



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday - April 21, 2022



Mayor – Christine DeLisle

Place 1 – Kathryn Pantalion-Parker

Place 2 – Esme Mattke Longoria

Place 3 – Jason Shaw

Place 4 – Na'Cole Thompson

Place 5 – Chris Czernek

Place 6 – Becki Ross, *Mayor Pro Tem*

City Manager – Rick Beverlin

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

BRIEFING WORKSHOP - CONVENE AT 5:30 PM

1. Opened meeting at 5:30 p.m.
2. Roll call reflected all present.
3. Staff Reports
 - Water Update included: water needs and development capacity; LCRA combined lake storage; Leander treatment capacity and water supply; water system past; CIP water projects; water system now; BCRUA expansion projects; water usage; partnerships; *[Recessed briefing workshop at 6:55 p.m.; reconvened briefing workshop at 7:21 p.m.]*; conservation efforts; conservation phases; conservation program coordinator; irrigation pilot program; comprehensive plan; development regulations; current and proposed landscape plans; MUDs and PIDs.
 - Parks and Recreation Department Update included: senior activity center; senior activity center location; *[recessed at 7:56 p.m.; reconvened at 8:03 p.m.]*; majority support construction of the senior center at Municipal Drive and to proceed; Old Town Park; Bryson Farmstead; golf club driving range; and upcoming events.
 - Election Update included: items on the ballot; changes in 2022; outreach; voter guide; news coverage; and after the election.

Adjourned the briefing workshop at 8:33 p.m.

REGULAR MEETING – CONVENE AT 7:00 PM

4. Opened meeting at 7:08 p.m., Leander Fire Department presented the Colors with Joe Bob Ellison provided the Invocation and Mayor Christine led the Pledges of Allegiance.
5. Roll call reflected all present.

6. Public comments on items not listed in the agenda. No one spoke.

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

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

7. Recognitions/Proclamations/Visitors.
- Air Quality Awareness Week (May 2-6)
 - Firefighter Appreciation Day (May 4)

[Recessed the regular meeting at 7:21 p.m.; reconvened the regular meeting at 8:50 p.m.]

CONSENT AGENDA: ACTION

Motion by Councilmember Becki Ross, Seconded by Councilmember Esme Mattke Longoria to approve items 8 through 12, 14 through 16 and 19.

Vote: 7 - 0

8. Approval of the minutes for meeting held on April 7, 2022.
9. Approval of purchase of eight (8) Self Contained Breathing Apparatus (SCBA) and twenty-five (25) SCBA cylinders for the Fire Department from Municipal Emergency Services in the amount of \$94,614.22 utilizing BuyBoard Contract 603-20; and authorize the City Manager to execute any and all necessary documents.
10. Approval of a waiver of Article 8.04, Noise, Section 8.04.001(a) (11) to Arrowmont for the Panda Express project located at 132 W. Metro Drive to provide for three (3) concrete pours beginning at 3:00 a.m. from April 25 - June 25, weather dependent; and requiring Arrowmont to post notifications for nearby tenants a minimum of forty-eight (48) hours in advance of the activities.
11. Approval of Amendment 2 to K. Friese and Associates Task Order KFA-46 for the addition of a twenty-four (24) inch waterline along San Gabriel Parkway, from Pleasant Hill Road to just west of Logan Del Way, and a new elevated water storage tank at the San Gabriel East pump station (CIP W-41), in the amount of \$9,615.00, and authorize the City Manager to execute any and all necessary documents.
12. Approval of Change Order No. 30 to the construction contract with DeNucci Constructors, LLC for the Northline Phase 1 project, decreasing the City's portion of the contract by the amount of \$338,393.00 in exchange for increasing the developer's portion of the contract by the amount of \$338,393.00; new contract total for City Improvements of \$10,582,444.75; and authorize the City Manager to negotiate and execute any and all necessary documents.
13. Approval of Amendment 1 to Kimley-Horn and Associates, Inc. Task Order KH-04 for the Roadway Impact Fee Study, for four (4) additional meetings and related services; increasing the amount by \$5,000.00 for new total not to exceed \$120,000.00; and authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Esme Mattke Longoria to approve Amendment 1 to Kimley-Horn and Associates, Inc. Task Order KH-04 for the Roadway Impact Fee Study, for four (4) additional meetings and related services; increasing the amount by \$5,000.00 for new total not to exceed \$120,000.00; and authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date, following a discussion.

Vote: 7 - 0

14. Approval of a Special Event Permit and street closures for the Sunset Music Series: Juneteenth Jubilee to be held on June 18, 2022 in Old Town Park.
15. Approval of a Special Event Permit for the 10th Annual Leander Bull Riding Shootout to be held on May 7, 2022 with a contingency date of May 21, 2022 at the South San Gabriel River Park Property, Leander, Williamson County, Texas.
16. Approval of Development Agreement Case 22-DA-005 regarding the Maple Ranch Development on one (1) parcel of land approximately 8.26 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R473797; and generally located to the southwest of the intersection Palmera Ridge Boulevard and Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.
17. Approval of Tree Removal Case 21-TRP-002 regarding removal of Significant and Heritage Trees associated with The Square at Crystal Falls Site Development generally located on the southeast of the intersection of Crystal Falls Parkway and S. Bagdad Road, Leander, Williamson County, Texas.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Kathryn Pantalion-Parker to delay to May 5, 2022, regular meeting the Tree Removal Case 21-TRP-002 regarding removal of Significant and Heritage Trees associated with The Square at Crystal Falls Site Development generally located on the southeast of the intersection of Crystal Falls Parkway and S. Bagdad Road, Leander, Williamson County, Texas, following a discussion.

Vote: 7 - 0

18. Approval of the Second Reading of an Ordinance regarding Zoning Case 22-TOD-Z-003 to amend the current zoning of PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector) to adopt the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial) on two parcels of land approximately 86.9312 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Road, Leander, Williamson County, Texas.

Motion by Councilmember Becki Ross, Seconded by Councilmember Chris Czernek to approve the Second Reading of an Ordinance regarding Zoning Case 22-TOD-Z-003 to amend the current zoning of PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector) to adopt the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial) on two parcels of land approximately 86.9312 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Road, Leander, Williamson County, Texas, following a discussion.

Vote: 7 - 0

19. Approval of the extension of the application expiration for Subdivision Case 20-FP-032 Rosenbusch Ph 2 Final Plat; more particularly described by Williamson Central Appraisal District Parcel R613615; generally located to the southeast of the intersection of Vista Ridge Drive and Lakeline Boulevard; Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

20. Mayor Christine opened the Public Hearing at 9:29 p.m. regarding Ordinance Case 22-OR-001 to amend the Composite Zoning Ordinance to adopt regulations for Mobile Food Establishments, update accessory structure requirements, updating definitions, and to provide for related matters; Williamson & Travis Counties, Texas. No one spoke in favor or opposition of the request. The Public Hearing closed at 9:29 p.m.

- Discuss and consider action regarding Ordinance Case 22-OR-001 as described above.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Esme Mattke Longoria to approve Ordinance Case 22-OR-001 to amend the Composite Zoning Ordinance to adopt regulations for Mobile Food Establishments, update accessory structure requirements, updating definitions, and to provide for related matters; Williamson & Travis Counties, Texas with Planning & Zoning Commission recommendations.

Vote: 7 - 0

21. Mayor Christine opened the Public Hearing at 9:31 p.m. regarding Special Use Case 22-SU-001 to allow for the temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant; on one parcel of land approximately 0.3856 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036092; and more commonly known as 107 Bagdad Street, Leander, Williamson County, Texas. No one spoke in favor or opposition of the request. The Public Hearing closed at 9:31 p.m.

- Discuss and consider action regarding Special Use Permit Case 22-SU-001 as described above.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Esme Mattke Longoria to postpone to May 5, 2022, regular meeting Special Use Case 22-SU-001 to allow for the temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant; on one parcel of land approximately 0.3856 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036092; and more commonly known as 107 Bagdad Street, Leander, Williamson County, Texas, following a discussion.

Vote: 7 - 0

22. Mayor Christine opened the Public Hearing at 9:48 p.m. regarding Zoning Case 22-TOD-Z-004 to amend the current zoning of SFU-2-B (Single-Family Urban), GC-3-C (General Commercial), and T4 Transect (General Urban Zone) to T5 Transect (Urban Center Zone) on 21 parcels of land approximately 6.652 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R036035–R036040, R036043–R036046, R036072, R036074, R036078–R036080, R036087–R036089, R036104, R036105, and R097401; and generally located on the east side of N. Brushy Street between W. Broade Street and W. South Street, and located along Broade Street between Brushy Street and N. West Drive, Leander, Williamson County, Texas. No one spoke in favor or opposition of the request. The Public Hearing closed at 9:48 p.m.

- Discuss and consider action regarding Zoning Case 22-TOD-Z-004 as described above.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Esme Mattke Longoria to approve Zoning Case 22-TOD-Z-004 to amend the current zoning of SFU-2-B (Single-Family Urban), GC-3-C (General Commercial), and T4 Transect (General Urban Zone) to T5 Transect (Urban Center Zone) on 21 parcels of land approximately 6.652 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R036035–R036040, R036043–R036046, R036072, R036074, R036078–R036080, R036087–R036089, R036104, R036105, and R097401; and generally located on the east side of N. Brushy Street between W. Broade Street and W. South Street, and located along Broade Street between Brushy Street and N. West Drive, Leander, Williamson County, Texas.

Vote: 7 - 0

REGULAR AGENDA

23. Discuss and consider action regarding solicitation #S22-009B to select Kimley Horn to complete the Old Town Master Plan, authorizing the City Manager negotiate and execute any and all necessary documents.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Esme Mattke Longoria to approve solicitation #S22-009B with Option 2 to select Kimley Horn to complete the Old Town Master Plan, authorizing the City Manager negotiate and execute any and all necessary documents, following a discussion.

Vote: 6 - 1

NAY: Councilmember Jason Shaw

24. Discuss and consider action on K. Friese and Associates Task Order KFA-58 for the Water System Capital Improvement Plan in an amount not to exceed \$98,354.00; authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date.

Motion by Councilmember Jason Shaw, Seconded by Councilmember Chris Czernek to approve K. Friese and Associates Task Order KFA-58 for the Water System Capital Improvement Plan in an amount not to exceed \$98,354.00; authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date.

Vote: 7 - 0

25. Discuss and consider action on the proposal from Parkhill for professional services for the Leander Municipal Athletic Center at San Gabriel Park for master planning, design, and construction phase services in amount of \$1,861,400.00, and authorizing the City Manager to execute any and all necessary documents.

Motion by Councilmember Esme Mattke Longoria, Seconded by Councilmember Becki Ross to approve the proposal from Parkhill for professional services for the Leander Municipal Athletic Center at San Gabriel Park for master planning, design, and construction phase services in amount of \$1,861,400.00, and authorizing the City Manager to execute any and all necessary documents, following a discussion.

Vote: 6 - 1

NAY: Councilmember Jason Shaw

26. Discuss and consider action on an Ordinance amending Ordinance No. 21-077-00 adopting the annual budget of the City of Leander, Texas for Fiscal Year 2022.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Na'Cole Thompson to approve an Ordinance amending Ordinance No. 21-077-00 adopting the annual budget of the City of Leander, Texas for Fiscal Year 2022 amend to include the additional \$55,000 for Old Town Master Plan, following a discussion.

Vote: 6 - 1

NAY: Councilmember Jason Shaw

27. Discuss and consider action on an annual blanket agreement with PBS of Texas, LLC to provide janitorial services pursuant to a piggyback clause in City of Round Rock Contract No. R-2018-5767 in an amount of \$88,539.00; and authorize the City Manager to execute all necessary documents.

Motion by Councilmember Jason Shaw, Seconded by Councilmember Esme Mattke Longoria to approve an annual blanket agreement with PBS of Texas, LLC to provide janitorial services pursuant to a piggyback clause in City of Round Rock Contract No. R-2018-5767 in an amount of \$88,539.00; and authorize the City Manager to execute all necessary documents.

Vote: 7 - 0

28. Discuss and consider action on adopting a Resolution of support for the City of Leander's Community Project Funding request to Congressman John Carter.

Motion by Councilmember Becki Ross, Seconded by Councilmember Jason Shaw to approve a Resolution of support for the City of Leander's Community Project Funding request to Congressman John Carter.

Vote: 7 - 0

29. Discuss and consider action on award of Solicitation #S22-021 for Interim Transit Services to Star Shuttle, Inc.; and authorize the City Manager to execute any and all necessary documents.

Motion by Councilmember Jason Shaw, Seconded by Councilmember Kathryn Pantalion-Parker to award of Solicitation #S22-021, option B for Interim Transit Services to Star Shuttle, Inc.; and authorize the City Manager to execute any and all necessary documents, following a discussion.

Vote: 5 - 2

NAY: Councilmember Esme Mattke Longoria
Councilmember Becki Ross

30. Discuss and consider action on the appointment of members to fill unexpired terms on the Active Adult Advisory Committee, Board of Adjustment, Economic Development Committee and Library Foundation Board.

Motion by Councilmember Becki Ross, Seconded by Councilmember Kathryn Pantalion-Parker to appoint Jennifer Austin, James Oliver and Anna Smith to the Economic Development Committee with terms expiring October 2023 and Carol Elsasser, Chris Schwendenmann, Jeff Anderson and Linda Smith to the Active Adult Advisory Committee with terms expiring October 2023.

Vote: 7 - 0

31. Discuss and consider action on ratifying the Mayor's appointments to the Ad Hoc Committee to promote beautification, conservation, volunteerism and community engagement in the City of Leander.

Motion by Mayor Christine DeLisle, Seconded by Councilmember Becki Ross to ratify Mayor Christine's appointments of Anna Smith, Christian Bolding, James Oliver, Jennifer Howell, Jennifer White, Kirsten Lynch, Kristi Palm and Zachary Voith to the Ad Hoc Committee to promote beautification, conservation, volunteerism and community engagement in the City of Leander.

Vote: 7 - 0

32. Council Member Closing Statements.

Kathryn Pantalion-Parker - commented on upcoming Chamber of Commerce Golf Tournament; Old Town Street Festival and 5K run; and wished everyone Happy San Jacinto Day.

Esme Mattke Longoria - reminded everyone of the upcoming Movie in the Park and Teen Focus Group at the LAC.

Chris Czernek - reminded everyone early voting begins Monday, April 25 and to go vote.

Becki Ross - reminded everyone early voting begins on Monday, April 25 and to go vote.

Christine DeLisle - reminded everyone to shop locally and Subway provided dinner tonight.

33. Convened into Executive Session at 10:44 p.m. pursuant to:
(1) Section 551.071, Texas Government Code, and Rule 1.05, Texas Rules of Professional Conduct, to consult with legal counsel regarding the necessity for and to authorize condemnation of a .002 acre right-of-way tract and fifteen (15') foot wide (.017 acre) public utility and sidewalk easement on land located on Raider Way, Leander, Texas near Parkway Crossing for construction of a portion of the Raider Way / E. Woodview Drive Roadway Improvements (CIP T.12); and
(2) Section 551.071, Texas Government Code, and Rule 1.05, Texas Disciplinary Rules

of Professional Conduct, to consult with legal counsel regarding Docket No. 53063, petition by outside city ratepayers appealing the water rates established by the City of Leander, Texas; and
(3) Section 551.072, Texas Government Code to deliberate the purchase, exchange, lease, or value of real property for possible municipal facilities; and
(4) Section 551.071, Texas Government Code, and Rule 1.05, Texas Rules of Professional Conduct, to consult with legal counsel regarding BCRUA contracts, water service agreements and management of water usage; and
(5) Section 551.074, Texas Government Code, to discuss or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: city manager.

Reconvened into open session at 1:44 a.m. to take action as determined appropriate regarding:

- (1) Approval of an Ordinance authorizing condemnation of a .002 acre right-of-way tract and fifteen (15') foot wide (.017 acre) public utility and sidewalk easement on land located on Raider Way, Leander, Texas near Parkway Crossing for construction of a portion of the Raider Way / E. Woodview Drive Roadway Improvements (CIP T.12); and
- (2) Docket No. 53063 appealing water rates established by the City of Leander; and authorize the City Manager to execute engagement letter with Davidson, Troilio, Ream, and Garza, PC; and
- (3) Real property for possible municipal facilities; and
- (4) BCRUA contracts, water service agreements and management of water usage; and
- (5) City Manager.

Motion by Councilmember Becki Ross, Seconded by Councilmember Chris Czernek to approve (Item 1) an Ordinance authorizing condemnation of a .002 acre right-of-way tract and 15 foot wide (0.17 acre) public utility and sidewalk easement on land located on Radier Way, Leander, Texas near Parkway Crossing for construction of a portion of the Raider Way / E. Woodview Drive Roadway Improvement Project (CIP T.12); ratification of prior efforts and actions to obtain such land; stating intent to exercise the power of eminent domain, if necessary to acquire the land; authorize the City Attorney and City Manager to negotiate any and all necessary documents as discussed in executive session. Roll call vote: Councilmember Pantalion-Parker aye; Councilmember Mattke Longoria aye; Councilmember Shaw aye; Councilmember Thompson aye; Councilmember Czernek aye; Mayor Pro Tem Ross aye; and Mayor Christine aye.

Vote: 7 - 0

Motion by Councilmember Becki Ross, Seconded by Councilmember Chris Czernek to authorize (Item 2) the City Manager to execute the engagement letter with Davidson, Troilio, Ream and Garza, P.C.

Vote: 7 - 0

(Item 3) No action.

(Item 4) No action.

(Item 5) No action.

APPROVED:

C. de Jese
MAYOR

ATTEST:

Dana Crabtree
CITY SECRETARY

