



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
JANUARY 26, 2023 AT 7:00 PM**

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

Event Password: CedarPark2023

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

Access Code: CedarPark2023

Phone Password: 23327727

Jim Penniman-Morin, Mayor
Stephen Thomas, Council Place One
Mel Kirkland, Council Place Two
Anne Duffy, Council Place Three

Kevin Harris, Mayor Pro Tem
Eric Boyce, Council Place Four
Heather Jefts, Council Place Six
Brenda Eivens, City Manager

The public may comment and attend the meeting remotely. For the virtual meeting link and phone number, see near the top of the agenda. For more information on how to participate remotely please refer to the City's website at www.cedarparktexas.gov/councilagenda.

*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.

A.2 Invocation. (Penniman-Morin)

A.3 Pledges Of Allegiance (U.S. and Texas).

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.

- A.4 Presentation: A Proclamation Recognizing February 3, 2023 As National Wear Red Day - Christy Hall, American Heart Association.
- A.5 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.)
- A.6 City Manager Report: Recognition Of The Retirement Of Sam Roberts, Assistant City Manager, And His Service To The City Of Cedar Park.

CONSENT AGENDA

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

- B.1 Approval Of Minutes From The Special Called Joint Meeting Between City Council And The Economic Development (Type A) Sales Tax Corporation Of December 5, 2022.
- B.2 Approval Of Minutes From The Special Called Joint Meeting Between City Council And The Community Development (Type B) Corporation Of December 5, 2022.
- B.3 Approval Of Minutes From The Regular Scheduled City Council Meeting Of December 8, 2022.
- B.4 Approval Of Minutes From The Special Called City Council Meeting Of December 14, 2022.
- C.1 (2022-2-SUP) Second Reading And Approval Of An Ordinance For A Special Use Permit (SUP) To Allow A Daycare Center Use On Approximately 0.574 Acres Located At 12308 RR 620 North. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of The SUP As Requested.***
- C.2 Third Reading And Approval Of An Ordinance Granting A Franchise Agreement To One Gas, Inc., Acting By And Through Its Texas Gas Service Company Division.
- D.1 A Resolution Authorizing Issuance Of A Parks Special Use Permit To The Austin BYU Alumni Association For A 5K Run At Brushy Creek Lake Park On April 15, 2023.
- D.2 A Resolution Authorizing Issuance Of A Parks Special Use Permit To The King Salute Foundation For A 5K Charity Run At Veterans Memorial Park On February 18, 2023.
- D.3 A Resolution Authorizing An Economic Development Performance Agreement With Catalano DBA LLC, dba Bent Oak Winery.
- D.4 A Resolution Authorizing A Professional Services Agreement Amendment For Professional Engineering Services With Binkley & Barfield, Inc. For The Anderson Mill Road Phase II Project In An Amount Not To Exceed \$60,000.
- D.5 A Resolution Authorizing The Williamson County First Amended And Restated Emergency Service Organizations Agreement For Providing Emergency Medical Services ("EMS") First Responder Services Within The City Limits Of Cedar Park.

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- D.6 A Resolution Authorizing A One (1) Year Agreement With SHI Government Solutions, Inc. For A Microsoft Office 365 Cloud-Based Software Subscription and Related Implementation Professional Services In A Total Amount Not To Exceed \$156,708.20 Over One (1) Year.
- D.7 A Resolution Authorizing An Agreement With Insight Public Sector, Inc. For Cisco SMARTNet Network Infrastructure Equipment Hardware And Software Maintenance And Support In An Amount Not To Exceed \$74,815.35.
- D.8 A Resolution Ordering And Calling A General Election For May 6, 2023 For The Purpose Of Electing Council Place One, Council Place Three, And Council Place Five; Making Provisions For Conducting The Election; And Resolving Other Matters Related To Such Election.

PUBLIC HEARINGS

- E.1 (2022-8-FLU) (Related To 2022-17-Z) First Reading And Public Hearing Of An Ordinance For A Future Land Use Plan Amendment For Approximately 5.905 Acres From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) Generally Located At 1200 Cypress Creek Road. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of Regional Office/Retail/Commercial (REG).***
- E.2 (2022-17-Z) (Related To 2022-8-FLU) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 5.905 Acres From Suburban Residential (SR) and Planned Development – Local Business (PD-LB) To General Business-Conditional Overlay (GB-CO) Generally Located At 1200 Cypress Creek Road. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of General Business-Conditional Overlay (GB-CO) With An Additional Condition To Prohibit The Alcoholic Beverage Establishment Use.***
- E.3 (2022-16-Z) First Reading And Public Hearing Of An Ordinance To Zone Approximately 3.583 Acres Of Vacated Right-Of-Way To General Business (GB) Generally Located On The East Side Of 183A Toll, North Of CR 180. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of General Business (GB).***

REGULAR AGENDA (NON-CONSENT)

- F.1 Consideration Of A Resolution Authorizing An Agreement For Design, Fabrication and Installation Of Play Structures At Bell Park And The New Cedar Park Public Library With MONSTRUM APS In An Amount Not To Exceed \$550,200.
- F.2 Consideration Of A Resolution Confirming The City Manager's Appointment Of Kevin Klosterboer As Finance Director For The City Of Cedar Park.
- F.3 Consideration To Create And Appoint A Council Legislative Subcommittee For The 88th Legislative Session.

EXECUTIVE SESSION

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.

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:

- G.1 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 Cedar Park Code Of Ordinances, Article 8.08 Noise Regulations, And Anderson Mill Road.
- G.2 Section § 551.071 (1) Consultation With City Attorney Concerning Pending Or Contemplated Litigation Or Settlement Offer.
 - a. *Michael Kleinman, MMK Holdings, LP, and Auspro Enterprises, LP v. City of Cedar Park*; Civil Action No. 1:22-cv-00527-LY Pending in United States District Court, Western District of Texas, Austin Division.
- G.3 Section § 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property.
 - a. The Bell Boulevard Redevelopment Project.

The Council reconvenes into Open Meeting.

OPEN MEETING

Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.

- H.1 Consider Action, If Any, On Items Discussed In Executive Session.
- H.2 Mayor And Council Closing Comments.
- H.3 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.

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:

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.

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 2021-2023 Strategic Goals



Livability & Sense of Place

Preserve a community that encourages connectedness, has a unique sense of place and commits to a high quality of life for all.

- **Strong community connections:** Foster a sense of community and engage residents.
- **Bell District:** Advance the significant public-private partnership through the successful commencement of Phase 1 development.
- **Recreation Opportunities:** Strengthen our portfolio of recreation and learning programs, events and facilities.
- **Capital Projects:** Dedicate the resources to design and construct the capital projects necessary.
- **Redevelopment Initiatives:** Develop redevelopment strategies that align with the community's long-term vision and add value to the surrounding area.
- **Placemaking:** Focus on aesthetics and public art to create a positive aesthetic experience, instilling pride and creating a unique identity.
- **Comprehensive Plan:** Adhere to the City's Comprehensive Plan.



Economic Vitality

Cultivate a vibrant business community and increase business investments in the community with successful commercial centers, additional employers, active destinations and support of existing businesses.

- **Economic Development Strategic Initiatives:** Attract targeted businesses to diversify and grow the tax base and increase primary job opportunities.
- **Projects that Make Cedar Park a Destination:** Attract regional destination development and entertainment centers.
- **Business Community:** Actively support existing business community
- **Tourism:** Expand and support tourism program to increase visitors and local commerce.
- **Hotel/Conference Center:** Identify partners to advance Hotel/Conference Center project.



CEDAR PARK



Service & Fiscal Excellence

Deliver high-value public services in a fiscally prudent and sound manner to meet the needs and expectations of our community, enhance the quality of life and continue being one of the safest cities in Texas.

- **Government Operations:** Ensure operations, practices and procedures result in high quality and resident-focused services.
- **Public Safety:** Prioritize and enhance public safety services so that our community feels safe and secure.
- **Financial Strength:** Maintain and enhance strong financial management to capitalize on City's fiscal strength and provide value for tax dollars.
- **Workforce:** Invest in the recruitment and retention of a talented and professional workforce.
- **Technology:** Ensure technology systems and resources to support and enhance reliable 24/7 operations.



Mobility & Connectivity

Safely and efficiently move people throughout the City and improve connectivity by adding alternate routes of travel to businesses, neighborhoods, jobs, parks, entertainment and services.

- **Comprehensive Mobility Master Plan:** Develop a clear vision for a diverse transportation system and adopt a Master Plan for improving multimodal connectivity.
- **Roadways:** Construct additional roadways or expand existing roadways to increase capacity.
- **Bike, Pedestrian & Trail:** Expand the City's network of trails, sidewalks, and bicycle lanes to provide more opportunities for trips on foot or bike.
- **Traffic Operations:** Invest in the use of technology to increase the efficiency of the existing roadway system.



Infrastructure & Environment

Preserve and enhance the tools and resources necessary to support critical infrastructure and sustainability initiatives.

- **Infrastructure:** Prioritize investments that support the quality and reliability of critical infrastructure.
- **Sustaining Infrastructure and Assets:** Invest in the maintenance of infrastructure and assets.
- **Environmental Stewardship:** Demonstrate responsible stewardship of community and natural resources.

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