



City of Round Rock

Meeting Minutes - Draft

City Council

Thursday, April 13, 2023

A. CALL MEETING TO ORDER

The Round Rock City Council met in Regular Session on April 13, 2023 at in the City Hall - City Council Chambers, located at 221 E. Main Street.

Mayor Pro-Tem Flores called the meeting to order at 6:01 pm.

B. ROLL CALL

Present: 6 - Mayor Pro-Tem Rene Flores
Council Member Michelle Ly
Council Member Matthew Baker
Council Member Frank Ortega
Council Member Kristin Stevens
Council Member Hilda Montgomery

Absent: 1 - Mayor Craig Morgan

Mayor Morgan was absent the first half of the meeting and joined following H.12.

C. PLEDGES OF ALLEGIANCE

Mayor Pro-Tem Flores and a local Boy Scout Troop, led the following Pledges of Allegiance: United States and Texas

D. CITIZEN COMMUNICATION

The following people spoke during Citizen Communication:

LeiKyn Huckins, 401 Greenleaf Drive spoke on G.2.

David Ludwig, 1917 Paradise Ridge Drive spoke on H.6.

John Gordan, 1007 Green Meadow Drive spoke on multiple items.

E. PROCLAMATIONS:

E.1 [Consider proclaiming April 2023 as "Child Abuse Awareness and Prevention Month" in the City of Round Rock.](#)

E.2 [Consider proclaiming April 9-15, 2023 as "National Public Safety Telecommunicators Week" in the City of Round Rock.](#)

E.3 [Consider proclaiming April 9-15, 2023 as "Animal Control Officers Appreciation Week" in the City of Round Rock.](#)

F. STAFF PRESENTATIONS:

F.1 [Consider a presentation and update regarding the updated Arts and Culture Master Plan.](#)

The following people spoke and made the presentation:

Scot Wilkinson, Arts and Culture Director

Kurt Wheeler and Janifer Wheeler

Sherry Leetham

Antonio Munoz

Richard Parsons

Martin Cohen, The Cultural Planning Group representing AECOM

G. CONSENT AGENDA:

All items listed on the Consent Agenda were enacted by one motion. There was no separate discussion on these items and no items were removed from the Consent Agenda.

A motion was made by Council Member Baker seconded by Council Member Ortega to approve the Consent Agenda the . The motion carried by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

G.1 [Consider approval of the minutes for the March 23, 2023 City Council meeting.](#)

This item was approved on the Consent Agenda.

G.2 [Consider an ordinance amending Chapter 16, Article III, Section 16-52, Code of Ordinances \(2018 Edition\), regarding animal housing or care facilities. \(Second Reading\)](#)

This item was approved on the Consent Agenda.

G.3 [Consider a resolution authorizing the Mayor to execute an Agreement with Anchor-Ventana Glass for Glazing and storefront window replacement at the Water Treatment Plant.](#)

This item was approved on the Consent Agenda.

H. RESOLUTIONS:

H.1 [Consider a resolution authorizing the Mayor to execute a contract with Swift Corporation, LLC for the Shayla Dame Skatepark Fence Improvement Project 2023.](#)

Rick Atkins, Parks and Recreation Director made the presentation.

A motion was made by Council Member Stevens, seconded by Council Member Ly, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.2 [Consider a resolution authorizing the Mayor to execute a contract with HCS Inc. Commercial General Contractor for the Stagecoach Inn, Phase 2 Project.](#)

Rick Atkins, Parks and Recreation Director made the presentation.

A motion was made by Council Member Ortega, seconded by Council Member Montgomery, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.3 [Consider a resolution authorizing the Mayor to execute the FY 2022 "Equitable Sharing Agreement and Certification" confirming the City's receipt and expenditure of federal asset forfeiture awards and agreeing to continue to participate in the receipt of federal forfeiture awards.](#)

Willie Richards, Assistant Police Chief made the presentation.

A motion was made by Council Member Ortega, seconded by Council Member Stevens, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.4 [Consider a resolution authorizing the City Manager to issue a Purchase Order to GT Distributors, Inc. for the purchase of ammunition.](#)

Willie Richards, Assistant Police Chief made the presentation.

A motion was made by Council Member Baker, seconded by Council Member Ortega, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.5 [Consider a resolution authorizing the Mayor to execute a Discretionary Services Agreement with Oncor Delivery Company, LLC regarding relocation services for the Old Settlers Boulevard Extension Project.](#)

Gary Hudder, Transportation Director made the presentation.

A motion was made by Council Member Baker, seconded by Council Member Ortega, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.6 [Consider a resolution authorizing the Mayor to execute Quantity Adjustment/Change Order No. 5 with J.D. Abrams, LP for the Kenney Fort Boulevard Segments 2 & 3 Project.](#)

Gary Hudder, Transportation Director made the presentation.

A motion was made by Council Member Ortega, seconded by Council Member Stevens, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.7 [Consider a resolution authorizing the Mayor to execute Quantity Adjustment/Change Order No. 6 with J.D. Abrams, LP for the Kenney Fort Boulevard Segments 2 & 3 Project.](#)

Gary Hudder, Transportation Director made the presentation.

A motion was made by Council Member Ortega, seconded by Council Member Ly, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.8 [Consider a resolution authorizing the Mayor to execute a contract with Bennett-Paving, Inc. for the 2022 Downtown Street Maintenance Program Project.](#)

Gary Hudder, Transportation Director made the presentation.

A motion was made by Council Member Ortega, seconded by Council Member Stevens, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.9 [Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire fee simple title to 2.322 acres of land from property owned by the Heirs of Kenneth W., Burge, deceased, required for the proposed Old Settlers Blvd. Extension Project.](#)

Gary Hudder, Transportation Director made the presentation.

Council Member Baker made a motion to approve the resolution which authorizes the use of the power of eminent domain to acquire fee simple title to the following parcel of land for construction of proposed Old Settlers Boulevard Extension Project: a 2.322-acre tract of land from property owned by the Heirs of Kenneth W. Burge, deceased, as described in Exhibit A of the resolution. Council Member Ly, seconded the motion. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.10 [Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire fee simple title to 1.2319 acre of land from property owned by Palm Valley Lutheran Church of Round Rock, Texas, required for the proposed Joe Dimaggio Blvd. Extension Project.](#)

Gary Hudder, Transportation Director made the presentation.

Council Member Baker made a motion to approve the resolution which authorizes the use of the power of eminent domain to acquire fee simple title to the following parcel of land for construction of the proposed Joe DiMaggio Boulevard Extension Project: a 1.2319-acre of land from property owned by Palm Valley Lutheran Church of Round Rock, Texas, as described in Exhibit A of the resolution. Council Member Ortega seconded the motion. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.11 [Consider a resolution authorizing the submittal of a grant application for FY 2023 Federal Transit Authority Section 5307 funds for public transit services.](#)

Gary Hudder, Transportation Director made the presentation.

A motion was made by Council Member Ortega, seconded by Council Member Baker, to the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

H.12 [Consider a resolution authorizing the Mayor to execute a First Amendment to the Development Agreement with LSB D Round Rock 118, LLC.](#)

Brad Wiseman, Planning Director made the presentation.

A motion was made by Council Member Ortega, seconded by Council Member Ly, to approve the Resolution. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

Mayor Pro-Tem Flores called a brief recess at 7:40 pm for Mayor Morgan to join the meeting. Mayor Morgan reconvened the meeting at 7:46 pm. Mayor Morgan went out of agenda order and called item I.3 next, and returned to regular order after that.

I.3 [Consider public testimony regarding, and an ordinance rezoning 10.85 acres located south of E. Old Settlers Boulevard and west of W. Mesa Park Drive from the C-1 \(General Commercial\) zoning district to the PUD \(Planned Unit Development\) No. 148 zoning district. \(First Reading\)*](#)

Before the meeting a protest was submitted against I.3. Mayor Morgan opened the public hearing.

The following people spoke:

Theodore Ringer, Jr. 614 Clearwater Trail, spoke against I.3.

D'Anna Tidwell, 508 Clearwater Trail, spoke on I.3.

Ronit Kulick, Anita Thompson, and Essex Farley signed up to speak, but decided to speak at a later date.

The public hearing was left open. No actions were taken.

H.13 [Consider a resolution authorizing the Mayor to execute a Municipal Services Agreement with the property owners of 37.43 acres located west of CR 110 and south of CR 122.](#)

Brad Wiseman, Planning Director made the presentation.

A motion was made by Mayor Pro-Tem Flores, seconded by Council Member Ortega, to approve the Resolution. The motion passed by the following vote:

Ayes: 7 - Mayor Morgan
Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 0

I. ORDINANCES:

I.1 [Consider public testimony regarding, and an ordinance annexing 37.43 acres of land located west of CR 110 and south of CR 122 and adjacent 3.32 acre portions of CR 122 and CR 110 rights-of-way. \(First Reading\)*](#)

Brad Wiseman, Planning Director made the presentation.

Mayor Morgan opened the public hearing on I.1 and I.2.

Simon Rykman, 3624 Rosalina Loop, spoke against I.2.

Tiffany Craig, 3616 Rosalina Loop, spoke on I.2.

Lisa Bays, 3629 Penelope Way, spoke against I.2.

Bethany Rawcliffe, 3540 Penelope Way, spoke against I.2.

Mayor Morgan closed the public hearing on 1.1.

A motion was made by Mayor Pro-Tem Flores, seconded by Council Member Baker, to approve the Ordinance. The motion passed by the following vote:

Ayes: 7 - Mayor Morgan
Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 0

A motion was made by Council Member Ortega, seconded by Council Member Stevens, to dispense with the second reading and adopt the Ordinance. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

I.2 [Consider public testimony regarding, and an ordinance zoning 37.43 acres located west of CR110 and south of CR122 to the Planned Unit Development \(PUD\) No. 147 zoning district. \(First Reading\)*](#)

Brad Wiseman, Planning Director, Mark Baker, SEC Planning, and Greg Angelo, Blackburn Communities made the presentation.

Mayor Morgan opened the public hearing, there being none, the public hearing was closed.

A motion was made by Mayor Pro-Tem Flores, seconded by Council Member Ortega, to dispense with the second reading and adopt the Ordinance. The motion passed by the following vote:

Ayes: 7 - Mayor Morgan
Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 0

A motion was made by Mayor Pro-Tem Flores, seconded by Council Member Ortega, to dispense with the second reading and adopt the Ordinance. The motion passed by the following vote:

Ayes: 6 - Mayor Pro-Tem Flores
Council Member Ly
Council Member Baker
Council Member Ortega
Council Member Stevens
Council Member Montgomery

Nays: 0

Absent: 1 - Mayor Morgan

J. COUNCIL COMMENTS REGARDING ITEMS OF COMMUNITY INTEREST

K. EXECUTIVE SESSION:

K.1 [Consider Executive Session as authorized by §551.071, Texas Government Code, related to consultation with the City Attorney regarding potential legal issues with Oncor Electric Delivery Company LLC.](#)

- K.2** [Consider Executive Session as authorized by §551.087 Government Code, related to consultation with the City Attorney regarding potential legal issues with the Economic Development Program Agreement with Crow Group Series, LLC.](#)
- K.3** [Consider Executive Session as authorized by §551.072, Government Code, related to the purchase and/or value of real property to wit: 3481 E Old Settler's Blvd., Round Rock, Texas.](#)
- K.4** [Consider Executive Session as authorized by §551.072, Government Code, related to the purchase and/or value of real property to wit: 100 Tower Drive, Round Rock, Texas.](#)

The City Council recessed to executive session. Mayor Morgan called the session to order at 9:12 pm. Council Member Stevens was not in attendance when K.2 was discussed.

The regular meeting reconvened at 10:23 pm with no action taken.

L. ADJOURNMENT

There being no further business, Mayor Morgan adjourned the meeting at 10:23 pm.

Respectfully submitted by:

*Davetta Edwards
Deputy City Clerk*