



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
DECEMBER 03, 2020 AT 6:00 PM**

Link For Meeting: <https://councilmtg.cedarparktexas.gov/>

Event Password: CedarPark2020

United States Toll Free: 1-844-992-4726

Access Code: 126 142 3783

Corbin Van Arsdale, Mayor
Tim Kelly, Council Place One
Mel Kirkland, Council Place Two
Eric Boyce, Council Place Four

Anne Duffy, Mayor Pro Tem
Rodney T. Robinson, Council Place Five
Heather Jefts, Council Place Six
Brenda Eivens, City Manager

*All electronic and printed materials to be presented at the Council Meeting must be submitted for cybersecurity and legal obscenity screening in accordance with City Policy. **Electronic material must be submitted by 12:00 p.m., day of meeting, and printed material must be submitted prior to the Call To Order.** Any electronic or printed material not submitted in accordance with the Policy, that poses a cybersecurity risk, or is legally obscene, will not be allowed. You may email the entire Council on any issue at Council@cedarparktexas.gov.*

AGENDA

A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.

I. EXECUTIVE SESSION
To Commence At 6:00 p.m.

In accordance with Chapter 551, Government Code, the City Council will now convene in a Closed Executive Session pursuant to the following provisions of the Texas Open Meetings Act, Chapter 551, of the Texas Government Code:

An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

- B.1 Section § 551.071 (1) Consultation With City Attorney Concerning Pending Or Contemplated Litigation Or Settlement Offer.
- a. Civil Action No. 1:20-CV-00481-RP; In The United States District Court, Western District, Austin Division, *Gregory Raymond Kelly vs. The City Of Cedar Park, Sean Mannix, And Christopher Dailey*.
- B.2 Section § 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter:
- a. Legal Issues Concerning Enforcement Of Zoning Code Regarding Unpermitted Uses.
- B.3 Section § 551.074 Deliberate The Appointment, Employment, Evaluation, And Duties Of A Public Officer Or Employee.
- a. Brenda Eivens, City Manager.
- b. J.P. LeCompte, City Attorney.

The Council Reconvenes into Open Meeting.

II. OPEN MEETING
To Commence At 7:00 p.m.

- C.1 Invocation. (6)
- C.2 Pledges Of Allegiance (U.S. and Texas).
- C.3 Public Communications. (Regarding items not listed on this Agenda. Three Minutes each. No deliberations with the Council. The Council may respond only with factual statements, recitation of existing policy, and requests for an item to be placed on a future Agenda.)
- C.4 City Manager Report: FY 2020 Fourth Quarter Investment Report – Kent Meredith, Finance Director.
- C.5 City Manager Report: FY 2020 Fourth Quarter Finance Report – Kent Meredith, Finance Director.

Consent Agenda

Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of Agenda Items D, E, and F.

- D.1 Receipt Of Minutes From The Cedar Park Community Development (Type B) Corporation Meeting of September 8, 2020.
- E.1 Second Reading And Approval Of An Ordinance Amending Chapter 5 Of The City Of Cedar Park Code Of Ordinances, Fire And Emergency Management, Article 5.01 Fire Code, Section 5.01.002 Amendments, To Adopt Sections 315.3.1 And 510 Of The 2018 International Fire Code.

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- F.1 A Resolution Authorizing A License Agreement With Clayton Properties Group, Inc (Brohn Homes) And Cross Creek Ranch Condominium Community, Inc. For Installation And Maintenance Of Landscaping, Signage And Hardscape Within C-Bar Ranch Trail Right Of Way Between East Whitestone Boulevard And Lynnwood Trail.
- F.2 A Resolution Authorizing An Agreement With NAFECO For the Purchase Of Bunker Pants And Bunker Coats Through The Houston-Galveston Area Council Cooperative Purchasing Contract EE08-19 In An Amount Not To Exceed \$80,000.
- F.3 A Resolution Authorizing An Agreement With Angela Effenberger For The Commissioning Of A Mural Project At Rosemary Denny Park.
- F.4 A Resolution Authorizing Agreements With Artist Jennifer Geiger In A Total Amount Not To Exceed \$1,627.
- F.5 A Resolution Authorizing The Acceptance Of CARES Act Funds From The Williamson County, Wilco Forward Phase II Program In An Estimated Amount Of \$155,797.27 To Reimburse The City For Necessary Expenditures Incurred Due To The COVID-19 Public Health Emergency.
- F.6 A Resolution Authorizing An Agreement With Insight Public Sector, Inc. For The Purchase Of Data Center Core Switch Software, Hardware And Maintenance And Support In An Amount Not To Exceed \$145,197.72 Over Three (3) Years.
- F.7 A Resolution Authorizing Performance Agreements For The Expenditure Of Hotel Occupancy Tax (HOT) Funds As Recommended By The Tourism Advisory Board For Fiscal Year 2020-2021 In A Total Amount Not To Exceed \$55,309.

Public Hearings

- G.1 First Reading And Public Hearing Of An Ordinance Of Authorizing An Agreement With Pedernales Electric Cooperative, Inc. Granting Its Legal Representatives, Successors, Lessees And Assigns Certain Powers, Licenses, Rights-Of-Way, Privileges And Franchise To Construct, Maintain, Operate And Use A Transmission And Distribution System In The City Of Cedar Park To Provide Electric Utility Service.
- G.2 (Z-20-012) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 4.38 Acres From Local Business - Conditional Overlay (LB-CO) To Local Business - Conditional Overlay (LB-CO), Located At 2601 Brushy Creek Road. ***The Planning and Zoning Commission Voted 6-0 To Recommend Local Business – Conditional Overlay (LB-CO) As Requested, With The Additional Conditions Of A 30-Foot Buffer Yard At The Northern Boundary Of The Lot And All Lighting Fixtures Meeting International Dark-Sky Association Requirements.***

Regular Agenda (Non-Consent)

- H.1 (FLU-20-002) Second Reading And Consideration Of Approval Of An Ordinance To Amend The Future Land Use Plan From Medium Density Residential (MDR) To Local Office/Retail/Commercial (LOC) For Approximately 3.42 Acres Located At The Northeast Corner

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of South Lakeline Boulevard and West Riviera Drive. ***The Planning and Zoning Commission Motion To Approve The Future Land Use Plan Amendment Failed By A Vote Of 3-4.***

- H.2 (Z-20-009) Second Reading And Consideration Of Approval Of An Ordinance To Rezone Approximately 3.42 Acres From Semi-Urban Residential (SU) To Neighborhood Business - Conditional Overlay (NB-CO) Located At The Northeast Corner Of South Lakeline Boulevard And West Riviera Drive. (Z-20-009) (related to FLU-20-002). ***The Planning and Zoning Commission Voted 4-3 to Recommend Denial of Neighborhood Business-Conditional Overlay (NB-CO) as Requested.***
- H.3 (FLU-20-006) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Heavy Commercial (HC) For Approximately 17.4 Acres Located At The Northwest Corner Of West Whitestone Boulevard and Anderson Mill Road (2225 W Whitestone Blvd).
- H.4 Consideration Of A Resolution Authorizing The Purchase Of Vehicles And Equipment Funded In The Approved FY21 Vehicle And Equipment Services Fund ("VES") Budget, To Authorize The Purchase Of A New Vehicle Shown In The Approved FY21 Budget, And To Authorize The Sale Of Existing Vehicles And Equipment To Be Retired Or Salvaged, In An Amount Not To Exceed \$1,832,500.
- H.5 Consideration Of A Resolution Authorizing A Performance Based Economic Development Agreement With Momentum Extraction, LLC And A Lease Guaranty In Favor of Green Street Trust International
- H.6 Consideration Of A Resolution Authorizing A Professional Services Agreement With Perkins & Will, Inc. For An End Of Mining Plan For The Lime Creek Quarry In An Amount Not To Exceed \$190,000.
- H.7 Discussion And Possible Action Regarding Special Event Regulations Of the Cedar Park Code Of Ordinances.
- H.8 Discussion For Appointment Of Erin Osman To Place Three On The Economic Development Sales Tax (Type A) Corporation Board. (Duffy)
- H.9 Discussion For Appointment Of Kevin Harris To Place Four On The Economic Development Sales Tax (Type A) Corporation Board. (Boyce)
- H.10 Discussion For Appointment Of Sade Fashokun To Place Six On The Economic Development Sales Tax (Type A) Corporation Board. (Jefts)
- H.11 Discussion For Reappointment Of Ginger Goodin To Place Three On The Community Development (Type B) Corporation Board. (Duffy)
- H.12 Discussion For Appointment Of Larry Norris To Place Four On The Community Development (Type B) Corporation Board. (Boyce)

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- H.13 Discussion For Reappointment Of Ryan Wood To Place Six On The Community Development (Type B) Corporation Board. (Jefts)
- H.14 Discussion For Appointment Of Christina Legrand To The Parks, Arts, And Community Enrichment ("PACE") Board. (Jefts)
- H.15 Discussion For Reappointment Of Sara Groff To Place Three On The Planning And Zoning Commission. (Duffy)
- H.16 Discussion For Appointment Of Jonathan Edwards To Place Two On The Tourism Advisory Board. (Kirkland)
- H.17 Discussion For Appointment Of Al K. Shivji To Place Three On The Tourism Advisory Board. (Duffy)
- H.18 Discussion For Reappointment Of Malin Daniels To Place Four On The Tourism Advisory Board. (Boyce)
- H.19 Discussion Of A Proposed Virtual City Council Town Hall Meeting For January 2021.
- H.20 Consideration Of Appointment To The Capital Area Council Of Governments ("CAPCOG") General Assembly. (Mayor)
- H.21 Discussion And Possible Action Regarding Length Of Terms For Councilmembers And Term Limits. (Mayor)
- H.22 Discussion And Possible Action On Amending City Charter 3.08(d) Regarding Attorney Client Privilege And Executive Session. (Mayor)
- H.23 Discussion And Possible Action On Amending City Charter 5.02(f) Regarding Timing And Effect Of Filing For Other Office. (Mayor)
- H.24 Consideration For The 2021 City Of Cedar Park Meeting Calendar.
- H.25 Discussion Regarding The COVID-19 Declaration Of Local State Of Disaster For The City Of Cedar Park.
- H.26 Consider Action, If Any, On Items Discussed In Executive Session.
- H.27 Mayor And Council Closing Comments.
- H.28 Adjournment.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the City Council. Separate agenda items may be combined and discussed together at the discretion of the Chair.

Any final action, decision, or vote on a matter deliberated in Closed Executive Session shall be made in an open meeting pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

Certain information may be presented to and by the City Council, under the headings of "Citizen Communications", and "Council Comments" however, by law, the Council shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session Items on this agenda.

CERTIFICATION

I certify that the above notice of the Regular Scheduled City Council Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 450 Cypress Creek Road, Building Four, Cedar Park, Texas. This notice was posted on:

Date Posted: _____

Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park City Hall Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or FAX (512) 401-5003 for further information.

LeAnn M. Quinn, TRMC
City Secretary

Notice Removed: _____

Date Stamped (Month, Day, Year, AM/PM, Time)

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CITY OF CEDAR PARK

2018-2020 STRATEGIC GOALS



DISTINCTLY CEDAR PARK

PURPOSE

Cedar Park is a unique location with a distinct identity shaped by its distinguishing projects and programs.

OBJECTIVES

- Encourage unique and distinctive developments
- Revitalize Bell Boulevard area
- Create gathering places, including parks and library
- Design special events that attract people to Cedar Park
- Leverage the value of aesthetics on community culture



OPEN HERE, GROW HERE

PURPOSE

Use economic development resources to expand and diversify our tax base by actively recruiting new employers and supporting existing businesses.

OBJECTIVES

- Identify markets and actively recruit targeted industries and employers
- Evaluate economic development tool box
- Protect areas already designated for business
- Develop and launch business retention program



SAFETY IS TOP-OF-MIND

PURPOSE

Our community feels safe, secure and comfortable.

OBJECTIVES

- Ensure timely and appropriate response for calls for service
- Provide resources necessary to meet community expectations
- Enhance citizen safety level



CEDAR PARK



OPERATIONAL & FISCAL EXCELLENCE

PURPOSE

Deliver high-quality services in a fiscally-responsible manner.

OBJECTIVES

- Provide high-value services to our community
- Demonstrate fiscal responsibility
- Improve and ensure a well-maintained infrastructure, including storm water
- Attract and retain a qualified workforce



LINK PEOPLE, PLACES & THINGS

PURPOSE

Improve mobility through multi-modal transportation options that best serve the community's needs.

OBJECTIVES

- Continue implementing Roadway Master Plan
- Expand pedestrian and bike networks
- Complete Transit Study
- Use technology to improve traffic/mobility
- Advance 183A frontage road project



STRONG COMMUNITY CONNECTIONS

PURPOSE

Encourage and expand civic engagement and understanding of government to inspire trust and confidence.

OBJECTIVES

- Develop and leverage innovative ways to engage the community
- Evaluate and enhance current engagement programs
- Support development and recognition of board and commission members



SUSTAINABLE FUTURE

PURPOSE

Demonstrate responsible stewardship of community and natural resources.

OBJECTIVES

- Use our resources wisely
- Explore environmental programs
- Update Comprehensive Plan
- Support neighborhood maintenance