



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday - September 15, 2022



Mayor – Christine DeLisle

Place 1 – Kathryn Pantalion-Parker

Place 2 – Esme Mattke Longoria

Place 3 – David McDonald

Place 4 – Na'Cole Thompson, *Mayor Pro Tem*

Place 5 – Chris Czernek

Place 6 – Becki Ross

City Manager – Rick Beverlin

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

BRIEFING WORKSHOP - CONVENE AT 6:00 PM

1. Opened meeting at 6:00 p.m.
2. Roll call reflected all present.
3. Receive special events permit update included: types of permits; create an additional reservation supplement permit; why making changes; proposed changes and additions; general information; restrictions; political campaigns; political campaigns renting a park for an event versus signing up for a booth at a city sponsored event; First Amendment free speech limitations; political campaigns sponsoring a city event; content neutral; and city park and recreation department event adoption.

Briefing workshop adjourned at 6:33 p.m.

REGULAR MEETING – CONVENE AT 7:00 PM

4. Open Meeting at 7:02 p.m., Invocation was provided by Jimmy Sanchez and Mayor Christine led the Pledges of Allegiance.
5. 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 by Council.

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

Elizabeth Moore, 137 W. Windemere, commented on discharged effluent in Brushy Creek prevention.

7. Leander History included Bagdad pioneers and battles.
8. Recognitions/Proclamations/Visitors.
 - Hispanic Heritage Month Proclamation (September 15 - October 15)
 - World Teacher's Day Proclamation (October 5)
 - National Planning Month (October)
9. Staff Reports
 - Public Works update included: wastewater treatment plant; water report; water conservation phase 4; and BCRUA underwater pipeline repair.

CONSENT AGENDA: ACTION

Mayor Christine stated Item 26 was pulled from the consent agenda and considered separately.

Motion by Councilmember Esme Mattke Longoria, Seconded by Councilmember Kathryn Pantalion-Parker to approve consent agenda items 10 through 25 and 27 through 31.

Vote: 7 - 0

10. Approval of the minutes for meetings held on September 1, 2022.
11. Approval of an ordinance amending the Mayor's Ad Hoc Committee to provide for a high school senior representative from each high school located within Leander city limits; providing an effective date; and providing for related matters.
12. Approval of Amendment No. 2 to the City Manager's contract providing for a one (1)- time four (4%) percent cost of living adjustment to the City Manager's base salary effective October 1, 2022 as approved by the City Council at the September 1, 2022 regular meeting.
13. Approval of amending the Active Adult Advisory Committee guidelines removing term limits.
14. Approval of amending Ordinance No. 21-073-00, Section 6.4, adopting a User Fees Policy that establishes policies and fees related to use of City parks and recreational facilities for City of Leander elected officials.
15. Approval of amending the library policy to change the term 'registered borrower' to 'resident borrower' and removing the reference of 'PARGL Board' and replacing with 'Parks and Recreation Director'.
16. Award of Solicitation S22-006 to Yamaha Golf-Car Company for a forty-eight (48)- month lease for ninety (90) golf carts and two (2) maintenance carts for maintenance needs in the amount of \$447,763.20; and authorize the City Manager to execute any and all necessary documents.
17. Rescind previous contract authorized through HGAC Buy Co-Op to Caldwell Country Chevrolet due to vendor cancelation, and award purchase of Ram 1500 SSV to Grapevine Dodge Chrysler Jeep, Grapevine, Texas, authorized through Buy-Board Purchasing Cooperative (#601-19) in the amount of \$45,794.50; and authorize the City Manager to execute any and all necessary documents.

18. Approval of the Second Reading of an Ordinance levying ad valorem taxes for the use and support of the municipal government of the City of Leander, Texas, for the Fiscal Year 2023; providing for and apportioning each levy for specific purposes; and providing when taxes shall become due and when the same shall become delinquent if not paid.
19. Approval of an amended and extended professional services agreement with McGrew Solutions, LLC for finance and human resource services relating to payroll and related matters; and authorize the city manager to execute any and all necessary documents.
20. Approval of Change Order No. 1 to Wastewater Treatment Plant - Sludge Processing and Lift Station #9 Improvements (CIP WW.17) for additional work incurred due to field adjustments/modifications of planned work in the amount of \$77,898.00; and authorize the City Manager to execute any and all necessary documents.
21. Acceptance of public infrastructure improvements for the Bar W Ranch West Phase 6 subdivision.
22. Acceptance of public infrastructure improvements for the Lively Phase 3 subdivision.
23. Acceptance of public infrastructure improvements for the Bryson Phase 5 Section 1 and Phase 6 subdivision.
24. Approval of a waiver of Article 8.04, Noise, Section 8.04.001(a) (11) in the hours of construction work to SCI Construction to provide for construction activities for the Haven at San Gabriel project site located at 1253 W. San Gabriel Parkway; to begin construction at 2:00 a.m. from September 15 through October 26, 2022; and contractor is required to post notifications for nearby tenants a minimum of forty-eight (48) hours in advance of the activities.
25. Approval for an extension for waiver of Article 8.04, Noise, Section 8.04.001(a) (11) in the hours of construction work to RBT Roofing to provide for roofing activities for the Akin Elementary School project site located at 3621 Barley Road; extend waiver through December 17, 2022 to begin at 6:00 p.m. and end at 6:00 a.m.; and contractor is required to post notifications for nearby tenants a minimum of forty-eight (48) hours in advance of the activities.
26. Reject the bid received for project 21-CIP-005 for the construction services for San Gabriel East Elevated Storage Tank (CIP W.41) located at the San Gabriel East Pump Station.

Motion by Councilmember Kathryn Pantalione-Parker, Seconded by Councilmember Chris Czernek to reject the bid received for project 21-CIP-005 for the construction services for San Gabriel East Elevated Storage Tank (CIP W.41) located at the San Gabriel East Pump Station, following a discussion.

Vote: 7 - 0

27. Approval of an Ordinance adopting the form of a template license agreement to allow for the installation of dry utilities within the duct bank located in the right-of-way throughout the Northline subdivision; and allow for the City Manager to administratively execute the license agreements with utility providers.

28. Approval of the Second Reading of an Ordinance regarding Zoning Case 22-Z-007 to amend the current zoning of Interim SFR-1-B (Single-Family Rural), Interim SFS-2-B (Single-Family Suburban), LO-1-A (Local Office), and LC-2-C (Local Commercial) to adopt the Enclave at Crystal Falls PUD (Planned Unit Development) with a base zoning district of TF-2-A (Two-Family) and GC-2-A (General Commercial) and to approve Development Agreement 22-DA-009 on four (4) parcels of land approximately 19.534 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R559253, R031342, R031345, and R031341; and more commonly known as 10953, 10959, 10965, and 10981 E. Crystal Falls Parkway, Leander, Williamson County, Texas.
29. Approval of a Letter Agreement regarding a side setback encroachment associated with the property legally described as Lot 8, Block K, Bluffview Phase 2 Amended Final Plat, more particularly described by Williamson Central Appraisal District Parcel R615906; and commonly addressed as 3325 Karan Swiss Drive, Leander, Williamson County, Texas.
30. Approval of a Letter Agreement regarding the temporary use of a port-a-potty to address the ADA accessibility requirements for the Leander Trucking Food Truck Park associated with the property legally described as Lot 13, Block 6, High Chaparral Section 1, more particularly described by Williamson Central Appraisal District Parcel R035579; and commonly addressed as 1500 S. Bagdad Road, Leander, Williamson County, Texas.
31. Approval of Development Agreement Case 22-DA-025 regarding the Crystal Falls Commons Development on two (2) parcels of land approximately 0.975 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R035494 and R035493, and commonly addressed as 607 and 701 Crystal Falls Parkway, Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

32. Mayor Christine opened a Public Hearing at 8:20 p.m. regarding Zoning Case 22-Z-002 to amend the current zoning of Interim Single-Family Rural to adopt the Creeks Edge PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse) and LO-2-A (Local Office) on one parcel of land approximately 9.977 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R332409; and more commonly known as 14751 Ronald W. Reagan Boulevard, Leander, Williamson County, Texas. No one spoke in favor or opposition of the request. The Public Hearing closed at 8:20 p.m.

- Discuss and consider action regarding Zoning Case 22-Z-002 as described above.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Esme Mattke Longoria to approve Zoning Case 22-Z-002 to amend the current zoning of Interim Single-Family Rural to adopt the Creeks Edge PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse) and LO-2-A (Local Office) on one parcel of land approximately 9.977 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R332409; and more commonly known as 14751 Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.

Vote: 7 - 0

33. Mayor Christine opened a Public Hearing at 8:22 p.m. on the 675 Kauffman Loop Annexation Case 22-A-001 regarding the voluntary annexation of 25.025 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R328207 and R555049; and commonly addressed as 675 Kauffman Loop, Leander, Williamson County, Texas. No one spoke in favor or opposition of the request. The Public Hearing closed at 8:22 p.m.

- Discuss and consider action regarding 675 Kauffman Loop Annexation Case 22-A-001 as described above.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Kathryn Pantalion-Parker to approve 675 Kauffman Loop Annexation Case 22-A-001 regarding the voluntary annexation of 25.025 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R328207 and R555049; and commonly addressed as 675 Kauffman Loop, Leander, Williamson County, Texas.

Vote: 7 - 0

34. Mayor Christine opened a Public Hearing at 8:24 p.m. regarding Zoning Case 22-Z-005 to amend the current zoning of Interim SFR-1-B (Single-Family Rural) to adopt the 675 Kauffman Loop PUD (Planning Unit Development) with the base zoning districts of SFT-2-A (Single-Family Townhouse) and GC-2-A (General Commercial) on two (2) parcels of land approximately 24.91 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R328207 and R555049; and more commonly known as 675 Kauffman Loop, Leander, Williamson County, Texas. No one spoke in favor or opposition of the request. The Public Hearing closed at 8:24 p.m.

- Discuss and consider action regarding Zoning Case 22-Z-005 as described above.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Kathryn Pantalion-Parker to approve Zoning Case 22-Z-005 to amend the current zoning of Interim SFR-1-B (Single-Family Rural) to adopt the 675 Kauffman Loop PUD (Planning Unit Development) with the base zoning districts of SFT-2-A (Single-Family Townhouse) and GC-2-A (General Commercial) on two (2) parcels of land approximately 24.91 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R328207 and R555049; and more commonly known as 675 Kauffman Loop, Leander, Williamson County, Texas.

Vote: 7 - 0

REGULAR AGENDA

35. Discuss and consider action on an agreement with Liberty Hill Independent School District regarding the timing of construction for Elementary School #6 generally located off of the future extension of Stamp Iron Avenue, more particularly described by Williamson Central Appraisal District Parcel R544612; and commonly addressed as 2100 Stamp Iron Avenue, Leander, Williamson County, Texas.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Chris Czernek to approve an agreement with Liberty Hill Independent School District regarding the timing of construction for Elementary School #6 generally located off of the future extension of Stamp Iron Avenue, more particularly described by Williamson Central Appraisal District Parcel R544612; and commonly addressed as 2100 Stamp Iron Avenue, Leander, Williamson County, Texas, following a discussion.

Vote: 6 - 1

NAY: Councilmember Kathryn Pantalion-Parker

36. Discuss and consider action on an Ordinance amending Chapter 13, Article 13.09, Water Conservation and Drought Contingency Plan, Section 13.09.014, to enact a more severe administrative penalty schedule for violation of the water conservation and drought contingency regulations during water conservation Phase 4; providing for severability clause; providing savings, effective date and open meeting clauses; and for related matters.

Motion by Councilmember Becki Ross, Seconded by Councilmember David McDonald to approve an Ordinance amending Chapter 13, Article 13.09, Water Conservation and Drought Contingency Plan, Section 13.09.014, to enact a more severe administrative penalty schedule for violation of the water conservation and drought contingency regulations during water conservation Phase 4; providing for severability clause; providing savings, effective date and open meeting clauses; and for related matters, following a discussion.

Vote: 7 - 0

37. Discuss and consider action on an Ordinance establishing procedures for economic incentive applications and regulating lobbying for economic incentives.

Motion by Mayor Christine DeLisle, Seconded by Councilmember Kathryn Pantalion-Parker to approve an Ordinance establishing procedures for economic incentive applications and regulating lobbying for economic incentives, following a discussion.

Vote: 7 - 0

38. 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.]* No items.

39. Council Member Closing Statements.

Kathryn Pantalion-Parker - stated the following upcoming events, September 17 Constitution Day and Arts Festival in Lakewood Park; September 19 Chamber Golf Tournament; October 4 National Night Out; and October 10 City Council meeting.

David McDonald - thanked residents for compliance on water restrictions and reminded everyone to continue compliance; and wished son happy birthday.

Na'Cole Thompson - thanked staff and stated appreciate all they do; and thanked citizens for compliance.

Chris Czernek - thanked citizens for compliance; commented know it was not an easy time; proud of everyone; and thanked staff for being proactive.

Christine DeLisle - commented on dinner being provided by Brooklyn Heights; reminded everyone to shop locally; commented last couple of weeks being difficulty; and people create the best community, coming together and supporting each other.

40. Convened into Executive Session at 9:07 p.m. pursuant to:
- (1) Section 551.072, Texas Government Code, to deliberate the acquisition of property located in A. Carr Survey, Abstract No. 122, Williamson County, Texas, for the purpose of a wastewater easement with temporary construction easement for Ronald Reagan tank and booster pump (CIP W.46); and
 - (2) Section 551.072, Texas Government Code to deliberate the acquisition of real property for public facilities; and
 - (3) Section 551.087, Texas Government Code to 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 and with which the governmental body is conducting economic development negotiations related to the following project(s): Project Fulcrum

Reconvened into open session at 10:08 p.m. to take action as deemed appropriate in the City Council's discretion regarding:

- (1) Ronald Reagan tank and booster pump (CIP W.46); and
- (2) Acquisition of real property for public facilities; and
- (3) Project Fulcrum.

Motion by Mayor Pro Tem Na'Cole Thompson, Seconded by Councilmember Becki Ross to approve (Item 1) a contract for the acquisition of property located in A. Carr Survey, Abstract No. 122, Williamson County, for in-fee simple and right-of-way, for the purpose of a wastewater easement with temporary construction easement for Ronald Reagan tank and booster pump, as discussed in executive session.

Vote: 7 - 0

(Item 2) No action.

(Item 3) No action.

41. Adjourned at 10:09 p.m.

APPROVED:


MAYOR PRO TEM

ATTEST:


CITY SECRETARY

