

*DRAFT MINUTES*  
City of Round Rock  
Regular City Council Meeting  
Thursday, August 08, 2013

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The Round Rock City Council met in Regular Session on Thursday, August 08, 2013, in the City Council Chamber, 221 E. Main Street.

[CALL REGULAR SESSION TO ORDER](#)

Mayor McGraw called the meeting to order at 7:06 p.m.

[ROLL CALL](#)

Those members present were Mayor Alan McGraw, Mayor Pro-Tem Kris Whitfield, Councilmember Craig Morgan, Councilmember George White, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, and Councilmember John Moman. Also present were City Manager Steve Norwood, City Attorney Steve Sheets, Assistant City Manager Laurie Hadley, and Assistant City Manager Bryan Williams. No one was absent from this meeting.

[PLEDGES OF ALLEGIANCE](#)

Mayor McGraw led the following Pledges of Allegiance:

United States  
Texas

[CITIZEN COMMUNICATION](#)

Michael Kleinman, founder and CEO of Planet K, spoke regarding recent lawsuits the City filed against his company.

[CONSENT AGENDA:](#)

E.1 Consider approval of the minutes for the July 11, 2013 Special Called City Council Meeting, July 17, 2013 Special Called City Council Meeting, and July 25, 2013 Regular City Council Meeting.

E.2 Consider an ordinance amending Chapter 22, Code of Ordinances (2010 Edition), by adding Section 22-9 regarding juvenile case manager position, juvenile case manager fee and juvenile case manager fund. (Second Reading)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 22, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, BY ADDING SECTION 22-9 REGARDING JUVENILE CASE MANAGER POSITION, JUVENILE CASE MANAGER FEE AND JUVENILE CASE MANAGER FUND; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

E.3 Consider a resolution authorizing a property tax refund to Raymond T. and Kathryn E. Malkowski for 2012 taxes in the amount of \$1,428.17.

E.4 Consider a resolution authorizing the Mayor to accept a grant award from the Office of the Governor, Texas Music Office, to fund two live performances at the Monday Music on Main Series, and authorizing the execution of any required award documents.

MOTION: Councilmember Craig Morgan moved to approve the consent agenda.  
Councilmember Carlos T. Salinas seconded the motion.

VOTE:      Ayes:      Mayor Alan McGraw  
                                 Councilmember Craig Morgan  
                                 Councilmember John Moman  
                                 Councilmember Joe Clifford  
                                 Councilmember Carlos T. Salinas  
                                 Councilmember George White  
                                 Mayor Pro-Tem Kris Whitfield

                 Nays:      None  
                 Absent:      None

ACTION: The motion carried unanimously.

ORDINANCES:

F.1 Consider public testimony regarding and an ordinance rezoning 0.272 acres of land located just south of the intersection of N. Mays Street and Bowman Road from SF-2 (Single Family - Standard Lot) zoning district to C-1a (General Commercial Limited) zoning district. (First Reading\*)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 0.272 ACRES OF LAND, OUT OF THE WILEY HARRIS SURVEY, ABSTRACT NO. 298, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM DISTRICT SF-2 (SINGLE FAMILY - STANDARD LOT) TO DISTRICT C-1a (GENERAL COMMERCIAL - LIMITED); AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Brad Wiseman, Planning and Development Services Director, made the staff presentation.

Mayor McGraw opened the public hearing.

There being no testimony, the public hearing was closed.

MOTION: Councilmember Joe Clifford moved to approve the ordinance. Mayor Pro-Tem

Kris Whitfield seconded the motion.

VOTE:      Ayes:      Mayor Alan McGraw  
                                 Councilmember Craig Morgan  
                                 Councilmember John Moman  
                                 Councilmember Joe Clifford  
                                 Councilmember Carlos T. Salinas  
                                 Councilmember George White  
                                 Mayor Pro-Tem Kris Whitfield

                 Nays:      None

                 Absent:      None

ACTION: The motion carried unanimously.

MOTION: Councilmember Joe Clifford moved to dispense with the second reading and adopt the ordinance. Councilmember George White seconded the motion.

VOTE:     Ayes:     Mayor Alan McGraw  
                         Councilmember Craig Morgan  
                         Councilmember John Moman  
                         Councilmember Joe Clifford  
                         Councilmember Carlos T. Salinas  
                         Councilmember George White  
                         Mayor Pro-Tem Kris Whitfield

                 Nays:     None  
                 Absent:    None

ACTION: The motion carried unanimously.

RESOLUTIONS:

[G.1     Consider a resolution authorizing the Mayor to execute the Sixth Amendment to the Development Agreement with NNP - Teravista LLC.](#)

Brad Wiseman, Planning and Development Services Director, made the staff presentation.

MOTION: Councilmember John Moman moved to approve the resolution. Mayor Pro-Tem Kris Whitfield seconded the motion.

VOTE:     Ayes:     Mayor Alan McGraw  
                         Councilmember Craig Morgan  
                         Councilmember John Moman  
                         Councilmember Joe Clifford  
                         Councilmember Carlos T. Salinas  
                         Councilmember George White  
                         Mayor Pro-Tem Kris Whitfield

                 Nays:     None

Absent: None

ACTION: The motion carried unanimously.

[G.2 Consider a resolution amending Appendix A: Fees, Rates and Charges to the Code of Ordinances \(2010 Edition\), City of Round Rock, Texas, by amending Chapter 36, Subdivisions, and Chapter 46, Zoning, regarding planning and development services fees.](#)

Brad Wiseman, Planning and Development Services Director, made the staff presentation.

MOTION: Councilmember George White moved to approve the resolution.

Councilmember Joe Clifford seconded the motion.

VOTE: Ayes: Mayor Alan McGraw  
Councilmember Craig Morgan  
Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[G.3 Consider a resolution authorizing the Mayor to execute an Interlocal Agreement for Interim Water Supply \(2013\) with the City of Cedar Park.](#)

Michael Thane, Utilities Director, made the staff presentation.

MOTION: Mayor Pro-Tem Kris Whitfield moved to approve the resolution.

Councilmember Carlos T. Salinas seconded the motion.

VOTE: Ayes: Mayor Alan McGraw

Councilmember Craig Morgan  
Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[G.4 Consider a resolution authorizing the Mayor to execute a Cost Sharing Agreement with the Forest Creek Homeowners Association regarding reuse water for irrigation purposes.](#)

Michael Thane, Utilities Director, made the staff presentation.

MOTION: Councilmember Carlos T. Salinas moved to adopt the resolution.

Councilmember Joe Clifford seconded the motion.

VOTE: Ayes: Mayor Alan McGraw  
Councilmember Craig Morgan  
Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[G.5 Consider a resolution authorizing the Mayor to execute a Reuse Water Service Contract with the Forest Creek Homeowners Association.](#)

Michael Thane, Utilities Director, made the staff presentation.

MOTION: Councilmember Carlos T. Salinas moved to approve the resolution.

Councilmember John Moman seconded the motion.

VOTE:     Ayes:     Mayor Alan McGraw  
                         Councilmember Craig Morgan  
                         Councilmember John Moman  
                         Councilmember Joe Clifford  
                         Councilmember Carlos T. Salinas  
                         Councilmember George White  
                         Mayor Pro-Tem Kris Whitfield

                 Nays:     None

                 Absent:     None

ACTION: The motion carried unanimously.

[G.6    Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with Kasberg, Patrick & Associates, LP for the County Road 112 - 24" Waterline Extension Project.](#)

Michael Thane, Utilities Director, made the staff presentation.

MOTION: Mayor Pro-Tem Kris Whitfield moved to approve the resolution.

Councilmember George White seconded the motion.

VOTE:     Ayes:     Mayor Alan McGraw  
                         Councilmember Craig Morgan  
                         Councilmember John Moman  
                         Councilmember Joe Clifford  
                         Councilmember Carlos T. Salinas  
                         Councilmember George White  
                         Mayor Pro-Tem Kris Whitfield

                 Nays:     None

                 Absent:     None

ACTION: The motion carried unanimously.



Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[G.9 Consider a resolution approving the Operating Budget for the Round Rock Transportation and Economic Development Corporation for FY2013-2014.](#)

Cheryl Delaney, Finance Director, made the staff presentation.

MOTION: Mayor Pro-Tem Kris Whitfield moved to approve the resolution.

Councilmember George White seconded the motion.

VOTE: Ayes: Mayor Alan McGraw  
Councilmember Craig Morgan  
Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[G.10 Consider a resolution authorizing the Mayor to execute an Administration and Funding Agreement for the City of Round Rock Economic Development Program with the Round Rock Chamber of Commerce and the Round Rock Transportation and Economic Development Corporation.](#)

Cheryl Delaney, Finance Director, made the staff presentation.

MOTION: Councilmember Joe Clifford moved to approve the resolution. Mayor Pro-Tem

Kris Whitfield seconded the motion.

VOTE:      Ayes:      Mayor Alan McGraw  
                                 Councilmember Craig Morgan  
                                 Councilmember John Moman  
                                 Councilmember Joe Clifford  
                                 Councilmember Carlos T. Salinas  
                                 Councilmember George White  
                                 Mayor Pro-Tem Kris Whitfield

                 Nays:      None

                 Absent:      None

ACTION: The motion carried unanimously.

[G.11 Consider a resolution approving Amendment No. 2 to the FY2013 General Self-Financed Construction Budget.](#)

Cheryl Delaney, Finance Director, made the staff presentation.

MOTION: Councilmember Joe Clifford moved to approve the resolution. Councilmember

Carlos T. Salinas seconded the motion.

VOTE:      Ayes:      Mayor Alan McGraw  
                                 Councilmember Craig Morgan  
                                 Councilmember John Moman  
                                 Councilmember Joe Clifford  
                                 Councilmember Carlos T. Salinas  
                                 Councilmember George White  
                                 Mayor Pro-Tem Kris Whitfield

                 Nays:      None

                 Absent:      None

ACTION: The motion carried unanimously.



Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[G.14 Consider a resolution authorizing the Mayor to execute an Economic Development Agreement with NIR Investments, Ltd to encourage NIR to relocate its tenant, BGS Acquisition Corp, from property located at 115 Bagdad to 1302 Chisholm Trail Road.](#)

Steve Norwood, City Manager, made the staff presentation.

MOTION: Councilmember George White moved to approve the resolution.

Councilmember Joe Clifford seconded the motion.

VOTE: Ayes: Mayor Alan McGraw  
Councilmember Craig Morgan  
Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[G.15 Consider a resolution authorizing the Mayor to execute a Real Estate Contract to purchase approximately 3 acres of land at 115 Bagdad from NIR Investment, Ltd., and a lease back agreement.](#)

Steve Norwood, City Manager, made the staff presentation.

MOTION: Councilmember Craig Morgan moved to approve the resolution. Mayor Pro-Tem Kris Whitfield seconded the motion.

VOTE:     Ayes:     Mayor Alan McGraw  
                         Councilmember Craig Morgan  
                         Councilmember John Moman  
                         Councilmember Joe Clifford  
                         Councilmember Carlos T. Salinas  
                         Councilmember George White  
                         Mayor Pro-Tem Kris Whitfield

                 Nays:     None

                 Absent:     None

ACTION: The motion carried unanimously.

[G.16 Consider a resolution authorizing the Mayor to execute a Letter of Agreement with Summit Commercial Industrial Properties, LLC regarding broker fees for the purchase of approximately 3 acres of land located at 115 Bagdad.](#)

Steve Norwood, City Manager, made the staff presentation.

MOTION: Councilmember Joe Clifford moved to approve the resolution. Councilmember George White seconded the motion.

VOTE:     Ayes:     Mayor Alan McGraw  
                         Councilmember Craig Morgan  
                         Councilmember John Moman  
                         Councilmember Joe Clifford  
                         Councilmember Carlos T. Salinas  
                         Councilmember George White  
                         Mayor Pro-Tem Kris Whitfield

                 Nays:     None

                 Absent:     None

ACTION: The motion carried unanimously.

APPOINTMENTS:

[H.1 Consider 4 appointments to the Round Rock Transportation and Economic Development Corporation Board of Directors to fill expired terms and 1 appointment to fill an unexpired term.](#)

Sara White, City Clerk, made the staff presentation.

MOTION: Mayor Pro-Tem Kris Whitfield moved to approve the appointment of the incumbents – Alan McGraw, George White, James Kratz, Mike Robinson – to the Round Rock Transportation and Economic Development Corporation to fill the expired terms. Councilmember Craig Morgan seconded the motion.

VOTE:      Ayes:      Mayor Alan McGraw  
                                 Councilmember Craig Morgan  
                                 Councilmember John Moman  
                                 Councilmember Joe Clifford  
                                 Councilmember Carlos T. Salinas  
                                 Councilmember George White  
                                 Mayor Pro-Tem Kris Whitfield

                 Nays:      None  
                 Absent:      None

ACTION: The motion carried unanimously.

A poll of the Council was taken to fill the unexpired term on the Round Rock Transportation and Economic Development Corporation Board of Directors.

Sheila DeLeon	0 Votes
Kevin Shuck	0 Votes
Jewel Addo-Asare	0 Votes



Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

Staff will re-advertise the remaining position for the Building Standards Commission and will bring applicants back to the Council at a later time for consideration.

[H.4 Consider 3 appointments to the Round Rock Housing Authority to fill expired terms.](#)

Sara White, City Clerk, made the staff presentation.

MOTION: Councilmember Craig Morgan moved to approve the appointment of the incumbents – Bernard Buhl, Cecilia Prieto, and Claudia Cruz – to fill two of the expired terms on the Round Rock Housing Authority Board of Directors. Mayor Pro-Tem Kris Whitfield seconded the motion.

VOTE: Ayes: Mayor Alan McGraw  
Councilmember Craig Morgan  
Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

**VOTE:**      Ayes:      Mayor Alan McGraw  
Councilmember Craig Morgan  
Councilmember John Moman  
Councilmember Joe Clifford  
Councilmember Carlos T. Salinas  
Councilmember George White  
Mayor Pro-Tem Kris Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

[COUNCIL COMMENTS REGARDING ITEMS OF COMMUNITY INTEREST](#)

[ADJOURNMENT](#)

There being no further business, Mayor McGraw adjourned the meeting at 8:05 pm.

Respectfully Submitted,

Sara L. White, TRMC, City Clerk