest corner of 183A Toll Rd. and RM 2243. To the west is the Horizon Lake subdivision, and to the south is the Parkside Village multi-family.

Previous Zoning Cases:

The following zone cases were previously submitted for this property:

- 07-Z-018 requested a zone change from SFR-1-B (Single-Family Rural), SFS-2-B (Single-Family Suburban) and SFU-2-B (Single-Family Urban) to TOD (Transit Oriented Development), CD (Conventional Development) Sector.
- 18-TOD-Z-013 Leander Springs PUD requested a zone change from PUD/TOD (Planned Unit Development/ Transit Oriented Development) to PUD/TOD (Planned Unit Development/Transit Oriented Development) with the following base zoning districts GC-3-A (General Commercial), MF-2-A (Multi-Family) and SFT-2-A (Single-Family Townhouse) and was approved on 08/02/2018.
- 20-TOD-Z-014 requested a zone change from PUD/TOD-CD (Planned Unit Development/Transit Oriented Development-Conventional Development Sector) to Planned Unit Development (PUD) with the base zoning district of GC-3-A (General Commercial) and MF-2-A (Multi-Family) and was approved on 02/04/2021.
- Z-23-0078 requested an amendment to the PUD zoning to include updated street sections and was approved on 09/12/2023.

PROPOSED ZONING DISTRICT:

USE COMPONENT

MF – Multi-Family:

Features: Apartments

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.

GC – GENERAL COMMERCIAL:

Features: Any use in LC (Local Commercial) plus bar, nightclub, entertainment venues, hospital, hotel, liquor store, office/warehouse, vehicle and equipment sales, leasing and repair, furniture sales, pet shop, wholesale activities less than 3,500 square feet

Intent: Development of small to large-scale commercial, retail, and commercial service uses located in high traffic areas. Access to this component should be provided by an arterial street. The heaviest concentration of this component should be located at intersections of arterial streets.

SITE COMPONENT

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 square feet; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 square feet; multi-family provides at least 100% 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 (Local Office) and LC (Local Commercial) 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 intended to be utilized with LO (Local Office), LC (Local Commercial), GC (General Commercial), HC (Heavy Commercial), and HI (Heavy Industrial) use components when adjacent to residential districts and additional compatibility standards are warranted.
5. This component is generally not intended to be utilized with HC (Heavy Commercial), and HI (Heavy Industrial) 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 landowner.
6. Compliance with Type 1 standards shall also be deemed as compliance with this component.

TYPE 3:

Features: Accessory buildings up to 30% of primary building; accessory dwellings; drive-thru service; limited outdoor display and storage; outdoor fueling and washing of vehicles; overhead service doors, no indoor parking required.

Intent:

1. A Type 3 site component is intended to be utilized with LO (Local Office) and LC (Local Commercial) use components adjacent to less restricted districts to provide for a land use transition.
2. This component is intended to be utilized with residential components where accessory dwellings or additional accessory structures are appropriate and are not provided for in the Type 1 or 2 site components.
3. This component is intended to be combined with LO (Local Office), LC (Local Commercial), GC (General Commercial), HC (Heavy Commercial), and HI (Heavy Industrial) components where it is appropriate to utilize the outdoor site area for outdoor fuel sales, limited outdoor display and storage or accessory buildings.
4. Compliance with Type 1 or 2 standards shall also be deemed as compliance with this component.

ARCHITECTURAL COMPONENT

TYPE A:

Features: Five (5) or more architectural features.

Intent:

- (1) The Type A architectural component is intended to be utilized for high-quality developments or to provide variety as an additional option for portions of a residential development and may be utilized in or adjacent to single-family uses.
- (2) This component is intended to be utilized for single-family development that backs up to, or sides to, a major thoroughfare.
- (3) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions by applying this component to a less restrictive use or site component adjacent to a more restrictive use or site component. This standard may be utilized to help ensure compatibility for non-residential uses, multi-family, two-family, townhouse or small lot residential development with adjacent property

that is more restricted.

(4) This component is intended to be utilized for buildings requiring heights greater than those provided in other architectural components.

(5) This component may be utilized for any high-profile development, for any property in a prominent location or at an important gateway to the community.

(6) This component is not intended to become an involuntary standard for the majority of a single-family subdivision, especially with SFR (Single-Family Rural), SFE (Single-Family Estate), SFS (Single-Family Suburban), SFU (Single-Family Urban) and SFC (Single-Family Compact) components.

COMPREHENSIVE PLAN:

Applicable Comprehensive Plan goal statements

- Guide future growth and development following the comprehensive plan to achieve a more balanced, diverse economy.
- Prioritize commercial growth through the use of zoning, the Future Land Use Map, and prioritized investments and incentives.
- Pursue signature regional attractions, destinations, and events.

Applicable Future Land Use categories

MULTI-USE CORRIDOR

- The Multi-Use Corridor future development category is intended for mixed-use areas to be developed at a higher density/intensity and with uses not primarily supported in Neighborhood Residential. These areas are intended to provide for a mix of both commercial and residential uses that are not integrated into neighborhoods but maintain a seamless, compatible transition between residential and commercial uses.

Multi-Use Corridors are not intended for strip commercial, nor are they expected to be predominantly commercial. These corridors have been identified as opportunity areas for businesses and daily services, high-intensity residential such as townhouses, civic and employment uses, but also traditional single-family neighborhoods where streets access these corridors.

These areas are intended to be developed with an auto-oriented character, which means vehicles and parking areas are a primary visual characteristic from the street. Access management is recommended to maintain safe traffic movement along these streets. Appropriate bufferyards are required to ensure compatibility with adjacent Neighborhood Residential.

NEIGHBORHOOD RESIDENTIAL

- The Neighborhood Residential land use category is intended to be developed primarily as new single-family detached residential subdivisions with associated amenities, such as parks, trails, open space areas, and elementary schools. These areas are intended to have a mix of suburban and auto-oriented development character which are primarily found in the form of detached residential lots.

Architectural styles, building height and massing are relatively uniform in this type of land use. Most streets are considered to be local and low-volume with curb and gutter, sidewalks, consistent speeds and highly accessible driveways. Strategically located parks are essential and in some cases a school or other institutional use are integrated or in close proximity.

Some neighborhood-serving retail and office uses are permitted in these areas with highly-restrictive use, site and design requirements. These type of uses are residential in scale and architectural design and are walkable in nature, though auto-serving. These uses are not shown on the Future Land Use Map as

commercial and are supported when integrated into a development with appropriate site and zoning compatibility considerations.

PUBLIC NOTIFICATION:

In addition to the notice mailed on behalf of the City to all property owners within 200', the agent is required to reach out to all property owners of property zoned as single-family or any properties used as single-family uses within 500' as per Article X, Section 3 (d) of the Composite Zoning Ordinance. Any Homeowner's Association located within 500' are also required to be contacted.

Please see the full report from the applicant attached as Exhibit 10.

HISTORY/TIMELINE:

11/16/2017 – Comprehensive Plan Amendment Approved
08/02/2018 – Zoning Approved
11/17/2018 – Comprehensive Plan Amendment and Zoning Expired
02/04/2021 – Zoning Amendment Approved
03/10/2022 – Concept Plan and Preliminary Plat Approved
10/05/2022 – Preliminary Plat Minor Revision #1 Approved
09/12/2023 – Zoning Minor Amendment Approved
12/12/2023 – Preliminary Plat Minor Revision #2 Comments Cleared Awaiting Applicant Action
12/31/2023 – Zoning Entitlements Expired
06/26/2025 – Planning & Zoning, Public Hearing postponed due to notification error
07/24/2025 – Planning & Zoning, Public Hearing denied

APPLICANT/AGENT:

Applicant/Agent: REIT Group Leander Springs Holdings, LLC. (Ravinder Katta).

RECOMMENDATION:

As part of the evaluation of this request, the City Council has the following options:

1. Approve the proposed PUD Amendment;
2. Deny the proposed PUD Amendment; or
3. Approve an alternative request which includes additional higher standards within the PUD document with regards to the design elements to be adopted throughout the site. These may include items such as pedestrian amenities (benches, sidewalk seating, pet waste stations), alternative lighting (pedestrian lighting, landscape lighting), landscaping standards (street trees, hardscape standards), building materials (proposed material palette), or similar standards.

If the Council determines that this development is unique and beneficial to the city, Staff recommends Option 3 listed above - Approve an alternative request which includes additional higher standards within the PUD document with regards to the design elements to be adopted throughout the site. These may include items such as pedestrian amenities (benches, sidewalk seating, pet waste stations), alternative lighting (pedestrian lighting, landscape lighting), landscaping standards (street trees, hardscape standards), building materials (proposed material palette), or similar standards.

If the Council chooses Option 2 listed above – Deny the proposed PUD Amendment, the applicant has the option to develop under the current zoning which only allows for 35,000 square feet of commercial or to submit an updated request for review.

During the meeting of July 24 2025, the Planning & Zoning Commission recommended denial with a 4 to 1 vote (Morales opposed).

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments:

1. Z-24-0114 Att 1 - Letter of Intent - Leander Springs PUD
2. Z-24-0114 Att 2 - Current Zoning - Leander Springs PUD
3. Z-24-0114 Att 3 - FLU Map - Leander Springs PUD
4. Z-24-0114 Att 4 - Public Notification - Leander Springs PUD
5. Z-24-0114 Att 5 - Proposed Zoning - Leander Springs PUD
6. Z-24-0114 Att 6 - Aerial Map - Leander Springs PUD
7. Z-24-0114 Att 7 - Utilities Map - Leander Springs PUD
8. Z-24-0114 Att 8 - PUD Notes - Leander Springs PUD
9. Z-24-0114 Att 9 - PUD Notes Redline - Leander Springs PUD Update
10. Z-24-0114 Att 10 - Neighborhood Outreach - Leander Springs PUD
11. Z-24-0114 Att 11 - Ordinance - Leander Springs PUD
12. Z-24-0114 Att 12 7-24-2025 P & Z minutes



MEMORANDUM

To: City of Leander Development Services

From: iLand Development Group
8871 183A Toll Fr Rd.
Leander TX 78641

Date: 6/1/2025

Subject: Leander Springs PUD Amendment No. 2 Summary

The following Memo is a summary of the Leander Springs PUD Amendment Updates.

Leander Springs PUD 01.29.2021 - proposed amendment 2

Leander Springs PUD Amendment:

The Leander Springs PUD Amendment is meant to update the language as it relates to Phasing, Lagoon and Hotel delivery. We have also removed all references to the Lagoon as a **Crystal** Lagoon. Moving forward, all references to this structure will be Lagoon.

On page 1 of the PUD, section B. 3., we are proposing "The lagoon is considered a non-essential use and will need to comply with water conservation requirements."

On page 2 of the PUD, section D. 3., we are proposing a reduction of a maximum number of multi-family units from 1,600 to 1,200 units.

On page 4 of the PUD, we are proposing per section 4. B., that the maximum height of structures on the southern and western boundaries be reduced from 60 feet to 35 feet in height.

On page 6, section G. 1. b., we are proposing to add Mason Creek Trail from Horizon Lake Park will enter from the west on either Tracts L, M, or A to the internal sidewalk system and connect to the Brushy Creek Trail system to the north along FM 2243.

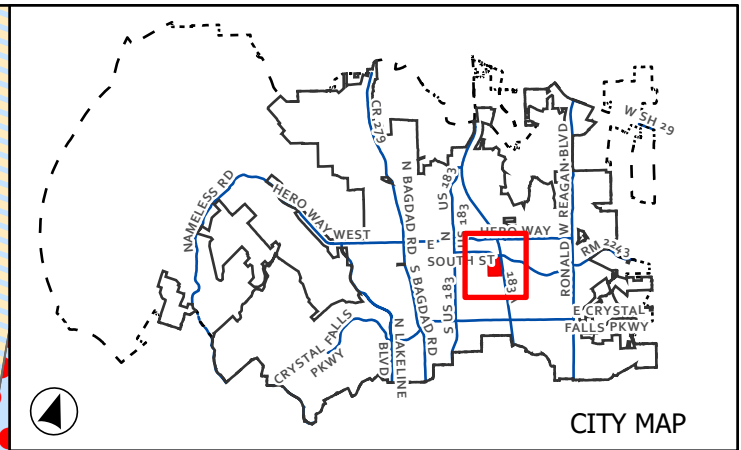
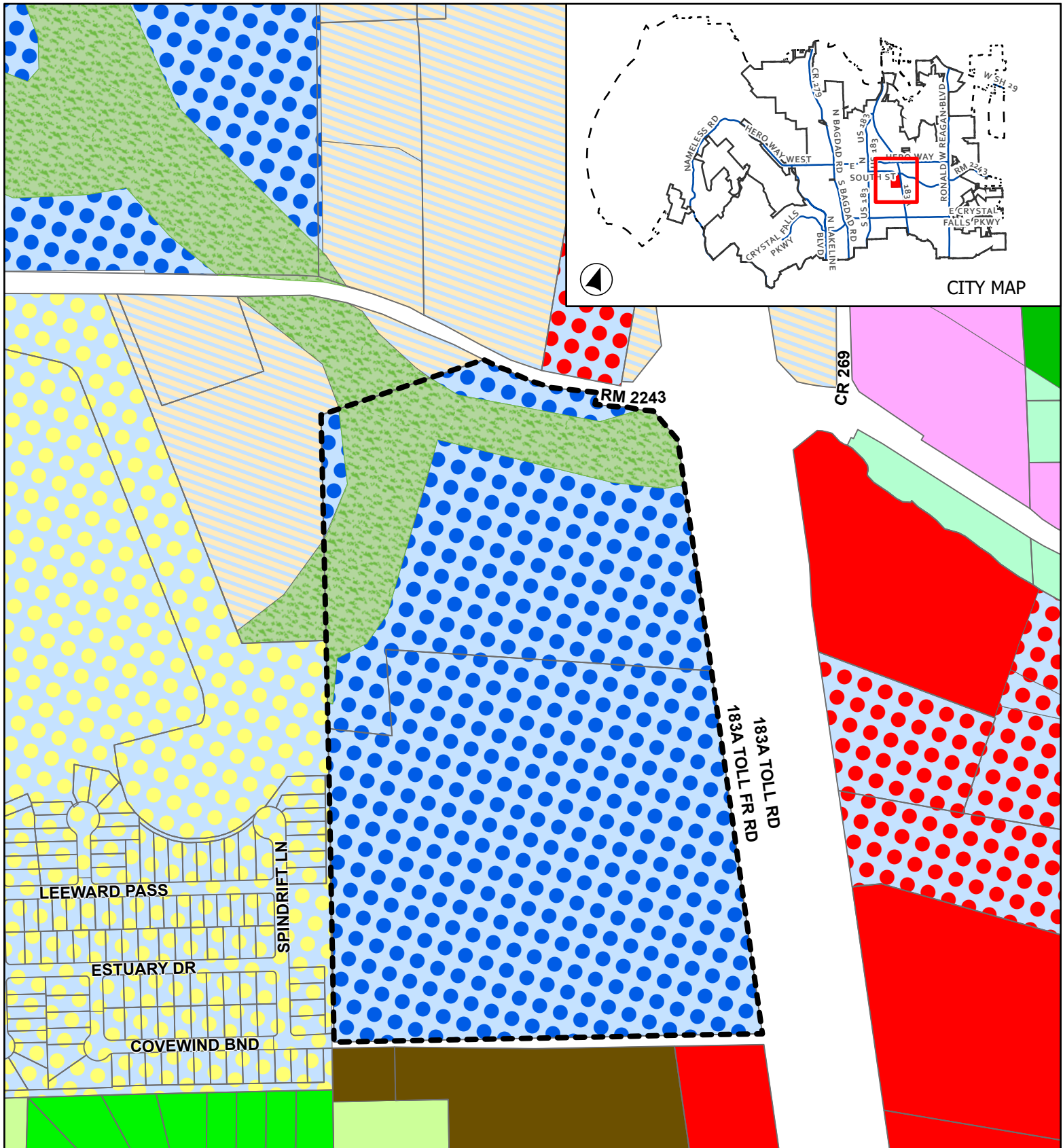
On page 8 of the PUD we are proposing the removal of the date required for the Certificate of Completion for Lagoon delivery.

On page 9 of the PUD we are proposing the removal of the time the Hotel construction shall commence and when a Certificate of Occupancy will be delivered.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Conklin", written over a light blue horizontal line.

Pete Conklin
COO iLand Development Group



CASE: Z-24-0114

ATTACHMENT 2

LEANDER SPRINGS
MAJOR AMENDMENT
EXISTING PUD

Current Zoning

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

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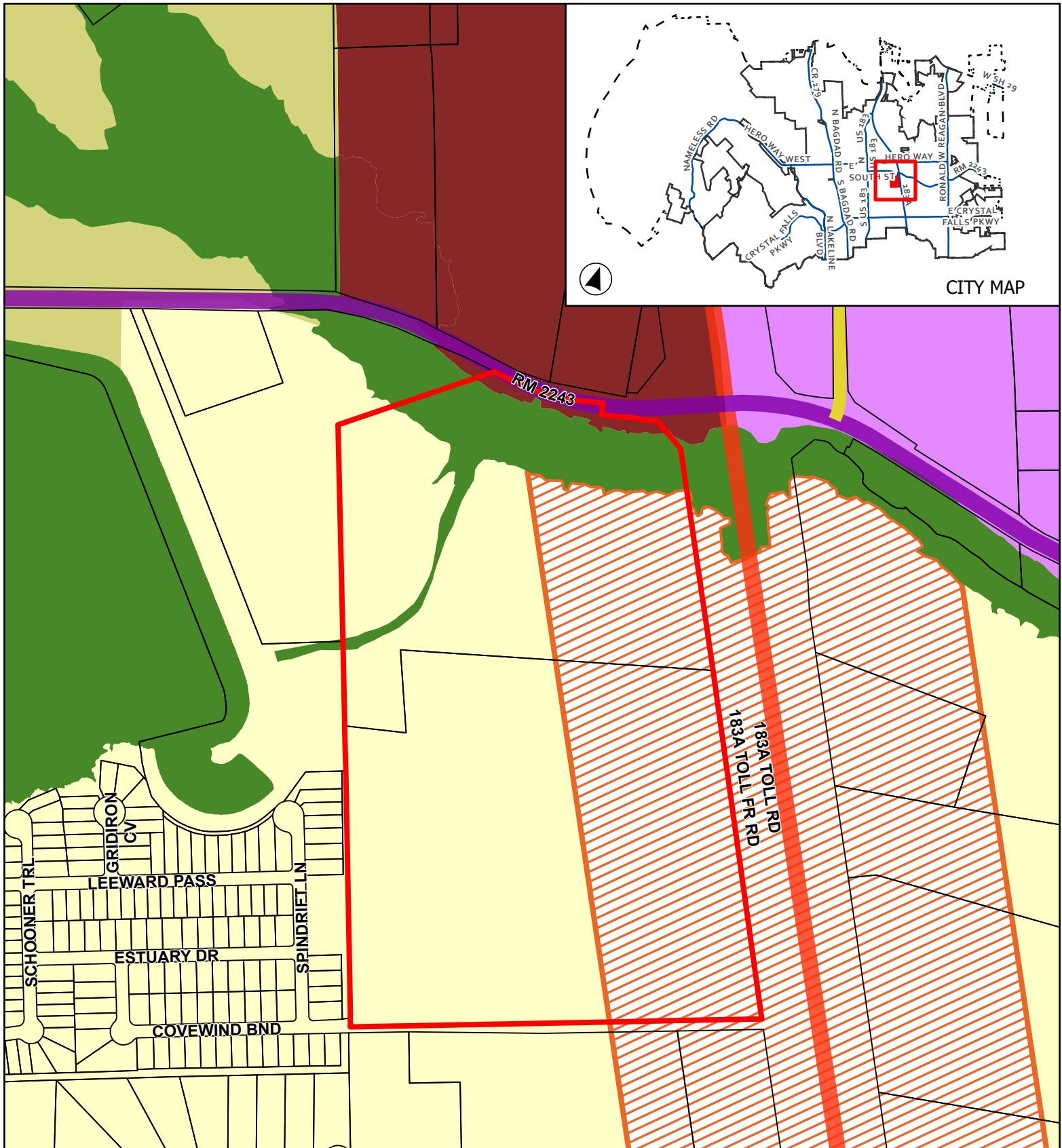
Feet

City Limits
ETJ
Subject Boundary

Proposed Zoning

SFR - Single-Family Rural
SFE - Single-Family Estate

SFS - Single-Family Suburban
SFU - Single-Family Urban
MF - Multi-Family
GC - General Commercial
HC - Heavy Commercial
HI - Heavy Industrial
PUD - Single-Family
PUD - Mixed Use
PUD - General Commercial
PUD - Heavy Commercial
OS - Open Space
CD - Conventional Sector



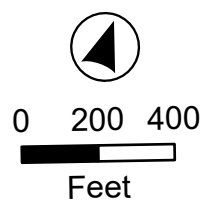
CASE: Z-24-0114

ATTACHMENT 3

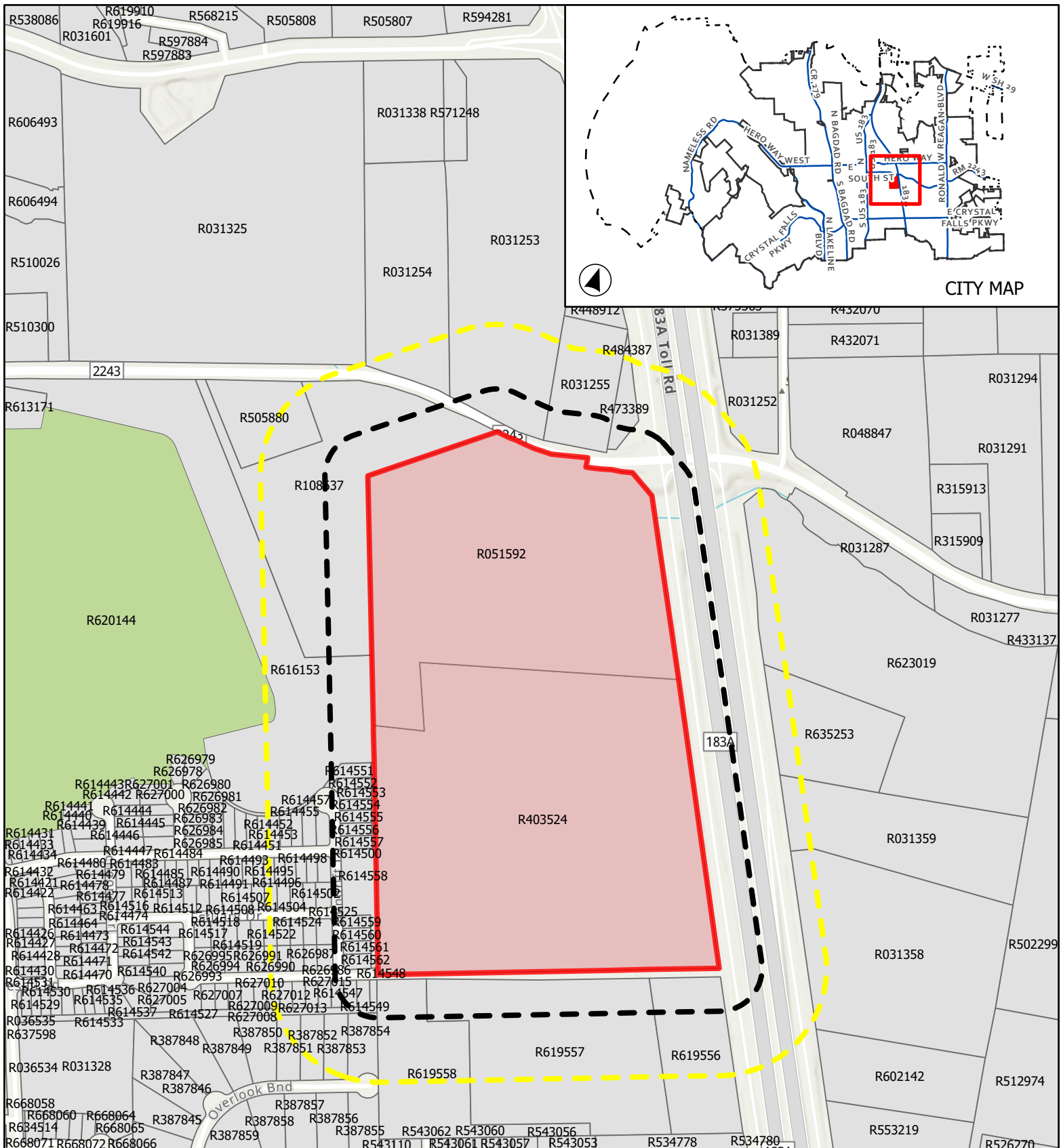
LEANDER SPRINGS
MAJOR AMENDMENT
EXISTING PUD

Future Land Use Map

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- | | |
|-----------------------------|--|
| ETJ Boundary | Neighborhood Residential |
| Leander City Limits | Multi-Use Corridor - Priority Corridor |
| Subject Boundary | Activity Center |
| Access Controlled, Existing | Employment Center |
| Arterial 4 Lane, Existing | Urban Mixed Use |
| Collector, Existing | Greenway |



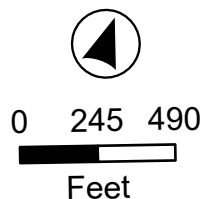
CASE: Z-24-0114

ATTACHMENT 4

LEANDER SPRINGS
MAJOR AMENDMENT
EXISTING PUD

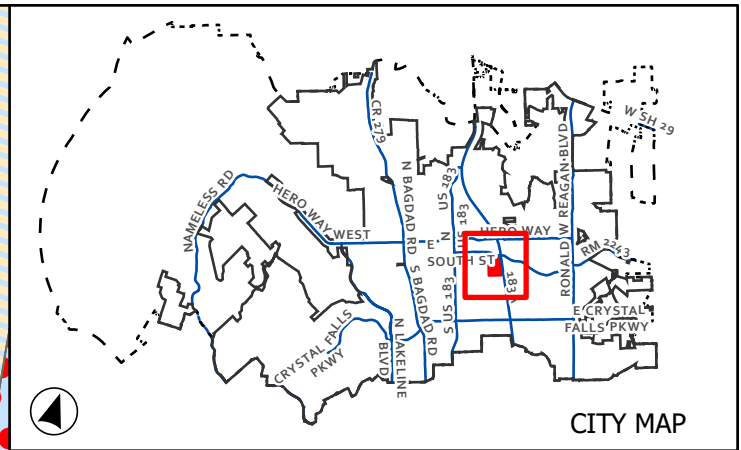
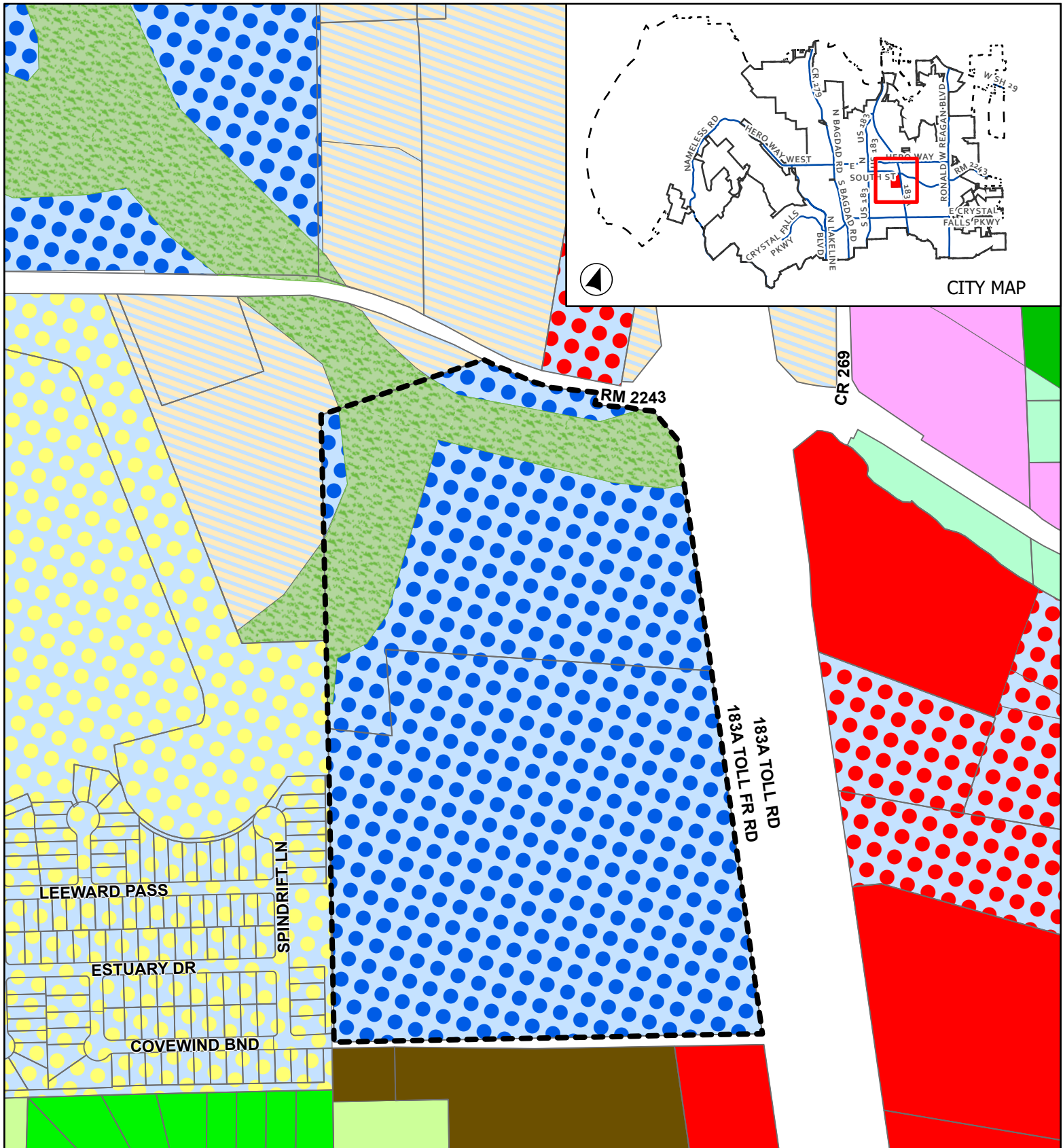
Public Notification

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City Limits
ETJ
Subject Boundary

Notification Buffer
200'
500'



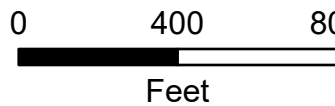
CASE: Z-24-0114

ATTACHMENT 5

**LEANDER SPRINGS
MAJOR AMENDMENT
EXISTING PUD**

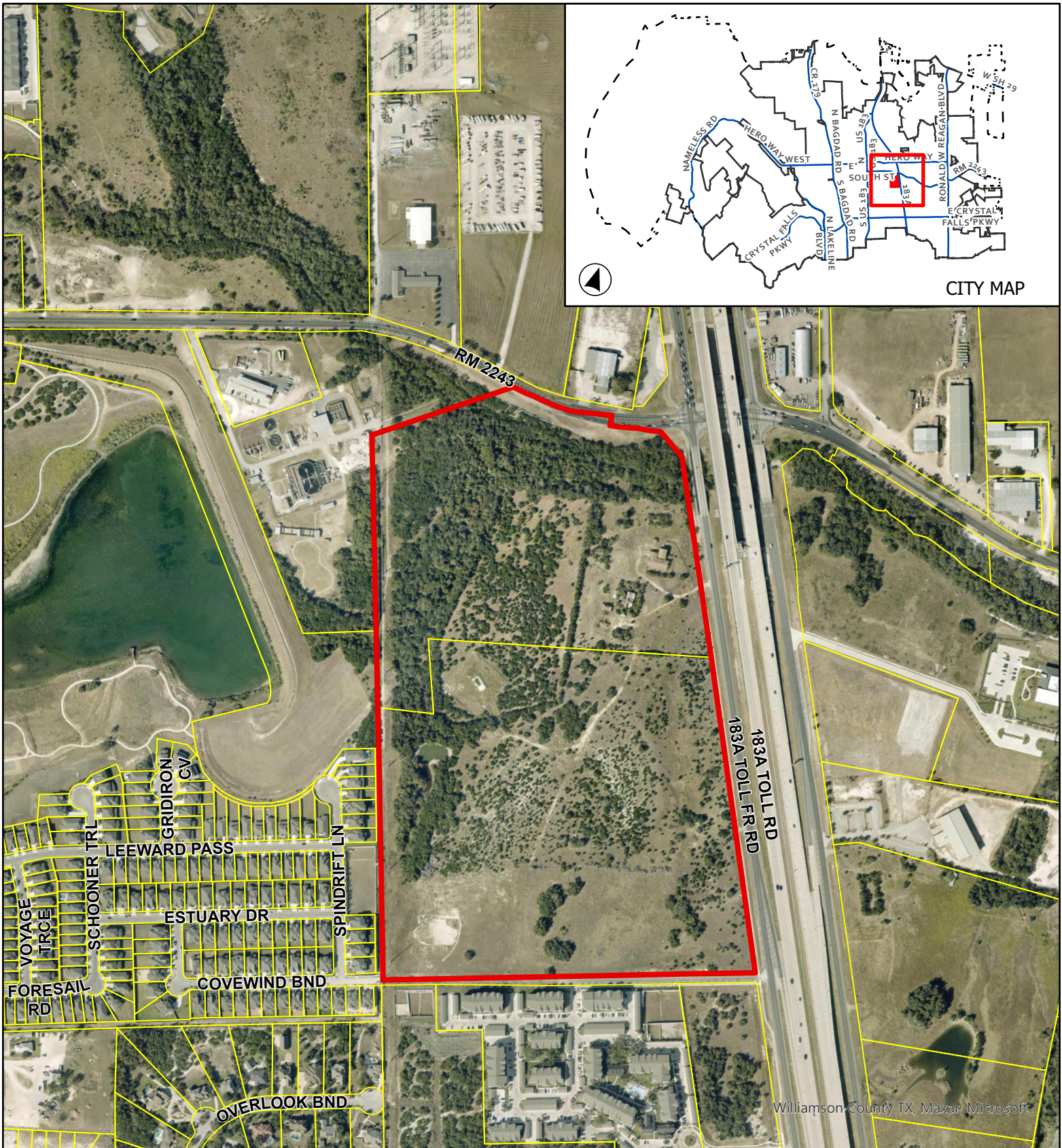
Proposed Zoning

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- City Limits
- ETJ
- Subject Boundary
- Proposed Zoning**
- SFR - Single-Family Rural
- SFE - Single-Family Estate

- SFS - Single-Family Suburban
- SFU - Single-Family Urban
- MF - Multi-Family
- GC - General Commercial
- HC - Heavy Commercial
- HI - Heavy Industrial
- PUD - Single-Family
- PUD - Mixed Use
- PUD - General Commercial
- PUD - Heavy Commercial
- OS - Open Space
- CD - Conventional Sector



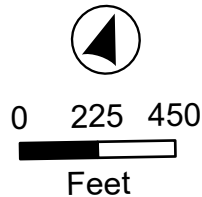
CASE: Z-24-0114

ATTACHMENT 6

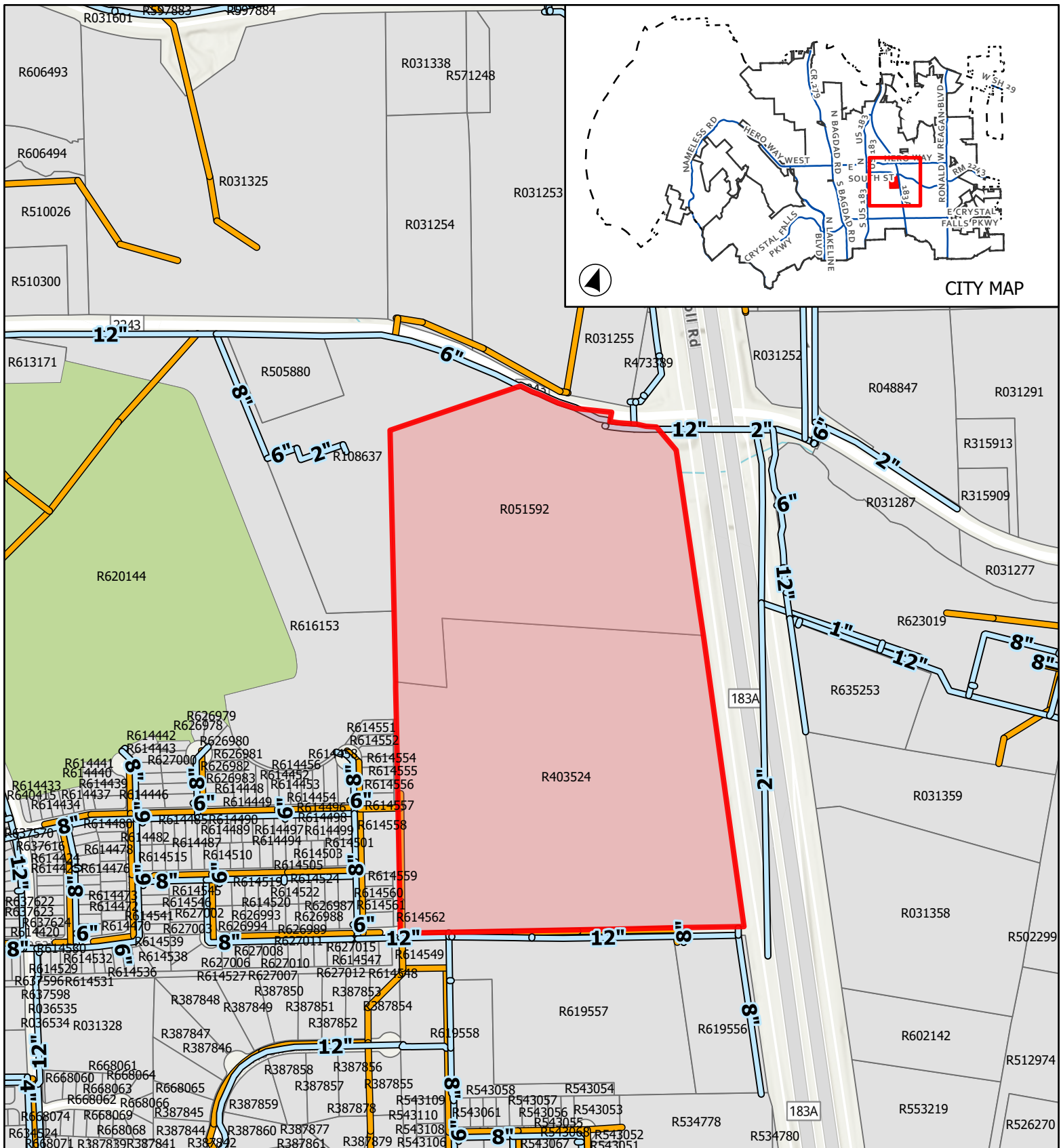
LEANDER SPRINGS
MAJOR AMENDMENT
EXISTING PUD

Aerial Map

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



- Leander City Limits
- Subject Boundary



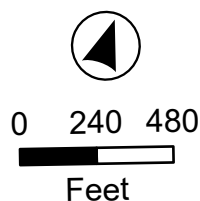
CASE: Z-24-0114

ATTACHMENT 7

LEANDER SPRINGS

Utilities Map

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City Limits
ETJ

Subject Boundary
Waste Water Line
Water Main Line

EXHIBIT A

Leander Springs Planned Unit Development

A. Purpose and Intent

The Leander Springs PUD (the “PUD”) is composed of approximately 77.9 acres, as described in **Exhibit B**, **Field Notes** attached to this PUD Ordinance (the “**Property**”). The development of this Property is planned as a high quality mixed use development, with recreational improvements and a mixture of uses suitable to the TOD area of Leander.

The PUD has been designed to create a unique destination for Leander residents, with a unique blend of residential, hotel, office, retail, restaurant, and recreational uses. The contents of this PUD further explain and illustrate the overall function desired for this development. A **Conceptual Site Layout & Land Use Plan** has been attached to this PUD, **Exhibit C**, to illustrate the design intent for the Property.

B. Applicability and Base Zoning

1. All aspects regarding the development of this PUD shall comply with the City of Leander Composite Zoning Ordinance, except as established in this exhibit, titled **Exhibit A**.
2. For the purpose of establishing development standards for the PUD, the following base zoning districts have been selected from the Leander Zoning Ordinance as permitted uses in this PUD.
 - MF-2-A (Multi-Family)
 - GC-3-A (General Commercial)
3. “**Lagoon**” is defined as a crystalline lagoon, no less than four (4) acres in size, that is built and maintained using a patented technology with a minimum amount of additives and energy, located on an approximately 13.1 acre site, including the ancillary and related boardwalk and adjacent landscaping features, restaurants and shops operated with as part of the Lagoon, as more particularly described in this PUD. The lagoon is considered a non-essential use and will need to comply with water conservation requirements.

C. Conceptual Site Layout & Land Use Plan

1. A **Conceptual Site Layout & Land Use Plan** has been attached to this PUD, **Exhibit C**, to illustrate the design intent for the Property. The Conceptual Site Layout and Land Use

Plan is intended to serve as a guide to illustrate the general community vision and design concepts and is not intended to serve as a final document.

2. This PUD zoning document does not constitute plat or site plan approval of the attached plan(s).

D. Allowable / Prohibited Uses

1. The allowable uses shall include a mixture of residential and commercial uses consistent with the base zoning districts, except as modified by this document.
2. Timing of development and unit density for MF-2-A Zoning District can be found in Section I in this **Exhibit A**.
3. A maximum of 1,200 multi-family units may be developed within this PUD; provided that the multi-family units are subject to the phasing and residential unit caps set forth in Section I, Development Phasing and may not exceed the residential unit limits set forth for each phase. A multi-family unit is defined as a dwelling unit within a multi-family structure. All density limitations in the Composite Zoning Ordinance shall not apply to the Property and are hereby replaced by the phasing and residential unit caps set forth in this **Exhibit A**.
4. All parking for multi-family shall be provided using structured parking.
5. Hotels may be constructed within this PUD, overlooking the Tract “G” Lagoon. A minimum of one (1) hotel that meets the requirements of this section shall be constructed by the deadline set forth in Development Phasing, Section I, Phase 2 (the “Hotel”). The Hotel shall have a minimum of five (5) stories, two hundred seventy-five (275) rooms, approximately 90,000 square feet, and shall be a full-service nationally branded and franchised or managed upscale hotel constructed on the Property in accordance with City-approved plans. To qualify as a full-service, upscale, select service hotel, the Hotel shall include the following amenities: on-site food and beverage service (room service); on-site restaurant; on-site bar; fitness center; pool; and a minimum of 10,000 square feet of conference and banquet space. Phase 4 of the PUD may not proceed if a Certificate of Occupancy for the Hotel is not issued as set forth in Section I. Any additional hotel that is developed as part of this development, shall not be required to include the above amenities.
6. The construction and operation of outdoor retail and entertainment venues are permitted in Tract “G”. Such uses shall be prohibited within two hundred feet (200’) of any adjoining residential district.
7. The following uses shall be prohibited:
 - a. Auto fuel sales and washing
 - b. Auto repair and maintenance uses
 - c. Funeral home, including embalming and crematory facilities associated with an onsite funeral home or cemetery.

- d. Manufactured housing sales and accessory building sales
 - e. Office/warehouse including painting, plumbing or similar commercial services
 - f. Transportation related facilities including commercial parking lots, passenger terminals, taxi cab stations and mass transit terminals excluding facilities such as a Tri-Track station, as defined by the State of Texas Transportation Code.
 - g. New vehicle and major equipment sales, rental or leasing, repair of new or used vehicles, body shop (small engine repair shops and motorcycle repair shops shall not be permitted within one-hundred fifty feet (150') of a residential district unless such repairs are conducted totally within a fully enclosed building)
 - h. Wholesale activities with less than 3,500 square feet of gross area of business
8. Development of this PUD shall be a mixed-use development. Buildings that have first floor retail, office, and/or commercial uses authorized by this PUD with residential uses on the floors above retail shall be referred to herein as Vertical Mixed Use Development. As part of this design approach, some Vertical Mixed Use Development shall have only first floor retail, and some shall have a combination of first floor retail, office, and commercial uses authorized by this PUD . **Exhibit F, Ground Floor Retail** identifies the streets that will have only first floor retail frontage within the Vertical Mixed Use Development. Uses associated with multi-family development such as leasing offices, laundry facilities, fitness facilities, or similar uses may not be located on the ground floor of Vertical Mixed Use Development.
9. One hundred percent (100%) of the Lagoon beach front shall be commercial ground floor uses.
10. Food trucks, mobile food units, mobile food establishments, temporary retail establishments and farmers' markets (all as defined and regulated by state law) shall be permitted on any Tract within this PUD in compliance with the Composite Zoning Ordinance.

E. Outdoor Event Standards

- 1. Outdoor entertainment events that generate noise including those involving outdoor amplified sound systems shall be installed with the sound directed towards 183A Toll Road and/or FM 2243.
- 2. No more than twelve (12) outdoor entertainment events with an audience of 2,000 or more attendees shall be allowed each year. A "Special Event Permit" must be obtained from the City for each of these events.

F. Development Standards

- 1. Under the base zoning GC-3-A, the following modifications shall apply:
 - a. Article V, Section 3, (b)(2)(ii) shall be modified to include "outdoor entertainment venues involving substantial outdoor facilities, noise generation, water fountains, swimming pools, water slides, splash pads and similar or supporting facilities are permitted as well as minor outdoor facilities such as recreational equipment, ropes

courses, zip lines, play fields, and other similar facilities”. Such outdoor entertainment venues shall be located exclusively on Tracts “G” and “H” within this PUD.

2. Multi-family that is part of Vertical Mixed Use Development shall be developed on Tracts identified as MF-2-A / GC-3-A on **Exhibit C**. Street front ground floor shall be developed as described in Section D.8 of this PUD. Article III, Section 19(b) shall be waived to allow horizontal and vertical mixed use as established within this PUD.
3. Buildings constructed on Tracts “C”, “F” and “I” shall be designed with dual side front façades with store fronts facing towards the internal street network as well as 183A Toll Road. Doorways shall be provided along the internal street network to provide pedestrian connectivity to the street front.
4. Height
 - a. Under the base zoning GC-3-A, the following height modifications shall apply except within twenty-five (25’) feet of the PUD’s southern and western border. Buildings within twenty-five (25’) feet of the southern and western border shall comply with the thirty-five (35’) feet height limit.
 - i. Ninety (90’) feet maximum for all uses except those identified in ii. and iii. below,
 - ii. Ninety-five (95’) feet maximum for hotel use,
 - iii. One hundred twenty (120’) feet maximum for office use,
 - iv. Any office building exceeding ninety-five (95’) feet in height shall be located at least fifty (50’) feet from the southern and western boundaries of the PUD.
 - b. The structures located within the MF-2-A zoned property within fifty feet (50’) of the southern and western boundaries of the Property shall be limited to a maximum of thirty-five feet (35’) in height.
 - c. No structures within the MF-2-A zoned property shall exceed six (6) stories or seventy-two feet (72’) in height.
 - d. Parking garage heights may be of a height equal to the height of the adjoining building serviced by the subject parking garage.
5. Building setbacks
 - a. Building setbacks along all internal development streets may be zero feet (0’).
 - b. All other buildings shall comply with the setbacks listed in the Composite Zoning Ordinance.
 - c. Structures constructed on Tracts “C”, “F” and “I” shall be constructed a maximum of ten feet (10’) from the internal development street paralleling 183A.

6. Street Network

- a. This PUD is intended to create a unique destination that is designed to focus buildings and user experience inwards towards a central Lagoon. As such, the PUD requires that buildings are oriented inward, creating a pedestrian-friendly active edge along this lagoon.
- b. Due to the walkable, urban setting established with this PUD, roadways depicted on **Exhibit D, Street Exhibit** and street cross sections are established to encourage slow traffic speeds, street parking and walkability in **Exhibits E-1** through **E-7, Street Cross Sections**.
- c. Street Types for all thoroughfares within this PUD are identified on **Exhibit E, Street Exhibit**.
- d. Curb extensions/bulb outs shall be constructed at all intersections in order to create pedestrian scaled roadway crossings and encourage slower vehicular travel speeds.
- e. In locations where street intersections exceed four hundred feet (400') a mid-block pedestrian crossing with curb extensions/bulb outs shall be installed mid-block.
- f. Parallel or head-in, on-street parking spaces may be provided along all internal streets.
- g. Sidewalks of at least twelve feet (12') wide shall be adjacent to all building frontages only if the building incorporates a commercial use on the ground floor.
- h. Sidewalks at least twelve feet (12') wide shall be provided between the building facade and the parking lot, with trees in grates or planter boxes every thirty feet (30'), only if the building incorporates a commercial use on the ground floor.

7. Paving Setbacks

- a. A minimum paving setback of fifteen feet (15') shall be established for parking lots constructed along 183A Toll Road.
- b. All other paving shall comply with the Composite Zoning Ordinance.

G. Parkland/Recreation Improvements

1. The parkland/recreation elements of this PUD shall be composed of two (2) key program elements. These elements are the Lagoon and a segment of the Brushy Creek Main Branch Trail. The Lagoon, at least four (4) acres in size, shall be constructed, installed, and operated on Tract "G" as shown on **Exhibit C**.
 - a. Lagoon
 - i. Although the location, size, and shape of the Lagoon may change, it will include increased recreation improvements to include water sports, public access, and associated pedestrian amenities.
 - ii. This Lagoon shall be constructed during the first phase of development as established in Section I, Development Phasing, Phase 1.

- b. Brushy Creek Main Branch Trail
 - i. Approximately 7.4 acres of open space shall be dedicated to the City of Leander as public parkland and land dedication of the Brushy Creek Main Branch Trail identified on the Leander Trails Master Plan 2011 provides a critical east-west pedestrian link. Construction of a ten feet (10') wide all weather trail shall be constructed within the corridor. The trail corridor and constructed trail shall be dedicated to the City as part of the parkland dedication and improvements. Mason Creek Trail from Horizon Lake Park will enter from the west on either Tracts L, M, or A to the internal sidewalk system and connect to the Brushy Creek Trail system to the north along FM 2243.

H. Landscape Requirements

1. In the event a building is sited with a zero (0) foot setback, Article VI – Site Standards within the Composite Zoning Ordinance shall be modified as follows:
 - a. Landscape requirements may be planted in the associated right-of-way, street, or easement within landscape planting beds, pedestrian courtyards, greenways or similar type of areas.
 - b. Landscaped areas less than four feet (4') in width may count towards the landscape area requirements so long as the landscape area contributes to landscaping and scale of the associated street.
2. Street trees shall be planted along all streets within this PUD to the following standards:
 - a. Street trees shall be planted along all streets at a spacing not to exceed forty feet (40') on center not including 183A Toll Road and FM 2243. Street trees with a mature height not less than thirty-five feet (35') shall be planted as part of Phase 1 along the southern border of Tract K within four hundred feet (400') of the southwest corner of the property at a spacing not to exceed twenty five feet (25'). These trees shall be Arizona Cypress, Escarpment Live Oaks, or similar tree species listed in the Leander Preferred Plant List or Austin Grow Green Guide. The spacing may be modified to accommodate the tree species spread according to industry standards.
 - b. The species of street trees may be, but are not required to be, consistent on both sides of the street on a block.
 - c. The property owners' association shall be responsible for the maintenance of the street trees and sidewalks located along internal streets, not including 183A Toll Road and FM 2243.

I. Development Phasing

1. The Property shall be developed in accordance with the phasing and deadlines set forth in this section. Certificate of Occupancy means the final Certificate of Occupancy issued by the City for occupancy or use of a building or structure. Certificate of completion means the final certificate of completion issued by the City for completion of site improvements. Commercial Development means commercial, office, and retail uses and structures authorized by this PUD.

DEADLINE	PHASE 1 Phase 1 consists of the following uses and structures which are subject to the phasing requirements described below: A. The Lagoon B. A minimum of thirty-five thousand (35,000) square of Commercial Development that is not part of Vertical-Mixed Use Development (the “Phase 1 Commercial Development”) C. A maximum of three hundred fifty two (352) multi-family units that are part of Vertical Mixed-Use Development
No deadline.	The site development permit application for the Lagoon, Phase 1 Commercial Development, and first three hundred fifty two (352) units of multi-family may be submitted for concurrent review. If they are not submitted for concurrent review, then they shall be submitted in the following order, and construction of the Lagoon shall commence concurrently with or before the construction of the Multi- Family units: a. Lagoon b. Commercial Development c. Multi-family
	Certificates of occupancy may not be issued for any multi-family units until after the certificate of completion is issued for the Lagoon. No more than three hundred fifty two (352) multi-family units may be permitted during Phase 1, and only if they are part of a Vertical Mixed Use Development. Phase 1 must be complete and have certificates of occupancy or certificates of completion, as appropriate, issued before more than three hundred fifty two (352) multi-family units will be permitted. The first floor retail portion of the Vertical Mixed Use Development shall obtain a Certificate of Occupancy for up to fifty percent (50%) of the Phase 1 Commercial Development prior to permits being issued for Phase 2.
	Development of Tracts "G" and "H" shall be constructed as identified on Exhibit G, Phasing Plan including the construction of the utility infrastructure and streets located within the public rights-of-ways necessary to service Phase 1 of the Property.
	Temporary all weather surface parking comprised of concrete, asphalt, or similar material approved by the Planning Director and City Engineer may be constructed on Tracts “E”, “D”, “J”, “K”, and “L” for the exclusive use of the users of Phase 1. The surface parking shall be removed when Tracts “E”, “D”, “J”, “K”, and “L” develop for their designated uses.

DEADLINE	PHASE 2 Phase 2 consists of the following uses and structures which are subject to the phasing requirements described below: a. A minimum of one-hundred thousand (100,000) square feet of Commercial Development (the “Phase 2 Commercial Development”) b. A maximum of three hundred (300) multi-family units
Within 5 years of the first Certificate of Occupancy issued for Phase 1 (Phase 2 Commercial Development only)	One or more Certificates of Occupancy for a minimum of one hundred thousand (100,000) square feet of Commercial Development shall be obtained. No more than three-hundred (300) multi-family units may be approved for Phase 2. Building permits for multi-family structures may not be issued until fifty percent (50%) of the Phase 2 Commercial Development (excluding Hotels and the Lagoon) has been issued a Certificate of Occupancy.
	HOTEL Hotel development can begin at any time and is subject to the phasing deadlines set forth below. Hotel construction shall commence no later than five years after the issuance of the first certificates of occupancy.
DEADLINE	PHASE 3 Phase 3 consists of the following uses and structures, which are subject to the phasing requirements described below. A. Two-hundred fifty (250) units of multi-family units for each one-hundred thousand (100,000) square feet of Commercial Development up to a maximum of one thousand two hundred (1200) multi-family units, subject to the limits and phasing requirements below. B. Minimum square footage of Commercial Development as defined here (the “Phase 3 Commercial Development”)
No deadline	For each additional two hundred fifty (250) units of multi-family for which a Certificate of Occupancy has been requested after Phase 2, certificates of occupancy must be issued for an additional one hundred thousand (100,000) square feet of Phase 3 Commercial Development after the Phase 2 Commercial Development.
	A maximum of one thousand two hundred (1200) multi-family units may receive building permits.

J. Subdivision Process

1. The Concept Plan and Preliminary Plat may be submitted for concurrent review and approval.
2. The Hotel, the Commercial Development, and the Lagoon must each be located on tax parcels that do not include multi-family development, and for which zoning does not allow multi-family development or two-family development, as shown in **Exhibit C**, unless the Commercial Development is part of Vertical Mixed-Use Development. Commercial Development, the Hotel, and the Lagoon must be located on separate tax parcels from Multi-Family Development or two-family development (except for Multi-family Development that is part of Vertical-Mixed Use) prior to the issuance of a building permit, and the separate tax parcel must be created before the issuance of a building permit for the Commercial Development, the Hotel, or the Lagoon, respectively.

LIST OF EXHIBITS

Exhibit A – Planned Unit Development (PUD) document

Exhibit B – Field Notes

Exhibit C – Conceptual Site Layout and Land Use Plan

Exhibit D – Street Exhibit

Exhibit E-1 through E-7 – Street Cross Sections

Exhibit F – Ground Floor Retail

Exhibit G – Phasing Plan

Exhibit H – Leander Spring PUD Amendment 1 Cross Section Updates

EXHIBIT B
Field Notes

EXHIBIT B

77.9044 ACRES
PUD MIXED USE
ZONING DESCRIPTION

DESCRIPTION

TRACT 1: 31.3453 ACRES OR 1,365,403 SQ. FT. OUT OF THE E.D. HARMON SURVEY, ABSTRACT NUMBER 6, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 275.31 ACRE TRACT CONVEYED TO CARL STEVENS AND WIFE, AGNES STEVENS IN DEED DATED APRIL 29, 1959, RECORDED IN VOLUME 430, PAGE 528, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS AND

TRACT 2: 46.5590 ACRES OR 2,028,114 SQ. FT. OUT OF THE E.D. HARMON SURVEY, ABSTRACT NUMBER 6, WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN 52.45 ACRE TRACT CONVEYED TO LEANDER DEVELOPERS 4, LTD, RECORDED IN DOCUMENT NO.2005077774, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 5.936 ACRE TRACT CONVEYED TO WILLIAMSON COUNTY, TEXAS, BY DEED RECORDED IN DOCUMENT NO. 2005094695 AND DOCUMENT NO. 2005101487, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

SAID 77.9044 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a ½" iron pin found on the West R.O.W. of Highway 183A at the Southwest corner of said 5.936 acre tract conveyed to Williamson County for R.O.W. being the Southeast corner of the remainder of said 52.45 acre tract also being the Northeast corner of a 29.0385 acre tract conveyed to Leander 30 L.P. and William K. Burba in Doc. No. 2017013760, Official Public Records of Williamson County, Texas and the Northwest corner of 0.9615 acre tract conveyed to Williamson County for R.O.W., being described by deed most recently recorded in said Doc. No. 2017013760, for the Southeast corner of this tract and the **POINT OF BEGINNING**

THENCE, S68°59'26"W with the North line of said 29.0385 acre tract, a distance of 1,594.40 feet to a ½" iron pin found being on the East line of a 118.778 acre tract conveyed to James M. Zanzi Trustee of the James M. Zanzi Revocable Trust in Doc. No. 2011001781 Official Public Records of Williamson County, Texas for the Southwest corner of said 52.45 acre tract and this tract.

THENCE, N20°40'12"W with the East line of said 118.778 acre tract, a distance of 1,135.88 feet to a ½" iron pin found being the West common corner of said 54.25 acre tract and the remainder of said 275.31 acre tract.

THENCE, N20°40'50"W passing the Northeast corner of said 118.778 acre tract, same being the Southeast corner of a tract conveyed to the City of Leander (no deed found) in all a distance of 1,136.69 feet to a fence post found being the Southwest corner of a 3.91 acre tract conveyed to the City of Leander in Vol. 1476, Pg. 825 of the Real Property Records of Williamson County, Texas and the

Southeast corner of the a 6.88 acre tract conveyed to the City of Leander in Vol. 1183, Pg. 883 of the Real Property Records of Williamson County, Texas for the Northwest corner of this tract.

THENCE, N50°52'47"E with the Southeast line of said 3.91 acre tract, a distance of 653.43 feet to a ½" iron pin set on the South R.O.W. of F.M. 2243 at the East corner of said 3.91 acre tract

THENCE, with the South R.O.W. of F.M. 2243 the following two (2) courses:

- 1) S81°19'01"E, a distance of 14.61 feet to a 1/" iron pin set at a point of curve to the left.
- 2) With said curve to the left, whose elements are R=994.93 feet, L=358.08 feet, whose chord bears N88°39'09"E, 356.15 feet to a ½" iron pin found being the Northern Southwest corner of said 10.974 acre tract conveyed for right of way.

THENCE, with the South line of said 10.974 acre tract conveyed for right of way being the South R.O.W. of F.M. 2243 the following three(3) courses:

- 1) S11°46'23"E, a distance of 42.51 feet to a ½" iron pinset.
- 2) With a curve to the left, whose elements are R=887.69 feet, L=230.99 feet, whose chord bears N70°43'56"E, 230.34 feet concrete monument found.
- 3) S72°30'10"E, a distance of 139.47 feet to a ½" iron pin set being the intersection of South R.O.W. of F.M. 2243 and the West R.O.W. of Highway 183A for the Northeast corner of this tract.

THENCE, S28°13'00"E with the West R.O.W. Highway 183A, a distance of 865.11 feet to a ½" iron pin found being the East common corner of said remainder of 275.31 acre tract and remainder of said 52.45 acre tract

THENCE, S28°12'09"E with the West R.O.W. of Highway 183A at 504.9 feet pass a concrete highway monument found in all a distance of 1,365.36 feet to the **POINT OF BEGINNING** and containing 3,393,517 square feet or 77.9044 acres, more or less.

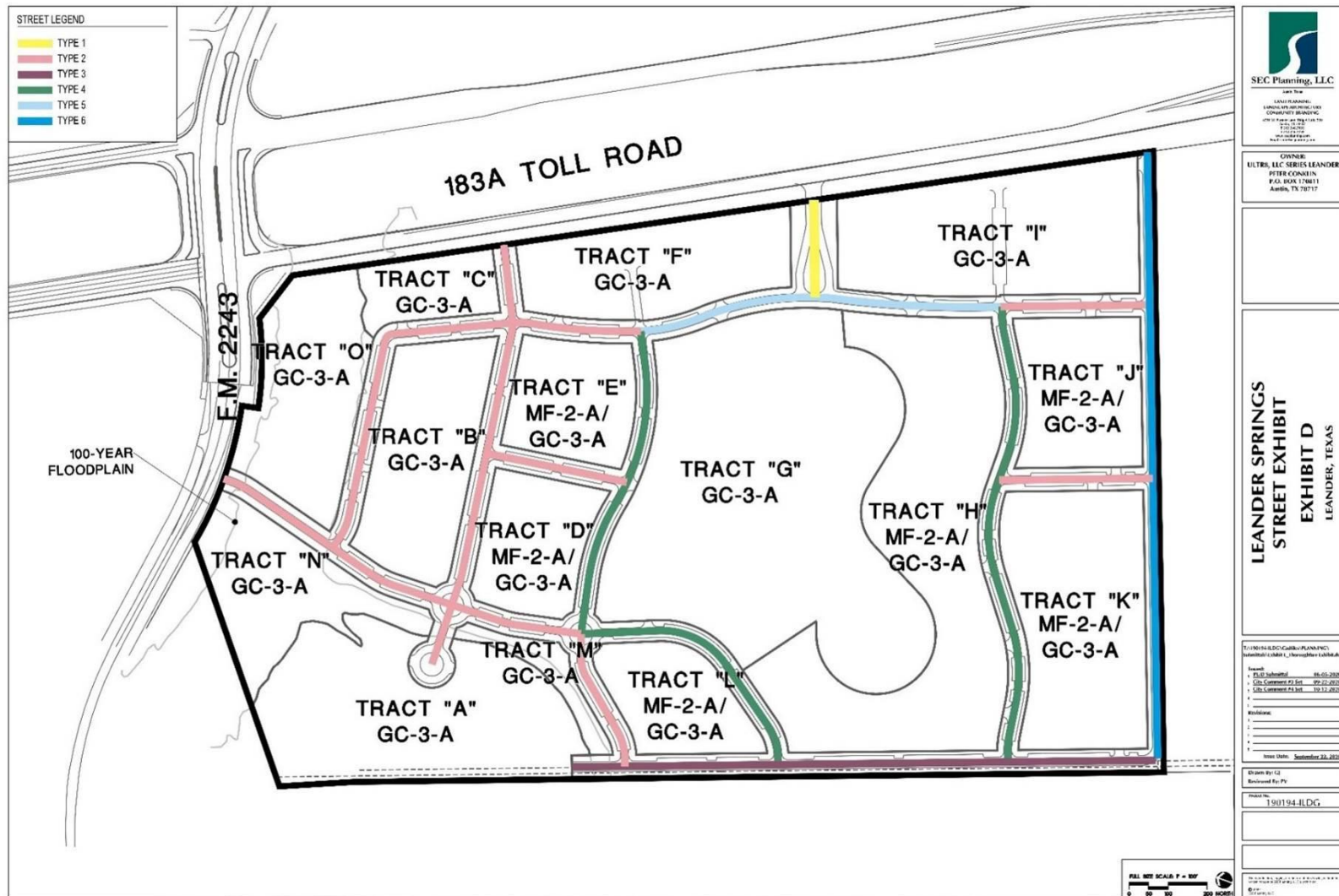
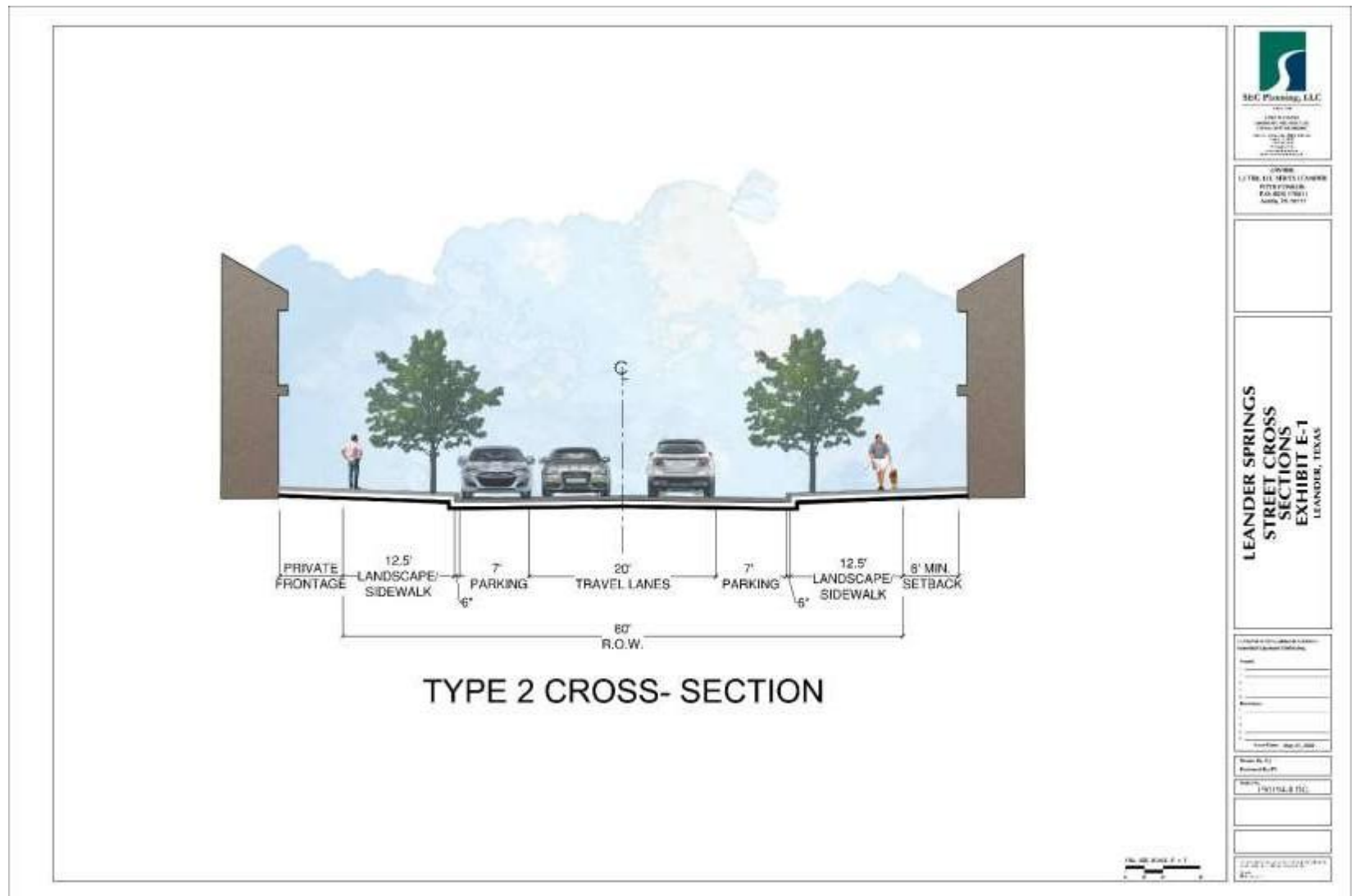
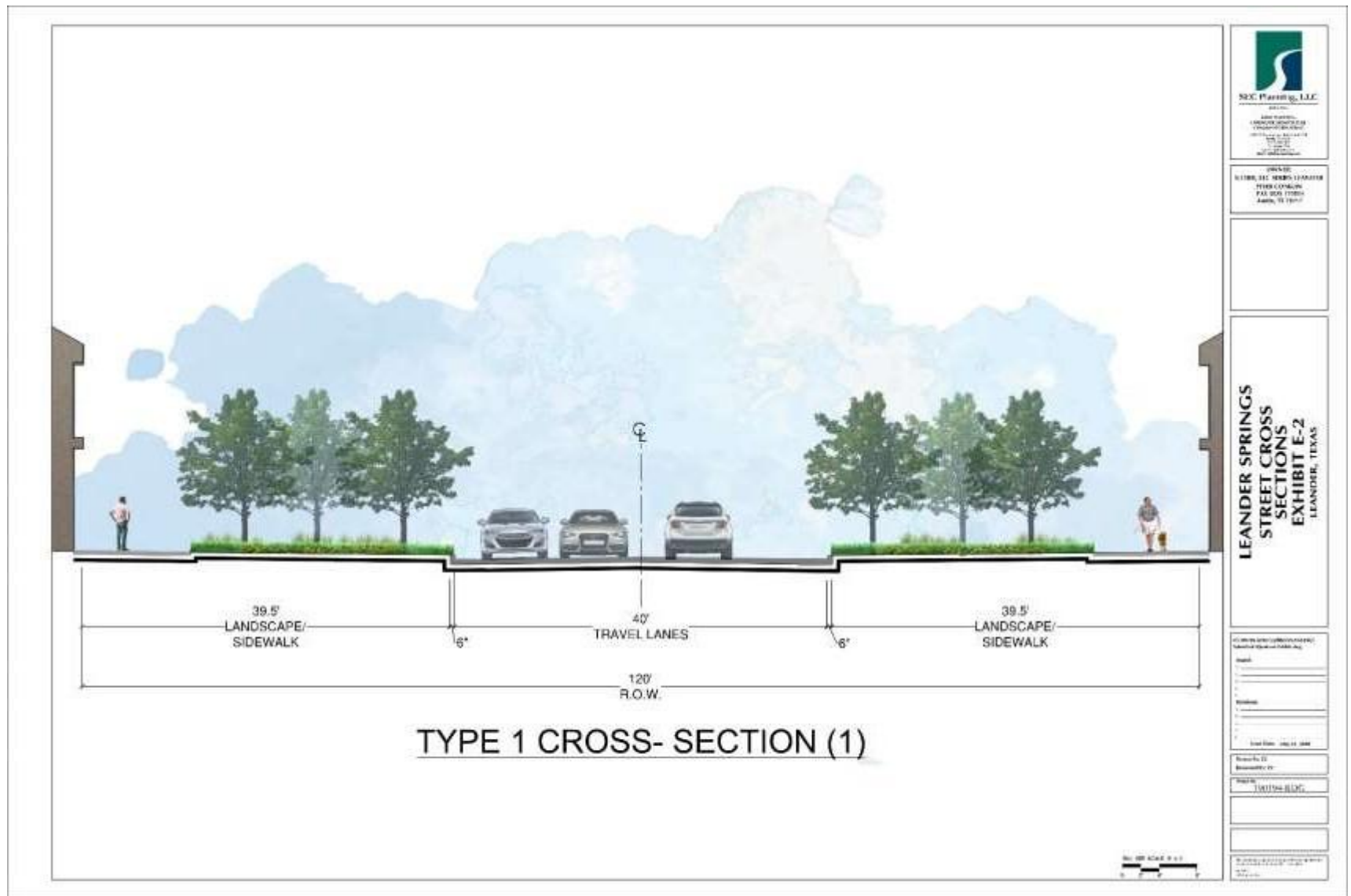


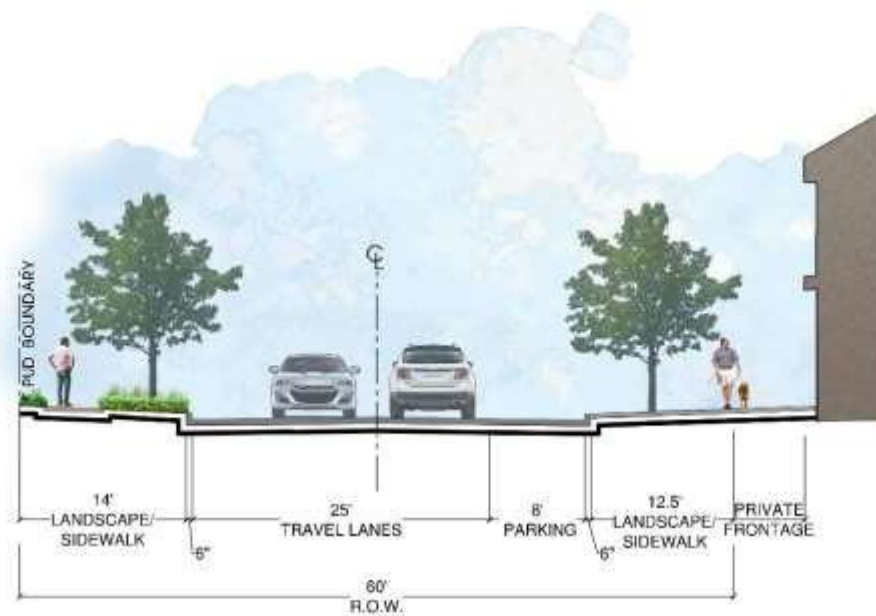
EXHIBIT D

Street Exhibit

EXHIBIT E-1 through E-7
Street Cross Sections

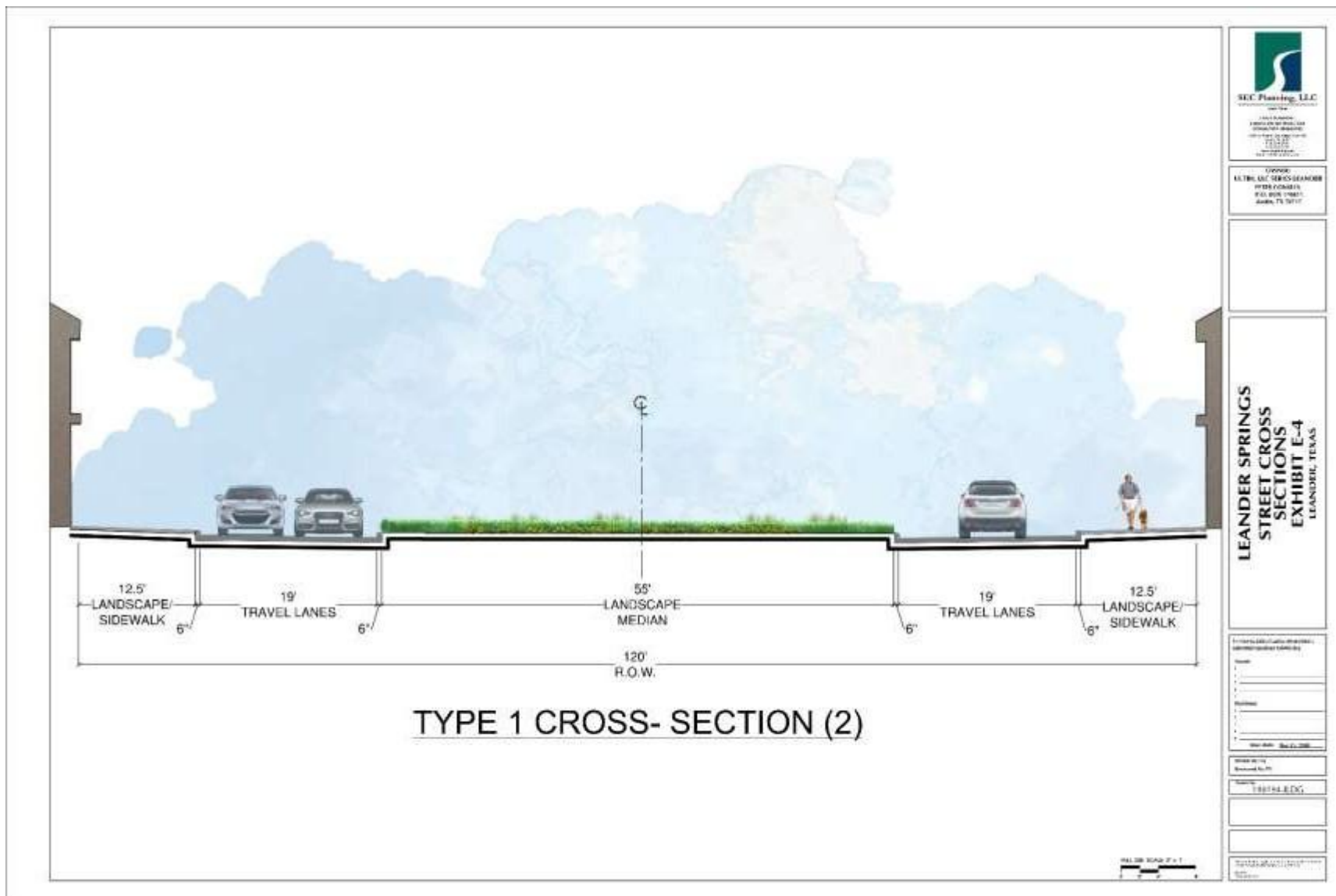


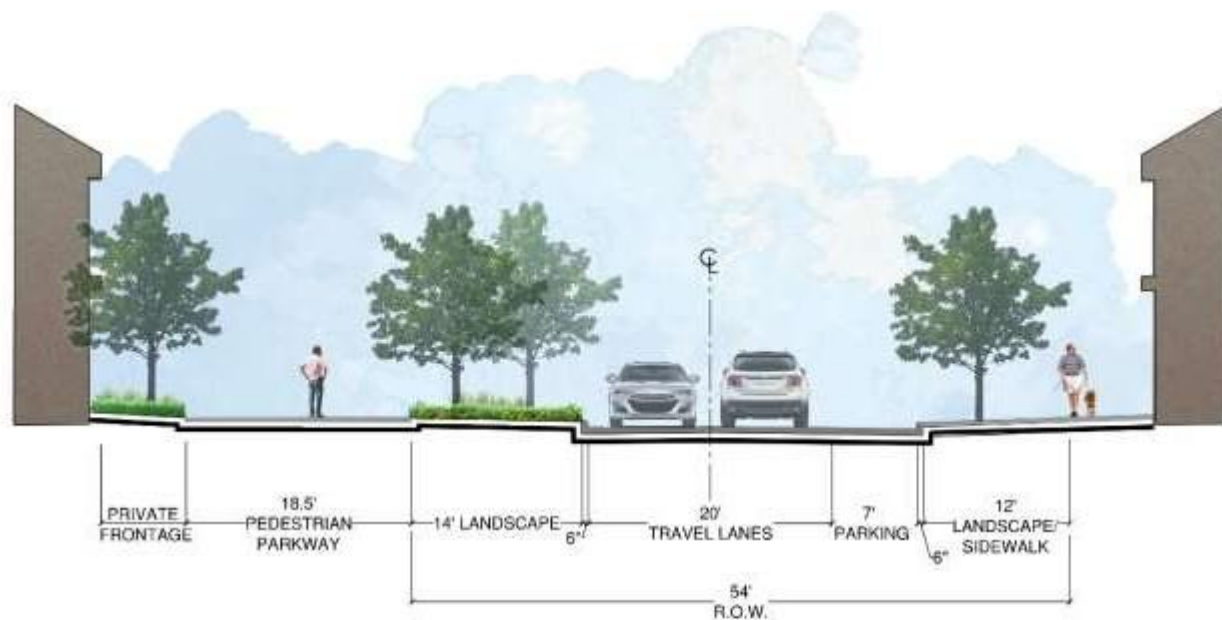




TYPE 3 CROSS- SECTION

 SEC Planning, LLC CONSULTING ENGINEERS 10000 N. MICHIGAN AVE. SUITE 1000 LEANDER, TEXAS 78645 TEL: 512.261.1111 FAX: 512.261.1112 WWW.SECPLANNING.COM
OWNER: LEANDER SPRINGS PUD 10000 N. MICHIGAN AVE. SUITE 1000 LEANDER, TEXAS 78645 TEL: 512.261.1111
PROJECT: LEANDER SPRINGS PUD STREET CROSS SECTIONS EXHIBIT E-3 LEANDER, TEXAS
Project No.: 2019-001 Revision No.: 1 Date: 10/11/2019
Project Name: Project Location: Project Description:
Project Manager: Project Engineer:
Project Designer: Project Checker:
Project Approver:





TYPE 5 CROSS- SECTION



SSC Planning, LLC
10000 N. Mopac Expressway, Suite 100
Austin, TX 78753
Phone: (512) 250-1000
Fax: (512) 250-1001
www.sscplanning.com

PROJECT:
LEANDER SPRINGS LEANDER
PUD 2014-2015
EXHIBIT E-5

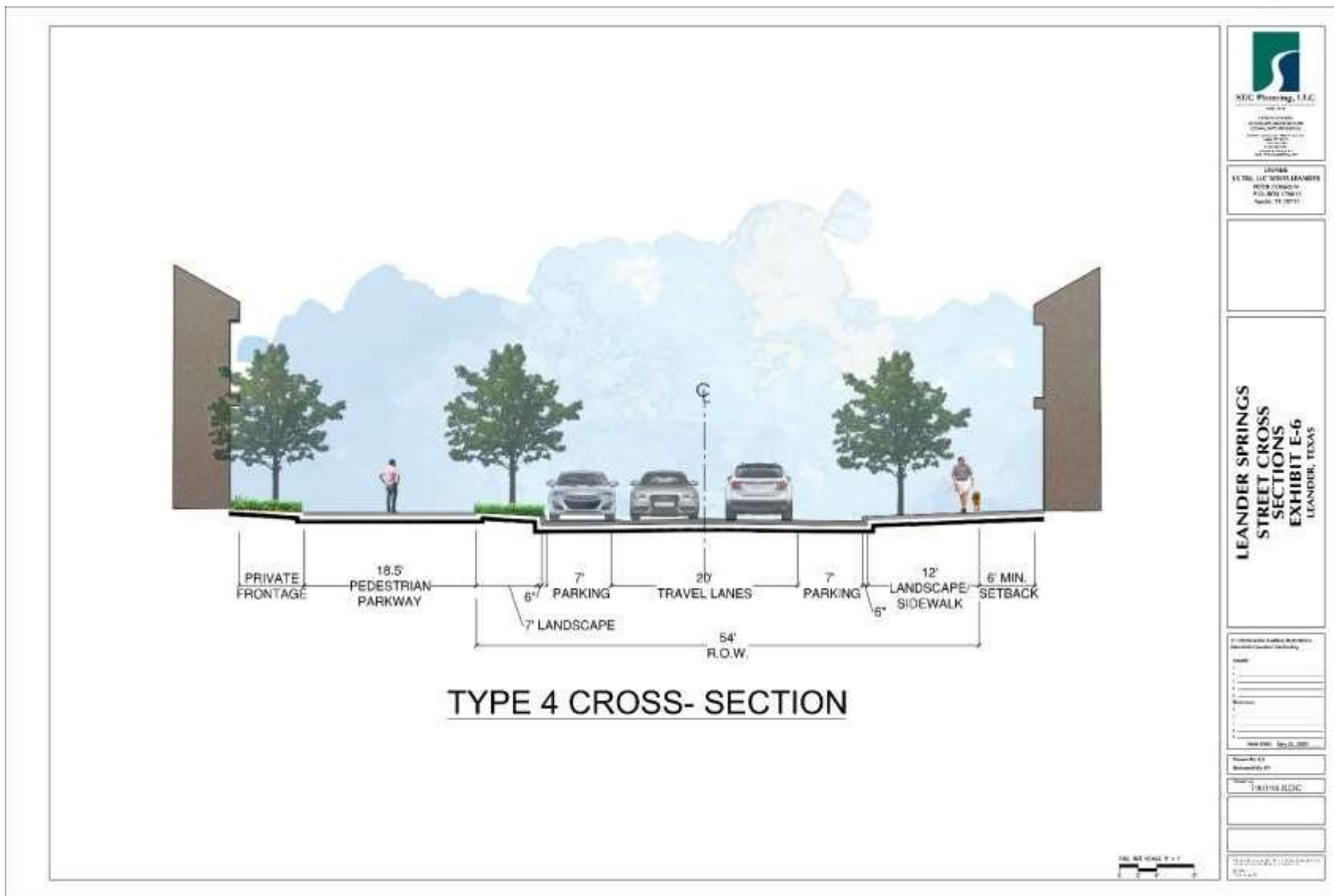
LEANDER SPRINGS
STREET CROSS
SECTIONS
EXHIBIT E-5
LEANDER, TEXAS

DATE: May 11, 2014
DRAWN BY: J. L. BROWN
CHECKED BY: J. L. BROWN
APPROVED BY: J. L. BROWN

PROJECT: LEANDER SPRINGS LEANDER PUD 2014-2015

DATE: May 11, 2014

SCALE: 1" = 10'





TYPE 6 CROSS- SECTION



MOC Planning, LLC

2010 PLANNING
COUNCIL MEMBERS
COUNCIL MEMBERS
2010 PLANNING
COUNCIL MEMBERS
2010 PLANNING
COUNCIL MEMBERS

OWNER:
LEANDER SPRINGS PUD
1000 S. 10TH ST.
LEANDER, TEXAS 78747

LEANDER SPRINGS
STREET CROSS
SECTIONS
EXHIBIT E-7
LEANDER, TEXAS

For more information, contact:

Name:

Address:

City:

State:

Zip:

Phone:

Fax:

E-mail:

Website:

Project No.:

Revision No.:

Revision Description:

Revision Date:

Revision By:

Revision For:

Revision Date:

Revision By:

Revision For:

Revision Date:

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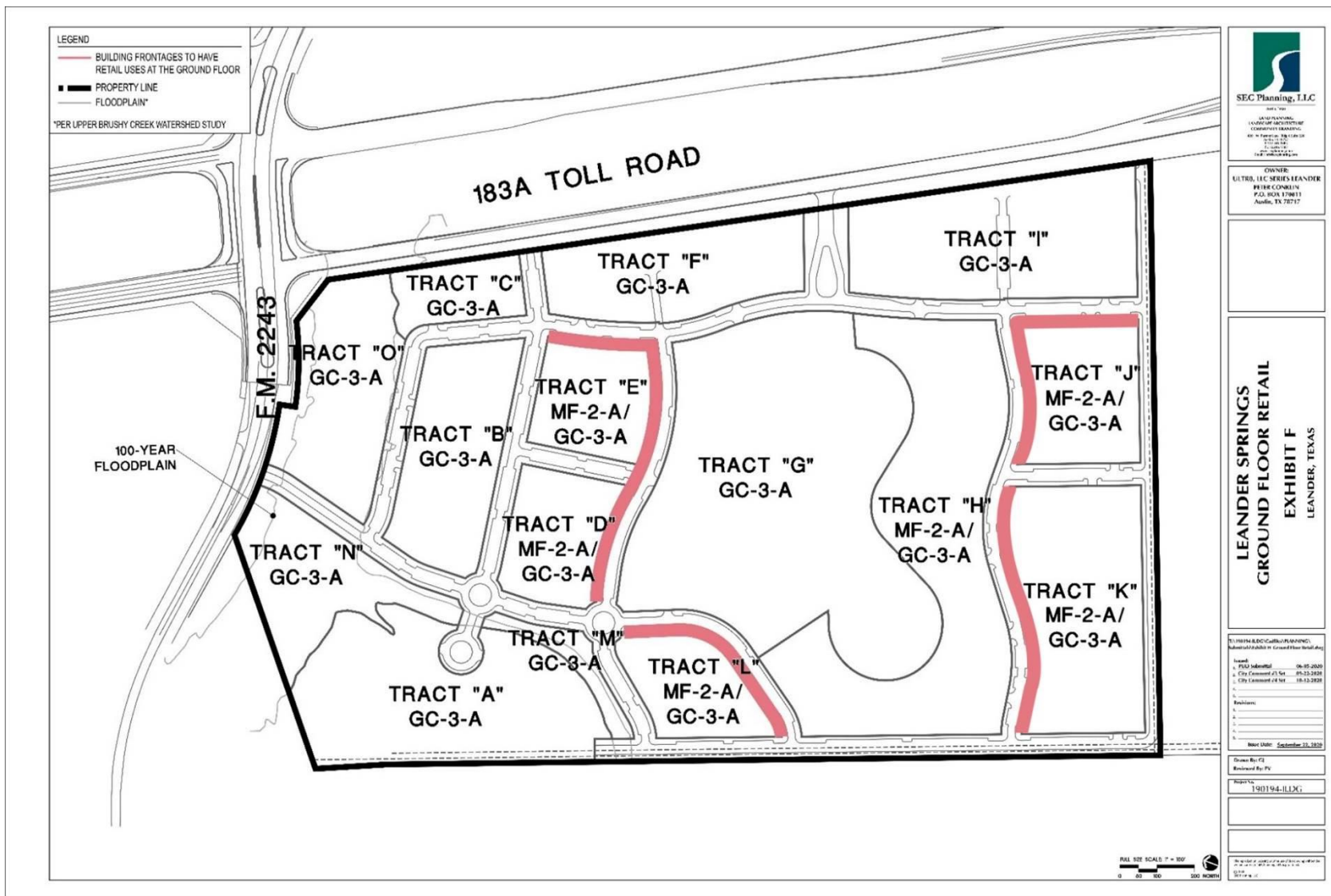


EXHIBIT F
 Ground Floor Retail

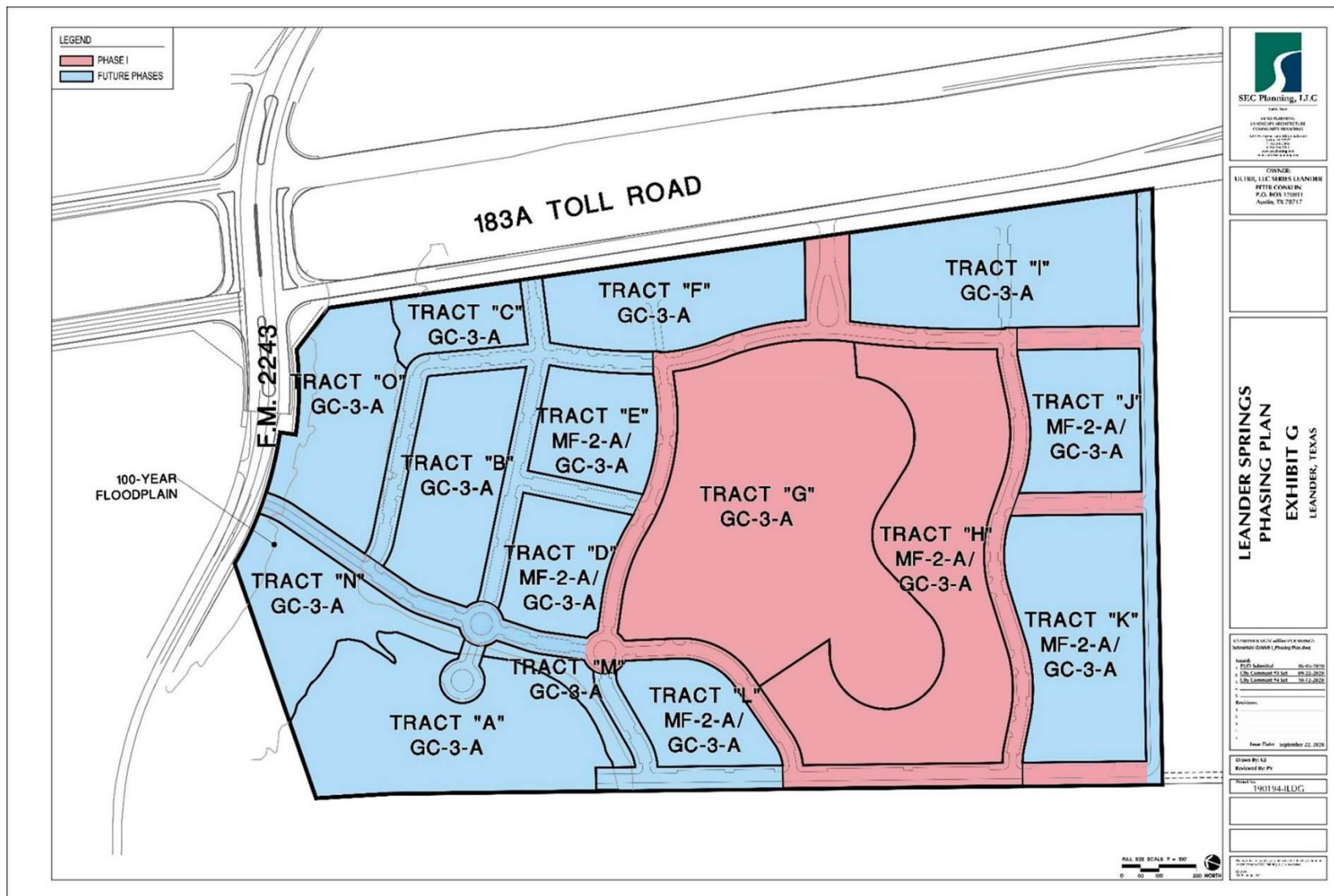


EXHIBIT G

Phasing Plan

EXHIBIT H

Leander Spring PUD Amendment 1 Cross Section Updates



5301 Southwest Parkway, Bldg. 3, Ste 100, Austin, TX 78735
Contact: Joey Gallegos 210.367.6270
joey.gallegos@Kimley-Horn.com

**Leander Springs PUD
Cross-Section Narrative
and Exhibits**



Kimley»Horn



LEANDER SPRINGS

ROAD CROSS-SECTION NARRATIVE

This narrative details the proposed changes to the street exhibits for the Leander Springs development and explains how these changes meet and exceed the intentions set forth by the Leander Springs Planned Unit Development (PUD) agreement, **specifically sections F.6 and Exhibits D and E-1 through E-7**. This document will elaborate on the encouragement of slowing traffic speeds, enhanced street parking, and walkability.



ROADWAY DESIGN

A main concern for the roadway system is the safety of the drivers and pedestrians traveling along the roads. Some of the roadways originally proposed in the PUD had a narrow 10-foot travel lane. Slightly increasing this width will provide safer roadways, especially since this development will have larger vehicles traveling on the road. Naturally, with wider roads, traffic speeds may increase. To counteract this, the roadways have been designed with more bends to encourage slower speeds. Additionally, some of the roadways needed to be widened in order to meet the fire lane code for aerial access. To meet this fire code, some of the on-street parking had to be removed.



ON-STREET PARKING

Parking along the internal roads is important for ease of access to retail and other amenities provided within this development. The parallel parking spaces along these roads have been increased to nine feet, from the originally proposed seven feet. The intent is to provide a more comfortable on-street parking experience while keeping larger vehicles, like pick-up trucks and SUVs, in mind. The substandard for street parking in Texas is seven feet, therefore this dense development will benefit from more spacious parallel parking.



PEDESTRIAN EXPERIENCE

Well-designed streetscapes also play a role in creating more inviting, safe, and enjoyable spaces to explore, while greatly enhancing the walkability and aesthetics of a development. The proposed street sections will align with the PUD's intent and guidelines while incorporating landscape elements, such as trees, plants, and greenery to create a sense of place and improve the overall visual appeal of the different streetscape profiles. Simple changes in landscape and hardscape materials can often serve as a method of indirect traffic slowing and calming, so the design team will strategically implement these practices where opportunities provide or are deemed necessary.

The design vision will improve the pedestrian experience in several ways and will comply with the PUD guidelines. For example, the placement of trees and other vegetation in the landscape buffers (width varies) between the roadway and the sidewalks can provide shade and shelter from natural elements, allowing more protection on hot or rainy days. Landscape features can also help define the edges of the sidewalk, crafting clear pedestrian zones and ultimately reducing the risk of collisions with vehicles. In addition, the use of different types of paving materials and textures will help create a sense of movement, direction, and destinations throughout Leander Springs.

As for aesthetics, the use of plants and other vegetation will add color, texture, and appeal to the streetscape while keeping the materiality and color palette of the Leander Springs development. The design team will incorporate a variety of different landscape elements to transform a functional thoroughfare into a vibrant and welcoming public space for both pedestrians and vehicles.



TRAIL CONNECTIVITY AND OVERALL DESIGN

Leander Springs is set in a prime location within the Regional Trail network. It has the opportunity to offer a direct connection to and from the proposed Brushy Creek Trail extension and provide a critical east-west pedestrian link within the Regional Trail network. The design team has created a trail experience within Leander Springs that complements the existing and proposed trail network and embraces the vision of the PUD and its guidelines. Internal to the project, the design of the trail expansion focuses on circulation and access to the various retail, commercial, and recreational opportunities while activating the pedestrian edge of the lagoon. Safe crossings where interactions with vehicles occur will be addressed with proper signage, lighting (for nighttime), and traffic-calming measures.



LEANDER SPRINGS

LIVE. WORK. PLAY

Streetscape Section Study



April 19, 2023
Revised August 15, 2023



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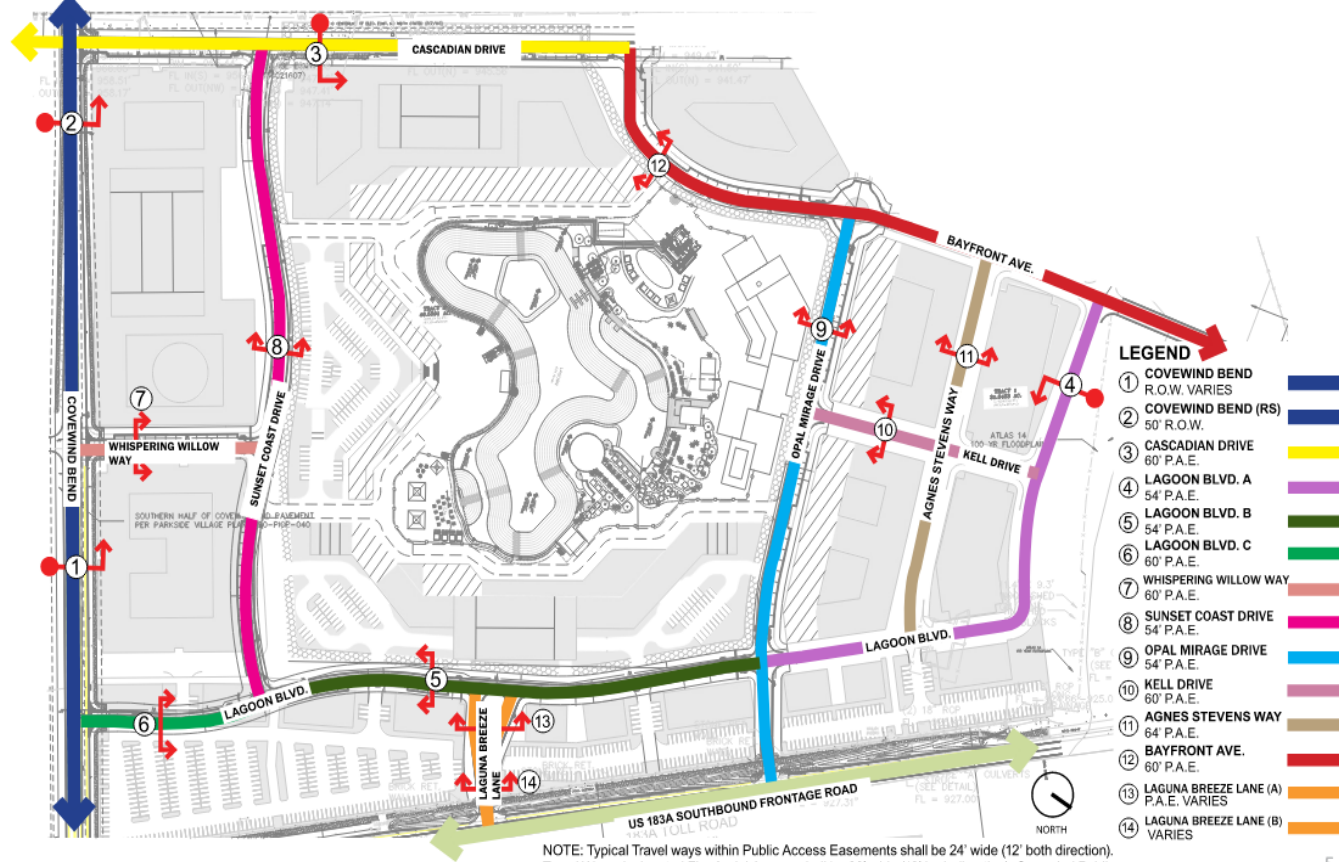
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- Agnes Stevens Way	16
- Bayfront Ave.	17
- Laguna Breeze Lane (A)	18
- Laguna Breeze Lane (B)	19

Leander Springs PAL - Circulation Hierarchy



4

Leander Springs PAL - Streetscape Sections Key

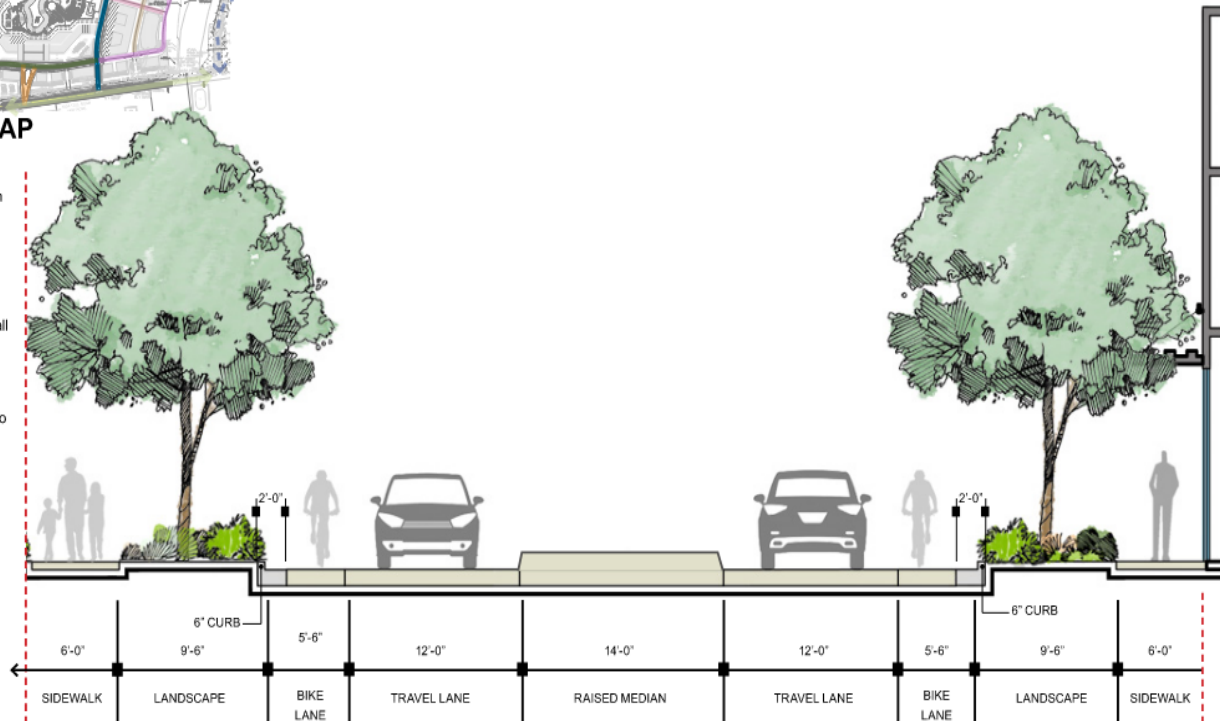


Leander Springs PAL - ① COVEWIND BEND (Public Street)

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 6



NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



R.O.W. = VARIES

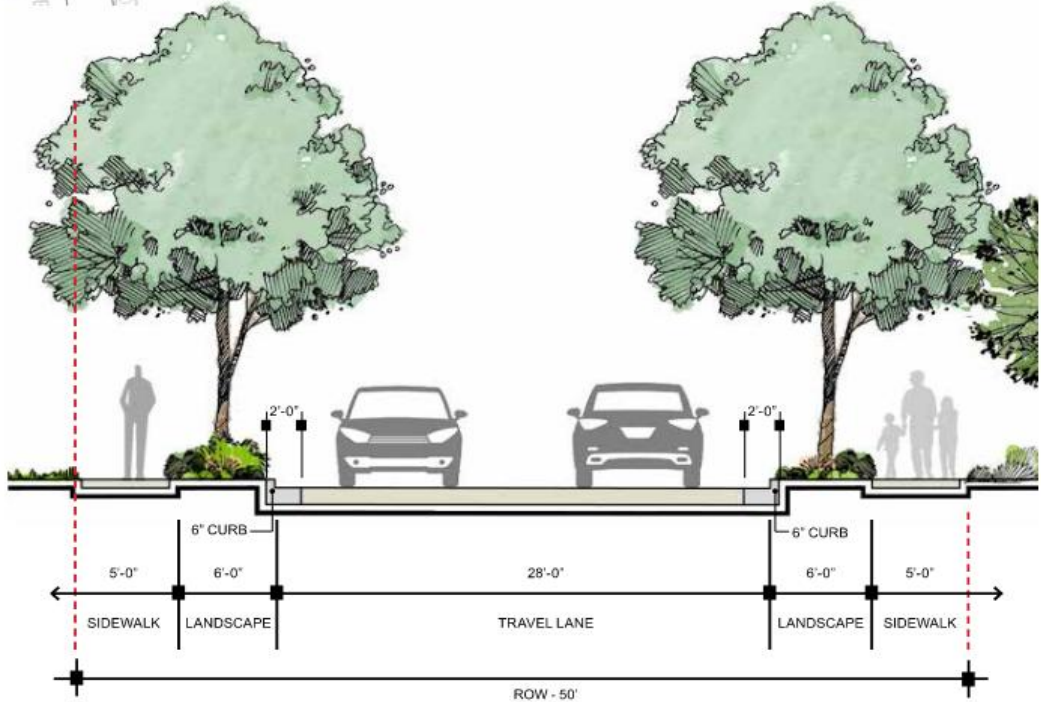
Leander Springs PAL - ② COVEWIND BEND (Public Street)

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 6



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



Leander Springs PAL - ③ CASCADIAN DRIVE [60' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 3

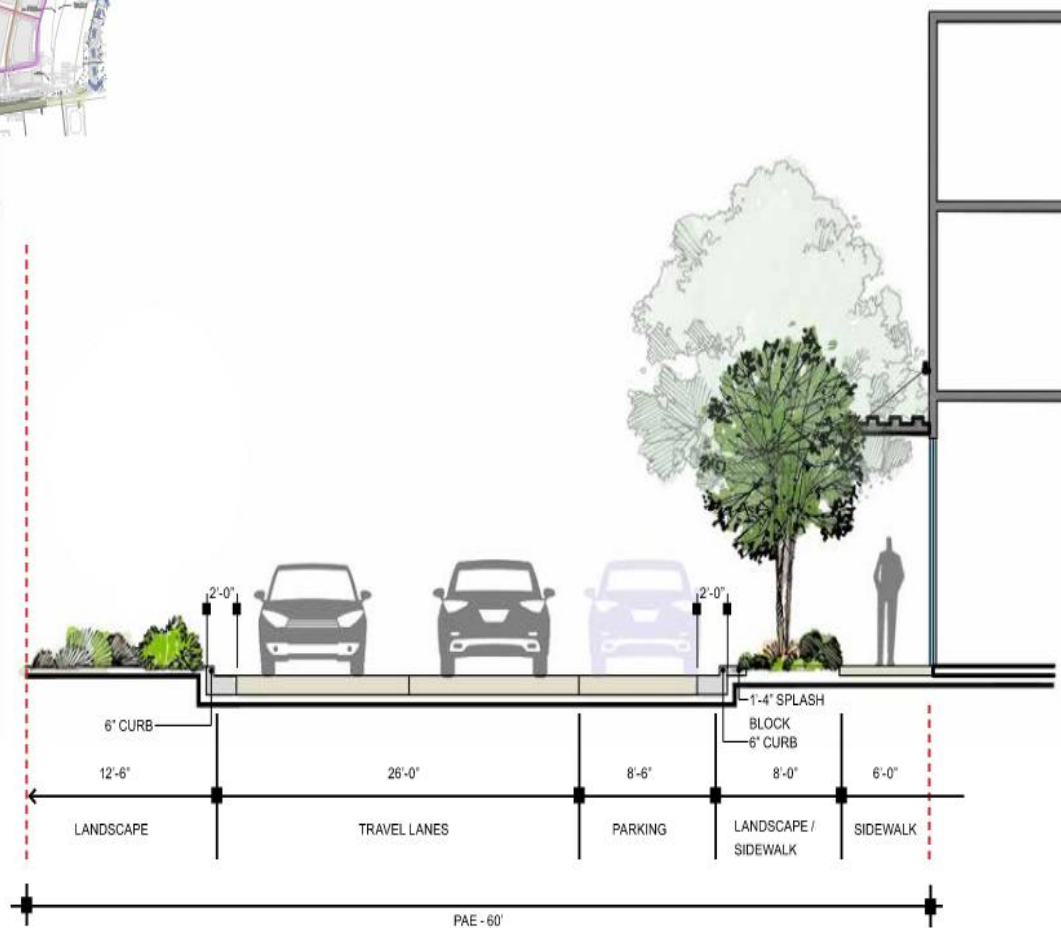


KEY MAP

NOTE:

1. Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Cowwind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.

2. No Trees shall be placed in the PEC Transmission Easement



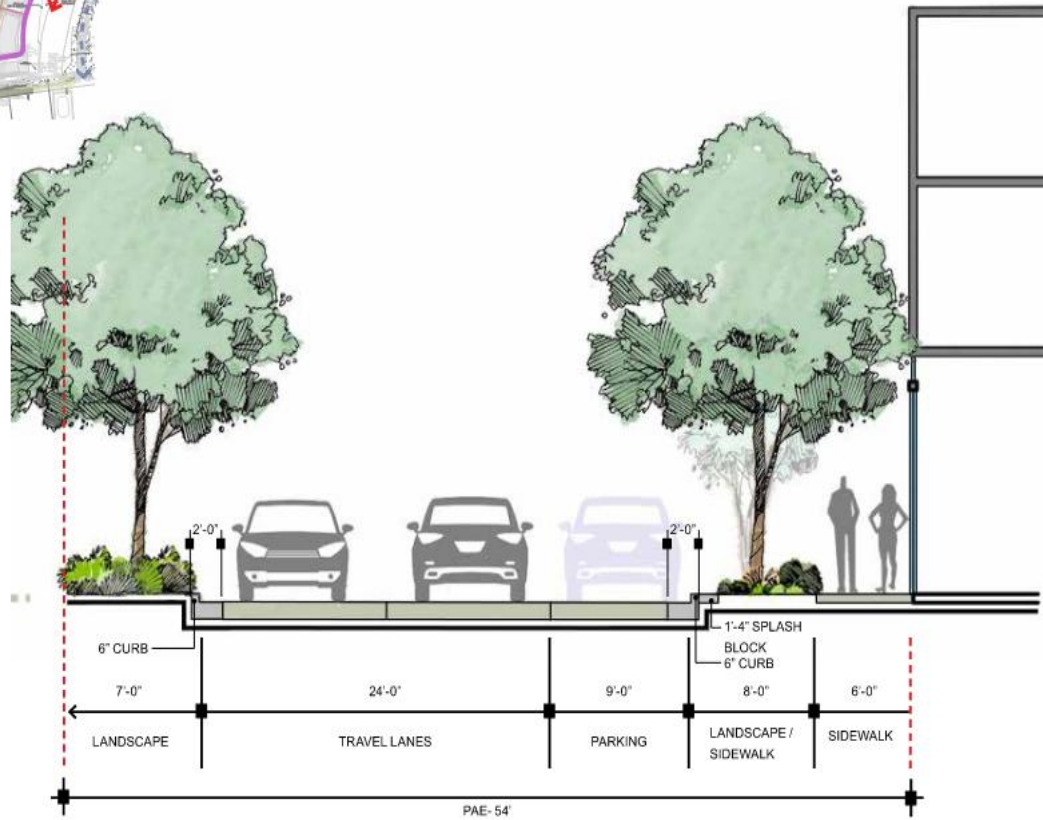
Leander Springs PAL - ④ LAGOON BLVD. A [54' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 2



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



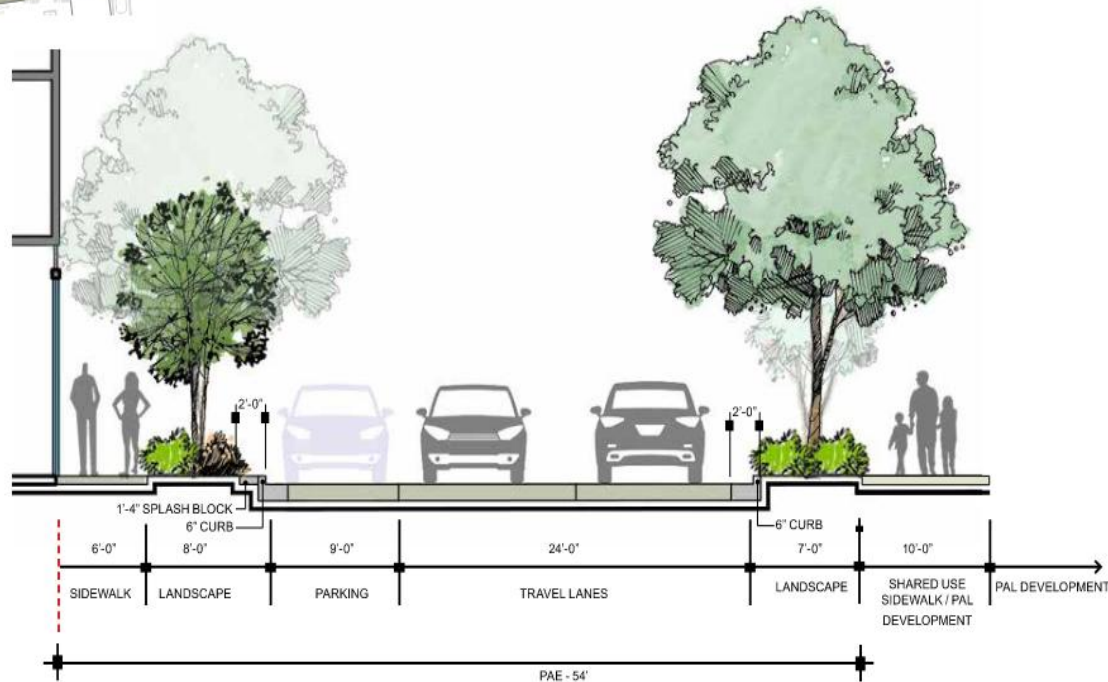
Leander Springs PAL - ⑤ LAGOON BLVD. [54' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 2 & 5



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



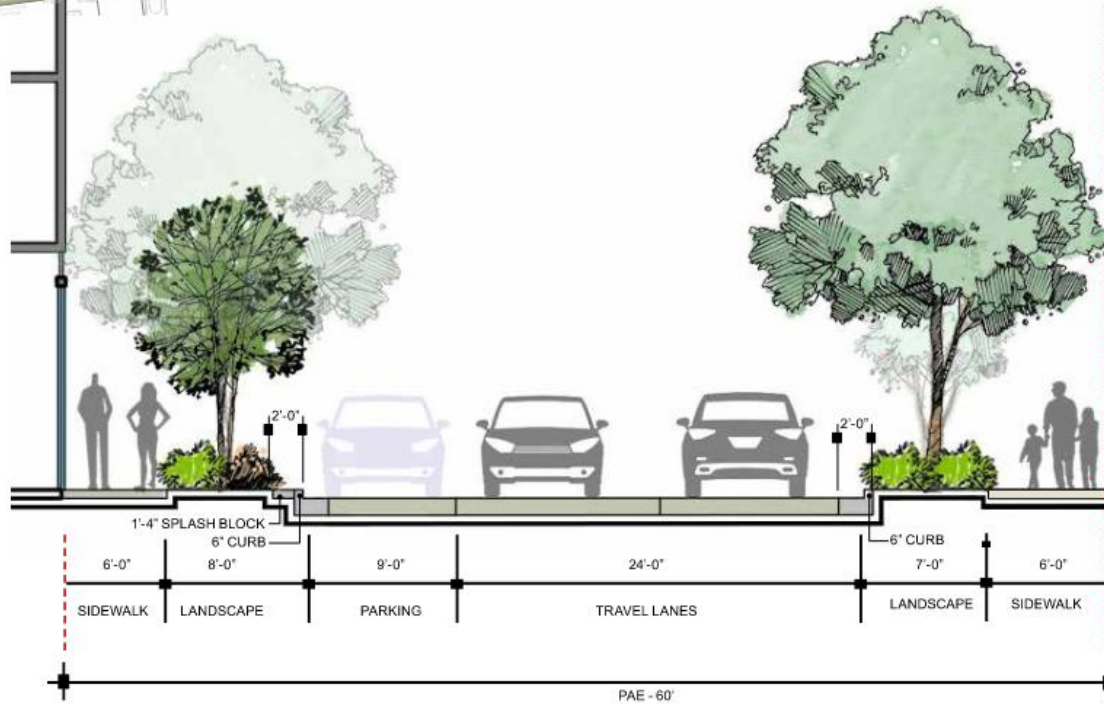
Leander Springs PAL - ⑥ LAGOON BLVD. C [60' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 2



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



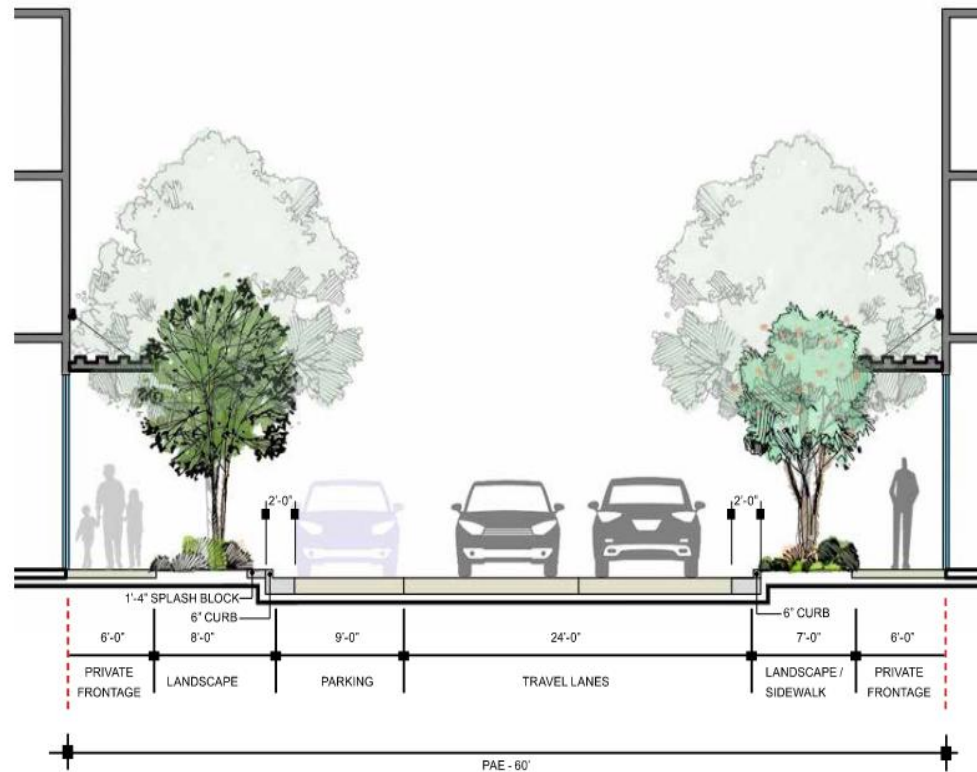
Leander Springs PAL - ⑦ WHISPERING WILLOW WAY PAE - Private Street

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 2



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



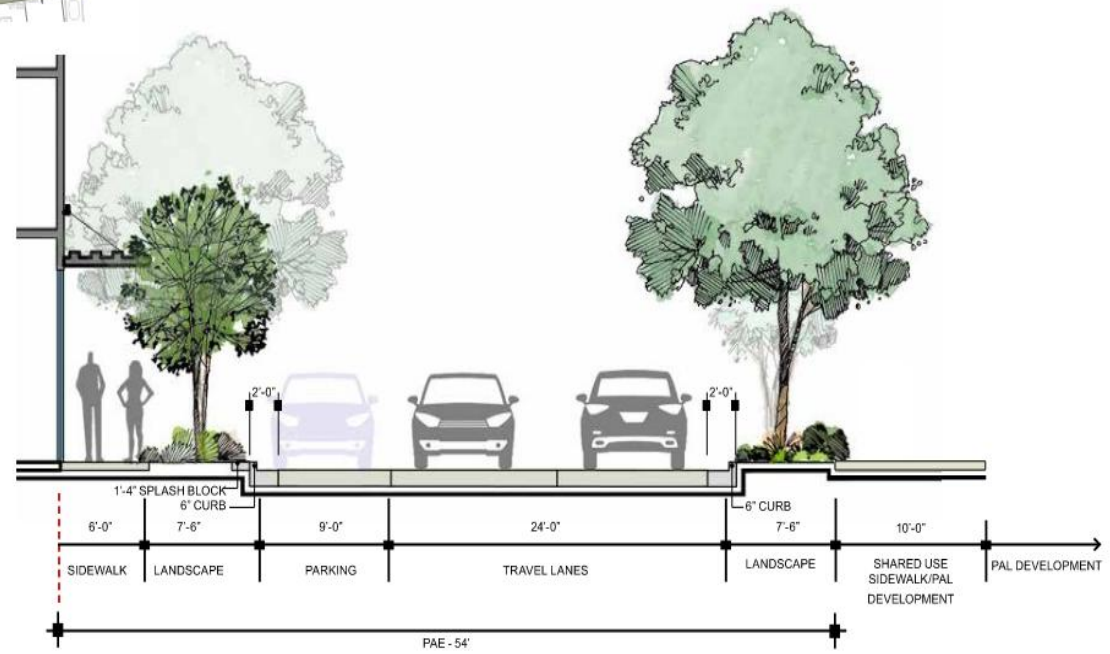
Leander Springs PAL - ⑧ SUNSET COAST DRIVE [54' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 4



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Coverwind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



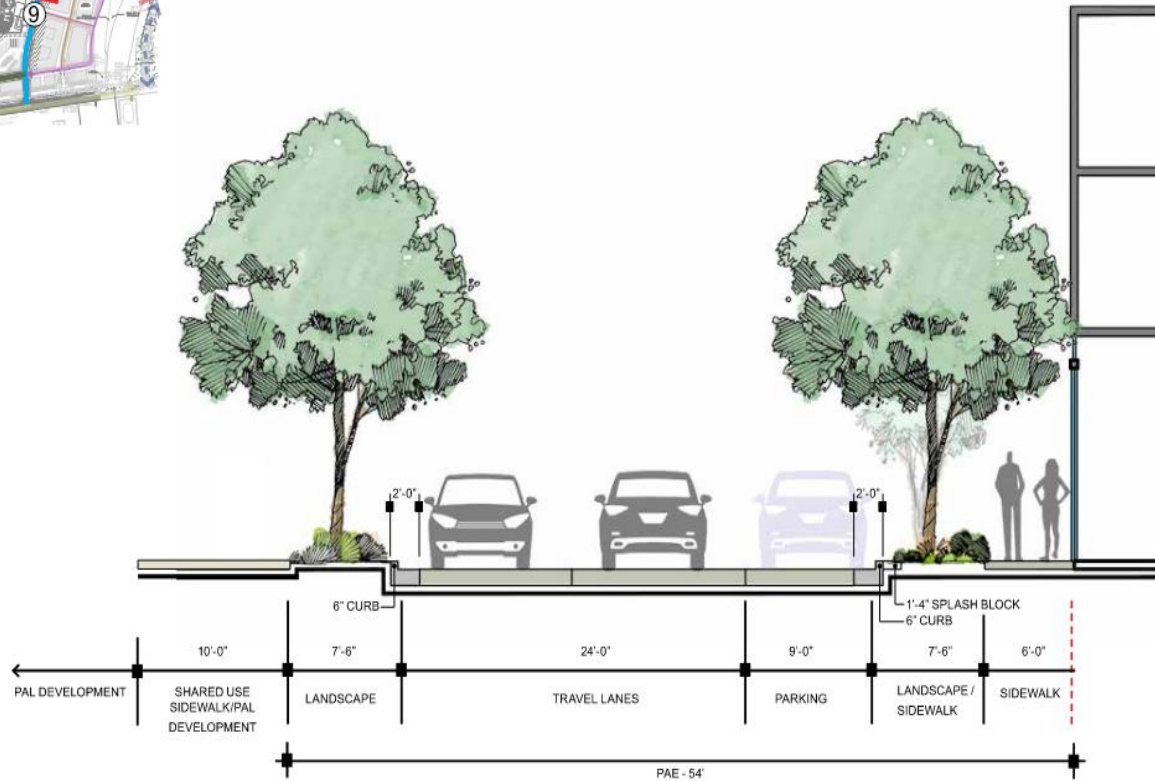
Leander Springs PAL - ⑨ OPAL MIRAGE DRIVE [54' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 4



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



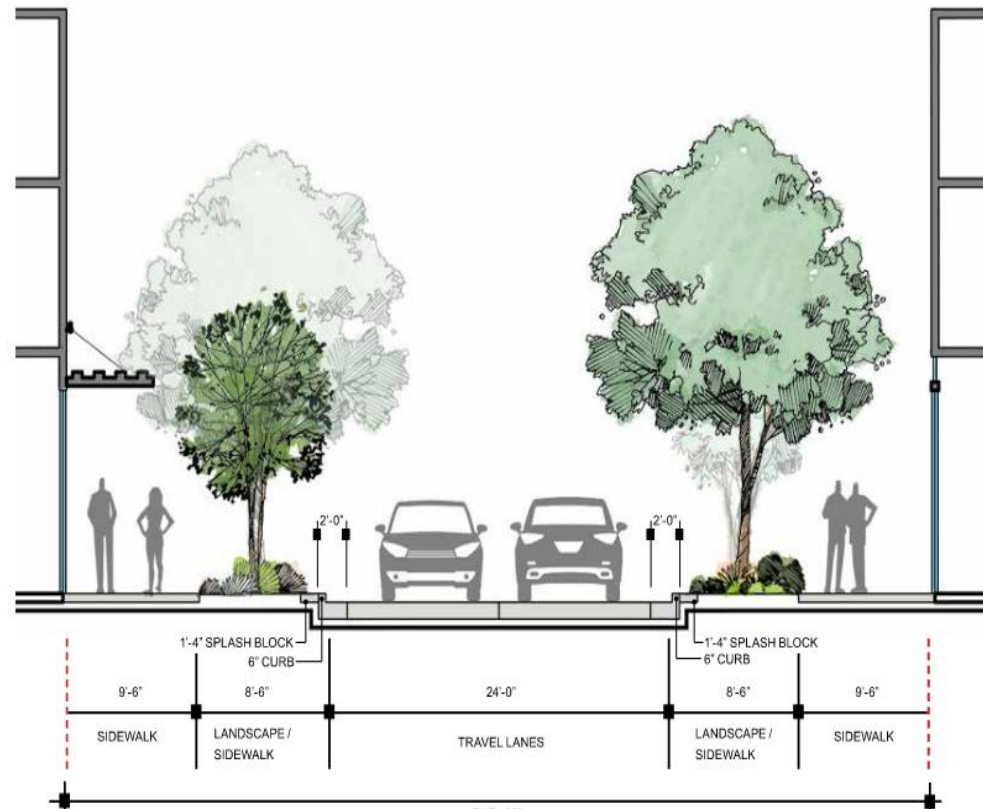
Leander Springs PAL - 10 KELL DRIVE [60' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 2



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Coverwind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



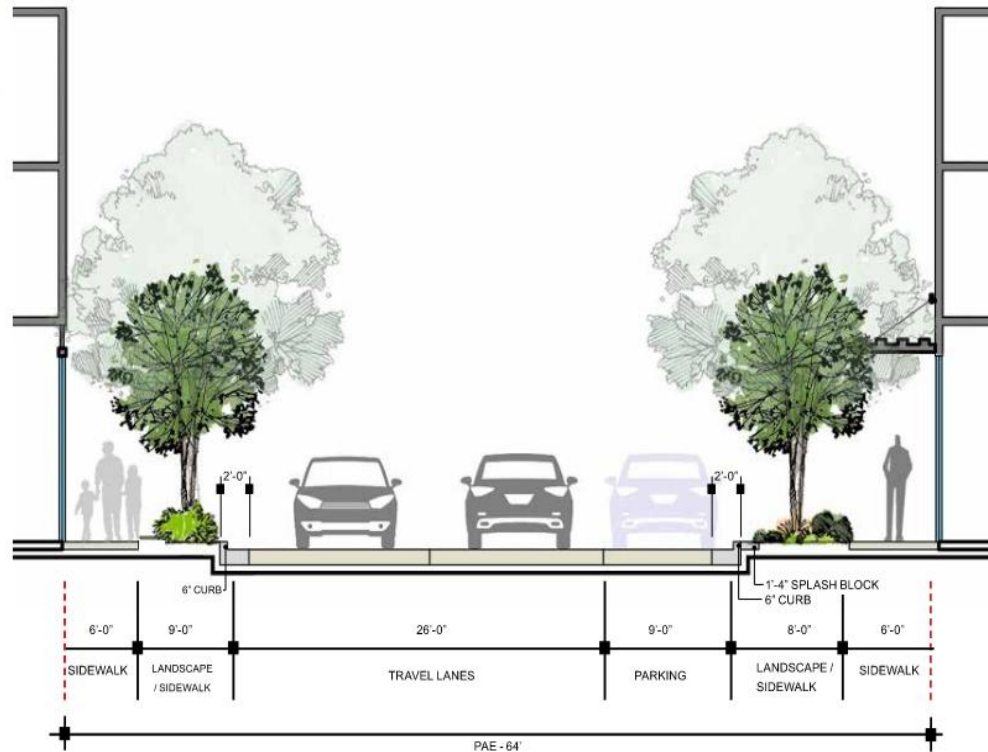
Leander Springs PAL - ⑪ AGNES STEVENS WAY [64' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 2



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.



Leander Springs PAL - 12 BAYFRONT AVE. [54' PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 2 & 4



KEY MAP

NOTE: Typical Travel ways within Public Access Easements shall be 24' wide (12' both direction). Travel Ways designated Fire Aerial Access shall be 26' wide (13' both direction). Covewind Public ROW Varies from 80' to 50' to tie into the established Roadway at Horizon Lakes.

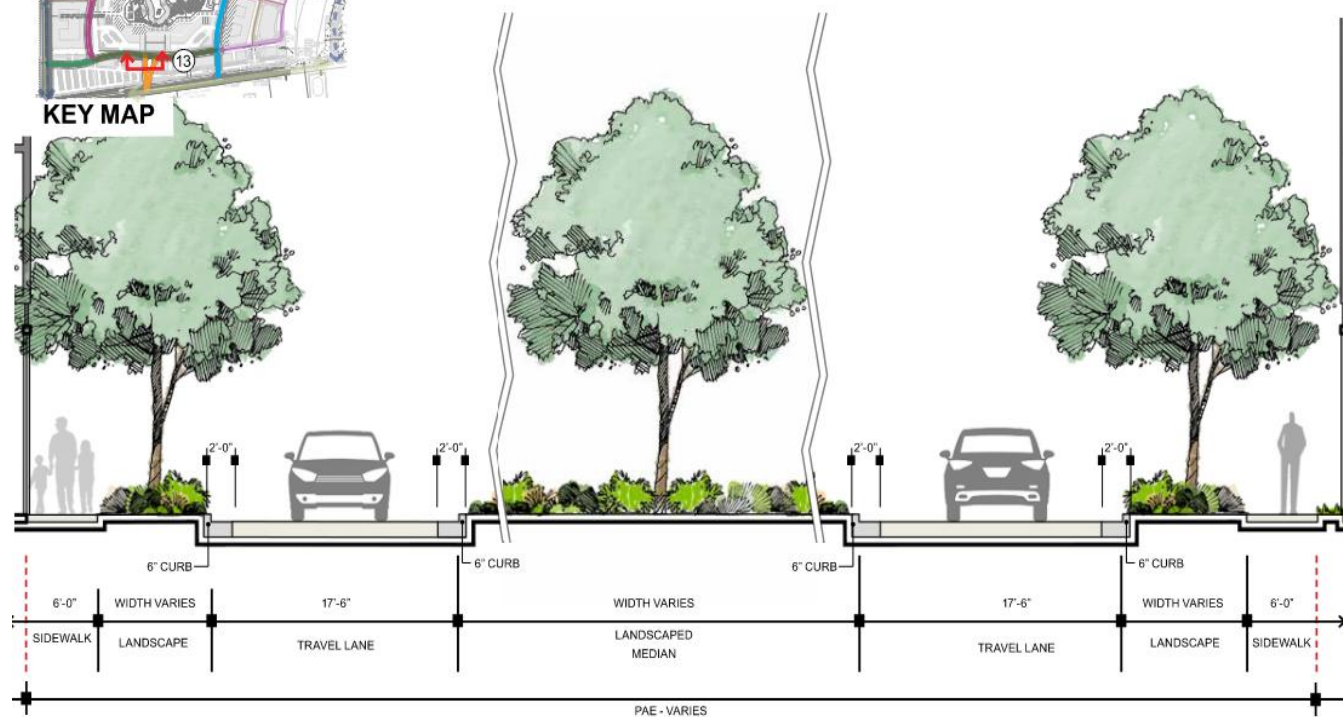


Leander Springs PAL - ⑬ LAGUNA BREEZE LANE (A) [PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 1



KEY MAP



18

Leander Springs PAL - (14) LAGUNA BREEZE LANE (B) [PAE - Private Street]

APPROVED PUD CROSS-SECTION TO BE REVISED: TYPE 1



KEY MAP

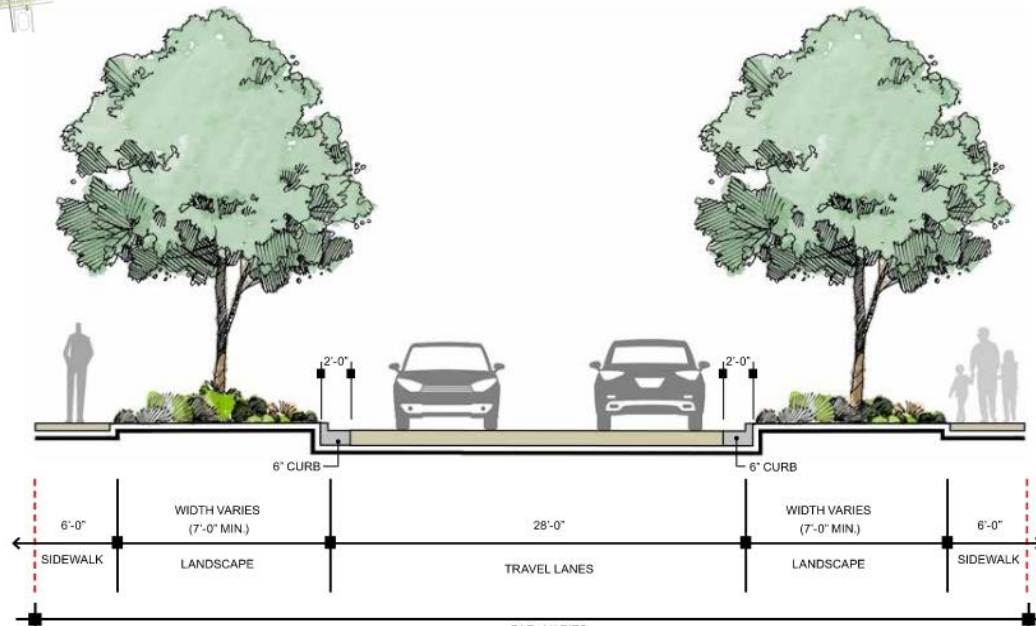


EXHIBIT A

Leander Springs Planned Unit Development

A. Purpose and Intent

The Leander Springs PUD (the “PUD”) is composed of approximately 77.9 acres, as described in **Exhibit B**, **Field Notes** attached to this PUD Ordinance (the “**Property**”). The development of this Property is planned as a high quality mixed use development, with recreational improvements and a mixture of uses suitable to the TOD area of Leander.

The PUD has been designed to create a unique destination for Leander residents, with a unique blend of residential, hotel, office, retail, restaurant, and recreational uses. The contents of this PUD further explain and illustrate the overall function desired for this development. A **Conceptual Site Layout & Land Use Plan** has been attached to this PUD, **Exhibit C**, to illustrate the design intent for the Property.

B. Applicability and Base Zoning

1. All aspects regarding the development of this PUD shall comply with the City of Leander Composite Zoning Ordinance, except as established in this exhibit, titled **Exhibit A**.
2. For the purpose of establishing development standards for the PUD, the following base zoning districts have been selected from the Leander Zoning Ordinance as permitted uses in this PUD.
 - MF-2-A (Multi-Family)
 - GC-3-A (General Commercial)
3. Notwithstanding anything contained herein to the contrary, if a certificate of completion is not issued for the ~~Crystal~~ Lagoon ~~by the deadlines~~ set forth in Section I, Development Phasing, then no further development permits may be issued for the Property until the PUD is amended; provided that development approvals for completion of the Phase 1 Commercial Development may be issued.
4. **“Crystal Lagoon”** is defined as a crystalline lagoon, no less than four (4) acres in size, that is built and maintained using a patented technology with a minimum amount of additives and energy, located on an approximately 13.1 acre site, including the ancillary and related boardwalk and adjacent landscaping features, restaurants and shops operated with as part of the ~~Crystal~~ Lagoon, as more particularly described in this PUD. The lagoon is considered a non-essential use and will need to comply with water conservation requirements.

C. Conceptual Site Layout & Land Use Plan

1. A **Conceptual Site Layout & Land Use Plan** has been attached to this PUD, **Exhibit C**,

to illustrate the design intent for the Property. The Conceptual Site Layout and Land Use

Plan is intended to serve as a guide to illustrate the general community vision and design concepts and is not intended to serve as a final document.

2. This PUD zoning document does not constitute plat or site plan approval of the attached plan(s).

D. Allowable / Prohibited Uses

1. The allowable uses shall include a mixture of residential and commercial uses consistent with the base zoning districts, except as modified by this document.
2. Timing of development and unit density for MF-2-A Zoning District can be found in Section I in this **Exhibit A**.
3. A maximum of 1, ~~600~~ 200 multi-family units may be developed within this PUD; provided that the multi-family units are subject to the phasing and residential unit caps set forth in Section I, Development Phasing and may not exceed the residential unit limits set forth for each phase. A multi-family unit is defined as a dwelling unit within a multi-family structure. All density limitations in the Composite Zoning Ordinance shall not apply to the Property and are hereby replaced by the phasing and residential unit caps set forth in this **Exhibit A**.
4. All parking for multi-family shall be provided using structured parking.
5. Hotels may be constructed within this PUD, overlooking the Tract "G" ~~Crystal~~ Lagoon. A minimum of one (1) hotel that meets the requirements of this section shall be constructed by the deadline set forth in Development Phasing, Section I, Phase 2 (the "Hotel"). The Hotel shall have a minimum of five (5) stories, two hundred seventy-five (275) rooms, approximately 90,000 square ~~foot~~ feet, and shall be a full-service nationally branded and franchised or managed upscale hotel constructed on the Property in accordance with City-approved plans. To qualify as a full-service, upscale, select service hotel, the Hotel shall include the following amenities: on-site food and beverage service (room service); on-site restaurant; on-site bar; fitness center; pool; and a minimum of 10,000 square feet of conference and banquet space. Phase 4 of the PUD may not proceed if a ~~certificate~~ Certificate of ~~occupancy~~ Occupancy for the Hotel is not issued ~~by the deadline~~ as set forth in Section I. Any additional hotel that is developed as part of this development, shall not be required to include the above amenities.
6. The construction and operation of outdoor retail and entertainment venues are permitted in Tract "G". Such uses shall be prohibited within two hundred feet (200') of any adjoining residential district.
7. The following uses shall be prohibited:
 - a. Auto fuel sales and washing
 - b. Auto repair and maintenance uses
 - c. Funeral home, including embalming and crematory facilities associated with an onsite funeral home or cemetery.

- d. Manufactured housing sales and accessory building sales
 - e. Office/warehouse including painting, plumbing or similar commercial services
 - f. Transportation related facilities including commercial parking lots, passenger terminals, taxi cab stations and mass transit terminals excluding facilities such as a Tri-Track [station](#), as defined by the State of Texas Transportation Code.
 - g. New vehicle and major equipment sales, rental or leasing, repair of new or used vehicles, body shop (small engine repair shops and motorcycle repair shops shall not be permitted within one-hundred fifty feet (150') of a residential district unless such repairs are conducted totally within a fully enclosed building)
 - h. Wholesale activities with less than 3,500 square feet of gross area of business
8. Development of this PUD shall be a mixed-use development. Buildings that have first floor retail, office, and/or commercial uses authorized by this PUD with residential uses on the floors above retail shall be referred to herein as Vertical Mixed Use Development. As part of this design approach, some Vertical Mixed Use Development shall have only first floor retail, and some shall have a combination of first floor retail, office, and commercial uses authorized by this PUD . **Exhibit F, Ground Floor Retail** identifies the streets that will have only first floor retail frontage within the Vertical Mixed Use Development. Uses associated with multi-family development such as leasing offices, laundry facilities, fitness facilities, or similar uses may not be located on the ground floor of Vertical Mixed Use Development.
9. One hundred percent (100%) of the ~~Crystal~~ Lagoon beach front shall be commercial ground floor uses.
10. Food trucks, mobile food units, mobile food establishments, temporary retail establishments and farmers' markets (all as defined and regulated by state law) shall be permitted on any Tract within this PUD in compliance with the Composite Zoning Ordinance.

E. Outdoor Event Standards

- 1. Outdoor entertainment events that generate noise including those involving outdoor amplified sound systems shall be installed with the sound directed towards 183A Toll Road and/or FM 2243.
- 2. No more than twelve (12) outdoor entertainment events with an audience of 2,000 or more attendees shall be allowed each year. A "Special Event Permit" must be obtained from the City for each of these events.

F. Development Standards

- 1. Under the base zoning GC-3-A, the following modifications shall apply:
 - a. Article V, Section 3, (b)(2)(ii) shall be modified to ~~allow~~include "outdoor entertainment venues involving substantial outdoor facilities, noise generation, water fountains, swimming pools, water slides, splash pads and similar or supporting facilities are permitted as well as minor outdoor facilities such as recreational equipment, ropes

courses, zip lines, play fields, and other similar facilities”. Such outdoor entertainment venues shall be located exclusively on Tracts “G” and “H” within this PUD.

2. Multi-family that is part of Vertical Mixed Use Development shall be developed on Tracts identified as MF-2-A / GC-3-A on **Exhibit C**. Street front ground floor shall be developed as described in Section D.8 of this PUD. ~~Article III, Section 19(b) shall be waived to allow horizontal and vertical mixed use as established within this PUD.~~
3. Buildings constructed on Tracts “C”, “F” and “I” shall be designed with dual side front façades with store fronts facing towards the internal street network as well as 183A Toll Road. Doorways shall be provided along the internal street network to provide pedestrian connectivity to the street front.
4. Height
 - a. Under the base zoning GC-3-A, the following height modifications shall apply except within twenty-five (25’) feet of the PUD’s southern and western border. Buildings within twenty-five (25’) feet of the southern and western border shall comply with the thirty-five (35’) ~~feet~~ height limit.
 - i. Ninety (90’) ~~foot-feet~~ maximum for all uses except those identified in ii. and iii. below,
 - ii. Ninety-five (95’) ~~foot-feet~~ maximum for hotel use,
 - iii. One hundred twenty (120’) ~~feet~~ maximum for office use,
 - iv. Any office building exceeding ninety-five (95’) feet in height shall be located at least fifty (50’) feet from the southern and western boundaries of the PUD.
 - b. The structures located within the MF-2-A zoned property within fifty feet (50’) of the southern and western boundaries of the Property shall be limited to a maximum of thirty-five five (5) stories or sixty feet (3560’) in height.
 - c. No structures within the MF-2-A zoned property shall exceed six (6) stories or seventy-two feet (72’) in height.
 - d. Parking garage heights may be of a height equal to the height of the adjoining building serviced by the subject parking garage.
5. Building setbacks
 - a. Building setbacks along all internal development streets ~~shall~~ may be zero feet (0’).
 - b. All other buildings shall comply with the setbacks listed in the Composite Zoning Ordinance.
 - c. Structures constructed on Tracts “C”, “F” and “I” shall be constructed a maximum of ten10 feet (10’) from the internal development street paralleling 183A.

6. Street Network

- a. This PUD is intended to create a unique destination that is designed to focus buildings and user experience inwards towards a central ~~Crystal~~ Lagoon. As such, the PUD ~~will place and orient many buildings~~ requires that buildings are oriented inward, creating a pedestrian-friendly active edge along this lagoon.
- b. Due to the walkable, urban setting established with this PUD, roadways depicted on **Exhibit D, Street Exhibit** and street cross sections are established to encourage slow traffic speeds, street parking and walkability in **Exhibits E-1** through **E-7, Street Cross Sections**.
- c. Street Types for all thoroughfares within this PUD are identified on **Exhibit E, Street Exhibit**.
- d. Curb extensions/bulb outs shall be constructed at all intersections in order to create pedestrian scaled roadway crossings and encourage slower vehicular travel speeds.
- e. In locations where street intersections exceed ~~400~~ four hundred feet (400') a mid-block pedestrian crossing with curb extensions/bulb outs shall be installed mid-block.
- f. Parallel or head-in, on-street parking spaces ~~shall~~ may be provided along all internal private streets.
- g. Sidewalks of at least ~~12~~ twelve feet (12') wide shall be adjacent to all building frontages only if the building incorporates a commercial use on the ground floor.
- h. Sidewalks at least ~~12~~ twelve feet (12') wide shall be provided between the building facade and the parking lot, with trees in grates or planter boxes every ~~30~~ thirty feet (30'), only if the building incorporates a commercial use on the ground floor.

7. Paving Setbacks

- a. A minimum paving setback of fifteen feet (15') shall be established for parking lots constructed along 183A Toll Road.
- b. All other paving shall comply with the Composite Zoning Ordinance.

G. Parkland/Recreation Improvements

1. The parkland/recreation elements of this PUD shall be composed of two (2) key program elements. These elements are the ~~Crystal~~ Lagoon and a segment of the Brushy Creek Main Branch Trail. The ~~Crystal~~ Lagoon, at least four (4) acres in size, shall be constructed, installed, and operated on Tract "G" as shown on **Exhibit C**.
 - a. ~~Crystal~~ Lagoon
 - i. Although the location, size, and shape of the ~~Crystal~~ Lagoon may change, it will include increased recreation improvements to include water sports, public access, and associated pedestrian amenities. The water associated with the ~~Crystal~~ Lagoon shall be managed and treated by a patented technology system and be sustainable for recreational uses.~~ed~~

~~technology system and be sustainable for recreational uses.~~

~~ii. This Crystal Lagoon shall be constructed during the first phase of development by the deadlines established in Section I, Development Phasing, Phase 1.~~

~~iii. Public access to the Crystal Lagoon shall be provided. Seventy (70%) percent of the Crystal Lagoon frontage shall be public access. The remaining thirty (30%) may be private access.~~

~~The Crystal Lagoon shall be open for use by the public, provided that the Crystal Lagoon may be closed to the public for special events and/or maintenance for up to fifty (50) days each year and for temporary closures for repair or due to casualty or other force majeure events that will exceed more than 50 days using commercially reasonable and diligent efforts. For purposes of this subsection, “open to the public” means that the use of the Crystal Lagoon shall not be restricted to one or more users; provided, however, the owner or operator of the Crystal Lagoon shall have the right to charge fees to users of the Crystal Lagoon based on rates established by the owner or operator of the Crystal Lagoon in its sole discretion.~~

~~iv. Leander residents shall receive a discount on general admission prices of forty percent of the costs available to the general public.~~

b. Brushy Creek Main Branch Trail

- i. Approximately 7.4 acres of open space shall be dedicated to the City of Leander as public parkland and land dedication of the Brushy Creek Main Branch Trail identified on the Leander Trails Master Plan 2011 provides a critical east-west pedestrian link. Construction of a ten feet (10') wide all weather trail shall be constructed within the corridor. The trail corridor and constructed trail shall be dedicated to the City as part of the parkland dedication and improvements. Mason Creek Trail from Horizon Lake Park will enter from the west on either Tracts L, M, or A to the internal sidewalk system and connect to the Brushy Creek Trail system to the north along FM 2243.

H. Landscape Requirements

1. In the event a building is sited with a zero (0) foot setback, Article VI – Site Standards within the Composite Zoning Ordinance shall be modified as follows:
 - a. Landscape requirements may be planted in the associated right-of-way, street, or easement within landscape planting beds, pedestrian courtyards, greenways or similar type of areas.
 - b. Landscaped areas less than four feet (4') in width may count towards the landscape area requirements so long as the landscape area contributes to landscaping and scale of the associated street.

2. Street trees shall be planted along all streets within this PUD to the following standards:
 - a. Street trees shall be planted along all streets at a spacing not to exceed forty feet (40') on center not including 183A Toll Road and FM 2243. Street trees with a mature height not less than thirty-five feet (35') shall be planted as part of Phase 1 along the southern border of Tract K within four hundred feet (400') of the southwest corner of the property at a spacing not to exceed twenty five feet (25'). These trees shall be Arizona Cypress, Escarpment Live Oaks, or similar tree species listed in the Leander Preferred Plant List or Austin Grow Green Guide. The spacing may be modified to accommodate the tree species spread according to industry standards.
 - b. The species of street trees may be, but are not required to be, consistent on both sides of the street on a block.
 - c. The property owners' association shall be responsible for the maintenance of the street trees and sidewalks located along internal streets, not including 183A Toll Road and FM 2243.

I. Development Phasing

1. The Property shall be developed in accordance with the phasing and deadlines set forth in this section. Certificate of ~~occupancy~~ Occupancy means the final ~~certificate~~ Certificate of ~~occupancy~~ Occupancy issued by the City for occupancy or use of a building or structure. Certificate of completion means the final certificate of completion issued by the City for completion of site improvements. Commercial Development means commercial, office, and retail uses and structures authorized by this PUD.

<u>DEADLINE</u>	<u>PHASE 1</u> <u>Phase 1 consists of the following uses and structures which are subject to the phasing requirements described below:</u> <u>A. The Lagoon</u> <u>B. A minimum of thirty-five thousand (35,000) square of Commercial Development that is not part of Vertical-Mixed Use Development (the “Phase 1 Commercial Development”)</u> <u>C. A maximum of four-hundred Three Hundred Fifty Two (400352) multi-family units that are part of Vertical Mixed-Use Development</u>
	<u>The site development permit application for the Lagoon, Phase 1 Commercial Development, and first Three Hundred Fifty Two (352) four-hundred (400) units of multi-family may be submitted for concurrent review. If they are not submitted for concurrent review, then they shall be submitted in the following order, and construction of the Lagoon shall commence concurrently with or before the construction of the Multi- Family units:</u> <u>a. Lagoon</u> <u>b. Commercial Development</u> <u>c. Multi-family</u> <u>Certificates of occupancy may not be issued for any multi-family units until after the certificate of completion is issued for the Lagoon. No more than Three Hundred Fifty Two (352) four-hundred (400) multi-family units may be permitted during Phase 1, and only if they are part of a Vertical Mixed Use Development. Phase 1 must be complete and have certificates of occupancy or certificates of completion, as appropriate, issued before more than Three Hundred Fifty Two (352) four-hundred (400) multi-family units will be permitted. The first floor retail portion of the Vertical Mixed Use Development shall obtain a Certificate of Occupancy for up to fifty percent (50%) of the Phase 1 Commercial Development prior to permits being issued for Phase 2.</u> <u>Development of Tracts "G" and "H" shall be constructed as identified on Exhibit G, Phasing Plan including the construction of the utility infrastructure and streets located within the public rights-of-ways necessary to service Phase 1 of the Property.</u> <u>Temporary all weather surface parking comprised of concrete, asphalt, or similar material approved by the Planning Director and City Engineer may be constructed on Tracts “E”, “D”, “J”, “K”, and “L” for the exclusive use of the users of Phase 1. The surface parking shall be removed when Tracts “E”, “D”, “J”, “K”, and “L” develop for their designated uses.</u>

DEADLINE	PHASE 2 Phase 2 consists of the following uses and structures which are subject to the phasing requirements described below: a. A minimum of one-hundred thousand (100,000) square feet of Commercial Development (the “Phase 2 Commercial Development”) b. A maximum of two-h<u>Three Hundred fifty (250300)</u> multi-family units
Within 5 years of the first Certificate of Occupancy issued for Phase 1 (Phase 2 Commercial Development only)	One or more certificates<u>Certificates</u> of occupancy<u>Occupancy</u> for a minimum of one hundred thousand (100,000) square feet of Commercial Development shall be obtained. No more than <u>Three Hundred (300)</u> two-hundred fifty (250) multi-family units may be approved for Phase 2. Building permits for multi-family structures may not be issued until fifty percent (50%) of the <u>Phase 2</u> Commercial Development (excluding Hotels and the Crystal Lagoon) is occupied. Occupancy means that the space in the Commercial Development is leased or owned by an occupant using the space for its intended use consistent with the PUD, or actively preparing the space for such use. <u>has been issued a Certificate of Occupancy.</u> HOTEL Hotel development can begin at any time and is subject to the phasing deadlines set forth below. Hotel construction shall commence <u>no later than</u> upon the earlier to occur of five years after the issuance of the first certificates of occupancy or no later than <u>12/31/2028.</u>
DEADLINE	PHASE 3 Phase 3 consists of the following uses and structures, which are subject to the phasing requirements described below. A. Two-hundred fifty (250) units of multi-family units for each one-hundred thousand (100,000) square feet of Commercial Development up to a maximum of one thousand two hundred (1200) multi-family units, subject to the limits and phasing requirements below. B. Minimum square footage of Commercial Development as defined here (the (“Phase 3 Commercial <u>Development</u>”))
<u>After Phase 2</u> <u>Within 10 years of the Certificate of Occupancy issued for Phase 1 (Phase 3 Commercial Development only)</u>	Certificates of occupancy for additional multi-family units in excess of the six-hundred fifty (650) units allowed in Phases 1 and 2 may be approved as long as <u>For each additional two hundred fifty (250) units of multi-family for which a</u> certificate<u>Certificate</u> of occupancy<u>Occupancy</u> has been requested <u>after Phase 2,</u> certificates of occupancy have been issued for the Phase 2 Commercial Development and <u>Certificates of occupancy must be issued</u> for an additional one hundred thousand (100,000) square feet of <u>Phase 3</u> Commercial Development has been issued<u>after the Phase 2 Commercial Development.</u> A maximum of one thousand two hundred (1200) multi-family units may receive building permits during the first (ten) 10 years (including all Phases) of the PUD approval.

<u>After</u> <u>01/29/2031</u> <u>40</u> <u>years of the</u> <u>Certificate of</u> <u>Occupancy</u> <u>issued for</u> <u>Phase 1</u>	<u>PHASE 4</u> <u>Phase 4 consists of the following uses and structures and are subject to the phasing requirements described below:</u> <u>A. Up to four hundred (400) multi-family units</u> <u>Up to four hundred (400) additional multi-family units may be approved for a total of one thousand sixtwo hundred (16200) multi-family units within the development, provided that thirty-five percent (35%) of the Commercial Development (excluding the Hotel and the Lagoon) must be occupied, a Certificate of Occupancy has been issued for the Hotel, and certificates of occupancy have been issued for the Phase 3 Commercial Development.</u> <u>Tracts "J" and "K" shall be the last tracts developed for multi-family uses.</u>
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J. Subdivision Process

1. The Concept Plan and Preliminary Plat may be submitted for concurrent review and approval.
2. The Hotel, the Commercial Development, and the ~~Crystal~~ Lagoon must each be located on tax parcels that do not include multi-family development, and for which zoning does not allow multi-family development or two-family development, as shown in **Exhibit C**, unless the Commercial Development is part of Vertical Mixed-Use Development. Commercial Development, the Hotel, and the ~~Crystal~~ Lagoon must be located on separate tax parcels from Multi-Family Development or two-family development (except for Multi-family Development that is part of Vertical-Mixed Use) prior to the issuance of a building permit, and the separate tax parcel must be created before the issuance of a building permit for the Commercial Development, the Hotel, or the ~~Crystal~~ Lagoon, respectively.

APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

This summary is only required for a PUD or a Minor PUD

1. How and when were the surrounding neighborhood and residential property owners within 500' notified, how was information shared, and who was directly involved in the communication process? Please provide the address of the properties notified and the name and contact information of the residents directly involved in the communication process. Attach any materials that were distributed.

60 neighbors and HOA within the 500' of the property were mailed a notification letter on February 18th, 2025.
Please see attached Notification Letter and Neighbor list.

2. Who was notified (i.e. property owners, HOA, etc)? The HOA and/or a representative if there is no organized HOA must be contacted, if applicable. Provide a separate sheet listing the contact information used including the names and addresses of the individuals.

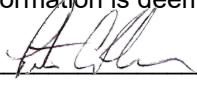
All property owners and HOA with the 500' were notified

3. What concerns were raised during these communications?

None that we know of

4. What specific conditions were added to or modified within the zoning request in response to the concerns raised at the meeting?

The above information is deemed to be true to the best of my knowledge.

Signature:  Date 3/27/2025



2/17/2025

iLand Development Group
8871 183A Toll Fr Rd.
Leander TX 78641

Dear neighbors to the Leander Springs Project,

This letter is to inform you that we are applying to make changes to our original PUD with the City of Leander in regard to the Leander Springs project located at 8871 183A Toll Fr Road, Leander TX 78641. Below are the changes we are applying for:

Leander Springs PUD 01.29.2021 - proposed amendment 2

Leander Springs PUD Amendment:

The Leander Springs PUD Amendment is meant to update the language as it relates to Phasing, Lagoon and Hotel delivery. We have also removed all references to the Lagoon as a Crystal Lagoon. Moving forward, all references to this structure will be Lagoon.

On page 1 of the PUD, section B. 3., we are proposing "The lagoon is considered a non-essential use and will need to comply with water conservation requirements."

On page 2 of the PUD, section D. 3., we are proposing a reduction of a maximum number of multi-family units from 1,600 to 1,200 units.

On page 4 of the PUD, we are proposing per section 4. B., that the maximum height of structures on the southern and western boundaries be reduced from 60 feet to 35 feet in height.

On page 6, section G. 1. b., we are proposing to add Mason Creek Trail from Horizon Lake Park will enter from the west on either Tracts L, M, or A to the internal sidewalk system and connect to the Brushy Creek Trail system to the north along FM 2243.

On page 8 of the PUD we are proposing the removal of the date required for the Certificate of Completion for Lagoon delivery.

On page 9 of the PUD we are proposing the removal of the time the Hotel construction shall commence and when a Certificate of Occupancy will be delivered.

Sincerely,

A handwritten signature in dark ink, appearing to read "Pete Conklin", written over a light blue horizontal line.

Pete Conklin
COO iLand Development Group

Affidavit of Publication

THE STATE OF TEXAS
COUNTY OF WILLIAMSON
IN THE MATTER OF

iLand Development Group

Notice of Change to PUD City of Leander

The Williamson County Sun / Sunday Sun, newspapers of general circulation have continuously and regularly published for a period of not less than one year in the County of WILLIAMSON, preceding the date of the above referenced notice. Said notice was published in said newspapers as follows:

February 23, 2025


Newspaper Representative

Dear neighbors to the Leander Springs Project,
This letter is to inform you that we are applying to make changes to our original PUD with the City of Leander in regard to the Leander Springs project located at 8871 183A Toll Fr Road, Leander TX 78641. Below are the changes we are applying for:
Leander Springs PUD 01.29.2021 - proposed amendment 2
Leander Springs PUD Amendment:
The Leander Springs PUD Amendment is meant to update the language as it relates to Phasing, Lagoon and Hotel delivery. We have also removed all references to the Lagoon as a Crystal Lagoon. Moving forward, all references to this structure will be Lagoon.
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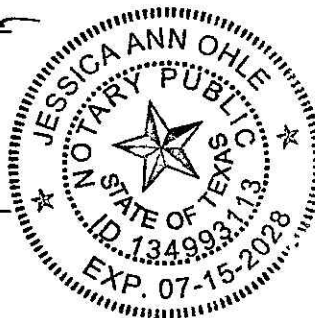
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On page 9 of the PUD we are proposing the removal of the time the Hotel construction shall commence and when a Certificate of Occupancy will be delivered.

2542

Subscribed and sworn to before me this

date: February 24 2025


Jessica Ann Ohle, Notary Public
My Commission Expires July 15, 2028



AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY AMENDING THE LEANDER SPRINGS PUD (PLANNED UNIT DEVELOPMENT) TO UPDATE THE LANGUAGE AS IT RELATES TO PHASING AND TIMING OF THE DEVELOPMENT, REDUCE THE TOTAL NUMBER OF APARTMENTS, AND MODIFY THE PHASING REQUIREMENTS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, after giving at least ten (10) days written notice to the owners of land within two hundred (200') 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 (15) 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. 05-018-00, 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 parcel of land being including 77.90 acres $\pm$; being more particularly described in Exhibit "B"; generally located southwest of the intersection of 183A Toll Road and RM 2243; identified by Williamson Central Appraisal District tax identification numbers R403524 and R051592; more particularly described in Instrument Numbers 2025017115 and 2025017116; recorded in the Official Public Records of Williamson County, Texas.

SECTION 4. Property Rezoned. The Zoning Ordinance is hereby amended by amending the Leander Springs PUD (Planned Unit Development) to change update the language as it relates to phasing and timing of the development, reduce the total number of apartments, and modify the phasing requirements. The PUD shall be developed and occupied in accordance with this

Ordinance, the PUD plan attached as Exhibits “A,” “B,” “C,” “D,” “E,” “F,” “G,” and “H” 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 Planning Department 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 21st day of August, 2025.
FINALLY PASSED AND APPROVED on this the 4th day of September, 2025.

ATTEST:

THE CITY OF LEANDER, TEXAS:

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



**MINUTES
PLANNING & ZONING COMMISSION MEETING
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, July 24, 2025
Workshop at 5:30 PM
Regular Meeting at 6:00 PM



**Place 1 – Donnie Mahan
Place 2 – Joseph Morales
Place 3 – Karen Lewis
Place 4 – Tara LeDay**

**Place 5 – James Oliver, Chair
Place 6 – Laura Lantrip
Place 7 – Scott Calame, Vice-Chair
Staff Liaison – Robin Griffin**

WORKSHOP - CONVENE AT 5:30 PM

1. Workshop regarding the Capital Improvement Program (CIP).

Workshop was called to order at 5:30 p.m.

Discussion included the introduction of the City Of Leander's Capital Improvement Program (CIP), the Commission's responsibility in the process, and reviewing the draft of the CIP.

Workshop adjourned at 5:51 p.m.

REGULAR MEETING – CONVENE AT 6:00 PM

2. Call to Order.
Meeting was called to order at 6:00 p.m.
3. Roll Call.
All commissioners present except Commissioner Donnie Mahan.
4. Director's report to the Planning & Zoning Commission on action taken by City Council on the July 17, 2025 meeting.
5. Review of meeting protocol.
6. Public comments on items not listed in the agenda.

Public comments on items listed in the agenda will be heard at the time each item is discussed.

[All comments are limited to no more than 3 minutes (6 minutes if translation is needed) per individual.]

No one wished to speak.

CONSENT AGENDA: ACTION

Motion to approve consent agenda item 7.

By: Board Member Lantrip
Seconded: Board Member Calame

Vote: 5 -0

7. Approval of the minutes for meeting held on July 10, 2025.

PUBLIC HEARING: ACTION

8. Conduct a Public Hearing and consider action regarding Zoning Case Z-24-0114 to amend the Leander Springs Planned Unit Development with base zoning districts of MF-2-A (Multi-Family) and GC-3-A (General Commercial) to update the language as it relates to phasing and timing of the development, reduce the total number of apartments, and modify the phasing requirements on two (2) parcels of land approximately 77.90 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R403524 and R051592; and generally located southwest of the intersection of 183A Toll Road and RM 2243, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-24-0114 as described above.

Public Hearing opened at 6:08 p.m.; Public Hearing closed at 6:15 p.m.; following discussion.

Spoke in opposition of the request:

Clifford Hall, 604 Scenic Path, Leander, Texas 78641

Elizabeth Moore, 137 W. Windemere, Leander, Texas 78641

Monica Pintado, 444 Spindrift Lane, Leander, Texas 78641

Motion to deny Zoning Case Z-24-0114.

By: Board Member Calame

Seconded: Board Member Lantrip

Vote: 4 - 1 Board Member Morales

REGULAR AGENDA

9. Discuss and consider action on recommendations from the Planning & Zoning Commission for the FY 2025/2026 City Budget and Capital Improvement Program (CIP) Plan.

Motion to postpone action until the next meeting.

By: Board Member Lantrip

Seconded: Board Member Morales

Vote: 5 - 0

10. Adjournment
Meeting adjourned at 6:40 p.m.

APPROVED

CHAIR

ATTEST:

STAFF LIAISON



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Conduct a Public Hearing regarding the adoption of an updated Service and Assessment Plan for Calendar Year 2025 for the Oak Creek Public Improvement District and updated assessment roll to apportion assessment levied against property located in the District among subdivided lots.

- Discuss and consider action on an Ordinance adopting an updated Service and Assessment Plan for Calendar Year 2025 for the Oak Creek Public Improvement District as described above.

BACKGROUND:

The Oak Creek Public Improvement District (PID) was created by City Council on July 17, 2014, and the initial Service and Assessment Plan (SAP) was approved on October 16, 2014. On November 13, 2014, Special Revenue Assessment Bonds in the amount of \$5,200,000.00 for improvements within the PID were issued by the City. The SAP is the document that determines how each lot or parcel within the PID is assessed and its pro rata share of the cost of the debt service associated with funding the improvements as well as administrative costs. The SAP must be reviewed and approved annually by the City Council. It is recommended that a public hearing be held prior to consideration and approval of SAP. The assessments will be included with the tax bills that go out in October 2025. Property owners within the PID have been notified of the public hearing via postcard as well as a notice that was published in the Hill Country News on August 7, 2025. The total number of lots within the PID is 446 in addition to the multi-family and townhome developments located east of Broade Street and between San Gabriel Parkway and Metro Drive.

Property owners are permitted to pay off their assessment at any time without penalty or to make annual payments. The annual assessments are due October 1, 2025, and are considered delinquent if not paid by February 1, 2026. Based on lot size, the prior annual assessment for calendar year 2024 and the proposed annual assessment for calendar year 2025 are provided below along with percent change information.

[View Oak Creek SAP](#)

Oak Creek PID			
Lot Size	41'	50'	60'
# of Lots	147	194	105
Prior 2024 Assessment	\$ 504.39	\$ 637.15	\$ 756.58

Proposed 2025 Assessment	\$ 497.72	\$ 620.24	\$ 745.69
% chg.	-1.3%	-2.7%	-1.44%

HISTORY/TIMELINE:

07/17/2014 - Oak Creek PID Created

APPLICANT/AGENT:

RECOMMENDATION:

Approval of Service and Assessment Plan for the Oak Creek PID.

PRESENTER:

Otis Williams, Chief Financial Officer

Fiscal Impact

FY 2026 Debt Service is \$276,862.50 payable from property assessments.

Attachments:

1. PID Postcard 2025 Oak Creek
2. PID Public Hearing Notice 2025 Oak Creek
3. Ordinance OakCreek Update.2025



Notice of Public Hearing on August 21, 2025

TO CONSIDER ADOPTION OF AN UPDATED SERVICE AND ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE OAK CREEK PUBLIC IMPROVEMENT DISTRICT AND AN UPDATED ASSESSMENT ROLL TO APPORTION ASSESSMENTS LEVIED AGAINST PROPERTY LOCATED IN THE DISTRICT AMONG SUBDIVIDED LOTS.

Dear Property Owner:

The City of Leander (“Leander”) will consider adopting an updated Service and Assessment Plan and Assessment Roll for the Oak Creek Public Improvement District (the “District”) for calendar year 2025. According to the Williamson County Central Appraisal District records, you own property located within the District.

PLEASE NOTE: Amortization schedules are separated by lot type, and your lot is identified by a tax parcel "R" number. The lot type and parcel number for your lot is shown in the mailing address on the reverse side of this card.

This letter serves to inform you that the City Council of Leander will hold a public hearing on the proposed updated Service and Assessment Plan and Assessment Roll at the City Council meeting scheduled for 7:00 p.m. on August 21, 2025 in the Council Chambers at Pat Bryson Municipal Hall, 201 North Brushy Street, Leander, Texas 78641.

A copy of the proposed Assessment Roll and Service and Assessment Plan is available for public review at the office of the City Secretary, 105 North Brushy Street, Leander, Texas 78641. A copy of the public hearing notice, as well as the amortization schedule for the assessment on your lot, is available on the City of Leander website at www.leandertx.gov/pid.



City of
Leander

P.O. BOX 319
LEANDER, TEXAS
78646-0319

PRSRT STD
US POSTAGE
PAID
AUSTIN, TX
PERMIT NO. 882

OAK CREEK PUBLIC IMPROVEMENT DISTRICT

**NOTICE OF PUBLIC HEARING
TO CONSIDER ADOPTION OF AN UPDATED SERVICE AND
ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE
OAK CREEK PUBLIC IMPROVEMENT DISTRICT AND AN UPDATED
ASSESSMENT ROLL TO APPORTION ASSESSMENTS LEVIED
AGAINST PROPERTY LOCATED IN THE DISTRICT AMONG
SUBDIVIDED LOTS**

Notice is hereby given that the City Council of the City of Leander, Texas, will hold a public hearing in the Council Chambers at Pat Bryson Municipal Hall, 201 North Brushy Street, Leander, Williamson County, Texas 78641 on August 21, 2025, at 7:00 p.m. to consider adopting an updated Service and Assessment Plan and Assessment Roll for the Oak Creek Public Improvement District (the "District") for calendar year 2025 and apportioning assessments levied against the assessable property within the District among the lots created by subdivision of portions of the assessed property. Public comments and written and oral objections will be considered at the hearing.

General Nature and Cost of District Improvements: The District was created on July 17, 2014, and on October 16, 2014. Assessments were levied against assessable property within the District, pursuant Chapter 372 of the Texas Local Government Code, to fund the creation and administration of the District and the design, acquisition, and construction of public and private improvements necessary for full development of the property within the District, which improvements include the following: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, irrigation, walkways, lighting, benches, swimming pools, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater, and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way, and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District (all of the foregoing collectively referred to as the "District Improvements").

Estimated Total Cost of Public Improvement: The total cost of the public improvements associated with the District is approximately \$3,900,000.00, exclusive of costs of issuance and required reserves related to the proposed issuance of bonds to fund the construction of the public improvements.

District Boundaries: The District includes approximately 150.894 acres located inside the corporate limits of the City of Leander, Williamson County, Texas approximately 650 feet west of US 183, approximately 2,600 feet north of Old 2243 West, northeast of Plain Elementary School, east of section 1 of the Benbrook Ranch subdivision, southeast of the North Fork of Brushy Creek, and south of W. San Gabriel Parkway. The boundaries of the District, a copy of the proposed updated assessment roll, and a copy of the proposed Service and Assessment Plan, are available for inspection at City Hall at 105 North Brushy Street, Leander, Texas 78641.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER APPROVING AN ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE OAK CREEK PUBLIC IMPROVEMENT DISTRICT AND APPORTIONING ASSESSMENTS AMONG SUBDIVIDED LOTS WITHIN THE DISTRICT

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

PART 1. Findings. The City Council finds that:

- (A) Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code (the “Act”) authorized the creation of the Oak Creek Public Improvement District (the “District”)
- (B) On July 17, 2014, the City Council passed Resolution No. 14-013-00, which approved the creation of the District in accordance with its findings.
- (C) On October 16, 2014, the City Council passed Ordinance No. 14-064-00, which approved the Service and Assessment Plan and Budget for the District and levied Special Assessments against assessable property within the District. The Service and Assessment Plan adopted on October 16, 2014 and subsequently adopted updates and amendments are herein referred to as the Service and Assessment Plan.
- (D) The Service and Assessment Plan provides that, as parcels within the District are subdivided, the Special Assessments will be reallocated and apportioned among the resulting lots.
- (E) Property within the District was subdivided after the passage of Ordinance No. 14-064-00, and this Ordinance reallocates the Special Assessments levied pursuant to Ordinance No. 14-064-00 among the resulting lots as contemplated in the Service and Assessment Plan and as provided in the Annual Service Plan Update to the Service and Assessment Plan dated August 21, 2025, attached hereto as Exhibit A (the “SAP Update”).
- (F) The City Council finds that the proposed SAP Update, including the Assessment Roll, is necessary to fund debt service payments on debt issued to enhance the District.
- (G) The proposed assessment roll attached as part of Exhibit A to this ordinance was filed with the City Secretary, and such filing is hereby ratified and confirmed.
- (H) On August 21, 2025, the City Council held a public hearing, properly noticed under the Act, to consider the proposed SAP Update and the updated Assessment Roll

included therein which reallocates and apportions the assessments levied on the assessable property within the District among lots resulting from the subdivision of property within the District after adoption of Ordinance No. 14-064-00.

- (I) At the August 21, 2025 public hearing, the City Council heard each objection to the proposed SAP Update, found in each case that the reallocation of assessments among the parcels subdivided after adoption of Ordinance No. 14-064-00 are reasonable and consistent with Ordinance No. 14-064-00 and the special benefits conferred by the District, and passed on each objection before it closed the public hearing.
- (J) The reallocation of assessments as set out in the Assessment Roll included as part of Exhibit A, attached to and incorporated in this ordinance:
 - (1) should be made against the property and property owners within the District;
 - (2) are in proportion to the benefits to the property for the services and improvements in the District;
 - (3) establish substantial justice, equality, and uniformity in the amount assessed against each property owner for the benefits received and burdens imposed; and
 - (4) are consistent with Ordinance No. 14-064-00.
- (K) In each case, the property subject to reallocated assessments is benefited by the services and improvements provided in the District.
- (L) The exclusion of certain property from reallocation of the assessment is reasonable because doing so is consistent with Ordinance No. 14-064-00 and the excluded property will not receive a benefit from the District that is sufficient to justify an assessment and the exclusions promote efficient management of the District.
- (M) The procedures followed and apportionment of the cost of the services and improvements in the District comply with applicable law and the purpose for which the District was formed.
- (N) The reallocated assessments are in proportion to the estimated average buildout values for the property, as provided in Section III of the SAP Update.

PART 2. Exemptions and Exclusions. The City Council exempts the following from payment of the assessment and excludes from the roll:

- (A) property of the City used for public purpose;
- (B) property owned by Williamson County and property owned by political subdivisions of the State of Texas and used for public purpose; and
- (C) other property that is excluded by law or by agreement of the City and the petitioners.

PART 3. SAP Update. The SAP Update, including the Assessment Roll included as part of Exhibit A, is hereby approved.

PART 4. Reallocation of Assessments. The assessments and annual installments shown on the Assessment Roll adopted under Ordinance No. 14-064-00 are hereby reallocated among the properties in the District and identified by the Williamson Central Appraisal District records as provided in the Assessment Roll included in Exhibit A, the SAP Update.

PART 5. Liability of Multiple Owners. Each owner of property in the District owned by two or more individuals or entities is personally liable for the amount of the assessment equal to the share of the total assessment against the property based on the owner's partial interest in the total property ownership. A property owner's interest in property may be released from an assessment lien if the owner pays the owner's proportionate share of an assessment.

PART 6. Interest and Lien.

- (A) An assessment shown on the Assessment Roll in Exhibit A:
- (1) accrues interest at the rate set forth in the Service and Assessment Plan, as modified by the SAP Update;
 - (2) accrues interest, penalties, and attorneys' fees in the same manner as a delinquent ad valorem tax, until paid; and
 - (3) is a lien on the property shown in Exhibit A and the personal liability of the property owner.

PART 7. Due Date and Collection. An assessment may be paid in a lump sum or may be paid in annual installments as set forth herein and in the SAP Update. Annual Installments for each parcel set forth in the Assessment Roll shall be due on October 1st of the year in which the particular annual installment amount is listed, and shall be delinquent if not paid by February 1st of the following year. If a property owner defaults on payment of an assessment against the owner's property, the City Manager may cause the filing of a suit to collect the assessment and may initiate a lien foreclosure, including interest, penalties, costs and attorneys' fees.

PART 8. Annual Review of Plan. The Administrator shall, in August of each year or as soon thereafter as practical, prepare and submit to the City Council for its review and approval an update to the Annual Service and Assessment Plan to allow for billing and collection of Annual Installments.

PART 9. Statutory Authority. The reallocation of assessments and the SAP Update adopted herein are made under the authority of Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code.

PART 10. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

PART 11. This ordinance takes effect on August 21, 2025.

PASSED AND APPROVED on this 21 day of August, 2025.

ATTEST:

THE CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor

EXHIBIT A

**City of Leander
Oak Creek Public Improvement District
Annual Service Plan Update to the Service and Assessment Plan
Dated September 5, 2024**



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Conduct a Public Hearing regarding an updated Service and Assessment Plan for Calendar Year 2025 for the Deerbrooke Public Improvement District and an updated assessment roll to apportion assessments levied against property located in the District among subdivided lots.

- Discuss and consider action on an Ordinance adopting an updated Service and Assessment Plan for Calendar Year 2025 for the Deerbrooke Public Improvement District as described above.

BACKGROUND:

City Council approved the Deerbrooke PID on June 15, 2017. On October 19, 2017, City Council approved the issuance of Special Revenue Assessment Bonds in the amount of \$8,650,000.00 for the Southern Improvement District (SIA) and \$2,535,000.00 for the Northern Improvement District (NIA.) At that time, the Service and Assessment Plan (SAP) was updated to apportion the debt service costs to the parcels and lots within the boundaries of the PID.

On June 18, 2020, the City approved a second Developer Reimbursement Agreement separate and apart from the original 2017 Developer Reimbursement Agreement. At that time, the Service and Assessment Plan was amended to include reimbursements to the Developer for the costs of certain Northern Neighborhood Improvements (NIA). In July 2022, the City refinanced the outstanding developer reimbursement obligations to achieve overall savings for affected property owners.

Each year, state law requires that the City Council review and approve an annual update to the Service and Assessment Plan. In addition to the debt service associated with the bonds, this SAP also includes the City's administrative costs in administering the PID. It is recommended that a public hearing be held prior to consideration and approval of this year's updated SAP.

The updated assessments will be included with the tax bills that go out in October 2025. The Northern Improvement Area (NIA) has a total of 339 lots and the Southern Improvement Area (SIA) has a total of 451 lots. All property owners within the PID have been notified of the public hearing via postcard as well as a notice was published in the Hill Country News on August 7, 2025.

Property owners are permitted to pay off their assessment at any time without penalty or to make annual payments. The annual assessments are due October 1, 2025, and are considered delinquent if not paid by February 1, 2026. Based on lot size, the prior annual assessment for calendar year 2024 and the proposed annual assessment for calendar year 2025 are provided below along with percent change information for both improvement areas.

[View Deerbrooke SAP](#)

Deerbrooke SIA Creek PID					
Lot Size	40'	50'	60'	70'	80'
# of Lots	21	240	151	23	16
Prior 2024 Assessment	\$ 1,033.33	\$ 1,305.16	\$ 1,526.31	\$ 1,628.61	\$ 1,861.27
Proposed 2025 Assessment	\$ 1,032.75	\$ 1,304.43	\$ 1,525.46	\$ 1,627.70	\$ 1,860.22
% chg.	-0.1%	-0.1%	-0.1%	-0.1%	-0.1%

Deerbrooke NIA Creek PID			
Lot Size	40'	50'	60'
# of Lots	51	266	22
Prior 2024 Assessment	\$ 1,010.03	\$ 1,275.71	\$ 1,491.87
Proposed 2025 Assessment	\$ 994.98	\$ 1,256.72	\$ 1,469.66
% chg.	-1.5%	-1.5%	-1.5%

HISTORY/TIMELINE:

06/15/2017 - Deerbrooke PID Created

APPLICANT/AGENT:

RECOMMENDATION:

Conduct Public Hearing. Approve the Service and Assessment Plan.

PRESENTER:

Otis Williams, Chief Financial Officer

Fiscal Impact

FY 2026 Debt Service is \$556,987.50 for the SIA and \$352,857.50 for the NIA both payable from property assessments.

Attachments:

1. PID Postcard 2025 Deerbrooke

2. PID Public Hearing Notice 2025 Deerbrooke
3. Ordinance Deerbrooke update 2025



Notice of Public Hearing on August 21, 2025

TO CONSIDER ADOPTION OF AN UPDATED SERVICE AND ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE DEERBROOKE PUBLIC IMPROVEMENT DISTRICT AND AN UPDATED ASSESSMENT ROLL TO APPORTION ASSESSMENTS LEVIED AGAINST PROPERTY LOCATED IN THE DISTRICT AMONG SUBDIVIDED LOTS.

Dear Property Owner:

The City of Leander (“Leander”) will consider adopting an updated Service and Assessment Plan and Assessment Roll for the Deerbrooke Public Improvement District (the “District”) for calendar year 2025. According to the Williamson County Central Appraisal District records, you own property located within the District.

PLEASE NOTE: Amortization schedules are separated by lot type, and your lot is identified by a tax parcel "R" number. The lot type and parcel number for your lot is shown in the mailing address on the reverse side of this card.

This letter serves to inform you that the City Council of Leander will hold a public hearing on the proposed updated Service and Assessment Plan and Assessment Roll at the City Council meeting scheduled for 7:00 p.m. on August 21, 2025 in the Council Chambers at Pat Bryson Municipal Hall, 201 North Brushy Street, Leander, Texas 78641.

A copy of the proposed Assessment Roll and Service and Assessment Plan is available for public review at the office of the City Secretary, 105 North Brushy Street, Leander, Texas 78641. A copy of the public hearing notice, as well as the amortization schedule for the assessment on your lot, is available on the City of Leander website at www.leandertx.gov/pid.



City of
Leander

P.O. BOX 319
LEANDER, TEXAS
78646-0319

PRSRT STD
US POSTAGE
PAID
AUSTIN, TX
PERMIT NO. 882

DEERBROOKE PUBLIC IMPROVEMENT DISTRICT

**NOTICE OF PUBLIC HEARING
TO CONSIDER ADOPTION OF AN UPDATED SERVICE AND
ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE
DEERBROOKE PUBLIC IMPROVEMENT DISTRICT AND AN UPDATED
ASSESSMENT ROLL TO APPORTION ASSESSMENTS LEVIED
AGAINST PROPERTY LOCATED IN THE DISTRICT AMONG
SUBDIVIDED LOTS**

Notice is hereby given that the City Council of the City of Leander, Texas, will hold a public hearing in the Council Chambers at Pat Bryson Municipal Hall, 201 North Brushy Street, Leander, Williamson County, Texas 78641 on August 21, 2025, at 7:00 p.m. to consider adoption of an updated Service and Assessment Plan and Assessment Roll for the Deerbrooke Public Improvement District (the “District”) for calendar year 2025 and apportioning assessments levied against the assessable property within the District among the subdivided lots. Public comments and written and oral objections will be considered at the hearing.

General Nature and Cost of District Improvements: The District was created on June 15, 2017 and on August 17, 2017. Assessments were levied against assessable property within the District, pursuant Chapter 372 of the Texas Local Government Code, to fund the creation and administration of the District and the design, acquisition, and construction of public and private improvements necessary for full development of the property within the District, which improvements include the following: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, irrigation, walkways, lighting, benches, swimming pools, trash receptacles, and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater, and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District (all of the foregoing collectively referred to as the “District Improvements”).

Estimated Total Cost of Public Improvement: The total cost of the public improvements to be funded by the District is approximately \$15,000,000.00, including issuance and required reserves related to the proposed issuance of bonds to fund the construction of the public improvements.

District Boundaries: The District includes approximately 262 acres located east of Bagdad Road, north of Collaborative Way and west of Halsey Road. The boundaries of the District, a copy of the proposed updated assessment roll, and a copy of the proposed Service and Assessment Plan, are available for inspection at City Hall at 105 North Brushy Street, Leander, Texas 78641.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER APPROVING AN ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE DEERBROOKE PUBLIC IMPROVEMENT DISTRICT AND APPORTIONING ASSESSMENTS AMONG SUBDIVIDED LOTS WITHIN THE DISTRICT

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

PART 1. Findings. The City Council finds that:

- (A) Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code (the “Act”) authorized the creation of the Deerbrooke Public Improvement District (the “District”)
- (B) On June 15, 2017, the City Council passed Resolution No. 17-015-00, which approved the creation of the District in accordance with its findings.
- (C) On August 17, 2017, the City Council passed Ordinance No. 17-051-00, which approved the Service and Assessment Plan and Budget for the District and levied Special Assessments against assessable property within the District. The Service and Assessment Plan adopted on August 17, 2017 and subsequently adopted updates and amendments are herein referred to as the Service and Assessment Plan.
- (D) The Service and Assessment Plan provides that, as parcels within the District are subdivided, the Special Assessments will be reallocated and apportioned among the resulting lots.
- (E) Property within the District was subdivided after the passage of Ordinance No. 17-051-00, and this Ordinance reallocates the Special Assessments levied pursuant to Ordinance No. 17-051-00 among the resulting lots as contemplated in the Service and Assessment Plan and as provided in the Annual Service Plan Update to the Service and Assessment Plan dated August 21, 2025, attached hereto as Exhibit A (the “SAP Update”).
- (F) The City Council finds that the proposed SAP Update, including the Assessment Roll, is necessary to fund debt service payments on debt issued to enhance the District.
- (G) The proposed assessment roll attached as part of Exhibit A to this ordinance was filed with the City Secretary, and such filing is hereby ratified and confirmed.
- (H) On August 21, 2025, the City Council held a public hearing, properly noticed under the Act, to consider the proposed SAP Update and the updated Assessment Roll

included therein which reallocates and apportions the assessments levied on the assessable property within the District among lots resulting from the subdivision of property within the District after adoption of Ordinance No. 17-051-00.

- (I) At the August 21, 2025 public hearing, the City Council heard each objection to the proposed SAP Update, found in each case that the reallocation of assessments among the parcels subdivided after adoption of Ordinance No. 17-051-00 are reasonable and consistent with Ordinance No. 17-051-00 and the special benefits conferred by the District, and passed on each objection before it closed the public hearing.
- (J) The reallocation of assessments as set out in the Assessment Roll included as part of Exhibit A, attached to and incorporated in this ordinance:
 - (1) should be made against the property and property owners within the District;
 - (2) are in proportion to the benefits to the property for the services and improvements in the District;
 - (3) establish substantial justice, equality, and uniformity in the amount assessed against each property owner for the benefits received and burdens imposed; and
 - (4) are consistent with Ordinance No. 17-051-00.
- (K) In each case, the property subject to reallocated assessments is benefited by the services and improvements provided in the District.
- (L) The exclusion of certain property from reallocation of the assessment is reasonable because doing so is consistent with Ordinance No. 17-051-00 and the excluded property will not receive a benefit from the District that is sufficient to justify an assessment and the exclusions promote efficient management of the District.
- (M) The procedures followed and apportionment of the cost of the services and improvements in the District comply with applicable law and the purpose for which the District was formed.
- (N) The reallocated assessments are in proportion to the estimated average buildout values for the property, as provided in Section III of the SAP Update.

PART 2. Exemptions and Exclusions. The City Council exempts the following from payment of the assessment and excludes from the roll:

- (A) property of the City used for public purpose;
- (B) property owned by Williamson County and property owned by political subdivisions of the State of Texas and used for public purpose; and
- (C) other property that is excluded by law or by agreement of the City and the petitioners.

PART 3. SAP Update. The SAP Update, including the Assessment Roll included as part of Exhibit A, is hereby approved.

PART 4. Reallocation of Assessments. The assessments and annual installments shown on the Assessment Roll adopted under Ordinance No. 17-051-00 are hereby reallocated among the properties in the District and identified by the Williamson Central Appraisal District records as provided in the Assessment Roll included in Exhibit A, the SAP Update.

PART 5. Liability of Multiple Owners. Each owner of property in the District owned by two or more individuals or entities is personally liable for the amount of the assessment equal to the share of the total assessment against the property based on the owner's partial interest in the total property ownership. A property owner's interest in property may be released from an assessment lien if the owner pays the owner's proportionate share of an assessment.

PART 6. Interest and Lien.

(A) An assessment shown on the Assessment Roll in Exhibit A:

- (1) accrues interest at the rate set forth in the Service and Assessment Plan, as modified by the SAP Update;
- (2) accrues interest, penalties, and attorneys' fees in the same manner as a delinquent ad valorem tax, until paid; and
- (3) is a lien on the property shown in Exhibit A and the personal liability of the property owner.

PART 7. Due Date and Collection. An assessment may be paid in a lump sum or may be paid in annual installments as set forth herein and in the SAP Update. Annual Installments for each parcel set forth in the Assessment Roll shall be due on October 1st of the year in which the particular annual installment amount is listed, and shall be delinquent if not paid by February 1st of the following year. If a property owner defaults on payment of an assessment against the owner's property, the City Manager may cause the filing of a suit to collect the assessment and may initiate a lien foreclosure, including interest, penalties, costs and attorneys' fees.

PART 8. Annual Review of Plan. The Administrator shall, in August of each year or as soon thereafter as practical, prepare and submit to the City Council for its review and approval an update to the Annual Service and Assessment Plan to allow for billing and collection of Annual Installments.

PART 9. Statutory Authority. The reallocation of assessments and the SAP Update adopted herein are made under the authority of Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code.

PART 10. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

PART 11. This ordinance takes effect on August 21, 2025.

PASSED AND APPROVED on this 21 day of August, 2025.

ATTEST:

THE CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor

EXHIBIT A

**City of Leander
Deerbrooke Public Improvement District
Annual Service Plan Update to the Service and Assessment Plan
Dated September 5, 2024**



EXECUTIVE SUMMARY

8/21/2025

AGENDA SUBJECT:

Conduct a Public Hearing regarding the adoption of an updated Service and Assessment Plan for Calendar Year 2025 for the Crystal Springs Public Improvement District and an updated assessment roll to apportion assessments levied against property located in the District among subdivided lots, and to adjust boundaries between assessable and non-assessable lots.

- Discuss and consider action on an Ordinance adopting an updated Service and Assessment Plan for Calendar Year 2025 for the Crystal Springs Public Improvement District as described above.

BACKGROUND:

City Council approved the Crystal Springs PID on March 16, 2018. On May 3, 2018, City Council approved the issuance of Special Revenue Assessment Bonds in the amount of \$5,475,000.00 for improvements within the PID. At that time, the Service and Assessment Plan (SAP) was updated to apportion the debt service costs to the parcels and lots within the boundaries of the PID. State law requires that the City Council review and approve an annual update to the Service and Assessment Plan. In addition to the debt service associated with the bonds, SAP also includes the City's administrative costs in administering the PID. It is recommended that a public hearing be held prior to consideration and approval of the SAP. The assessments will be included with the tax bills that go out in October 2025. There are a total of 411 lots within the PID. All property owners have been notified of the public hearing via post card as well as a notice was published in the Hill Country News on August 7, 2025.

Property owners are permitted to pay off their assessment at any time without penalty or to make annual payments. The annual assessments are due October 1, 2025, and are considered delinquent if not paid by February 1, 2026. Based on lot size, the prior annual assessment for calendar year 2024 and the proposed annual assessment for calendar year 2025 are provided below along with percent change information.

[View Crystal Springs SAP](#)

Crystal Springs PID			
Lot Size	26'	41'	50'
# of Lots	181	139	91
Prior 2024 Assessment	\$ 900.96	\$ 1,052.67	\$ 1,251.80
Proposed 2025 Assessment	\$ 907.54	\$ 1,060.35	\$ 1,260.96

% chg.	0.7%	0.7%	0.7%
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HISTORY/TIMELINE:

03/16/2018 - Crystal Springs PID Created

APPLICANT/AGENT:

RECOMMENDATION:

Approval of Service and Assessment Plan.

PRESENTER:

Otis Williams, Chief Financial Officer

Fiscal Impact

The FY 2026 Debt Service is \$359,631.26 payable from property assessments.

Attachments:

1. PID Postcard 2025 Crystal Springs
2. PID Public Hearing Notice 2025 Crystal Springs
3. Ordinance Crystal Springs Update 2025



Notice of Public Hearing on August 21, 2025

TO CONSIDER ADOPTION OF AN UPDATED SERVICE AND ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE CRYSTAL SPRINGS PUBLIC IMPROVEMENT DISTRICT AND AN UPDATED ASSESSMENT ROLL TO APPORTION ASSESSMENTS LEVIED AGAINST PROPERTY LOCATED IN THE DISTRICT AMONG SUBDIVIDED LOTS.

Dear Property Owner:

The City of Leander (“Leander”) will consider adopting an updated Service and Assessment Plan and Assessment Roll for the Crystal Springs Public Improvement District (the “District”) for calendar year 2025. According to the Williamson County Central Appraisal District records, you own property located within the District.

PLEASE NOTE: Amortization schedules are separated by lot type, and your lot is identified by a tax parcel "R" number. The lot type and parcel number for your lot is shown in the mailing address on the reverse side of this card.

This letter serves to inform you that the City Council of Leander will hold a public hearing on the proposed updated Service and Assessment Plan and Assessment Roll at the City Council meeting scheduled for 7:00 p.m. on August 21, 2025 in the Council Chambers at Pat Bryson Municipal Hall, 201 North Brushy Street, Leander, Texas 78641.

A copy of the proposed Assessment Roll and Service and Assessment Plan is available for public review at the office of the City Secretary, 105 North Brushy Street, Leander, Texas 78641. A copy of the public hearing notice, as well as the amortization schedule for the assessment on your lot, is available on the City of Leander website at www.leandertx.gov/pid.



City of
Leander

P.O. BOX 319
LEANDER, TEXAS
78646-0319

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CRYSTAL SPRINGS PUBLIC IMPROVEMENT DISTRICT

SAP 2025 – CRYSTAL SPRINGS

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF AN UPDATED SERVICE AND ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE CRYSTAL SPRINGS PUBLIC IMPROVEMENT DISTRICT AND AN UPDATED ASSESSMENT ROLL TO APPORTION ASSESSMENTS LEVIED AGAINST PROPERTY LOCATED IN THE DISTRICT AMONG SUBDIVIDED LOTS

Notice is hereby given that the City Council of the City of Leander, Texas, will hold a public hearing in the Council Chambers at Pat Bryson Municipal Hall, 201 North Brushy Street, Leander, Williamson County, Texas 78641 on August 21, 2025, at 7:00 p.m. to consider adopting an updated Service and Assessment Plan and Assessment Roll for the Crystal Springs Public Improvement District (the “District”) for calendar year 2025 and apportioning assessments levied against the assessable property within the District among the lots created by subdivision of portions of the assessed property. Public comments and written and oral objections will be considered at the hearing.

General Nature and Cost of District Improvements: The District was created on March 16, 2017 and on May 3, 2018. Assessments were levied against assessable property within the District, pursuant Chapter 372 of the Texas Local Government Code, to fund the creation and administration of the District and the design, acquisition, and construction of public and private improvements necessary for full development of the property within the District, which improvements include the following: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, irrigation, walkways, lighting, benches, swimming pools, trash receptacles, and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater, and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District (all of the foregoing collectively referred to as the “District Improvements”).

Estimated Total Cost of Public Improvement: The total cost of the public improvements to be funded by the District is approximately \$6,500,000.00, including issuance and required reserves related to the proposed issuance of bonds to fund the construction of the public improvements.

District Boundaries: The District includes approximately 128.40 acres located east of Highway 183A, south of E. Crystal Falls Parkway and west of Ronald Reagan Boulevard. The boundaries of the District, a copy of the proposed updated assessment roll, and a copy of the proposed Service and Assessment Plan, are available for inspection at City Hall at 105 North Brushy Street, Leander, Texas 78641.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER APPROVING AN ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT PLAN FOR CALENDAR YEAR 2025 FOR THE CRYSTAL SPRINGS PUBLIC IMPROVEMENT DISTRICT; APPORTIONING ASSESSMENTS AMONG SUBDIVIDED LOTS WITHIN THE DISTRICT; AND ADJUSTING BOUNDARIES BETWEEN ASSESSABLE AND NON-ASSESSABLE LAND

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

PART 1. Findings. The City Council finds that:

- (A) Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code (the “Act”) authorized the creation of the Crystal Springs Public Improvement District (the “District”)
- (B) On March 16, 2017, the City Council passed Resolution No. 17-010-00, which approved the creation of the District in accordance with its findings.
- (C) On May 3, 2018, the City Council passed Ordinance No. 18-029-00, which approved the Service and Assessment Plan and Budget for the District and levied Special Assessments against assessable property within the District. The Service and Assessment Plan adopted on May 3, 2018 and subsequently adopted updates and amendments are herein referred to as the Service and Assessment Plan.
- (D) The Service and Assessment Plan provides that, as parcels within the District are subdivided, the Special Assessments will be reallocated and apportioned among the resulting lots.
- (E) Property within the District was subdivided after the passage of Ordinance No. 18-029-00, and this Ordinance reallocates the Special Assessments levied pursuant to Ordinance No. 18-029-00 among the resulting lots as contemplated in the Service and Assessment Plan and as provided in the Annual Service Plan Update to the Service and Assessment Plan dated August 21, 2025, attached hereto as Exhibit A (the “SAP Update”).
- (F) The City Council finds that the proposed SAP Update, including the Assessment Roll, is necessary to fund debt service payments on debt issued to enhance the District.
- (G) The proposed assessment roll attached as part of Exhibit A to this ordinance was filed with the City Secretary, and such filing is hereby ratified and confirmed.

- (H) On August 21, 2025, the City Council held a public hearing, properly noticed under the Act, to consider the proposed SAP Update and the updated Assessment Roll included therein which reallocates and apportions the assessments levied on the assessable property within the District among lots resulting from the subdivision of property within the District after adoption of Ordinance No. 18-029-00.
- (I) At the August 21, 2025 public hearing, the City Council heard each objection to the proposed SAP Update, found in each case that the reallocation of assessments among the parcels subdivided after adoption of Ordinance No. 18-029-00 are reasonable and consistent with Ordinance No. 18-029-00 and the special benefits conferred by the District, and passed on each objection before it closed the public hearing.
- (J) The reallocation of assessments as set out in the Assessment Roll included as part of Exhibit A, attached to and incorporated in this ordinance:
 - (1) should be made against the property and property owners within the District;
 - (2) are in proportion to the benefits to the property for the services and improvements in the District;
 - (3) establish substantial justice, equality, and uniformity in the amount assessed against each property owner for the benefits received and burdens imposed; and
 - (4) are consistent with Ordinance No. 18-029-00.
- (K) In each case, the property subject to reallocated assessments is benefited by the services and improvements provided in the District.
- (L) The exclusion of certain property from reallocation of the assessment is reasonable because doing so is consistent with Ordinance No. 18-029-00 and the excluded property will not receive a benefit from the District that is sufficient to justify an assessment and the exclusions promote efficient management of the District.
- (M) The procedures followed and apportionment of the cost of the services and improvements in the District comply with applicable law and the purpose for which the District was formed.
- (N) The reallocated assessments are in proportion to the estimated average buildout values for the property, as provided in Section III of the SAP Update.

PART 2. Exemptions and Exclusions. The City Council exempts the following from payment of the assessment and excludes from the roll:

- (A) property of the City used for public purpose;
- (B) property owned by Williamson County and property owned by political subdivisions of the State of Texas and used for public purpose;
- (C) other property that is excluded by law or by agreement of the City and the petitioners.

PART 3. SAP Update. The SAP Update, including the Assessment Roll included as part of Exhibit A, is hereby approved.

PART 4. Reallocation of Assessments. The assessments and annual installments shown on the Assessment Roll adopted under Ordinance No. 18-029-00 are hereby reallocated among the properties in the District and identified by the Williamson Central Appraisal District records as provided in the Assessment Roll included in Exhibit A, the SAP Update.

PART 5. Liability of Multiple Owners. Each owner of property in the District owned by two or more individuals or entities is personally liable for the amount of the assessment equal to the share of the total assessment against the property based on the owner's partial interest in the total property ownership. A property owner's interest in property may be released from an assessment lien if the owner pays the owner's proportionate share of an assessment.

PART 6. Interest and Lien.

- (A) An assessment shown on the Assessment Roll in Exhibit A:
 - (1) accrues interest at the rate set forth in the Service and Assessment Plan, as modified by the SAP Update;
 - (2) accrues interest, penalties, and attorneys' fees in the same manner as a delinquent ad valorem tax, until paid; and
 - (3) is a lien on the property shown in Exhibit A and the personal liability of the property owner.

PART 7. Due Date and Collection. An assessment may be paid in a lump sum or may be paid in annual installments as set forth herein and in the SAP Update. Annual Installments for each parcel set forth in the Assessment Roll shall be due on October 1st of the year in which the particular annual installment amount is listed, and shall be delinquent if not paid by February 1st of the following year. If a property owner defaults on payment of an assessment against the owner's property, the City Manager may cause the filing of a suit to collect the assessment and may initiate a lien foreclosure, including interest, penalties, costs and attorneys' fees.

PART 8. Annual Review of Plan. The Administrator shall, in August of each year or as soon thereafter as practical, prepare and submit to the City Council for its review and approval an update to the Annual Service and Assessment Plan to allow for billing and collection of Annual Installments.

PART 9. Statutory Authority. The reallocation of assessments and the SAP Update adopted herein are made under the authority of Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code.

PART 10. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

PART 11. This ordinance takes effect on August 21, 2025.

PASSED AND APPROVED on this 21 day of August, 2025.

ATTEST:

THE CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor

EXHIBIT A

**City of Leander
Crystal Springs Public Improvement District
Annual Service Plan Update to the Service and Assessment Plan
Dated August 21, 2025**



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Discuss receiving No-New-Revenue and Voter-Approval tax rate calculations; take action to consider a proposed tax rate; and schedule a public hearing date for the proposed tax rate.

BACKGROUND:

In the 2019 state legislative session, lawmakers approved Senate Bill 2 (SB2) that made changes to the process by which local governments adopt their local property tax rates. The law requires an election if a taxing jurisdiction adopts an ad-valorem tax rate greater than 3.5% above the calculated maintenance and operation (M&O) "No-New-Revenue" (NNR) rate. The City Council will need to take a record vote to accept the 2025 Tax Rate Calculations, consider setting a ceiling for a proposed ad-valorem rate, and schedule a public hearing on September 18, 2025, for an ad-valorem rate that exceeds the current year NNR tax rate calculation shown on line 26 of the attached 2025 Tax Rate Calculation Worksheet.

Last year, Leander set a total ad-valorem rate for FY2025 at \$0.417282. That rate consists of an M&O rate of \$0.273604 and a debt rate of \$0.143678.

For this year, the NNR M&O rate calculation is \$0.428187.

Definitions:

The "No-New-Revenue" (NNR) is the tax rate that would produce the same amount of taxes (i.e., no new taxes) if applied to the same properties that are taxed in both years.

The "Voter-Approval tax rate" (VAR) is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two (2) separate rates:

1. Maintenance and Operations (M&O) Tax Rate. The M&O portion is the tax rate that is needed to raise the same amount of taxes as levied in the prior year plus 3.5%.
2. Debt Rate (I&S): The debt rate includes the debt service necessary to pay debt payments in the coming year.

The detailed tax rate calculation worksheet completed by the Williamson County Tax Office is provided as an attachment to this item.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

City staff recommends that the City Council accept the tax rate calculations, vote to consider setting a ceiling for a proposed tax rate, and schedule a public hearing on the tax rate for September 18, 2025.

PRESENTER:

Otis Williams, Chief Financial Officer

Fiscal Impact

Attachments:

1. 2025 Tax Rate Calculation Worksheet – Taxing Units Other Than School Districts or Water Districts

2025 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

City of Leander

Taxing Unit Name

(512) 528-2700

Phone (area code and number)

PO Box 319, Leander, TX, 78646-0319

Taxing Unit's Address, City, State, ZIP Code

<https://www.leandertx.gov/>

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 15,357,395,793
2.	Prior year tax ceilings. Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 1,530,601,257
3.	Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1.	\$ 13,826,794,536
4.	Prior year total adopted tax rate.	\$ 0.417282 /\$100
5.	Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value. A. Original prior year ARB values: \$ 327,051,974 B. Prior year values resulting from final court decisions: - \$ 300,058,260 C. Prior year value loss. Subtract B from A. ³	\$ 26,993,714
6.	Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ 530,995,526 B. Prior year disputed value: - \$ 79,401,916 C. Prior year undisputed value. Subtract B from A. ⁴	\$ 451,593,610
7.	Prior year Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 478,587,324

¹ Tex. Tax Code §26.012(14)² Tex. Tax Code §26.012(14)³ Tex. Tax Code §26.012(13)⁴ Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 14,305,381,860
9.	Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2024. Enter the prior year value of property in deannexed territory. ⁵	\$ 0
10.	Prior year taxable value lost because property first qualified for an exemption in the current year. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use prior year market value: \$ 7,216,472 B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: + \$ 12,738,443 C. Value loss. Add A and B. ⁶	\$ 19,954,915
11.	Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year. Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year. A. Prior year market value: \$ 3,028,486 B. Current year productivity or special appraised value: - \$ 2,644 C. Value loss. Subtract B from A. ⁷	\$ 3,025,842
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 22,980,757
13.	Prior year captured value of property in a TIF. Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 1,572,086,263
14.	Prior year total value. Subtract Line 12 and Line 13 from Line 8.	\$ 12,710,314,840
15.	Adjusted prior year total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 53,037,855
16.	Taxes refunded for years preceding the prior tax year. Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year. ⁹	\$ 439,997
17.	Adjusted prior year levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 53,477,852
18.	Total current year taxable value on the current year certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: \$ 16,459,964,129 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ 0 C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ 0 D. Tax increment financing: Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² - \$ 2,142,062,426 E. Total current year value. Add A and B, then subtract C and D.	\$ 14,317,901,703

⁵ Tex. Tax Code §26.012(15)⁶ Tex. Tax Code §26.012(15)⁷ Tex. Tax Code §26.012(15)⁸ Tex. Tax Code §26.03(c)⁹ Tex. Tax Code §26.012(13)¹⁰ Tex. Tax Code §26.012(13)¹¹ Tex. Tax Code §26.012, 26.04(c-2)¹² Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	Total value of properties under protest or not included on certified appraisal roll. ¹³	
	A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴ \$ 592,122,659	
	B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵ + \$ 0	
	C. Total value under protest or not certified. Add A and B.	\$ 592,122,659
20.	Current year tax ceilings. Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ 1,584,808,578
21.	Current year total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ 13,325,215,784
22.	Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed. ¹⁸	\$ 2,371,642
23.	Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for the current year. ¹⁹	\$ 833,489,726
24.	Total adjustments to the current year taxable value. Add Lines 22 and 23.	\$ 835,861,368
25.	Adjusted current year taxable value. Subtract Line 24 from Line 21.	\$ 12,489,354,416
26.	Current year NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ 0.428187 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. ²¹	\$ 0.000000 /\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	Prior year M&O tax rate. Enter the prior year M&O tax rate.	\$ 0.273604 /\$100
29.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 14,305,381,860

¹³ Tex. Tax Code §26.01(c) and (d)

¹⁴ Tex. Tax Code §26.01(c)

¹⁵ Tex. Tax Code §26.01(d)

¹⁶ Tex. Tax Code §26.012(6)(B)

¹⁷ Tex. Tax Code §26.012(6)

¹⁸ Tex. Tax Code §26.012(17)

¹⁹ Tex. Tax Code §26.012(17)

²⁰ Tex. Tax Code §26.04(c)

²¹ Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	Total prior year M&O levy. Multiply Line 28 by Line 29 and divide by \$100	\$ 39,140,096
31.	Adjusted prior year levy for calculating NNR M&O rate.	
	A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2024. This line applies only to tax years preceding the prior tax year. + \$ 277,053	
	B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0. 4,379,836 - \$	
	C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. 0 +/- \$	
	D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. -4,102,783 \$	
	E. Add Line 30 to 31D.	\$ 35,037,313
32.	Adjusted current year taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 12,489,354,416
33.	Current year NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.280537 /\$100
34.	Rate adjustment for state criminal justice mandate. ²³	
	A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$ 0	
	B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies. - \$ 0	
	C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.000000 /\$100
35.	Rate adjustment for indigent health care expenditures. ²⁴	
	A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose. \$ 0	
	B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2023 and ending on June 30, 2024, less any state assistance received for the same purpose. - \$ 0	
	C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.000000 /\$100

²² [Reserved for expansion]²³ Tex. Tax Code §26.044²⁴ Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	Rate adjustment for county indigent defense compensation. ²⁵ A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state grants received by the county for the same purpose. \$ 0 B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2023 and ending on June 30, 2024, less any state grants received by the county for the same purpose. \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100 D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100 E. Enter the lesser of C and D. If not applicable, enter 0.	\$ 0.000000 /\$100
37.	Rate adjustment for county hospital expenditures. ²⁶ A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year. \$ 0 B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023. \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100 D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100 E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$ 0.000000 /\$100
38.	Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information. A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year. \$ 0 B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year. \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.000000 /\$100
39.	Adjusted current year NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ 0.280537 /\$100
40.	Adjustment for prior year sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero. A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent. \$ 0 B. Divide Line 40A by Line 32 and multiply by \$100. \$ 0.000000 /\$100 C. Add Line 40B to Line 39.	\$ 0.280537 /\$100
41.	Current year voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	\$ 0.290355 /\$100

²⁵ Tex. Tax Code §26.0442²⁶ Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	Disaster Line 41 (D41): Current year voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. ²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	\$ _____ /\$100
42.	Total current year debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. ²⁸ Enter debt amount \$ 23,955,600 B. Subtract unencumbered fund amount used to reduce total debt. - \$ 3,707,946 C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ 0 D. Subtract amount paid from other resources - \$ 1,102,250 E. Adjusted debt. Subtract B, C and D from A.	\$ 19,145,404
43.	Certified prior year excess debt collections. Enter the amount certified by the collector. ²⁹	\$ 0
44.	Adjusted current year debt. Subtract Line 43 from Line 42E.	\$ 19,145,404
45.	Current year anticipated collection rate. A. Enter the current year anticipated collection rate certified by the collector. ³⁰ 100.00 % B. Enter the prior year actual collection rate. 99.79 % C. Enter the 2023 actual collection rate. 98.95 % D. Enter the 2022 actual collection rate. 99.85 % E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ³¹	100.00 %
46.	Current year debt adjusted for collections. Divide Line 44 by Line 45E.	\$ 19,145,404
47.	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 13,325,215,784
48.	Current year debt rate. Divide Line 46 by Line 47 and multiply by \$100.	\$ 0.143678 /\$100
49.	Current year voter-approval M&O rate plus current year debt rate. Add Lines 41 and 48.	\$ 0.434033 /\$100
D49.	Disaster Line 49 (D49): Current year voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	\$ _____ /\$100

²⁷ Tex. Tax Code §26.042(a)²⁸ Tex. Tax Code §26.012(7)²⁹ Tex. Tax Code §26.012(10) and 26.04(b)³⁰ Tex. Tax Code §26.04(b)³¹ Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate.	\$ 0.000000 /\$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	Taxable Sales. For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0.	\$ _____
52.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November of the prior year. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ _____
53.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ _____ /\$100
55.	Current year NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ /\$100
56.	Current year NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November the prior tax year or in May of the current tax year. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November of the prior tax year.	\$ _____ /\$100
57.	Current year voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ /\$100
58.	Current year voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ _____ /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ _____
60.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ _____ /\$100

³² Tex. Tax Code §26.041(d)

³³ Tex. Tax Code §26.041(i)

³⁴ Tex. Tax Code §26.041(d)

³⁵ Tex. Tax Code §26.04(c)

³⁶ Tex. Tax Code §26.04(c)

³⁷ Tex. Tax Code §26.045(d)

³⁸ Tex. Tax Code §26.045(i)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
62.	Current year voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ _____ /\$100

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value.³⁹ The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value.⁴⁰

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042;⁴¹
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴² or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴³

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴⁴

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	Year 3 Foregone Revenue Amount. Subtract the 2024 unused increment rate and 2024 actual tax rate from the 2024 voter-approval tax rate. Multiply the result by the 2024 current total value A. Voter-approval tax rate (Line 68) B. Unused increment rate (Line 67) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2024 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero	\$ 0.424435 /\$100 \$ 0.007153 /\$100 \$ 0.417282 /\$100 \$ 0.417282 /\$100 \$ 0.000000 /\$100 \$ 12,452,289,618 \$ 0
64.	Year 2 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value A. Voter-approval tax rate (Line 67) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2023 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero	\$ 0.445326 /\$100 \$ 0.022937 /\$100 \$ 0.422389 /\$100 \$ 0.417282 /\$100 \$ 0.005107 /\$100 \$ 11,479,920,448 \$ 586,279
65.	Year 1 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value A. Voter-approval tax rate (Line 67) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2022 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero	\$ 0.455262 /\$100 \$ 0.019467 /\$100 \$ 0.435795 /\$100 \$ 0.435795 /\$100 \$ 0.000000 /\$100 \$ 10,106,383,273 \$ 0
66.	Total Foregone Revenue Amount. Add Lines 63G, 64G and 65G	\$ 586,279.000000
67.	2025 Unused Increment Rate. Divide Line 66 by Line 21 of the <i>No-New-Revenue Rate Worksheet</i> . Multiply the result by 100	\$ 0.004399 /\$100
68.	Total 2025 voter-approval tax rate, including the unused increment rate. Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution)	\$ 0.438432 /\$100

³⁹ Tex. Tax Code §26.013(b)

⁴⁰ Tex. Tax Code §26.013(a)(1-a), (1-b), and (2)

⁴¹ Tex. Tax Code §§26.04(c)(2)(A) and 26.042(a)

⁴² Tex. Tax Code §26.0501(a) and (c)

⁴³ Tex. Local Gov't Code §120.007(d)

⁴⁴ Tex. Local Gov't Code §120.007(d)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁴ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

Line	De Minimis Rate Worksheet	Amount/Rate
69.	Adjusted current year NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> .	
70.	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
71.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 70 and multiply by \$100.	\$ _____ / \$100
72.	Current year debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ / \$100
73.	De minimis rate. Add Lines 69, 71 and 72.	\$ _____ / \$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁹

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
74.	2024 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ / \$100
75.	Adjusted 2024 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2024 and the taxing unit calculated its 2024 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2024 worksheet due to a disaster, complete the applicable sections or lines of <i>Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2024 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2024, complete form 50-856-a, <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2024 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. ⁵⁰ Enter the final adjusted 2024 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2024 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ _____ / \$100
76.	Increase in 2024 tax rate due to disaster. Subtract Line 75 from Line 74.	\$ _____ / \$100
77.	Adjusted 2024 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
78.	Emergency revenue. Multiply Line 76 by Line 77 and divide by \$100.	\$ _____
79.	Adjusted 2024 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
80.	Emergency revenue rate. Divide Line 78 by Line 79 and multiply by \$100. ⁵¹	\$ _____ / \$100

⁴⁴ Tex. Tax Code §26.04(c)(2)(B)

⁴⁵ Tex. Tax Code §26.012(8-a)

⁴⁶ Tex. Tax Code §26.063(a)(1)

⁴⁷ Tex. Tax Code §26.042(b)

⁴⁸ Tex. Tax Code §26.042(f)

⁴⁹ Tex. Tax Code §26.42(c)

⁵¹ Tex. Tax Code §26.42(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
81.	Current year voter-approval tax rate, adjusted for emergency revenue. Subtract Line 80 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 68 (taxing units with the unused increment rate).	\$ _____ /\$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.428187 /\$100

As applicable, enter the current year NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).

Indicate the line number used: 26

Voter-approval tax rate. \$ 0.438432 /\$100

As applicable, enter the current year voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 68 (adjusted for unused increment), or Line 81 (adjusted for emergency revenue).

Indicate the line number used: 68

De minimis rate. \$ _____ /\$100

If applicable, enter the current year de minimis rate from Line 73.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.⁵²

print here ➔ Larry Gaddes PCAC, CTA

Printed Name of Taxing Unit Representative

sign here ➔



Taxing Unit Representative

August 6, 2025

Date

⁵² Tex. Tax Code §§26.04(c-2) and (d-2)

Date submitted: 08/06/2025



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Discuss and consider action on a Resolution authorizing the Brushy Creek Regional Utility Authority, Inc., (BCRUA) to execute a Financing Agreement with the Texas Water Development Board relating to the sale of \$36,240,000.00 Brushy Creek Regional Utility Authority, Inc., City of Leander, Texas Contract Revenue Bonds, Proposed Series 2025 (Brushy Creek Regional Water Treatment and Distribution Project).

BACKGROUND:

The Brushy Creek Regional Utility Authority (BCRUA) is a regional partnership of the Cities of Cedar Park, Round Rock, and Leander. Portions of the regional system have already been constructed (Phase 1A, Phase 1C) or are currently under construction (Phase 1D, Phase 2). BCRUA is seeking funding for the construction of the next water treatment plant expansion, referred to as the Phase 2A Project.

The current water treatment plant capacity is 32.5 million gallons per day (MGD). Construction is nearing completion for the Phase 1D expansion, thereby increasing treatment capacity to approximately 41.9 MGD. Construction of the Phase 2A water treatment plant expansion will further increase treatment capacity to approximately 64.2 MGD. This phase includes two (2) new treatment trains, a six-million-gallon clearwell, and expansions to the associated booster pumping, chemical feed systems, recycle water, and the disinfection basin. The capacity allocation for Phase 2A is 11.7 MGD to the City of Leander (52.4%) and 10.6 MGD to the City of Round Rock (47.6%). Cedar Park is not a participant in this expansion. Phase 2A is currently out for bid with responses due September 18, 2025. Contract award and Contractor Notice to Proceed is anticipated in November 2025 with construction and concluding in Spring 2028.

On March 20, 2025, City Council approved the BCRUA Board moving forward with the submission of the final Abridged Application submission to the Texas Water Development Board (TWDB) to request financial assistance through the State Water Implementation Fund for Texas (SWIFT) program for the Phase 2A project. The City of Leander has utilized SWIFT funding to fund prior BCRUA projects, including the Phase 1C and 1D WTP expansions and the Phase 2 Raw Water Delivery System Project on Lake Travis. The SWIFT program offers low-interest loans reflecting the program's AAA credit rating with the interest rate further reduced by a subsidy established by the TWDB for each funding cycle.

Total funding of \$138,050,000.00 for the Phase 2A construction project was submitted with the application in February 2025 and was approved by the TWDB at their July 24, 2025, Board Meeting. This includes construction, bid phase services, construction phase services, material testing, as well as a 25% contingency. Based on capacity, the allocation of the cost is 52.4 percent for Leander (\$72,480,000.00) and 47.6 percent for Round Rock (\$65,710,000.00). Leander is proposing a multi-year commitment schedule, to be taken down in Fiscal Year 2026 and Fiscal Year 2027 in the amount of \$36,240,000.00 each fiscal year.

This resolution authorizes the issuance of bonds by BCRUA on behalf of Leander.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

Staff recommends approval of this item.

PRESENTER:

Otis Williams, Chief Financial Officer

Fiscal Impact

No Fiscal Impact - The projected pledged contract revenues to support the debt are sufficient to cover current and the projected future debt service.

Attachments:

1. Resolution
2. Draft BCRUA Financing Agreement 08.05.25
3. Debt Service Schedule

A RESOLUTION OF THE CITY OF LEANDER, TEXAS

RESOLUTION NO.

**A RESOLUTION AUTHORIZING THE BRUSHY CREEK
REGIONAL UTILITY AUTHORITY, INC. TO EXECUTE A
FINANCING AGREEMENT WITH THE TEXAS WATER
DEVELOPMENT BOARD**

**CITY OF LEANDER §
COUNTIES OF WILLIAMSON AND TRAVIS §
STATE OF TEXAS §**

WHEREAS, the City of Leander, Texas (the "City") is a participating and founding member of the Brushy Creek Regional Utility Authority, Inc. (the "BCRUA"), and

WHEREAS, on August 27, 2025, the BCRUA will be approving a Financing Agreement (the "Financing Agreement") with the Texas Water Development Board ("TWDB") as specified in Resolution No. 25-087 adopted by the TWDB on July 24, 2025, and

WHEREAS, the City Council has determined that it is appropriate and in the best interest of the City to approve, and authorize the BCRUA to execute, the Financing Agreement.

NOW THEREFOR, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS:

SECTION 1. RECITALS. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. Capitalized terms used herein shall have the meaning assigned in the preamble hereof or the Master Contract, unless otherwise defined.

SECTION 2. RESOLUTION. The Council hereby approves and authorizes the BCRUA to execute the Financing Agreement, attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

PASSED AND APPROVED this 21st day of August 2025.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary
City of Leander, Texas

Christine DeLisle, Mayor
City of Leander, Texas

[CITY SEAL]

EXHIBIT “A”

Financing Agreement



FINANCING AGREEMENT

This FINANCING AGREEMENT (Agreement) is entered into between the TEXAS WATER DEVELOPMENT BOARD (TWDB), and the Brushy Creek Regional Utility Authority, Inc. (Authority). The TWDB and the Authority may be referred to as the "Party or the Parties" in this Agreement.

RECITALS

WHEREAS, the TWDB adopted Resolution 25-087 (Attachment A referred to as the Resolution) on July 24, 2025, making a commitment to the Authority for financial assistance in a total amount of \$72,480,000 (TWDB Commitment) from the Financial Assistance Account of the Development Fund II (DFund II) administered by the TWDB; and

WHEREAS, through this Agreement, the Authority intends to sell to the TWDB the Authority's \$36,240,000 Brushy Creek Regional Utility Authority, Inc. City of Leander, Texas Contract Revenue Bonds (Brushy Creek Regional Water Treatment and Distribution Project), Proposed Series 2025 (Authority Bonds) for the TWDB's financial assistance from DFund II, as further described in Attachment B; and

WHEREAS, the Authority shall execute a separate financing agreement for the remaining amount of the commitment made in the Resolution at a date or dates to be determined by the Executive Administrator of the TWDB; and

WHEREAS, DFund II is funded, in part, with proceeds of the expected issuance of TWDB's Water Financial Assistance Bonds (TWDB Bonds) authorized under Texas Water Code § 17.959 and Texas Constitution, Article III, Sections 49-d-8, 49-d-9, 49-d-11, and money received as repayment of financial assistance provided from DFund II which is used to pay the principal and interest on such TWDB Bonds; and

WHEREAS, the Resolution provides that funding the TWDB Commitment is contingent on a future sale of TWDB Bonds or on the availability of funds on hand; and

WHEREAS, the TWDB intends to provide financial assistance from DFund II to the Authority with proceeds of TWDB Bonds; and

WHEREAS, the TWDB and the Authority desire to enter into this Agreement to set forth the obligations of the Parties with respect to the TWDB providing financial assistance to the Authority.

NOW, THEREFORE, for and in consideration of the promises and the mutual covenants contained in this Agreement, the TWDB and the Authority agree as follows:

AGREEMENT

SECTION 1. MUTUAL COMMITMENT. As further described in the Resolution, the TWDB committed to the Authority and the Authority hereby commits to borrow from the TWDB an amount not to exceed \$36,240,000 from DFund II to be evidenced by the issuance and delivery of Authority Bonds to the TWDB consistent with the terms and conditions described in this Agreement, Attachment A and Attachment B.

SECTION 2. TRANSACTION SCHEDULE AND EARLY REDEMPTION. By execution of this Agreement, the Authority acknowledges and represents that it has a current need for financial assistance from the TWDB and will take all necessary steps to issue and deliver the Authority Bonds to evidence the TWDB Commitment described in Section 1.

To confirm the terms of the Authority Bonds, the Authority must execute this Agreement. The foregoing notwithstanding, the TWDB consents to early redemption, or prepayment, of the Authority Bonds, as provided for in this Agreement and the accompanying TWDB Resolution attached as Attachment A. The Authority Bonds may be prepaid by the Authority on any date beginning on or after the first scheduled interest payment date that occurs no earlier than 10 years from the dated date of the Authority Bonds.

To mutually assure the performance of the Parties under this Agreement, the Parties agree that the issuance and delivery of the DFund II Bonds and the issuance and delivery of the Authority's Bonds to TWDB must occur not more than sixty-four (64) days apart as reflected in Attachment C. Failure by the Authority to issue and deliver to the TWDB the Authority's Bonds will result in the Authority being liable to the TWDB for the stipulated damages agreed to by the Parties in Section 3 of this Agreement.

SECTION 3. BINDING COMMITMENT. The TWDB agrees to take all necessary steps to issue the DFund II Bonds for the purposes described in this Agreement and in the Resolution upon receipt of this Agreement, which shall be signed and delivered by the Authority to the Executive Administrator of the TWDB at least seventeen (17) days before the initiation of the pricing of the DFund II Bonds, as set forth in Attachment C. The Authority acknowledges that the schedule provided in Attachment C is a best estimate by the TWDB and is subject to change by the TWDB. The TWDB expressly reserves the right to modify Attachment C at any time and shall provide the Authority with an updated Attachment C as soon as practicable upon any modification; provided that, if such modification of Attachment C occurs before the initiation of pricing of the DFund II Bonds and such modification results in an earlier scheduled pricing date, no such modification of Attachment C may result in the Authority having fewer than five (5) days between the receipt of the modified schedule and the TWDB posting the Preliminary Official Statement

for the DFund II Bonds.

SECTION 4. BREACH OF AGREEMENT, LIQUIDATED DAMAGES.

- A. The Parties agree that the Authority may terminate this Agreement in writing with no penalty at any time up to fourteen (14) days before the initiation of the pricing of the DFund II Bonds, as set forth in Attachment C.
- B. The Authority understands and agrees that the Authority may terminate this Agreement in writing between thirteen (13) days and six (6) days prior to the initiation of the pricing of the DFund II Bonds (currently estimated to occur on September 25, 2025) as set forth in Attachment C, provided the Authority agrees to reimburse the TWDB from lawfully available funds of the Authority for its proportional share of transaction costs incurred by the TWDB, such as, but not limited to, any fees or costs related to any rating agency, financial advisor, legal counsel, or other similar party or related costs pertaining to the DFund II Bonds in an amount not to exceed \$43,445 (Transaction Cost Payment). The Authority shall be obligated to pay such costs to the TWDB no later than March 4, 2026.
- C. The Authority understands and agrees that the Authority may terminate this Agreement in writing within five (5) days prior to the initiation of the pricing of the DFund II Bonds as set forth in Attachment C and no later than 9:00 am Central Standard Time on the day before the TWDB Bond Pricing, provided the Authority agrees to pay to the TWDB from lawfully available funds 1.0 percent of the amount of the commitment authorized in Section 1 of this Agreement (Pre-pricing Termination Payment), and additionally shall reimburse the TWDB from lawfully available funds of the Authority its Transaction Cost Payment. The Authority shall be obligated to pay such costs to the TWDB no later than March 4, 2026. The Authority understands and agrees that termination under this section will result in a total penalty amount of \$405,845.
- D. The Authority understands and agrees that TWDB would suffer and incur severe and irreparable damages if the Authority Bonds are not issued and delivered. Failure to issue the Authority Bonds by the date specified in Attachment C, as contemplated in this Agreement, shall be a breach of this Agreement and the Authority shall pay, from lawfully available funds of the Authority, a "Post-pricing Termination Payment" to the TWDB. The Post-pricing Termination Payment shall be an amount equal to 5.0 percent of the amount of the commitment authorized in Section 1 of this Agreement. The Authority shall pay the Post-pricing Termination Payment to the TWDB no later than March 4, 2026. The Authority shall also reimburse the TWDB from lawfully available funds of the Authority, its Transaction Cost Payment, plus the Authority's proportional share of the underwriters' discount incurred by the TWDB, no later than March 4, 2026. The Authority understands and agrees that failure by the Authority to issue the Authority Bonds by the date

specified in Attachment C, will result in a total penalty amount pursuant to this section not to exceed \$2,029,133.

SECTION 5. AMORTIZATION STRUCTURE. The Authority shall provide the TWDB a maturity schedule in the form set forth in Attachment B at the time of execution of this Agreement. A final amortization structure will be required at least fourteen (14) days before the initiation of pricing of the DFund II Bonds in accordance with the provisions of this Agreement. The par amount included in Attachment B may be revised, subject to approval by the Executive Administrator of the TWDB, at any time up to the fourteenth (14) day before the initiation of pricing of the DFund II Bonds with no penalty. The final amortization schedule adopted by the Authority as included in the Authority's Private Placement Memorandum and Bond Resolution must reflect the final amortization structure set forth in Attachment B. The Authority must provide the TWDB a final amortization schedule at least seven (7) days prior to adoption of Authority's Bond Resolution. To the extent the amortization schedule included in Attachment B does not match the amortization schedule included in the finally adopted bonds, the Authority will be subject to the penalty described above in Section 4D.

SECTION 6. CONTINGENCIES AND TERMINATION.

- A. The Parties agree that the TWDB's obligation to purchase the Authority's Bonds with the DFund II is contingent upon the TWDB receiving all legally required approvals for the issuance of the DFund II Bonds from the Legislative Budget Board, the Bond Review Board, and the Texas Attorney General. The TWDB's obligation to purchase the Authority's Bonds with the DFund II is also contingent upon the purchase and delivery of the DFund II Bond proceeds by the underwriters pursuant to the Bond Purchase Agreement relating to the DFund II Bonds.

Accordingly, if any contingency described in the preceding paragraph above is unmet, the TWDB, upon delivery of written notice thereof to the Authority, may extend or terminate this Agreement together with all of its obligations and duties without incurring any cost, fee, or penalty for either the TWDB or the Authority.

- B. The Parties agree that the Authority's obligation to issue and deliver the Authority Bonds is contingent upon approval by the Texas Attorney General of the Authority Bonds. The Authority agrees to use its best efforts to obtain approval by the Texas Attorney General of the Authority Bonds to satisfy the closing requirements set forth in Section 2 of this Agreement. To this end, the Authority agrees as follows:
- (1) Authority shall timely file the transcript of proceedings for the Authority Bonds with the Texas Attorney General in accordance with the schedule contained in Attachment C;

- (2) Authority shall comply with the requirements and conditions contained in the Resolution;
- (3) Authority shall provide the TWDB with a copy of the preliminary approval letter from the Texas Attorney General promptly upon receipt;
- (4) Authority shall provide the TWDB with a copy of its responses to the preliminary approval letter concurrently with the submission of such responses to the Texas Attorney General; and
- (5) Authority shall allow TWDB to brief the Texas Attorney General on any issues noted in the preliminary approval letter and initiate or participate in conferences with the Texas Attorney General related to the approval of the Authority Bonds.

Accordingly, if, after the Authority employs its best efforts to obtain approval by the Texas Attorney General and such approval cannot be obtained by the date specified in Attachment C, the TWDB, as a matter of law, at its sole discretion, may terminate this Agreement and upon termination the Authority shall pay, from any of its lawfully available funds, the Post-pricing Termination Payment no later than March 4, 2026, as provided in Section 4D. The Authority shall also reimburse the TWDB from lawfully available funds of the Authority its Transaction Cost Payment plus the Authority's proportional share of the underwriters' discount no later than March 4, 2026. The Authority understands and agrees that if the Authority does not obtain approval from the Texas Attorney General and issue its Authority Bonds by the date specified in Attachment C, it will be subject to a total penalty amount pursuant to this section not to exceed \$2,029,133.

SECTION 7. REDEMPTION OF OUTSTANDING DEBT. Proceeds of the Authority Bonds shall not be used, in whole or in part, to redeem outstanding bonds, commercial paper, or other obligations issued by the Authority. The Authority agrees that it will not take or fail to take any action that will cause the DFund II Bonds to be considered to be advance refunding bonds under Section 149(d) of the Internal Revenue Code of 1986, as amended.

SECTION 8. NOTICES. All notices, agreements or other communications required by this Agreement will be given, and will be deemed given, when delivered in writing to the address, facsimile, or email of the identified Party or Parties set forth below:

Texas Water Development Board Development Fund Manager P.O. Box 13231 Austin, Texas 78711-3231 Telephone (512) 475-4584 Facsimile (512) 475-2053	Brushy Creek Regional Utility Authority, Inc. Attn: General Manager 221 East Main St. Round Rock, Texas 78664 Telephone: (512) 799-4526 Facsimile: (512) 218-7097 E-mail: sroberts@roundrocktexas.gov
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SECTION 9. SEVERABILITY. In the event any provision of this Agreement is held illegal, invalid or unenforceable by any court of competent jurisdiction, such holding will not invalidate, render unenforceable or otherwise affect any other provisions.

SECTION 10. AMENDMENTS, SUPPLEMENTS AND MODIFICATIONS. This Agreement may be amended, supplemented, or modified only in a writing executed by duly authorized representatives of the Parties.

SECTION 11. APPLICABLE LAW. This Agreement and any amendments will be governed by and construed in accordance with the laws of the State of Texas.

SECTION 12. STATE AUDIT. By executing this Agreement, the Authority accepts the Authority of the Texas State Auditor's Office to conduct audits and investigations in connection with all state funds received pursuant to this Agreement. The Authority must comply with any directive from the Texas State Auditor and will cooperate in any such investigation or audit. The Authority agrees to provide the Texas State Auditor with access to any information the Texas State Auditor considers relevant to the investigation or audit. The Authority also agrees to include a provision in any contract or subcontract related to this Agreement that requires the contractor and the subcontractor to submit to audits and investigations by the Texas State Auditor's Office in connection with any state funds received pursuant to the contract or subcontract.

SECTION 13. FORCE MAJEURE. Either Party to this Agreement may be excused from performance under this contract for any period when performance is prevented as the result of an act of God, strike, war, civil disturbance, or epidemic, provided that the Party experiencing the event of Force Majeure has prudently and promptly acted to take any and all steps that are within the Party's control to ensure performance and to shorten the duration of the event of Force Majeure. The Party suffering an event of Force Majeure must provide notice of the event to the other Party as soon as practicable but not later than five business days after the event. Subject to this provision, such nonperformance will not be deemed a breach or a ground for termination.

SECTION 14. EFFECTIVE DATE. This Agreement is effective as of the date of the last signature below.

SECTION 15. BINDING AGREEMENT. The execution of this Agreement has been authorized by the governing boards of both Parties. The individuals executing this Agreement have the legal Authority to bind each respective Party to the terms and conditions of this Agreement. The respective commitments of the TWDB and the Authority set forth above is binding upon the TWDB and the Authority upon both Parties' execution of this Agreement.

[Remainder of Page Intentionally Left Blank]

DRAFT

EXECUTED in multiple counterparts, each of which shall be deemed to be an original.

BRUSHY CREEK REGIONAL UTILITY AUTHORITY, INC.

By: _____

Name: Sam Roberts, P.E.

Title: General Manager

Date: _____

DRAFT

TEXAS WATER DEVELOPMENT BOARD

By: _____

Name: Bryan McMath

Title: Executive Administrator

Date: _____

DRAFT

ATTACHMENT A

TWDB RESOLUTION NO. 25-087

DRAFT

A RESOLUTION OF THE TEXAS WATER DEVELOPMENT BOARD
APPROVING AN APPLICATION FOR FINANCIAL ASSISTANCE TO
BRUSHY CREEK REGIONAL UTILITY AUTHORITY, INC.
IN THE FORM OF A MULTI-YEAR COMMITMENT
THROUGH THE PROPOSED PURCHASE OF \$72,480,000 BRUSHY CREEK REGIONAL
UTILITY AUTHORITY, INC. CITY OF LEANDER, TEXAS CONTRACT REVENUE BONDS
(BRUSHY CREEK REGIONAL WATER TREATMENT AND DISTRIBUTION PROJECT),
PROPOSED SERIES 2025 THROUGH PROPOSED SERIES 2026

(25-087)

Recitals:

The Brushy Creek Regional Utility Authority, Inc. (Authority), located in Williamson and Travis Counties, has filed an application for financial assistance in the amount of \$72,480,000 to finance the construction of a water supply project identified as Project No. 51049 (Project).

The Authority qualifies for financial assistance from the Texas Water Development Board (TWDB) in the form of a multi-year commitment through the TWDB's proposed purchase of \$72,480,000 Brushy Creek Regional Utility Authority, Inc. City of Leander, Texas Contract Revenue Bonds (Brushy Creek Regional Water Treatment and Distribution Project), Proposed Series 2025 through Proposed Series 2026 (Obligations), together with all authorizing documents, all as is more specifically set forth in the application and in recommendations of the Executive Administrator's staff.

The Authority has offered a pledge of contract revenues as sufficient security for the repayment of the Obligations.

Subject to the Authority's use of an approved debt service structure, the interest rate subsidy applicable to each subsequent proposed series may be different than the interest rate subsidy available for State Fiscal Year 2025 and will be set through each financing agreement executed between the TWDB and the Authority.

The interest rate subsidies as approved by the Board at its April 10, 2025 meeting, are based on assumptions necessary to generate an optimum debt service structure for the anticipated TWDB SWIFT bond issuance and are subject to modification as necessary to preserve and maintain the integrity of the SWIFT Program. The subsidies will be available to the Authority without regard to the source of funds.

In accordance with Texas Water Code § 17.124, the TWDB has considered all matters required by law and in particular the following:

1. The needs of the area to be served by the water supply project, the benefit of the water supply project to the area, the relationship of the water supply project to the overall, statewide water needs, and the relationship of the water supply project to the approved regional and state water plans.

2. And the availability of revenue to the Authority, from all sources, for the ultimate repayment of the cost of the water supply project, including interest.

Findings:

1. The application and assistance applied for meet the requirements of Texas Water Code, Chapter 15, Subchapters G and H and 31 TAC Chapter 363, Subchapters A and M; or the requirements of Chapter 17, Subchapters D, E, and L, and the TWDB's rules set forth in 31 TAC Chapter 363, Subchapter A.
2. The Project is a recommended water management strategy project in the State Water Plan adopted pursuant to Texas Water Code § 16.051, in accordance with Texas Water Code § 15.474(a).
3. The public interest requires state assistance in the financing of this project, in accordance with Texas Water Code § 17.125(a)(1).
4. The Authority's contracting parties have submitted and implemented a water conservation plan in accordance with Texas Water Code § 16.4021.
5. The Authority acknowledges its legal obligation to comply with any applicable requirements of federal law related to contracting with disadvantaged business enterprises and any applicable state law related to contracting with historically underutilized businesses, in accordance with Texas Water Code § 15.435(h) and 31 TAC § 363.1309(b)(3).

NOW THEREFORE, based on these findings, the TWDB commits to the following:

1. The TWDB will provide financial assistance to Brushy Creek Regional Utility Authority, Inc. in the amount of \$72,480,000 from the Financial Assistance Account of the Texas Water Development Fund II to be evidenced by the TWDB's proposed purchase of one or more Brushy Creek Regional Utility Authority, Inc. City of Leander, Texas Contract Revenue Bonds (Brushy Creek Regional Water Treatment and Distribution Project) as follows.
 - a. \$36,240,000 Proposed Series 2025, to expire on December 31, 2025;
 - b. \$36,240,000 Proposed Series 2026, to expire on December 31, 2026;
2. The Executive Administrator is authorized to determine the source account, whether the State Water Implementation Revenue Fund for Texas or the Financial Assistance Account of the Texas Water Development Fund II for each subsequent series.

The commitment is subject to the following:

Standard Conditions:

1. This commitment is contingent on a future sale of bonds by the TWDB or on the availability of funds on hand as determined by the TWDB.

2. This commitment is contingent upon the issuance of a written approving opinion of the Attorney General of the State of Texas stating that the Authority has complied with all of the requirements of the laws under which the Obligations were issued; that the Obligations were issued in conformance with the Constitution and laws of the State of Texas; and that the Obligations are valid and binding obligations of the Authority.
3. This commitment is contingent upon the Authority's continued compliance with all applicable laws, rules, policies, and guidance as these may be amended from time to time to adapt to a change in law, in circumstances, or any other legal requirement.
4. This commitment is contingent upon the Authority executing a separate financing agreement, approved as to form and substance by the Executive Administrator, and submitting the executed agreement to the TWDB consistent with the terms and conditions described in it.
5. Interest rate subsidies for non-level debt service structure are subject to adjustment by the Executive Administrator.
6. The Authority shall use a paying agent/registrar in accordance with 31 TAC § 363.42(c)(2) and shall require the paying agent/registrar to provide a copy of all receipts documenting debt service payments to the TWDB and to the TWDB's designated Trustee.

Required Obligation Conditions:

7. The Obligations must provide that the Obligations can be called for early redemption on any date beginning on or after the first interest payment date that is 10 years from the dated date of the Obligations, at a redemption price of par, together with accrued interest to the date fixed for redemption.
8. The Obligations must provide that the Authority will comply with all applicable TWDB laws and rules related to the use of the financial assistance.
9. The Obligations must provide that the Authority must comply with all conditions as specified in the final environmental finding of the Executive Administrator when issued, including the standard emergency discovery conditions for threatened and endangered species and cultural resources.
10. The Obligations must contain a provision requiring the Authority to maintain insurance coverage sufficient to protect the TWDB's interest in the project.
11. The Obligations must include a provision wherein the Authority, or an obligated person for whom financial or operating data is presented to the TWDB in the application for financial assistance either individually or in combination with other issuers of the Authority's Obligations or obligated persons, will, at a minimum, regardless of the amount of the Obligations, covenant to comply with requirements for

continuing disclosure on an ongoing basis substantially in the manner required by the Securities and Exchange Commission (SEC) in 17 CFR § 240.15c2-12 (Rule 15c2-12) and determined as if the TWDB were a Participating Underwriter within the meaning of SEC rule 15c2-12, the continuing disclosure undertaking being for the benefit of the TWDB and the beneficial owners of the Authority's Obligations, if the TWDB sells or otherwise transfers the Obligations, and the beneficial owners of the TWDB's bonds if the Authority is an obligated person with respect to the bonds under SEC Rule 15c2-12.

12. The Obligations must require the Authority to use any surplus financial assistance proceeds from the Obligations remaining after completion of the Project and completion of a final accounting in a manner approved by the Executive Administrator.
13. The Obligations must provide that the TWDB may exercise all remedies available to it in law or equity, and any provision of the Obligations that restricts or limits the TWDB's full exercise of these remedies shall be of no force and effect.
14. Financial assistance proceeds are public funds. Therefore, the Obligations must require that these proceeds be held at a designated state depository institution or other properly chartered and authorized institution in accordance with the Public Funds Investment Act, Government Code, Chapter 2256, and the Public Funds Collateral Act, Government Code, Chapter 2257.
15. Financial assistance proceeds shall not be used by the Authority when sampling, testing, removing, or disposing of contaminated soils or media at the Project site. The Obligations must provide that the Authority is solely responsible for liability resulting from acts or omissions of the Authority, its employees, contractors, or agents arising from the sampling, analysis, transport, storage, treatment, recycling, and disposition of any contaminated sewage sludge, contaminated sediments or contaminated media that may be generated by the Authority, its contractors, consultants, agents, officials, and employees as a result of activities relating to the Project to the extent permitted by law.
16. The Obligations must require the Authority to report to the TWDB the amounts of Project funds, if any, that were used to compensate historically underutilized businesses that worked on the Project, in accordance with 31 TAC § 363.1312.
17. The Obligations must contain a provision that the TWDB will purchase the Obligations, acting through the TWDB's designated Trustee, and the Obligations shall be registered in the name of Cede & Co. and closed in book-entry-only form in accordance with 31 TAC § 363.42(c)(1).
18. The Authority must immediately notify TWDB in writing of any suit against it by the Attorney General of Texas under Texas Government Code § 2.103 and Texas Penal Code § 1.10(f), related to federal laws regulating firearms, firearm accessories, and firearm ammunition.

19. The Obligations must require the Authority to submit annually an audit prepared by a certified public accountant in accordance with generally accepted auditing standards.
20. The Obligations must include a provision that, if the collateral or credit pledged by the Authority securing the Obligations is rated by a nationally-recognized statistical rating agency, the Authority, or other obligated person, will not discontinue the rating issued by a nationally-recognized statistical rating agency until the underlying Obligations are retired or no longer held by TWDB.

Tax-Exempt Conditions:

21. The Obligations must prohibit the Authority from using the proceeds of this financial assistance in a manner that would cause the Obligations to become "private activity bonds" within the meaning of section 141 of the Internal Revenue Code as amended (Code) and the Treasury Regulations promulgated under it (Regulations).
22. The Obligations must provide that no portion of the proceeds of the financial assistance will be used, directly or indirectly, in a manner that would cause the Obligations to be "arbitrage bonds" within the meaning of section 148(a) of the Code and Regulations, including to acquire or to replace funds that were used, directly or indirectly, to acquire Nonpurpose Investments, as defined in the Code and Regulations, that produce a yield materially higher than the yield on the TWDB's bonds issued to provide the financial assistance (Source Series Bonds), other than Nonpurpose Investments acquired with:
 - a. proceeds of the TWDB's Source Series Bonds invested for a reasonable temporary period of up to three (3) years after the issue date of the Source Series Bonds until the proceeds are needed for the facilities to be financed;
 - b. amounts invested in a bona fide debt service fund within the meaning of section 1.148-1(b) of the Regulations; and
 - c. amounts deposited in any reasonably required reserve or replacement fund to the extent the amounts do not exceed the lesser of maximum annual debt service on the Obligations, 125% of average annual debt service on the Obligations, or 10 percent of the stated principal amount (or, in the case of a discount, the issue price) of the Obligations.
23. The Obligations must require the Authority to take all necessary steps to comply with the requirement that amounts earned on the investment of gross proceeds of the Obligations be rebated to the federal government in order to satisfy the requirements of section 148 of the Code. The Obligations must provide that the Authority will:
 - a. account for all Gross Proceeds, as defined in the Code and Regulations, (including all receipts, expenditures, and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures, and investments thereof) and retain all records of the accounting for at least six years after the final Computation Date. The Authority may, however, to the

extent permitted by law, commingle Gross Proceeds of its financial assistance with other money of the Authority, provided that the Authority separately accounts for each receipt and expenditure of the Gross Proceeds and the obligations acquired with the Gross Proceeds;

- b. calculate the Rebate Amount, as defined in the Code and Regulations, with respect to its financial assistance, not less frequently than each Computation Date, in accordance with rules set forth in section 148(f) of the Code, section 1.148-3 of the Regulations, and the associated rulings. The Authority shall maintain a copy of the calculations for at least six years after the final Computation Date;
 - c. pay to the United States the amount described in paragraph (b) above within 30 days after each Computation Date as additional consideration for providing financial assistance and in order to induce providing financial assistance by measures designed to ensure the excludability of the interest on the TWDB's Source Series Bonds from the gross income of the owners of TWDB's Bonds for federal income tax purposes;
 - d. exercise reasonable diligence to ensure that no errors are made in the calculations required by paragraph (b) and, if an error is made, to discover and promptly correct the error within a reasonable amount of time, including payment to the United States of any interest and any penalty required by the Regulations.
- 24. The Obligations must include a provision prohibiting the Authority from taking any action that would cause the interest on the Obligations to be includable in gross income for federal income tax purposes.
 - 25. The Obligations must provide that the Authority will not cause or permit the Obligations to be treated as "federally guaranteed" obligations within the meaning of section 149(b) of the Code.
 - 26. The Obligations must contain a covenant that the Authority will refrain from using the proceeds of the Obligations to pay debt service on another issue of the borrower's obligations in contravention of section 149(d) of the Code (related to "advance refundings").
 - 27. The Obligations must provide that neither the Authority nor a party related to it will acquire any of the TWDB's Source Series Bonds in an amount related to the amount of the Obligations to be acquired from the Authority by the TWDB.

Pledge Conditions:

- 28. Upon request by the Executive Administrator, the Authority shall submit annual audits of contracting parties for the Executive Administrator's review.

29. The Obligations must require the Authority to maintain and enforce the contracts with its customers so that the revenues paid to the Authority by its customers are sufficient to meet the revenue requirements of the Authority's obligations arising from the operation of the water system.
30. The Obligations must provide that the pledged contract revenues from the Authority may not be pledged to the payment of any additional parity obligations of the Authority secured by a pledge of the same contract revenues unless the Authority demonstrates to the Executive Administrator's satisfaction that the pledged contract revenues will be sufficient for the repayment of all Obligations and additional parity obligations.
31. Before closing, the Authority must submit executed contracts between the Authority and the contracting parties regarding the contract revenues pledged to the payment of the Authority's Obligations, in form and substance acceptable to the Executive Administrator. The contracts must include provisions consistent with the provisions of this Resolution regarding the contracting parties' annual audits, the setting of rates and charges, and collection of revenues sufficient to meet the Authority's debt service obligations and additional parity obligations.

Conditions To Close Or For Release Of Funds:

32. Before closing, if not previously provided with the application, the Authority shall submit executed contracts for engineering and, if applicable, financial advisor and bond counsel for the Project that are satisfactory to the Executive Administrator. Fees to be reimbursed under the contracts must be reasonable in relation to the services performed, reflected in the contract, and acceptable to the Executive Administrator.
33. Before closing, when any portion of financial assistance is to be held in escrow or in trust, the Authority shall execute an escrow agreement or trust agreement, approved as to form and substance by the Executive Administrator, and shall submit that executed agreement to the TWDB.
34. Before closing, the Authority shall provide certification that the average weighted maturity of the Obligations purchased by the TWDB does not exceed 120% of the average reasonably expected economic life of the Project.
35. Before closing, the City shall submit to the escrow agent a closing memo signed by the Executive Administrator.
36. Before closing, the Authority's bond counsel must prepare a written opinion that states that the interest on the Obligations is excludable from gross income or is exempt from federal income taxation. Bond counsel may rely on covenants and representations of the Authority when rendering this opinion.
37. Before closing, the Authority's bond counsel must prepare a written opinion that states that the Obligations are not "private activity bonds." Bond counsel may rely on covenants and representations of the Authority when rendering this opinion.

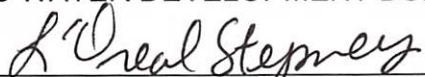
38. The transcript must include a No Arbitrage Certificate or similar Federal Tax Certificate setting forth the Authority's reasonable expectations regarding the use, expenditure, and investment of the proceeds of the Obligations.
39. The transcript must include evidence that the information reporting requirements of section 149(e) of the Internal Revenue Code will be satisfied. This requirement may be satisfied by filing an IRS Form 8038 with the Internal Revenue Service. In addition, the applicable completed IRS Form 8038 or other evidence that the information reporting requirements of section 149(e) have been satisfied must be provided to the Executive Administrator within fourteen (14) days of closing. The Executive Administrator may withhold the release of funds for failure to comply.
40. Before closing, the Authority must submit executed contracts between the Authority and the contracting parties regarding the contract revenues pledged to the payment of the Authority's Obligations, in form and substance acceptable to the Executive Administrator. The contracts shall include provisions consistent with the provisions of this Resolution regarding the contracting parties' annual audits, the setting of rates and charges and collection of revenues sufficient to meet the Authority's debt service obligations and additional parity obligations.

Special Conditions:

41. Before the release of construction funds for that portion of a Project that proposes surface water or groundwater development, the Executive Administrator must have issued a written finding that the Authority has the right to use the water that the Project financed by the TWDB will provide.
42. The Authority must notify the Executive Administrator before taking any actions to alter its legal status in any manner, such as by conversion to a conservation and reclamation district or a sale-transfer-merger with another retail public utility.
43. The Obligations must include a provision requiring that, before any action by the Authority to convey its Obligations held by the TWDB to another entity, the conveyance and the assumption of the Obligations must be approved by the TWDB.

APPROVED and ordered of record this the 24th day of July 2025.

TEXAS WATER DEVELOPMENT BOARD



L'Oreal Stepney, P.E., Chairwoman

DATE SIGNED: 7/24/25

ATTEST:



Bryan McMath, Executive Administrator

ATTACHMENT B

DESCRIPTION OF BORROWER BONDS

Title of Borrower Bonds:

Project Name:

Project Number:

Aggregate Principal Amount of Borrower Bonds:

Anticipated Closing Date:

Dated Date:

First Principal Payment Date:

First Interest Payment Date:

Maturity Schedule:

Maturity

Principal Amount

ATTACHMENT C
FINANCING SCHEDULE*

DATE	ACTION
07/24/2025	TWDB approval of commitments
09/1/2025	<i>Labor Day Holiday**</i>
09/5/2025	<i>Financing agreement – last day to execute (17 calendar days prior to initiation of pricing)</i>
09/8/2025	Financing agreement (Sec. 4A) - last day political subdivisions can terminate without penalty (14 calendar days prior to initiation of pricing)
09/8/2025	Financing agreement (Sec. 5) - last day political subdivisions can modify maturity schedule (14 calendar days prior to initiation of pricing)
09/16/2025	Financing agreement (Sec. 4B) - last day political subdivisions can terminate with costs of issuance (6 calendar days prior to initiation of pricing)
09/21/2025	Financing agreement (Sec. 4C) - before 9:00 a.m. CDT political subdivisions can terminate with costs of issuance and 1% penalty (1 calendar day prior to pricing).
09/22/2025	TWDB bond pricing initiation (pre-pricing begins)
09/24/2025	TWDB bond pricing
10/2/2025	TWDB approves interest rates available to political subdivisions
10/9/2025	TWDB bond closing (political subdivisions must close within 64 calendar days)
10/10/2025 to 12/12/2025	Closings on political subdivision obligations
10/13/2025	Columbus Day Holiday (TWDB open)**
Various	Political subdivisions adopt bond resolutions and/or master agreements
Various	Political subdivisions submit transcripts to Texas Attorney General in preparation of closing
11/11/2025	<i>Veteran's Day Holiday**</i>
11/27/2025	<i>Thanksgiving Holiday**</i>
11/28/2025	<i>Thanksgiving Holiday**</i>
12/12/2025	Last day to close on political subdivision obligations
12/15/2025	Financing agreement (Sec. 4D) - penalty applied to any political subdivision failing to issue debt Start of post - pricing termination payment period (includes costs of issuance, underwriters' discount and 5% penalty)
03/4/2026	Last due date for payment of penalties

**Preliminary, subject to change*

***State agency holidays are reflected to show when TWDB is closed; they are counted towards deadlines.*

Contract Revenue Bonds (BCRUA)**Series 2025****Total Issue: \$36,240,000****Delivery Date: 11/19/2025**

Fiscal Year	Principal	Interest	Debt Service
2026	\$ 1,360,000	\$ 931,801	\$ 2,291,801
2027	995,000	1,299,865	2,294,865
2028	1,015,000	1,276,781	2,291,781
2029	1,040,000	1,253,131	2,293,131
2030	1,065,000	1,228,795	2,293,795
2031	1,090,000	1,202,596	2,292,596
2032	1,120,000	1,174,147	2,294,147
2033	1,150,000	1,143,235	2,293,235
2034	1,185,000	1,110,115	2,295,115
2035	1,220,000	1,074,447	2,294,447
2036	1,255,000	1,035,651	2,290,651
2037	1,300,000	991,098	2,291,098
2038	1,350,000	944,168	2,294,168
2039	1,400,000	893,948	2,293,948
2040	1,450,000	841,308	2,291,308
2041	1,505,000	785,773	2,290,773
2042	1,565,000	726,627	2,291,627
2043	1,630,000	663,557	2,293,557
2044	1,695,000	596,238	2,291,238
2045	1,770,000	524,370	2,294,370
2046	1,845,000	447,552	2,292,552
2047	1,925,000	365,634	2,290,634
2048	2,015,000	280,164	2,295,164
2049	2,100,000	190,698	2,290,698
2050	2,195,000	97,458	2,292,458
	<u>36,240,000</u>	<u>21,079,155</u>	<u>57,319,155</u>

*** Preliminary; subject to change. For illustrative purposes only. Final rates subject to pricing results. ***

USE OF PROCEEDS:

The Authority is seeking additional financial assistance for Phase 2A to expand the water treatment plant capacity from 42 million gallons per day (MGD) to 64 MGD. The funding request includes costs for construction, engineering, and project management.

To finance this, the Authority will issue separate series for each member city's portion of the total request. The City of Leander's portion for Fiscal Year 2026 will be funded through the Series 2025 issuance. Debt service calculations shown above are based on indicative rates as of August 6, 2025.

The Authority is pledging contract revenues to repay the proposed financing. Currently, the member cities generate sufficient revenues to meet both existing and proposed debt obligations.



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Discuss and consider action on the Second Reading of an Ordinance regarding Ordinance Case OR-25-0030 to amend the Composite Zoning Ordinance to adopt standards and a permitting process associated with Micro-Trenching, and to provide for related matters; Williamson and Travis Counties, Texas.

BACKGROUND:

This request is the final step in the ordinance process. The city is actively working to improve telecommunication infrastructure standards and installation options to assist in providing reliable telecommunication services to the community. Over time, technology has changed and new means of providing service have been developed. The City has seen an increase in requests for the option to micro-trench for the installation of telecommunication utilities.

Current options for installing conduit and fiber include the following:

1. **Open Trench Construction:** This installation type involves construction of a trench in city right-of-way (ROW) or a Public Utility Easement (PUE) along the planned path for the conduit or cables. The conduit and fiber infrastructure are placed at the bottom of the trench, then the infrastructure is buried, and the area is re-vegetated. This method is the most common means of installation.

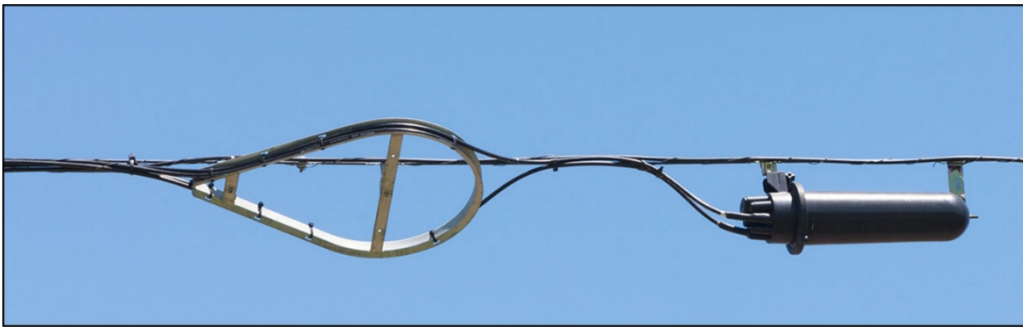


2. **Bore Construction:** This type of installation is trenchless and involves drilling a borehole along a planned path to install conduit. The cables are then pulled through the conduit. This method reduces disturbance to existing roadway and utility infrastructure and vegetation.





3. **Aerial Construction:** This type of installation includes over-lashing cables along existing poles within the city.



Micro-Trenching is a technique used to lay cables in a narrow and shallow trench cut into roads and other surfaces. The trench is cut close to the seam where the road meets the curb. Once the line is laid, the trench is filled and the seam is sealed to protect the line while restoring the integrity of the road surface. Staff has received feedback from providers that this technique is more efficient and will increase the availability of fiber to residents.



After reviewing the micro-trenching option for installing telecommunication infrastructure, staff has the following concerns:

1. Micro-Trenching would increase the number of cuts in the pavement and could cause deterioration.
2. This technique allows for faster installation of infrastructure and could result in an increase in the number of permits. Staff may need to be augmented to support the demand.
3. The increase in the number of projects could present challenges from an inspection standpoint. Additional staff may be needed to aid in inspections and monitoring of the installation.
4. Line locations may become challenging.
5. Micro-Trenching could impact future roadway rehabilitation projects. Repairs, including mill and overlay, could damage or remove the infrastructure and cause interruption of service for customers.
6. Service waterlines to houses could be damaged at the time of Micro-Trenching.

In an effort to address the above concerns while allowing micro-trenching as an installation option, staff has developed the following Micro-Trenching standards:

1. **Number of Trenches** – The number of trenches shall be limited to one (1) trench per side of roadway. At the time of installation, the service provider will need to trench both sides of the roadway to provide service. This requirement would only allow one provider per street.
2. **Trench Dimensions**– The trench shall be limited to:
 - a. 2.5 inches maximum width
 - b. 10 to 18 inches maximum depth along Local and Collector Roadways
 - c. 12 to 18 inches maximum depth along Arterial Roadways

3. **Restoration after Installation** – After the installation is completed, the area needs to be restored with 1,000-1,200 pounds per square inch flowable fill and asphalt crack sealant, filled the same day as installation.
4. **Warranty** – The provider shall provide a two-year (2) warranty. This warranty may be used if the restoration fails or if there is a failure adjacent to the Micro-Trench or pavement core that resulted in a pavement distress or failure.
5. **Limitations** – The following limitations shall apply:
 - a. Micro-Trenching is not allowed on roadways under warranty. When new streets are constructed and accepted by the City, the developer provides a two-year (2) warranty for their work. Allowing Micro-Trenching on roads under warranty could void the warranty. Attachment 3 includes a current map of areas that are within the two-year (2) warranty period.
 - b. Micro-Trenching is not allowed on roadways without curb and gutter. The trench for the utilities may be provided outside of the pavement in these instances.
 - c. Micro-Trenching is not allowed in concrete streets, valley gutters, or driveways.
 - d. Micro-Trenching may not be installed at perpendicular crossings.
 - e. No more than ten (10) applications per provider may be submitted for review or under construction at the same time.
6. **Effective Date** – This ordinance includes an effective date of 60 days from the approval date to allow additional time for staff to update applications and the permitting software.

COMPREHENSIVE PLAN GOAL

Goal #11 – Integrated and well-planned utility infrastructure to serve desired growth

Strategy 11.1 – Continue to plan ahead of growth through integrated utility infrastructure planning.

Action 11.1.4 – Work with telecommunication providers to facilitate enhanced broadband and 5G wireless service. The importance of technology and a strong internet connection cannot be overstated and is a key element of business retention and recruitment. As became even more apparent during the 2020 COVID-19 pandemic—with more professionals working from home, virtual school, communications and transactions taking place online, and the desire to attract urban professionals to mixed-use areas — this is critical infrastructure for the masses. Work with providers on needed infrastructure locations and coordination to ensure Leander is highly competitive in this regard.

PLANNING & ZONING COMMISSION MEETING:

A representative from AT&T participated in the Planning & Zoning Commission meeting and expressed concerns about the number of trenches permitted by the ordinance and the limitation regarding the number of concurrent applications. Staff is concerned about the degradation of the roads when more trenches are added. In addition, adding more trenches could impact the original micro-trench. The new trench could cut the existing lines installed with the original trench thus causing a disruption in service.

As an option, the Council could consider allowing a second trench if the trenches are a minimum of 18 inches apart and the utility provider performs an edge mill and overlay of the road after installation. This type of repair would alleviate staff concerns regarding the degradation of the roadway.

HISTORY/TIMELINE:

01/02/2025 - City Council Workshop

05/01/2025 - Staff Update to City Council

05/08/2025 - Planning & Zoning Commission, 1st Reading of the Ordinance

06/05/2025 - City Council, 2nd Public Hearing & 1st Reading of the Ordinance

07/17/2025 - City Council, 2nd Reading of the Ordinance - postponed

08/07/2025 - City Council, 2nd Reading of the Ordinance - postponed

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

As part of the evaluation of this request, the City Council has the following options:

1. Approve the proposed ordinance amendments;
2. Deny the proposed ordinance amendments; or
3. Approve modifications to the ordinance standards. This modification could include allowing multiple trenches. Staff recommends that if this option is selected, there is a requirement in place that includes the provider repairing the road through an edge mill and overlay as well as placing the trenches a minimum of 18 inches apart.

Staff recommends Option 1 listed above – approve the proposed ordinance amendments. This ordinance does include a delayed effective date to allow staff additional time to update applications and checklists as well as the permitting software.

During the meeting of May 8, 2025, the Planning & Zoning Commission recommended approval. The City Council approved the ordinance during the June 5, 2025 meeting with the following changes:

1. Allow up to two (2) trenches as long as the provider installing the second trench repairs the road through an edge mill and overlay as well as places the trenches a minimum of 18 inches apart;
2. Clarify the minimum dimensions for the trenches; and
3. Allowance for perpendicular crossings on all streets except for arterials.

Staff updated the ordinance to clarify that the two-year (2) warranty is a maintenance bond.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments:

1. OR-25-0028 Att 1 Micro-Trenching Ordinance Redline 06.13.2025
2. OR-25-0028 Att 2 Ordinance
3. OR-25-0028 Att 3 Subdivision Map
4. OR-25-0030 Att 4 5-8-2025 P & Z Minutes

ARTICLE I. – GENERAL

Sec. 6. Definitions.

City Standard Details and Specifications means a library of City approved drawings and technical data representing typical drainage, transportation, erosion & sedimentation control, and utility appurtenances to be constructed for City acceptance.

Micro-Trenching means a technique used to lay cables in a narrow and shallow trench cut into roads and other surfaces. The trench is cut close to the seam where the road meets the curb. Once the line is laid, the trench is filled, and the seam is sealed to protect the line while restoring the integrity of the road surface.

ARTICLE IX. – SITE DEVELOPMENT

Section 1. General provisions.

(a) *Purpose.* The purpose of this chapter is as follows:

- (1) To establish rules and procedures for the orderly planning and development of commercial sites and residential sites involving more than two (2) dwelling units;
- (2) To provide for a permit separate and distinct from the building permit so that site issues such as drainage, driveways, access, utilities and internal circulation may be resolved without the need for the preparation and review of detailed architectural plans;
- (3) To permit site preparation and drainage improvements without imposing the expense and time burden required for a full building permit;
- (4) To permit the planning of a phased site development without imposing the expense and time burden required for the preparation and review of complete architectural plans for all phases of the development;
- (5) To support extension of reliable broadband, fiber, and internet services.
- ~~(5)(6)~~ To provide development applicants a site development permit to help expedite and enhance success and marketability of the project;
- ~~(6)(7)~~ To provide city staff with procedures for the review and approval of site development;
- ~~(7)(8)~~ To enhance the ability of a developer to obtain financing for a development project;
- ~~(8)(9)~~ To maintain consistency with other area jurisdictions; and
- ~~(9)(10)~~ To simplify and expedite the building permit process.

Sec. 3. Application processing, application expiration, and permitting.

(b) *Expiration of application.*

- a. Prior to an application being accepted for review and processing, an application shall expire on the forty-fifth (45th) day after the date the application is submitted to the City if:
 - (i) The applicant fails to provide documents or other information necessary to comply with requirements relating to the form and content of the application set forth in this Ordinance;
 - (ii) Within ten (10) business days of the date the application is submitted to the City, the City provides the applicant written notice of the failure that specifies the necessary documents or other

information that are missing from the application and the date the application will expire if the documents or other information is not provided; and

- (iii) The applicant fails to provide the specified documents or other information within the time provided in the notice.
- b. After an application is accepted for review and processing, the site development permit application shall expire within nine (9) months of the date that all initial staff review comments from all reviewing departments have been issued on the application if a permit has not been issued due to the applicant's failure to cause the proposed application to comply with applicable city regulations. The Planning Department may grant one six (6) month extension if the applicant can show substantial progress in obtaining a permit. Substantial progress shall consist of, at a minimum, a resubmission of the plans and all relevant materials by the applicant that address all initial staff review comments from all reviewing departments.
- c. If the permit has not been issued after the administrative extension is granted, the Planning & Zoning Commission may consider one (1) additional six (6) month extension if the applicant can show substantial progress towards obtaining a permit. Dry Utility Permit applications that propose Micro-Trenching are not eligible for extensions.

(e) *Permit Expiration.*

- (3) A dry utility permit expires six (6) months after the date of issuance. The applicant may request an additional three (3) month extension by requesting a pre-construction meeting and an extension. Dry utility permits that include Micro-Trenching are not eligible for extensions.

(h) *Dry Utility Permit.*

- (1) Projects that consist solely of the installation of utilities and associated facilities are eligible for review and processing as dry utility permit. A dry utility permit application shall be submitted for review in conformance with all information and materials required by the most recent dry utility permit application/checklist.
 - (i) Dry utilities shall be located underground in the ROW or a public utility easement in accordance with Section 13.01.004 of the Code.
 - (ii) Overlash of utility lines is permitted between existing utility poles where existing lines are present. Overlash means the tying of additional communications facilities to those previously attached to existing utility poles. New lines may not be extended across public ROW or between poles where lines do not already exist.
 - (iii) A utility company shall be required to use trenchless technology such as boring or overlash wherever proposed construction crosses any portion of a paved public street, driveways, sidewalks and the critical root zone of protected trees unless otherwise permitted by this ordinance.
 - (iv) No more than ten (10) applications for Dry Utility Permits per provider may be submitted for review or under construction at the same time.
 - (v) One (1) Micro-Trench is permitted on each side of the roadway against existing curbs in cases that meet the following criteria. A second Micro-Trench may be added as long as the utility provider performs an edge mill and overlay of the road after installation and the second trench is a minimum of eighteen (18") inches from the first Micro-Trench.

- a. Micro-Trenching shall comply with all Standard Details approved as part of the City Standard Details.
- b. Trench Dimensions:
 - i. 2.5 inch maximum width
 - ii. 10" minimum and 18" maximum depth along Local and Collector Roadways
 - iii. 12" minimum and 18" maximum depth along Arterial Roadways
 - iv. If a second Micro-Trench is proposed, this trench shall be placed a minimum of eighteen (18") inches horizontally from the first Micro-Trench.
- c. After completion of Micro-Trenching, the area shall be restored with 1,000-1,200 psi flowable fill and asphalt crack sealant, filled the same day as installation.
- d. Micro-Trenching is not permitted on roadways under warranty.
- e. Micro-Trenching is not permitted on roadways without curb and gutter.
- f. Micro-Trenching is not permitted in concrete streets, valley gutters, paver streets (pavers or stamped asphalt) or driveways.
- ~~a.g.~~ Micro-Trenching shall not be installed at perpendicular crossings on arterials.
Perpendicular crossings are allowed on all other street types.
- h. Structures used to house utility infrastructure and related equipment shall be screened from view of adjacent property using a six (6') foot tall screening wall constructed of one (1) or more of the following materials: brick, stone, cast stone, stucco, factory tinted (not painted) split face concrete masonry unit, textured pre-cast concrete (e.g. Woodcrete) or other similar material approved by the Director of Planning. Variations to the height of the wall may be approved by the Director of Planning to address unique conditions to include varying heights of the equipment.
- i. The applicant must replace any fiber or /conduit that is damaged or destroyed due to any City infrastructure maintenance, operation, or installation activities performed by or caused to be performed on behalf of any and all City of Leander agencies, at the applicant's sole expense. This shall include, but not be limited to, activities necessary to maintain and operate water distribution system, sanitary sewer system, storm water infrastructure, sidewalks, ADA ramps, roadway paving maintenance, signal installation, or other activities that may commence at the sole discretion of the City of Leander.

(2) Application.

- (i) Contractors must carry liability insurance and list the city as additional insured during construction of the project.
- (ii) Door hangers are required to be placed on all houses and/or businesses affected by planned dry utility construction within any subdivisions impacted by the dry utility permit a minimum of fifteen (15) days prior to the start of a dry utility project. These door hangers shall include the name and phone number of the contractor doing the work, the name of the dry utility provider and phone number, and the time frame for the work.

(iii) Maintenance Bond.

- 1. A two (2) year maintenance bond naming the City as obligee shall be provided for all Micro-Trenching work. The maintenance bond shall comply with this subsection and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution. ~~in compliance with.~~ The maintenance bond shall assure the quality of materials, workmanship, and all maintenance and repairs for the improvements, including but not limited to any failures of City infrastructure directly related to the fiber or conduit routes in the project areas, providing materials and labor to properly maintain in good condition pavement, sidewalks, curb and gutter, shoulders, ditch lines, and softscape areas (dirt and grass) per City of Leander Standard Details and Specifications, and the City's cost for collecting the guaranteed funds and administering the correction and/or replacement of

covered improvements. The maintenance bond shall be in the amount of \$50,000 and shall require the Surety to notify the City at least fifteen (15) days prior to the end of the first full calendar year, and the lapse of Maintenance coverage at the end of the second full calendar year.

~~2.2.~~ Shall require the Surety to notify the City at least fifteen (15) days prior to the end of the first full calendar year, and the lapse of Maintenance coverage at the end of the second full calendar year.

~~2.3.~~ In an instance where a maintenance bond has been posted and a defect or failure of any required improvement occurs within the period of coverage, the City may declare said bond or surety instrument to be in default and require that the improvements be repaired or replaced.

~~3.4.~~ Whenever a defect or failure of any required improvement occurs within the period of coverage and less than one (1) full year of coverage remains, the City shall require that a new maintenance bond or surety instrument be posted for a period of one (1) full calendar year sufficient to cover the corrected defect or failure.

. (3) *Project close out:*

- (i) A certificate of completion shall be issued upon completion of the project. All construction equipment, spoils, and debris shall be removed and the site shall be revegetated and restored.

(4) *Penalties.*

(i) *Damage to property.*

- 1. If public or private property is damaged during installation of dry utilities, the utility provider, contractor, and/or sub-contractor shall be responsible for repair.
- 2. No additional applications will be accepted for review or permits issued until damage is repaired.

(ii) *Work without permit.*

- 1. No additional applications will be accepted for review or permits issued until the plans are submitted and a permit is issued.

- (iii) *Stagnant project.* If works stops for more than two (2) weeks, all construction equipment, spoils, and debris shall be removed and the site shall be revegetated and restored.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 25-049-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE COMPOSITE ZONING ORDINANCE TO ADOPT STANDARDS AND A PERMITTING PROCESS ASSOCIATED WITH MICRO-TRENCHING WIRELESS COMMUNICATION FACILITIES; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Planning & Zoning Commission held a public hearing on the proposed amendments to Section 14.02.001, Article 14.02, Chapter 14, Leander Code of Ordinances (the “Composite Zoning Ordinance”), and forwarded its recommendation on the amendments to the City Council; and

WHEREAS, after publishing notice of the public hearing at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the proposed amendments and finds that the adoption of the amendments promotes the public health, safety, and welfare;

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. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

SECTION 2. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended to add the following definitions:

City Standard Details and Specifications means a library of City approved drawings and technical data representing typical drainage, transportation, erosion & sedimentation control, and utility appurtenances to be constructed for City acceptance.

Micro-Trenching means a technique used to lay cables in a narrow and shallow trench cut into roads and other surfaces. The trench is cut close to the seam where the road meets the curb. Once the line is laid, the trench is filled, and the seam is sealed to protect the line while restoring the integrity of the road surface.

SECTION 3. Amendment of Article IX, Section 1(a). Article IX, Section 1(a) of the Composite Zoning Ordinance is hereby amended to read as follows:

Section 1. General provisions.

(a) *Purpose.* The purpose of this chapter is as follows:

- (1) To establish rules and procedures for the orderly planning and development of commercial sites and residential sites involving more than two (2) dwelling units;
- (2) To provide for a permit separate and distinct from the building permit so that site issues such as drainage, driveways, access, utilities and internal circulation may be resolved without the need for the preparation and review of detailed architectural plans;
- (3) To permit site preparation and drainage improvements without imposing the expense and time burden required for a full building permit;
- (4) To permit the planning of a phased site development without imposing the expense and time burden required for the preparation and review of complete architectural plans for all phases of the development;
- (5) To support extension of reliable broadband, fiber, and internet services.
- (6) To provide development applicants a site development permit to help expedite and enhance success and marketability of the project;
- (7) To provide city staff with procedures for the review and approval of site development;
- (8) To enhance the ability of a developer to obtain financing for a development project;
- (9) To maintain consistency with other area jurisdictions; and
- (10) To simplify and expedite the building permit process.

SECTION 4. Amendment of Article IX, Section 3(b). Article IX, Section 3(b) of the Composite Zoning Ordinance is hereby amended to read as follows:

(b) *Expiration of application.*

- (1) Prior to an application being accepted for review and processing, an application shall expire on the forty-fifth (45th) day after the date the application is submitted to the City if:
 - (i) The applicant fails to provide documents or other information necessary to comply with requirements relating to the form and content of the application set forth in this Ordinance;
 - (ii) Within ten (10) business days of the date the application is submitted to the City, the City provides the applicant written notice of the failure that specifies the necessary documents or other information that are missing from the application and the date the application will expire if the documents or other information is not provided; and
 - (iii) The applicant fails to provide the specified documents or other information within the time provided in the notice.
- (2) After an application is accepted for review and processing, the site development permit application shall expire within nine (9) months of the date that all initial staff review comments from all reviewing departments have been issued on the application if a permit has not been issued due to the applicant's failure to cause the proposed application to comply with applicable city regulations. The Planning Department may grant one six (6) month extension if the applicant can show substantial progress in obtaining a permit. Substantial progress shall consist of, at a

minimum, a resubmission of the plans and all relevant materials by the applicant that address all initial staff review comments from all reviewing departments.

- (3) If the permit has not been issued after the administrative extension is granted, the Planning & Zoning Commission may consider one (1) additional six (6) month extension if the applicant can show substantial progress towards obtaining a permit. Dry Utility Permit applications that propose Micro-Trenching are not eligible for extensions.

SECTION 5. Amendment of Article IX, Section 3(e)(3). Article IX, Section 3(e)(3) of the Composite Zoning Ordinance is hereby amended to read as follows:

(e) *Permit Expiration.*

- (3) A dry utility permit expires six (6) months after the date of issuance. The applicant may request an additional three (3) month extension by requesting a pre-construction meeting and an extension. Dry utility permits that include Micro-Trenching are not eligible for extensions.

SECTION 6. Amendment of Article IX, Section 3(h). Article IX, Section 3(h) of the Composite Zoning Ordinance is hereby amended to read as follows:

- (1) Projects that consist solely of the installation of utilities and associated facilities are eligible for review and processing as dry utility permit. A dry utility permit application shall be submitted for review in conformance with all information and materials required by the most recent dry utility permit application/checklist.
 - (i) Dry utilities shall be located underground in the ROW or a public utility easement in accordance with Section 13.01.004 of the Code.
 - (ii) Overlash of utility lines is permitted between existing utility poles where existing lines are present. Overlash means the tying of additional communications facilities to those previously attached to existing utility poles. New lines may not be extended across public ROW or between poles where lines do not already exist.
 - (iii) A utility company shall be required to use trenchless technology such as boring or overlash wherever proposed construction crosses any portion of a paved public street, driveways, sidewalks and the critical root zone of protected trees.
 - (iv) No more than ten (10) applications for Dry Utility Permits per provider may be submitted for review or under construction at the same time.
 - (v) One (1) Micro-Trench is permitted on each side of the roadway against existing curbs in cases that meet the following criteria. A second Micro-Trench may be added as long as the utility provider performs an edge mill and overlay of the road after installation and the second trench is a minimum of eighteen (18") inches from the first Micro-Trench.
 - a. Micro-Trenching shall comply with all Standard Details approved as part of the City Standard Details.

- b. Trench Dimensions:
 - i. 2.5 inch maximum width
 - ii. 10” minimum and 18” maximum depth along Local and Collector Roadways
 - iii. 12” minimum and 18” maximum depth along Arterial Roadways
 - iv. If a second Micro-Trench is proposed, this trench shall be placed a minimum of eighteen (18”) inches horizontally from the first Micro-Trench.
- c. After completion of Micro-Trenching, the area shall be restored with 1,000-1,200 psi flowable fill and asphalt crack sealant, filled the same day as installation.
- d. Micro-Trenching is not permitted on roadways under warranty.
- e. Micro-Trenching is not permitted on roadways without curb and gutter.
- f. Micro-Trenching is not permitted in concrete streets, valley gutters, paver streets (pavers or stamped asphalt) or driveways.
- g. Micro-Trenching shall not be installed at perpendicular crossings on arterials, perpendicular crossings are allowed on all other street types.
- h. Structures used to house utility infrastructure and related equipment shall be screened from view of adjacent property using a six (6’) foot tall screening wall constructed of one (1) or more of the following materials: brick, stone, cast stone, stucco, factory tinted (not painted) split face concrete masonry unit, textured pre-cast concrete (e.g. Woodcrete) or other similar material approved by the Director of Planning. Variations to the height of the wall may be approved by the Director of Planning to address unique conditions to include varying heights of the equipment.
- i. The applicant must replace any fiber or conduit that is damaged or destroyed due to any City infrastructure maintenance, operation, or installation activities performed by or caused to be performed on behalf of any and all City of Leander agencies, at the applicant’s sole expense. This shall include, but not be limited to, activities necessary to maintain and operate water distribution system, sanitary sewer system, storm water infrastructure, sidewalks, ADA ramps, roadway paving maintenance, signal installation, or other activities that may commence at the sole discretion of the City of Leander.

(2) Application.

- (i) Contractors must carry liability insurance and list the city as additional insured during construction of the project.
- (ii) Door hangers are required to be placed on all houses and/or businesses affected by planned dry utility construction a minimum of fifteen (15) days prior to the start of a dry utility project. These door hangers shall include the name and phone number of the contractor doing the work, the name of the dry utility provider and phone number, and the time frame for the work.
- (iii) Maintenance Bond.

1. A two (2) year maintenance bond naming the City as obligee shall be provided for all Micro-Trenching work. The maintenance bond shall comply with this subsection and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution. . The maintenance bond shall assure the quality of materials, workmanship, and all maintenance and repairs for the improvements, including but not limited to any failures of City infrastructure directly related to the fiber or conduit routes in the project areas, providing materials and labor to properly maintain in good condition pavement, sidewalks, curb and gutter, shoulders, ditch lines, and softscape areas (dirt and grass) per City Standard Details and Specifications, and the City's cost for collecting the guaranteed funds and administering the correction and/or replacement of covered improvements. The maintenance bond shall be in the amount of \$50,000 and shall require the Surety to notify the City at least fifteen (15) days prior to the end of the first full calendar year, and the lapse of Maintenance coverage at the end of the second full calendar year.
2. Shall require the Surety to notify the City at least fifteen (15) days prior to the end of the first full calendar year, and the lapse of Maintenance coverage at the end of the second full calendar year.
3. In an instance where a maintenance bond has been posted and a defect or failure of any required improvement occurs within the period of coverage, the City may declare said bond or surety instrument to be in default and require that the improvements be repaired or replaced.
4. Whenever a defect or failure of any required improvement occurs within the period of coverage and less than one (1) full year of coverage remains, the City shall require that a new maintenance bond or surety instrument be posted for a period of one (1) full calendar year sufficient to cover the corrected defect or failure.

(3) Project close out.

- (i) A certificate of completion shall be issued upon completion of the project. All construction equipment, spoils, and debris shall be removed and the site shall be revegetated and restored.

(4) Penalties.

- (i) Damage to property.
 1. If public or private property is damaged during installation of dry utilities, the utility provider, contractor, and/or sub-contractor shall be responsible for repair.
 2. No additional applications will be accepted for review or permits issued until damage is repaired.
- (ii) Work without permit.
 1. No additional applications will be accepted for review or permits issued until the plans are submitted and a permit is issued.

- (iii) Stagnant project. If works stops for more than two (2) weeks, all construction equipment, spoils, and debris shall be removed and the site shall be revegetated and restored.

SECTION 7. Conflicting Ordinances. Section 1, Article IV of the Composite Zoning Ordinance is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted 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 8. 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 zoning 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 9. 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 10. Effective Date. This ordinance after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code shall take effect on October 21, 2025.

SECTION 11. 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 5 day of June, 2025.

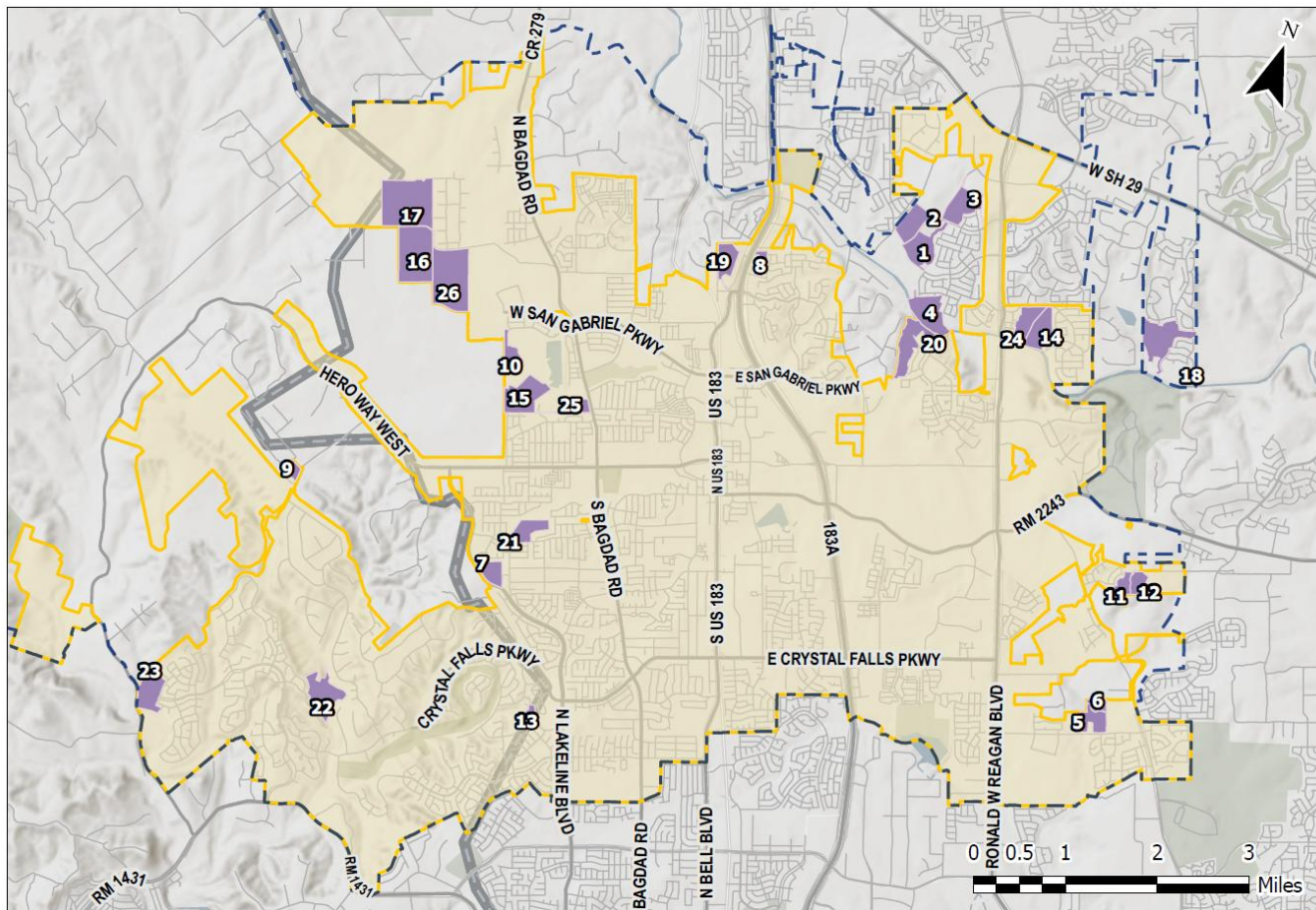
FINALLY PASSED AND APPROVED on this the 21 day of August, 2025.

ATTEST:

THE CITY OF LEANDER, TEXAS:

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



No	Subdivision	Date
1	Bar W Ranch West Ph 10	6/20/2024
2	Bar W Ranch West Ph 11	8/7/2025
3	Bar W Ranch West Ph 7	12/7/2023
4	Bar W Ranch West Ph 9	5/1/2025
5	Barksdale Ph 1	4/18/2024
6	Barksdale Ph 2	12/5/2024
7	Cedar Brook	10/10/2023
8	Cottages At San Gabriel	11/2/2023
9	Crystal Mesa Ph 2	6/17/2025
10	Devine Lake Ph 4	10/3/2024
11	Edgewood Ph 1, Sec 2	5/2/2024
12	Edgewood Ph 2 Sec 1	4/17/2025
13	Fairways At Crystal Falls Sec 2 Ph 4 (Amd)	10/10/2023
14	Garlock	5/2/2024
15	Hawkes Landing North Ph 2	8/17/2023
16	Hilltop Ranch	4/3/2025
17	Leander Estates Ph 1	11/7/2024
18	Lively Tract Ph 4	12/7/2023
19	Monarch Ph 1	9/21/2023
20	Palmera Bluff Sec 7 & 8	10/17/2024
21	Rosenbusch Ranch Ph 3	7/9/2024
22	Travisso Ph 3 Sec 10	2/6/2025
23	Travisso Ph 4, Sec 7-8 & Ph 5, Sec 3	10/17/2024
24	Valley Vista East Phase 2	10/10/2023
25	Williams Tract	7/18/2024
26	Woodland Estates Ph 1	3/6/2025



**MINUTES
PLANNING & ZONING COMMISSION MEETING
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, May 8, 2025
Regular Meeting at 6:00 PM



**Place 1 – Donnie Mahan
Place 2 – Joseph Morales
Place 3 – Vacant
Place 4 – Tara LeDay**

**Place 5 – James Oliver, Chair
Place 6 – Laura Lantrip
Place 7 – Scott Calame, Vice-Chair
Staff Liaison – Robin Griffin**

REGULAR MEETING

1. Call to Order.
Meeting was called to order at 6:00 p.m.
2. Roll Call.
All commissioners present except Commissioner Joseph Morales.
3. Swearing in of Planning & Zoning Commissioner Karen Lewis.
4. Director's report to the Planning & Zoning Commission on action taken by City Council on the May 1, 2025 meeting.
5. Review of meeting protocol.
6. Public comments on items not listed in the agenda.

Public comments on items listed in the agenda will be heard at the time each item is discussed.

[All comments are limited to no more than 3 minutes (6 minutes if translation is needed) per individual.]

No one wished to speak.

CONSENT AGENDA: ACTION

Motion to approve Consent Agenda items 7-10.

By: Board Member Lantrip
Seconded: Board Member Mahan

Vote: 6-0

7. Approval of the minutes for meeting held on April 24, 2025.
8. Approval of the extension of the application expiration for Subdivision Case FP-23-0081 Gabriels Horn Development; more particularly described by Williamson Central Appraisal District Parcels R473804,

R500871, R022218, and R500872, generally located northwest of the intersection of Ronald W. Reagan Boulevard and Gabriels Horn Road, Leander, Williamson County, Texas.

9. Approval of the extension of the completion of Subdivision Case PICP-22-0008 regarding the water and wastewater improvements along 3219 N. Lakeline Boulevard, more particularly described by Williamson County, Texas.
10. Approval of the extension of the application expiration for Subdivision Case PICP-22-0020 Northline Block O Construction Plans; more particularly described by Williamson Central Appraisal District Parcels R517094 and R031604, generally located southwest of the intersection of Main Street and William Parker Street, Leander, Williamson County, Texas.
11. Approval of the extension of the application expiration for Subdivision Case PICP-23-0079 regarding Gabriels Horn Development on three (3) parcels of land 16.372 acres ± in size, more particularly described by Williamson County Appraisal District Parcels R473804, R500871, R022218, and R500872; generally located Williamson, Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

12. Conduct a Public Hearing regarding Special Use Case Z-25-0165 to consider action on a Special Use Permit to allow for a smoke shop on one (1) parcel of land approximately 0.155 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R036105; and commonly known as 106 W. Willis Street, Leander, Williamson County, Texas. Applicant/Agent: Paradox 2025, LLC. (Sayed Khalid Sadat) on behalf of Krasniqi Real Estate Holdings, LLC. (Taulant Krasniqi).

- Discuss and consider action regarding Zoning Case Z-25-0165 as described above.

Public Hearing opened at 6:08 p.m.; Public Hearing closed at 6:10 p.m.; following discussion.

Anita Chumnanvech, 708 Palamos Drive, Leander, TX 78641, spoke against the request.

Motion to deny Zoning request Z-25-0165.

By: Board Member Mahan

Seconded: Board Member Lantrip

Vote: 5 - 1 (Board Member Calame)

13. Conduct a Public Hearing and consider action regarding Ordinance Case OR-25-0030 to amend the Composite Zoning Ordinance to adopt standards and a permitting process associated with micro-trenching, and to provide for related matters; Williamson & Travis Counties, Texas.

- Discuss and consider action regarding Ordinance Case OR-25-0030 as described above.

Public Hearing opened at 6:42 p.m.; Public Hearing closed at 6:44 p.m.; following discussion.

Bird Holmquist, 816 Congress Ave, Suite 1100, Austin, TX 78701 spoke in favor of the request.

Motion to approve Ordinance case OR-25-0030.

By: Board Member Calame

Seconded: Board Member Lewis

Vote: 6-0

REGULAR AGENDA

14. Discuss and consider action on Tree Removal Case TRP-25-0036 regarding the removal of six (6) Significant Trees associated with the Techtown Office Warehouse Site Development Project (SD-24-0250), commonly known as 2901 Hero Way, Leander, Williamson County, Texas.

Motion to approved Tree Removal Permit TRP-25-0036; following discussion.

By: Board Member LeDay

Seconded: Board Member Lantrip

Vote: 6-0

15. Adjournment
Meeting adjourned at 7:11 p.m.

APPROVED

CHAIR

ATTEST:

STAFF LIAISON



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Discuss and consider action regarding Ordinance Case OR-25-0033 to amend the Sign Ordinance to update Section 3.08.014 regarding time frames associated with the Promotional Event Package, and to provide for related matters; Leander, Williamson and Travis Counties, Texas.

BACKGROUND:

The City of Leander completed a significant update to the ordinance in September of 2023. Staff provided an update on the status of the ordinance to the City Council and received feedback on the Promotional Event Package. The development community has expressed concerns about the timeframe of the sign package. This amendment includes changing the term of the approval to a year instead of a calendar year and allowing the Promotional Event Package twelve (12) times a year. This ordinance was recently updated in May to extend the time frame to eight (8) times a year.

AMENDMENTS SINCE 09/21/2023

1. 11/02/2023 Ordinance 23-075-00 adopted
 - a. Modified the limitation on predominately white internally lit signs.
 - b. Added neighborhood development signs to the temporary sign standards.
 - c. Updated the Master Sign Plan provisions.
2. 05/01/2025 Ordinance 25-034-00 adopted
 - a. Updated the timeframe for Promotional Sign Package from four (4) times a year to eight (8) times a year.
3. 07/01/2025 Ordinance 25-051-00 adopted
 - a. Added fence wraps.
 - b. Modified building scrim sign requirements.

ORDINANCE REDLINE

Section 3.08.014 Promotional Event Package

1. General. A Promotion Event Sign Package is a sign package that includes temporary signage used to advertise a specific event. This sign package allows for the use of all temporary sign types with the addition of Swooper Flags, Human Signs, and Bandit Signs.
2. Location. The signage shall be restricted to a private property and is not permitted in the right-of-way.
3. Time restriction. The time frame for a Promotional Event Package is two (2) weeks ~~eight (8)~~ twelve (12) times ~~per calendar~~ within a year. The periods may be combined.
4. Permit required. A permit is required for a Promotional Event Package. Each individual sign is not required to have a separate permit.

HISTORY/TIMELINE:

09/07/2003 Ordinance 03-023-00 adopted
08/07/2014 Ordinance 14-045-00 adopted
10/02/2014 Ordinance 14-045-01 adopted
02/02/2017 Ordinance 17-007-00 adopted
09/21/2023 Ordinance 23-064-00 adopted
11/02/2023 Ordinance 23-075-00 adopted
05/01/2025 Ordinance 25-034-00 adopted
07/01/2025 Ordinance 25-051-00 adopted

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

As part of the evaluation of this request, the City Council has the following options:

1. Approve the ordinance amendment; or
2. Deny the ordinance amendment.

Staff recommends Option 1 listed above – Approve the ordinance amendment. Staff has received feedback from the City Council and the development community, and determined that these amendments will further enhance the ordinance and provide support to the development community. Staff recommends approval of the ordinance amendments.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Fiscal Impact

Attachments:

1. OR-23-0033 Att 1 Sign Ordinance

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING ARTICLE 3.08 THE CITY OF LEANDER CODE OF ORDINANCES, THE REGULATIONS OF SIGNS; AMENDING SECTIONS 3.08.014 TO UPDATE THE TIME FRAMES ASSOCIATED WITH PROMOTIONAL EVENT PACKAGE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the purpose of this ordinance is implement the policies and goals of the Comprehensive Plan related to sign regulations; and

WHEREAS, it is necessary and reasonable for the City to regulate signs within the City and Extra-Territorial Jurisdiction for pedestrian and traffic safety, the public health and safety, the preservation of property values and the avoidance of unnecessary clutter;

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

SECTION 1. Findings of Fact. 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 Section 3.08.014. Section 3.08.014 is hereby amended to read as follows:

- A. General. A Promotion Event Sign Package is a sign package that includes temporary signage used to advertise a specific event. This sign package allows for the use of all temporary sign types with the addition of Swooper Flags, Human Signs, and Bandit Signs.
- B. Location. The signage shall be restricted to a private property and is not permitted in the right-of-way.
- C. Time restriction. The time frame for a Promotional Event Package is two (2) weeks twelve (12) times with a year. The periods may be combined.
- D. Permit required. A permit is required for a Promotional Event Package. Each individual sign is not required to have a separate permit.

SECTION 3. Penalty Clause. Any person convicted of violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed Five Hundred Dollars (\$500.00) and each day of such violation shall be deemed a separate violation.

SECTION 4. 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 signs 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 5. Conflicting Ordinances. The City Code of Ordinances, Article 3.08, is hereby amended as provided in this Ordinance. All prior ordinances of the City applicable to signs are hereby amended only to the extent of any conflict with the amendments set forth herein, 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 6. 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 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 8. 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 21st day of August, 2025.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Receive an update from City staff regarding potential ordinance updates associated with Short Term Rentals and provide feedback regarding changes to the ordinance; Leander, Williamson and Travis Counties, Texas.

BACKGROUND:

A Short Term Rental (STR) is typically a residential structure that is rented for a brief period of time similar to a hotel. Currently, City ordinances restrict this type of use to properties located within a General Commercial (GC) zoning district. Staff facilitated a briefing workshop with the City Council on May 4, 2023, to discuss amendments to the ordinance to expand the zoning districts where an STR may be an allowed use.

During the workshop, City staff presented three (3) regulation options:

1. **Low** – No change to the ordinance, no process for Hotel Occupancy Tax (HOT) collection.
2. **Moderate** – Update the ordinance to create a permit process and collect HOT.
3. **High** – Create a vigorous ordinance update including density limits, site inspections, and HOT collection.

City Council selected the moderate option which included the following:

1. Allow short-term rentals in all districts except for residential districts by right.
2. Allow short-term rentals by right in residential zoning districts as long as the owner has a homestead exemption and is the occupant of the structure.
3. Allow short-term rentals in residential zoning districts with a special use permit when the owner does not have a homestead exemption.
4. Create a permitting process that includes a registration process to include the following:
 - a. Application process and related fee,
 - b. Annual registration fee, and
 - c. Brochure that will be provided in the STR with information including rules to respect the subdivision, places to shop and dine in Leander, and emergency contact information.

City staff has been monitoring the changes enacted by surrounding Cities and has not begun preparing the ordinance amendment. Staff is also reaching out to other cities to discuss their experiences outsourcing HOT audits and revenue collections.

HISTORY/TIMELINE:

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Fiscal Impact

Attachments:



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Receive an update from City staff regarding potential ordinance updates associated with artificial turf and provide feedback regarding changes to the ordinance; Leander, Williamson and Travis Counties, Texas.

BACKGROUND:

Staff facilitated a briefing workshop with the City Council on June 20, 2024, to discuss artificial turf as an option for landscaping. Workshop topics included a review of the City of Leander's existing ordinances and possible amendments to limit the amount of turf allowed in a subdivision. City staff has researched other municipalities and participated in webinars regarding artificial turf.

City staff have also participated in the following meetings:

12/19/2024: LCRA Synthetic Turf TEAMS Meeting,
01/07/2025: LCRA Synthetic Turf TEAMS Meeting,
04/03/2025: LCRA Synthetic Turf Field presentation at LCRA Redbud Center, and
05/21/2025: LCRA Synthetic Turf Field presentation TEAMS follow-up call.

City and county representatives from multiple entities were present at each meeting. General conclusions were that the best applications for artificial turf would be for commercial uses and sports fields, but it should be considered an impervious cover when designing water quality and detention controls. In the meetings, it was stressed that artificial turf should be installed pursuant to a design prepared by a reputable manufacturer, installed properly via an experienced contractor, maintained correctly by the owner (business or school), and eventually disposed of properly by the owner (business or school) at end of life.

No entity had established a clear path forward for residential use due to its drainage and environmental impacts. LCRA is expected to produce an update before the end of September. City staff plans to evaluate LCRA's update and utilize the information to prepare code amendments.

During the briefing workshop last year, City Council inquired about whether a property owner's association might establish and enforce prohibitions against artificial turf. Below, please find the provisions listed in the Composite Zoning Ordinance:

A property owner's association may not include or enforce a provision in a dedicatory instrument that prohibits or restricts a property owner from:

1. Implementing measures promoting solid waste composting of vegetation, including grass clippings, leaves or brush, or leaving grass clippings uncollected on grass;
2. Installing rain barrels or a rainwater harvesting system; or
3. Implementing efficient irrigation systems, including underground drip or other drip irrigation systems.

A property owner's association may not include or enforce a provision that requires:

1. A defined irrigation schedule specified by the association unless a defined irrigation schedule is mandated by the association's water supplier in order to curtail outdoor water use;
2. Maintenance of the landscape to a specified level that requires the property owner to irrigate his or her landscape;
3. Installation or maintenance of any specific variety or limited choice of varieties of turf grass; or
4. The homeowner to install a minimum percentage of turf in the landscape.

HB 517 was adopted in the current legislative session and it prohibits a property owner's association from assessing a fine for discolored vegetation or turf during a period of residential watering restriction.

HISTORY/TIMELINE:

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Fiscal Impact

Attachments:



EXECUTIVE SUMMARY
8/21/2025

AGENDA SUBJECT:

Discuss and consider directing staff on establishing a process for approval of an alternative landscaping plan by the Planning and Zoning Commission.

BACKGROUND:

Section 1, Article VI, Site Standards, of the Composite Zoning Ordinance, establishes site standards for landscaping properties that are developed within the City of Leander (the "Landscaping Regulations"). The regulations include processes for applicants to seek approval of landscaping plans that deviate from the Landscaping Regulations, which are: a) approval of exceptions by the Planning Director of a lesser amount of landscaping if the intent of the Landscaping Regulations is met and the reduction of the landscape area results in preservation of natural features having comparable value; and b) approval of an Alternative Landscaping Plan by the Planning Director when site conditions make strict compliance with the landscape requirements undesirable or impractical and the Plan meets or exceeds the standards of the Landscaping Regulations. The discretion of the Planning Director to approve a Alternative Landscaping Plan is limited under the Landscaping Regulations.

City staff is proposing a third option for applicants seeking approval of alternative landscaping plans, which is to submit the plan to the Planning and Zoning Commission for consideration. The alternative landscaping plan would still need to meet the intent of the Landscaping Regulations and tree protection and preservation regulations would still have to be met. Decisions by the Planning and Zoning Commission to deny an alternative landscape plan could be appealed to the City Council.

Draft language for this amendment prepared by the City Attorney is as follows:

"Commission Authority – Alternative Landscaping Plan Approval. *The Commission is hereby granted the authority to approve alternative landscaping plans that do not conform to the standards of Article VI, Section 1, of the Composite Zoning Ordinance; provided that the alternative landscaping plan must meet the intent of the Landscaping Regulations. The authority granted to the Commission under this Ordinance does not include authorizing a plan that does not comply with Article VI, Section 1(c), Tree Preservation and Protection, of the Composite Zoning Ordinance. An applicant may appeal a determination by the Commission to the City Council."*

This amendment would be a temporary measure that allows new development a means to provide an acceptable alternative landscaping plan while possible amendments to the City's landscaping standards are being considered. Since the landscaping standards are part of the zoning ordinance, any amendment must follow the processes required for amending the ordinance.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

PRESENTER:

Todd Parton, City Manager

Fiscal Impact

Attachments: