



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, March 7, 2024
Briefing Workshop at 6:00 PM
Regular Meeting at 7:00 PM



Mayor – Christine DeLisle

Place 1 – Kathryn Pantalion-Parker

Place 2 – Esme Mattke Longoria, Mayor Pro Tem

Place 3 – David McDonald

Place 4 – Na'Cole Thompson

Place 5 – Chris Czernek

Place 6 – Becki Ross

Interim City Manager – Isaac Turner

BRIEFING WORKSHOP - CONVENE AT 6:00 PM

1. Open Meeting.

Opened meeting at 6:02 p.m.

2. Roll Call.

Roll call reflected all present.

3. Discuss appropriate zoning district for vape shops and location criteria; Leander, Williamson and Travis Counties, Texas.

Discussion included existing vape shops; locations near schools; definition of vape shop; TABC requirements near school and churches; requirements in neighboring cities; distance requirements for smoke shops, if any; desire to marry TABC distance for achool of 1,000 feet; and zoning districts.

4. Discuss local amendment to the Building Code regarding building material requirements associated with structures over three (3) stories in height; Leander, Williamson and Travis Counties, Texas.

Discussion included building code amendment coming to City Council for consideration; allow wood; and desire Option 3.

Briefing workshop adjourned at 6:16 p.m.

REGULAR MEETING – CONVENE AT 7:00 PM

5. Open Meeting, Invocation and Pledges of Allegiance.

Opened meeting at 7:03 p.m.; Pastor Tim Scott provided the invocation; and Mayor Christine DeLisle led the pledges of allegiance.

6. Roll Call.

Roll call reflected all present.

7. 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.]

- Police Department Reaccreditation Award presentation by Randy Scott to Leander Police Department.
- James Dean, 2513 Costa Del Sol - commented on police department excellence; and happy Women's Her Story month.
- Scott Hoyt, 1408 Oak Creek Road - thanked Pastor for his prayer; commented on current and previous water restrictions; and hurting landscaping businesses.

8. Staff Report

- Water Update

Discussion included BCRA pipeline replacement; underwater pipeline construction barge; BCRUA raw waterline connections; BCRUA raw waterline supports; timeline for repairs; communication to inform and enforce Phase 4; contingency plan; emergency alert sent Monday, February 26 BCRUA plant shut down; Phase 4 enforcement; website and social media updates; water usage, temperature and precipitation; elevated tank levels; current drought in Lower Colorado River Basin; in-flows into Lakes Buchanan and Travis; combine storage of Lakes Buchanan and Travis; long range elevation prediction of Lakes Buchanan and Travis; emergency barge construction timeline; emergency barge funding and treatment allocation; and emergency barge operations.

CONSENT AGENDA: ACTION

Motion: Approve consent agenda items 9 through 22.

By: Kathryn Pantalion-Parker

Seconded: Esme Mattke Longoria

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, David McDonald, Kathryn Pantalion-Parker, Becki Ross, and Na'Cole Thompson.

No: None

Abstain: None

9. Approval of the minutes for meetings held on February 12, 2024 and February 15, 2024.
10. Approval of a License Agreement by and between Capital Metropolitan Transportation Authority and the City of Leander for use of rail right-of-way for Wastewater Collection System Lift Station Improvements Phase 1, Lift Station No. 2 (CIP WW.44); and authorize the Interim City Manager to execute any and all necessary documents.
11. Approval of Development Agreement Case DA-23-0029 regarding the Sonny Retail Center to implement masonry standards associated with the project on three (3) parcels of land, more particularly described by Williamson Central Appraisal District Parcels R036222, R036223 and R036224 and generally located northeast of S. West Drive and Sonny Drive, Leander, Williamson County, Texas.

12. Approval of an Ordinance regarding conditions under which building permits may be issued before the completion and acceptance of subdivision infrastructure for a temporary period of time to address the effects of the supply chain issues associated with power supply and drought conditions, and to provide for related matters, Leander, Williamson & Travis Counties, Texas.
13. Approval of Ordinance Case OR-23-0016 to amend Appendix A of the Leander Code of Ordinances to update the fees associated with development applications and inspections in response to House Bill 3492, to no longer base the fee on the cost of construction, and to provide for related matters; Williamson & Travis Counties, Texas.
14. Award of Solicitation S24-004 to Double Eagle Entertainment (Contract L00333) for the purchase of entertainment and event management services in the amount of \$285,000.00 for the term of the contract expiring March 6, 2029; providing for an effective date; and authorize the Interim City Manager to execute any and all necessary documents.
15. Award of Solicitation CIPS24-011 to Hotshot Developments, LLC for the City of Leander Pond Maintenance 2024 project in the amount of \$102,500.00; and authorize the Interim City Manager to execute all necessary documents.
16. Approval of the purchase of bottled water between the City of Leander, Texas, and Lowe's Companies, Inc., H-E-B Grocery Company, LP, and Randall's Food Markets, Inc. through Local Government Code 252.022 Subchapter a.2, in the amount of \$100,000.00 for the term expiring April 30, 2024; providing for an effective date; and authorize the Interim City Manager to execute any and all necessary documents.
17. Approval of purchase of materials and installation services from Cunningham Recreation to resurface the Lakewood Park splash pad utilizing BuyBoard Cooperative Contract 679-22 in the amount of \$96,382.00; and authorize the Interim City Manager to execute any and all necessary documents.
18. Approval of a one (1)- year extension with CentralSquare (Superion) for computer-aided dispatch maintenance, support, and licensing services for the Leander Police Department and twenty (20) additional user licenses for a total amount of \$54,330.16; and authorize the Interim City Manager to execute any and all necessary documents.
19. Award of Solicitation CIPS23-006 to Skyblue Utilities Inc. for construction services for the Wastewater Collection System Lift Station Improvements, Phase 1 Lift Station 2, (CIP WW.44), in the amount of \$2,798,912.01; and authorize the Interim City Manager to execute any and all necessary documents.
20. Approval of Change Order No. 3 with Chasco Constructors, for the reconstruction, widening, and improvements to Raider Way and East Woodview Drive (CIP T.12), increasing the contract amount by \$281,326.50, for a new total contract amount of \$15,696,569.50, with no extension of term duration, and authorize the Interim City Manager to execute any and all necessary documents.
21. Approval of Pedernales Electric Cooperative's (PEC) Invoice #90042350 in the amount of \$400,281.11 for the cost to relocate overhead electrical service to underground duct bank relative to the Raider Way and Woodview Drive improvements project (CIP T.12); and authorize the Interim City Manager to execute any and all necessary documents.
22. Approval of a waiver of Article 8.04, Noise, Section 8.04.001(g) in the hours of construction work for the Freehill – Hero Way Development to perform early morning concrete pours beginning at 3:00 a.m. at the site located at 11561 Hero Way, between March 2024 through December 1, 2024 (depending on weather conditions); and requiring the contractor of the site to post notifications a minimum of forty-eight (48) hours in advance of the activities.

PUBLIC HEARING: ACTION

23. Conduct a Public Hearing regarding Zoning Case Z-23-0095 to amend the current zoning of TOD/PUD-CD (Transit Oriented Development/ Planning Unit Development – Conventional Development Sector) to adopt the Spillars Project Minor PUD (Planned Unit Development) with the base zoning district of GC-2-A (General Commercial) on one (1) parcel of land approximately 1.574 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R086306; and located to the east of the intersection of Tulum Terrace and US 183, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-23-0095 as described above.

Open Public Hearing 7:46 p.m.; closed Public Hearing 7:46 p.m. No one spoke in favor or opposition of the request.

Motion: Approve Zoning Case Z-23-0095, with Planning & Zoning Commission recommendations, following a discussion.

By: Kathryn Pantalion-Parker

Seconded: Chris Czernek

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, Kathryn Pantalion-Parker, Becki Ross and Na'Cole Thompson

No: David McDonald

Abstain: None

24. Conduct a Public Hearing regarding Zoning Case Z-23-0099 to amend the current zoning of Hill Country Bible PUD (Planning Unit Development) with the base zoning district of SFS-3-A (Single-Family Rural) to change the base zoning district to LC-2-A (Local Commercial) on two (2) parcels of land approximately 19 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R647584 and R647585; and more commonly known as 589 W. San Gabriel Parkway, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-23-0099 as described above.

Open Public Hearing 7:50 p.m.; closed Public Hearing 7:50 p.m. No one spoke in favor or opposition of the request.

Motion: Approve Zoning Case Z-23-0099.

By: Becki Ross

Seconded: Kathryn Pantalion-Parker

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, David McDonald, Kathryn Pantalion-Parker, Becki Ross and Na'Cole Thompson

No: None

Abstain: None

25. Conduct a Public Hearing regarding Comprehensive Plan Case CPA-24-0011 to update the Water Masterplan; Leander, Williamson and Travis Counties, Texas.

- Discuss and consider action regarding Comprehensive Plan Case CPA-24-0011 as described above.

Open Public Hearing 7:52 p.m.; closed Public Hearing 7:52 p.m. No one spoke in favor or opposition of the request.

Motion: Approve Comprehensive Plan Case CPA-24-0011.

By: Becki Ross

Seconded: Kathryn Pantalion-Parker

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, David McDonald, Kathryn Pantalion-Parker, Becki Ross and Na'Cole Thompson

No: None

Abstain: None

26. Conduct a Public Hearing regarding the Travisso Voluntary Annexation Case A-23-0010 for the voluntary annexation of 8.04 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels 459396, 459397, 459398, 467190, 467189, and 467188; and generally located approximately 1,200 feet to the north of the intersection of Buck Run and RM 1431 on the east of Buck Run, Leander, Travis County, Texas.

- Discuss and consider action on Travisso Voluntary Annexation Case A-23-0010 as described above.

Open Public Hearing 7:53 p.m.; closed Public Hearing 7:53 p.m. No one spoke in favor or opposition of the request.

Motion: Approve Travisso Voluntary Annexation Case A-23-0010, following a discussion.

By: Kathryn Pantalion-Parker

Seconded: Na'Cole Thompson

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, David McDonald, Kathryn Pantalion-Parker, Becki Ross and Na'Cole Thompson

No: None

Abstain: None

27. Conduct a Public Hearing regarding Comprehensive Plan Case CPA-23-0009 to amend the Comprehensive Plan land use category from Multi-Use Corridor to Neighborhood Residential and consider action regarding Zoning Case Z-23-0102 to amend the current zoning of Interim SFR-1-B (Single-Family Rural) and Interim SFR-2-B (Single-Family Rural) to SFS-2-B (Single-Family Suburban) on seven (7) parcels of land approximately 234 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R485247, R485248, R031575, R392187, R392188, R031534, and R031533; and more commonly known as 14750 Ronald W. Reagan Boulevard, Leander, Williamson County, Texas. *[Postponed by Applicant]*

REGULAR AGENDA

28. Receive presentation and accept the Annual Financial Report for fiscal year ending September 30, 2023, from external auditor, Whitley Penn LLP.

Motion: Accept Annual Financial Report for fiscal ending September 30, 2023.

By: Christine DeLisle

Seconded: Na'Cole Thompson

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, David McDonald, Kathryn Pantalione-Parker, Becki Ross and Na'Cole Thompson

No: None

Abstain: None

29. Council Member Future Agenda Items *[Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.]*

- Feedback new sign ordinance on April 4 agenda.

30. Council Member Closing Statements.

Kathryn Pantalione-Parker - commented excited to welcome new City Manager; and new chapter.

Esme Mattke Longoria - thanked Parks and Recreation Department on opening day for baseball and softball; prayers to LFD fire fighters deployed to fight fire in panhandle; Women's History month; and can't wait to work with new City Manager.

David McDonald - excited to work with new City Manager; and welcomed new granddaughter.

Na'Cole Thompson - commented excited to welcome new City Manager; and prayers for Officer Fuller and her family.

Chris Czernek - commented on excited for next chapter; thanked Interim City Manager Isaac Turner.

Becki Ross - welcome Todd Parton, get your bags packed.

Christine DeLisle - commented on all the exciting and humbling things today; thanked everyone for their efforts; thanked Mr. Turner for his time and keeping everything steady; welcome Mr. Parton; Officer Fuller fundraiser; stated dinner came from Panda Express tonight; and reminded everyone to shop locally.

31. Convene into Executive Session pursuant to:

1. Section 551.071, Texas Government Code, and Section 1305, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Public Utilities Commission Docket No. 53063, petition by outside city ratepayers appealing the water rates established by the City of Leander, Texas; and
2. Section 551.071 and 551.087, Texas Government Code, Section 1.05, Texas Disciplinary Rules of Professional Conduct, 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 regarding Project EDA-24-001; and
3. Section 551.071 and 551.087, Texas Government Code, Section 1.05, Texas Disciplinary Rules of Professional Conduct, deliberate an economic development incentive and Chapter 380 Agreement with Leander Springs, LLC; and
4. Sections 551.071 and 551.074, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consider the appointment of the City Manager and consult with legal counsel regarding the City Manager Employment Agreement; and
5. Section 551.074, Texas Government Code to discuss Interim City Manager assignments and duties.

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

1. Public Utilities Commission Docket No. 53063, petition by outside city ratepayers appealing the water rates established by the City of Leander, Texas; and
2. Project EDA-24-001; and
3. Economic development incentive and Chapter 380 Agreement with Leander Springs, LLC;
4. Appointment of the City Manager and the City Manager Employment Agreement; and
5. Interim City Manager assignments and duties.

Recessed into Executive Session at 8:12 p.m.; reconvened into Open Session at 9:36 p.m.

1. No action.

2. No action.

3. Motion: For staff to pursue direction as discussed in Executive Session.

By: Esme Mattke Longoria

Seconded: Na'Cole Thompson

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, David McDonald, Kathryn Pantalion-Parker, Becki Ross and Na'Cole Thompson

No: None

Abstain: None

4. Motion: Approve the appointment of Todd Parton as City Manager; and authorize the execution of the City Manager Employment Agreement.

By: Esme Mattke Longoria

Seconded: Na'Cole Thompson

Yes: Chris Czernek, Christine DeLisle, Esme Mattke Longoria, David McDonald, Kathryn Pantalion-Parker, Becki Ross and Na'Cole Thompson

No: None

Abstain: None

5. No action.

32. Adjournment

Adjourned at 9:46 p.m.

APPROVED

MAYOR

ATTEST:

CITY SECRETARY