



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
JANUARY 23, 2025 AT 6:30 PM**

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

Event Password: CedarPark2024

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

Access Code: 2554 546 9163

Phone Password: 23327728

Jim Penniman-Morin, Mayor
Bobbi Hutchinson, Council Place One
Mel Kirkland, Council Place Two
Anne Duffy, Council Place Three

Eric Boyce, Mayor Pro Tem
Kevin Harris, Council Place Five
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.

I. EXECUTIVE SESSION **To Commence At 6:30 p.m.**

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:

- B.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 AT&T Installation Of Broadband Wireless Facilities In Public Rights-Of-Way.
- B.2 Section § 551.087 Deliberation Regarding Economic Development Negotiations.
 - a. Update Regarding Negotiations With Economic Development Prospects.

The Council Reconvenes into Open Meeting.

II. OPEN MEETING

To Commence At 7:00 p.m.

- C.1 Invocation. (Kirkland)
- 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: Employee Recognition For Service With The City Of Cedar Park:
 - a. Stephen Hanuscin, Assistant Director Of Public Works, Ten Years Of Service.
 - b. Alicia McBride, Juvenile Case Manager, Ten Years Of Service.
- C.5 City Manager Report: Recognition Of Chief James Mallinger's Service As The President Of The Texas Fire Chief's Association.
- C.6 City Manager Report: An Update On The 2025 National Community Survey - Jacob Worth, Asst. To The City Manager.

Consent Agenda

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

- [D.1](#) Approval Of Minutes From The Regular Scheduled City Council Meeting Of November 14, 2024.
- [E.1](#) Second Reading And Approval Of An Ordinance Denying A Gas Rate Increase Proposed By Atmos Energy Corporation.

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.

- [F.1](#) A Resolution Authorizing Issuance Of A Special Use In Parks Permit To Royal Events At Lakeline Park On March 22, 2025.
- [F.2](#) A Resolution Authorizing Issuance Of A Special Use In Parks Permit To The Cedar Park Chamber Of Commerce For A Barbecue Cookoff Event And Festival On March 28th – March 29th, 2025.
- [F.3](#) A Resolution Ordering And Calling A General Election For May 3, 2025 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.
- [F.4](#) A Resolution Authorizing An Agreement With Flock Group, Inc. For The Continued Use Of License Plate Recognition And Vehicle Fingerprint Technology For Five Years In An Amount Not To Exceed \$60,000.
- [F.5](#) A Resolution Authorizing The Purchase Of New And Replacement Structural Bunker Gear And Wildland Gear In An Amount Not To Exceed \$230,000.
- [F.6](#) A Resolution Authorizing The Assignment Of Contract For Engineering Services With Carter & Burgess, Inc. To The Brushy Creek Regional Utility Authority.
- [F.7](#) A Resolution Authorizing A Professional Services Agreement With Raftelis Financial Consultants, Inc., DBA Raftelis, For The Rate Model Modernization Project In An Amount Not To Exceed \$200,000.
- [F.8](#) A Resolution Authorizing An Agreement With Walker Partners, LLC For Professional Engineering Services For A Multi-Disciplinary Condition Assessment Including Operation And Maintenance For The Water Treatment Plant In An Amount Not To Exceed \$142,852.
- [F.9](#) A Resolution Authorizing A Professional Engineering Services Agreement Amendment With Cobb, Fendley & Associates, Inc. For Design Services Associated With The Toro Grande Boulevard North And South Roadway Improvements Project In An Amount Not To Exceed \$235,081.
- [F.10](#) A Resolution Authorizing An Agreement With Johnson, Mirmiran & Thompson, Inc. For Third-Party Construction Inspection And Observation Services To Support Construction Of The Public Safety Training Center In An Amount Not To Exceed \$201,402.
- [F.11](#) A Resolution Authorizing A Professional Services Agreement With SCI Engineering, Inc. For Construction Materials Testing For The Public Safety Training Center In an Amount Not To Exceed \$60,000.

Public Hearings

- G.1 First Reading And Public Hearing Of An Ordinance: No Items For Consideration.

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.

Regular Agenda (Non-Consent)

- [H.1](#) Consideration For Appointment Of Christian von Wupperfeld To Place Four On The Economic Development (Type A) Sales Tax Corporation.
- [H.2](#) (2024-8-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Industrial/Manufacturing (I/M) For Approximately 9.2 Acres Located At 6400 183A Toll Road.
- [H.3](#) Consideration Of A Resolution Authorizing A Professional Services Agreement With Carollo Engineers, Inc. To Support Development Of The Alternative Water Supply Study Project In An Amount Not To Exceed \$300,000.
- H.4 Consider Action, If Any, On Items Discussed In Executive Session.
- H.5 Mayor And Council Closing Comments.
- H.6 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:

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)

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.

CITY OF CEDAR PARK

2024-2026 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 sense of community and engage residents on matters that impact them most.
- **Bell District:** Advance the City's most significant redevelopment project through successful implementation of the development plan.
- **Recreation and Cultural Opportunities:** Strengthen portfolio of recreation and learning programs, events and facilities, ensuring services align with community expectations.
- **Capital Projects:** Dedicate resources to design and construct the capital projects necessary to advance Cedar Park and meet future needs.
- **Redevelopment Initiatives:** Create redevelopment strategies that align with community's long-term vision and add value to surrounding area.
- **Placemaking:** Focus on aesthetics and public art within public spaces to create a positive aesthetic experience, instilling pride and creating unique identity.
- **Comprehensive Plan:** Adhere to City's Comprehensive Plan, and ensure it is updated regularly to reflect community's attitudes and needs.



Safe Community

Prioritize, enhance and support efforts related to community safety so our residents, businesses and visitors feel safe in their neighborhood and City.

- **Public Safety:** Prioritize and support public safety programs so our community feels safe.
- **Neighborhoods:** Invest in programs that improve neighborhood safety.
- **City Utilities:** Safeguard resiliency and security of water and wastewater utility system for reliability.
- **Communications & Reporting:** Use effective methods of providing safety-related information to residents and businesses.



Economic Vitality

Utilizing Strategic Plan as a guide, 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.

- **Business Recruitment Strategic Initiatives:** Attract targeted industries to diversify and grow tax base and increase primary job opportunities.
- **Projects that Make Cedar Park a Destination:** Attract regional destination development and entertainment centers.
- **Business Retention & Expansion:** Actively support existing business community.
- **Small Business & Entrepreneurship:** Encourage business growth and development stemming from entrepreneurial endeavors.
- **Workforce Development:** Work with education partners to grow training options that align with identified target industries.
- **Tourism:** Expand and support tourism program to increase visitors and local commerce.



Service & Fiscal Excellence

Deliver high-value public services in a fiscally prudent and sound manner to meet the needs and expectations of our community and enhance the quality of life.

- **Government Operations:** Ensure government operations, practices and procedures result in high quality and resident-focused services throughout our city.
- **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 for the delivery of excellent services.
- **Technology:** Ensure sound 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 (MMP):** Commence implementation of the recently approved Master Plan aimed at improving multimodal connectivity within the community.
- **Roadways:** Construct additional roadways or expand existing roadways to increase capacity and reduce traffic congestion.
- **Bike, Pedestrian & Trail:** Expand the City's network of shared use paths and trails to provide more opportunities for trips on foot or bike.
- **Traffic Operations:** Invest in the use of technology and other innovative solutions to increase the safety and efficiency of the existing roadway system.



Infrastructure & Environment

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

- **Infrastructure:** Continue to prioritize investments that support the quality and reliability of critical infrastructure.
- **Sustaining Infrastructure & Assets:** Invest in the maintenance of infrastructure and assets to support growth and sustain the existing community.
- **Environmental Stewardship:** Demonstrate responsible stewardship of community and natural resources.



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.

File Attachments for Item:

D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of November 14, 2024.

MINUTES

**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
NOVEMBER 14, 2024 AT 6:00 PM**

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

Event Password: CedarPark2024

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

Access Code: 2559 708 3438

Phone Password: 23327728

Jim Penniman-Morin, Mayor
Bobbi Hutchinson, Council Place One
Mel Kirkland, Council Place Two
Eric Boyce, Council Place Four

Anne Duffy, Mayor Pro Tem
Kevin Harris, Council Place Five
Heather Jefts, Council Place Six
Brenda Eivens, City Manager

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

Mayor Penniman-Morin called the meeting to order at 6:01 p.m.

All Council present.

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:

Council convened into Executive Session at 6:02 p.m.

B.1 Section § 551.071 (1) Consultation With City Attorney Concerning Pending Or Contemplated Litigation Or Settlement Offer.

a. Enforcement Of Cedar Park Code Of Ordinances, Section 11.02.062 Regarding 1511 N. Bell Boulevard; *Michael Kleinman, MMK Holdings, LP, and Auspro Enterprises, LP v. City of Cedar Park*; Civil Action No. 1:22-cv-00527-LY Pending In The United States District Court, Western District of Texas, Austin Division; And *City Of Cedar Park v. Auspro Enterprises, LP And MMK Holdings, LP d/b/a Planet K*; Cause No. 23-0700-C395 Pending In The 395th Judicial District Court Of Williamson County, Texas.

- B.2 Section § 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property.
 - a. Property Located Near The Intersection Of Bell Blvd. And E. Little Elm Trail.
- B.3 Section § 551.087 Deliberation Regarding Economic Development Negotiations.
 - a. Update Regarding Negotiations With Economic Development Prospects.

The Council Reconvenes into Open Meeting.

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

Council reconvened from Executive Session into Open Meeting at 7:07 p.m.

- C.1 Invocation. (Boyce)
- 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.)

None.

- C.4 City Manager Report: Update On Economic Development Activity And New Reporting Capabilities - Arthur Jackson, Chief Economic Development Officer.

Arthur Jackson, Chief Economic Development Officer, reviewed the enhanced reporting capabilities for economic development activity.

- C.5 City Manager Report: Fiscal Year 2024 Fourth Quarter Financial And Investment Report - Kevin Klosterboer, Finance Director.

Kevin Klosterboer, Finance Director, presented Council with the FY2024 Fourth Quarter Financial and Investment Report.

Consent Agenda

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

Agenda Items F.1 and F.7 removed from the Consent Agenda by Councilmember Kirkland.

Motion to approve all items on the Consent Agenda consisting of Agenda Items D and F, excluding Agenda Items F.1 and F.7.

Movant: Mayor Penniman-Morin

Second: Councilmember Boyce

Vote: 7-0

- D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of September 12, 2024.

Approved under the Consent Agenda.

- D.2 Approval Of Minutes From The Regular Scheduled City Council Meeting Of September 26, 2024.

Approved under the Consent Agenda.

- D.3 Approval Of Minutes From The Regular Scheduled City Council Meeting Of October 3, 2024.

Approved under the Consent Agenda.

- E.1 Second Reading And Approval Of Ordinances: No Items For Consideration On The Consent Agenda.

- F.1 A Resolution Authorizing Issuance Of A Parks Special Use Permit To Four Corners Mission For A 5K Fundraiser On December 14, 2024.

Agenda Item F.1 removed from the Consent Agenda by Councilmember Kirkland.

Councilmember Kirkland questioned the timeliness of the application, set up and take down times, and the fee associated with the permit.

Mike DeVito, Parks and Recreation Dir., addressed the application process and the applicant's request.

Motion to approve Agenda Item F.1 as presented.

"A Resolution Authorizing Issuance Of A Parks Special Use Permit To Four Corners Mission For A 5K Fundraiser On December 14, 2024".

Movant: Councilmember Kirkland

Second: Mayor Pro Tem Duffy

Vote: 7-0

Resolution Number R016.24.11.14.F1

- F.2 A Resolution Authorizing An Interlocal Purchasing Agreement With Sheriff's Association of Texas, Inc. (SAT) For Access To SAT's Vehicle Procurement Program.

Approved under the Consent Agenda.

Resolution Number R017.24.11.14.F2

- F.3 A Resolution Approving Amendments To The City Of Cedar Park Human Resources Policy Manual No. G-9 Social Media Policy Related To The Use Of TikTok On City-Owned Devices.

Approved under the Consent Agenda.

Resolution Number R018.24.11.14.F3

- F.4 A Resolution Granting A Utility Easement To Pedernales Electric Cooperative, Inc. For Electric Infrastructure In The Bell District.

Approved under the Consent Agenda.

Resolution Number R019.24.11.14.F4

- F.5 A Resolution Authorizing An Interlocal Agreement Between Cedar Park, Round Rock, Austin, And Leander For Rehabilitation Of The East Wastewater Treatment Plant Of The Brushy Creek Regional Wastewater System.

Approved under the Consent Agenda.

Resolution Number R020.24.11.14.F5

- F.6 A Resolution Authorizing A Change Order With MA Smith Contracting Company, Inc. For Construction Of The Bell Park Project In An Amount Not To Exceed \$197,485.02.

Approved under the Consent Agenda.

Resolution Number R021.24.11.14.F6

- F.7 A Resolution Authorizing The Purchase Of Residential Trash And Recycling Carts From Toter LLC, In An Amount Not To Exceed \$130,000.

Agenda Item F.7 removed from the Consent Agenda by Councilmember Kirkland.

Councilmember Kirkland inquired if the purchase of carts would be an additional fee and the funding source.

Kevin Klosterboer, Finance Director, stated the carts are owned by the City and funding is through the solid waste funds.

Motion to approve Agenda Item F.7.

“A Resolution Authorizing The Purchase Of Residential Trash And Recycling Carts From Toter LLC, In An Amount Not To Exceed \$130,000”.

Movant: Mayor Pro Tem Duffy

Second: Councilmember Harris

Vote: 7-0

Resolution Number R022.24.11.14.F7

- F.8 A Resolution Authorizing An Agreement With Gallagher Consultants For A Compensation And Classification Study In An Amount Not To Exceed \$87,225.

Approved under the Consent Agenda.

Resolution Number R023.24.11.14.F8

- F.9 Authorization To Excuse The Absence Of Councilmember Jefts From The Regular Scheduled Meeting Of October 24, 2024.

Approved under the Consent Agenda.

Public Hearings

- G.1 (2024-8-SUP) First Reading And Public Hearing Of An Ordinance For A Special Use Permit To Allow A Private School On Approximately 10.62 Acres Located At 3502 Hatch Road. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***

Andreina Davila-Quintero, Development Services Assistant Director, reviewed the request for a Special Use Permit to allow for a private school. The proposed development includes relocating the school, remodeling of the existing church building, driveway connection to Hill Country Bible Church, and an open plaza.

General discussion followed regarding the school expansion and portable/temporary buildings.

Mayor Penniman-Morin opened the Public Hearing.

No Public Comment.

Mayor closed the Public Hearing.

- G.2 (2024-10-SUP) First Reading And Public Hearing Of An Ordinance For A Special Use Permit (SUP) To Allow A Day-Care Center Use On Approximately 0.68 Acres Located At 2015 Little Elm Trail. ***The Planning And Zoning Commission Voted 6-1 To Recommend Approval Of The Request As Presented.***

Andreina Davila-Quintero, Development Services Assistant Director, reviewed the request for a Special Use Permit to allow for a day-care center use. The proposed development is for a 3,020 square foot day-care center to accommodate approximately 70 students.

Ryan Irion, TDI Engineering addressed Council on behalf of the Applicant.

General discussion followed regarding the location of the daycare in a retail center, number of daycares in the area, queuing traffic, safety, and expansion of the retail center.

Mayor Penniman-Morin opened the Public Hearing.

No Public Comment.

Mayor closed the Public Hearing.

- G.3 (2024-11-SUP) First Reading And Public Hearing Of An Ordinance For A Special Use Permit (SUP) To Allow A Tattoo Parlor/Body Piercing Studio Use On Approximately 0.03 Acres Located At 401 East Whitestone Boulevard. ***The Planning And Zoning Commission Voted 6-1 To Recommend Approval Of The Request As Presented.***

Andreina Davila-Quintero, Development Services Assistant Director, reviewed the request for a Special Use Permit to allow for a tattoo parlor/body piercing studio proposed to occupy 1,300 square foot in an existing building.

Nathan Harwell, Kimley Horn, addressed Council on behalf of the Applicant.

General discussion followed regarding the layout of the suite/building.

Mayor Penniman-Morin opened the Public Hearing.

Public Comment:

Darron Jurajda, Cedar Park, registered a comment in support of the request.

Mayor closed the Public Hearing.

- G.4 (2024-12-SUP) First Reading And Public Hearing Of An Ordinance For A Special Use Permit (SUP) To Allow An Outdoor Commercial Amusement, Minor Use On Approximately 1.61 Acres Generally Located Southwest Of The Intersection Of West New Hope Drive And Clover Lane. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***

Andreina Davila-Quintero, Development Services Assistant Director, reviewed the request for a Special Use Permit to allow for an outdoor commercial amusement, minor use. The proposed development is for a 4,620 square foot indoor restaurant, covered patio, and three outdoor pickleball courts with spectator seating

Gary Jones addressed Council on behalf of the Applicant.

Discussion followed regarding the hours of operation, noise, and lighting,

Mayor Penniman-Morin opened the Public Hearing.

No Public Comment.

Mayor closed the Public Hearing.

- G.5 (2024-3-FLU) (Related To 2024-12-Z) First Reading And Public Hearing Of An Ordinance For A Future Land Use Plan Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) For Approximately 5.89 Acres Located At 703 And 705 Cypress Creek Road. ***The Planning And Zoning Commission Voted 6-1 To Recommend Approval Of The Request As Presented.***

Agenda Item G.5 and G.6 called together.

Andreina Davila-Quintero, AICP, Development Services Assistant Director, reviewed the requests to amend the Future Land Use Plan and rezone 1.97 acres of land located at 703 Cypress Creek Road. The proposed development of 5.89 acres is for retail and commercial uses and consists of five buildings and approximately 44,466 sf.

Nathan Harwell, Kimley Horn, addressed Council on behalf of the Applicant.

General discussion followed regarding the LI portion of the tract, setbacks next to residential, and impact to traffic.

Mayor Penniman-Morin opened the Public Hearings.

No Public Comment.

Mayor closed the Public Hearings.

- G.6 (2024-12-Z) (Related to 2024-3-FLU) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 1.97 Acres From Light Industrial (LI) To General Business (GB) Located At 703 Cypress Creek Road. ***The Planning And Zoning Commission Voted 6-1 To Recommend Approval Of The Request As Presented.***

Agenda Item G.5 and G.6 called together.

Refer to Agenda Item G.5 for Public Hearings and discussion.

- G.7 First Reading And Public Hearing Of An Ordinance Amending Cedar Park Code Of Ordinances, Chapter 4 Business Regulations, Article 4.04 Wrecker Business Regulations, And Appendix A Fee Schedule, Article 3.000 Business Related Fees, Section 3.300 Towing Fees.

Chief Harmon, Police Department, addressed the proposed amendments to the Wrecker Ordinance and fee schedule.

General discussion followed regarding the fee structure.

Mayor Penniman-Morin opened the Public Hearing.

No Public Comment.

Mayor closed the Public Hearing.

- G.8 First Reading And Public Hearing Of An Ordinance Amending The City Of Cedar Park Code Of Ordinances, Chapter 9, Human Resources, Article 9.11 Municipal Civil Service, Section 9.11.002 Classification And Number Of Positions.

Tiffanie Carter, Human Resources Director, reviewed the amendment to allow for temporary over hires.

Mayor Penniman-Morin opened the Public Hearing.

No Public Comment.

Mayor closed the Public Hearing.

- G.9 Public Hearing And Consideration To Approve A Resolution Amending The Fiscal Year 2024 Budget.

Kevin Klosterboer, Finance Director, addressed the Council regarding the proposed amendments to the FY24 budget.

Mayor Penniman-Morin opened the Public Hearing.

No Public Comment.

Mayor closed the Public Hearing.

Motion to approve Agenda Item G.9 as presented.

“A Resolution Amending The Fiscal Year 2024 Budget”.

Movant: Councilmember Hutchinson

Second: Councilmember Kirkland

Vote: 7-0

Resolution Number R024.24.11.14.G9

Regular Agenda (Non-Consent)

- H.1 Consideration Of A Resolution Adopting The 2024 Parks, Recreation, Facilities, And Open Space Master Plan.

Mike DeVito, Parks and Recreation Director, and Teresa Jackson, Berry Dunn, addressed Council regarding the 2024 Parks, Recreation, Facilities, and Open Space Master Plan. After the Special Called Work Session held on October 24th, and comments the draft plan was amended in relation to pickle ballcourts and increases in project estimates.

Council commented on the process and public engagement.

Motion to approve Agenda Item H.1 as presented.

“A Resolution Adopting The 2024 Parks, Recreation, Facilities, And Open Space Master Plan”.

Movant: Councilmember Jefts.

Second: Councilmember Harris

Vote: 7-0

Resolution Number R025.24.11.14.H1

- H.2 Consideration Of A Resolution Authorizing a Professional Engineering Services Agreement With The Goodman Corporation For The Development Of A Cedar Park Transportation Criteria Manual In An Amount Not To Exceed \$325,000.

Randy Skinner, Asst. Director – Transportation, reviewed the history and the project timeline for the Transportation Criteria Manual. This item is for the development of an engineering reference document that defines the rules, requirements, and technical guidelines for transportation infrastructure. This includes but is not limited to, street design criteria, traffic impact analysis standards, pavement design, sidewalk, right-of-way use, and standard design details.

Public Comment:

Darron Jurajda, Cedar Park, registered a comment in support.

Motion to approve Agenda H.2 as presented.

“A Resolution Authorizing a Professional Engineering Services Agreement With The Goodman Corporation For The Development Of A Cedar Park Transportation Criteria Manual In An Amount Not To Exceed \$325,000”.

Movant: Councilmember Kirkland

Second: Mayor Pro Tem Duffy

Vote: 7-0

Resolution Number R026.24.11.14.H2

H.3 Consider Action, If Any, On Items Discussed In Executive Session.

No action taken on any item discussed in Executive Session.

H.4 Mayor And Council Closing Comments.

Council commented on Veterans' Day and upcoming events in the community.

H.5 Adjournment.

Mayor Penniman-Morin adjourned the meeting at 10:34 p.m.

PASSED AND APPROVED THIS 23rd DAY OF JANUARY, 2025.

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

File Attachments for Item:

E.1 Second Reading And Approval Of An Ordinance Denying A Gas Rate Increase Proposed By Atmos Energy Corporation.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: Second Reading And Approval Of An Ordinance Denying A Gas Rate Increase Proposed By Atmos Energy Corporation.

Commentary

Cedar Park residents receive natural gas service from Texas Gas Service Company (Travis County) and Atmos Energy Corporation (Williamson County).

On December 16, 2024, Atmos Energy Corporation (“Atmos”) pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission (RRC) of Texas for its Mid-Tex Division within certain cities in that service area, effective January 20, 2025.

Atmos is seeking to increase its revenues in its Mid-Tex Division by \$16.73 million, which is an increase of 7.08% including gas costs, or 11.51% excluding gas costs. On average, Atmos’s proposed increase, if approved as filed, would result in an increase of about 14.05% in a residential customer’s bill excluding the cost of gas, and about 9.41% including the cost of gas (this means an approximately \$7.91 increase in the average residential bill). Atmos is proposing to leave rates for commercial, industrial, and transportation customers unchanged.

The City is a member of the coalition of cities known as the Atmos Texas Municipalities (ATM). ATM was organized by a number of municipalities served by Atmos Energy Corporation’s Mid-Texas Division and has been represented by the law firm of Herrera Law & Associates, PLLC (through Mr. Alfred R. Herrera) to assist in reviewing applications to change rates submitted by Atmos Energy MidTex.

Consistent with ATM’s Special Counsel’s recommendation, staff is recommending that Atmos’s proposed increase in rates be denied and that the City continue its participation in the ATM and retain the law firm of Herrera Law & Associates, PLLC to represent the City’s interest in matters related to Atmos’s rate case. If approved, this ordinance would

deny Atmos's proposed increase in rates, would authorize Herrera Law and Associates, PLLC to represent the City through ATM in proceeding related to Atmos's proposal to increase rates, and directs Atmos to reimburse ATM's rate-case expenses.

Initiating Dept: CMO

Fiscal Impact
Fund:

Budget
Amount:

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024 – 2026 Strategic Plan

This agenda item generally supports and furthers the following goal and objective from the City Council 2024-2026 Strategic Plan:

- Goal 4. Service and Fiscal Excellence
 - Objective A. Government Operations

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, DENYING THE INCREASE IN RATES PROPOSED BY ATMOS ENERGY CORPORATION IN ITS MID-TEX DIVISION FILED ON ABOUT DECEMBER 16, 2024; AUTHORIZING INTERVENTION IN PROCEEDINGS RELATED TO ATMOS ENERGY'S APPLICATION TO INCREASE RATES; AUTHORIZING SPECIAL COUNSEL TO REPRESENT THE CITY IN MATTERS RELATED TO ATMOS ENERGY'S PROPOSED INCREASE IN RATES; DIRECTING ATMOS TO REIMBURSE RATE CASE EXPENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Atmos Energy Corporation ("Atmos" or "Company") filed a Statement of Intent with the City on about December 16, 2024, to change its rate schedules within the corporate limits of this municipality, specifically to increase its annual revenue requirement by approximately \$16.73 million, which represents an increase in base rates of about 11.51%, excluding the cost of gas, and about 7.08% including the cost of gas; and

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act ("GURA") and under Chapter 103, §103.001 et seq. of GURA has exclusive original jurisdiction over Atmos's rates, operations, and services within the municipality; and

WHEREAS, to maximize the efficient use of resources and expertise in reviewing, analyzing and investigating Atmos's rate request and its changes in tariffs, the City joins with other local regulatory authorities to form an alliance of cities known as the Atmos Texas Municipalities ("ATM"); and

WHEREAS, Atmos's rate request consists of a voluminous amount of information including Atmos's rate-filing package, exhibits, schedules, and workpapers; and

WHEREAS, Atmos's rate application is the Company's first general rate case since about 2018, and follows six consecutive annual increases in rates pursuant to the Interim Rate Adjustment ("IRA") mechanism, also known as "GRIP" filings; and

WHEREAS, Atmos proposed January 20, 2024, as the effective date for its requested increase in rates; and

WHEREAS, the City will require the assistance of specialized legal counsel and rate experts to review the merits of Atmos's application to increase rates; and

WHEREAS, Atmos's application fails to establish that its overall revenue request resulted in no more than an amount that will permit Atmos a reasonable opportunity to earn a reasonable return on the utility's invested capital used and useful in providing service to the public in excess of its reasonable and necessary operating expenses; and

WHEREAS, Atmos's application fails to establish that its proposed rates are just and reasonable; and

WHEREAS, Atmos may exercise its statutory right to appeal a City decision regarding Atmos's request to increase rates to the Railroad Commission of Texas; and

WHEREAS, Atmos filed its Statement of Intent to increase its revenue and change its rate with the City after it filed a substantially similar application with the Railroad Commission of Texas, and the decision of the Railroad Commission of Texas will have a direct impact on the City and its citizens who are customers of Atmos, and in order for the City's participation to be meaningful, it is important that the City intervene in any such proceedings at the Railroad Commission of Texas related to Atmos's application to increase rates.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. Atmos's application fails to show that its proposed rates are just and reasonable.

SECTION 2. The City hereby DENIES Atmos's request to increase its revenue and change its rates and in support of DENIAL finds that:

- A. Atmos failed in its burden of proof to establish that its requested increase in revenue or the changes set forth in its tariffs attached to Atmos's Statement of Intent to change rates, results in just and reasonable rates;
- B. Atmos failed in its burden of proof to establish that adoption of its proposed rate base, expenses, investment, return on equity, and other rate issues as presented in Atmos's Statement of Intent to increase rates, result in just and reasonable rates.

SECTION 3. The City shall participate in a coalition of cities known as the Atmos Texas Municipalities ("ATM"), and authorizes intervention in proceedings related to Atmos's Statement of Intent before the Railroad Commission of Texas and related proceedings in courts of law; and

SECTION 4. The City hereby orders Atmos to reimburse the City's rate case expenses consistent with the Gas Utility Regulatory Act and that Atmos shall do so on a monthly basis and within 30 days after submission of the City's invoices for the City's reasonable costs associated with the City's activities related to this rate review or related to proceedings involving Atmos before the City, the Railroad Commission of Texas, or any court of law.

SECTION 5. Subject to the right to terminate employment at any time, the City retains and authorizes the law firm of Herrera Law & Associates, PLLC to act as Special Counsel with regard to rate proceedings involving Atmos before the City, the Railroad

Commission of Texas, or any court of law, and to retain such experts as may be reasonably necessary for review of Atmos's rate application subject to approval by the steering committee of the ATM.

SECTION 6. The City, in coordination with the Atmos Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to Atmos for reimbursement.

SECTION 7. A copy of this ordinance shall be sent to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, P.O. Box 302799, Austin, Texas 78703, and a courtesy copy to Atmos's local representative.

SECTION 8. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 9. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 10. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 9th day of January, 2025, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED, AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 23rd day of January, 2025, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.1 A Resolution Authorizing Issuance Of A Special Use In Parks Permit To Royal Events At Lakeline Park On March 22, 2025.



CITY COUNCIL AGENDA

January 23, 2025

Item/Subject: A Resolution Authorizing Issuance Of A Special Use In Parks Permit To Royal Events At Lakeline Park On March 22, 2025.

Commentary

Najia Jabbar is requesting a Special Use Permit on behalf of Royal Events to allow a Holi Color Festival on Saturday, March 22, 2025. The event will utilize the Grand Pavilion and Great Lawn, to include set up and take down, from 12 p.m. until 4 p.m. Najia has rented the pavilion for their use on that day and approximately 500 participants are expected for the event. This is an event that has been held in Cedar Park for many years, and hosts music, games and organic colors.

Article 8.03 of the Cedar Park Code of Ordinances pertaining to conduct in parks and playgrounds requires a special permit for this type of activity. Staff respectfully requests Council authorization for the issuance of a Special Use Permit for this event.

The permit application is attached.

Initiating Dept: Parks

Fiscal Impact

Fund: N/A

Budget

Amount: N/A

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:**2024-2026 Strategic Plan**

This agenda item generally supports and furthers the following goals and/objectives from the City Council 2024-2026 Strategic Plan:

- Goal: Livability and Sense of Place
 - Objective: Recreation & Cultural Opportunities

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT TO NAJIA JABBAR ON BEHALF OF ROYAL EVENTS FOR A HOLI FESTIVAL AT LAKELINE PARK ON MARCH 22, 2025; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, pursuant to the Code of Ordinances Chapter 8, Article 8.03, Section 8.03.004 special permits for activities not permitted in City parks or recreation areas shall be obtained by making application to the Director of Parks and Recreation and approved by the City Council; and

WHEREAS, an application for a Special Use Permit was submitted by Najia Jabbar on behalf of Royal Events for use of Lakeline Park Grand Pavilion on March 22, 2025; and

WHEREAS, in accordance with the applicable standards for issuance, the proposed activity or use will not unreasonably interfere with or detract from the general public's enjoyment; and

WHEREAS, the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation; and

WHEREAS, the proposed activity or use is not anticipated to include violence, crime or disorderly conduct; and

WHEREAS, the proposed activity or use will not entail extraordinary or burdensome expense or police operation by the City; and

WHEREAS, the proposed activity or use is not in conflict with another scheduled activity; and

WHEREAS, the Director of Parks and Recreation has recommended issuance of the special permit.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The Special Use Permit requested by Najia Jabbar on behalf of Royal Events for a Holi Color Festival at Lakeline Park on March 22, 2025, or an alternate date approved by the Director of Parks and Recreation, is hereby approved.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney



Application for Special Use in Parks
City of Cedar Park – Parks & Recreation Department
1435 Main Street ♦ Cedar Park, TX 78613
(512) 401-5500 ♦ Fax (512)260-1661

APPLICANT INFORMATION

Applicant's Name Najia Jabbar
 Address 1803 Chula Vista Drive City & Zip Cedarprk, TX, 78613
 Home Phone 214-394-2381 Work Phone _____ E-mail Address _____
 Organization's Name (if applicable) Royal Events Phone Number 214-394-2381
 Organization's Address 1803 Chula Vista Drive City & Zip Cedarpark, TX, 78613

EVENT INFORMATION

Type of Event Cultural Festival (Holi) Date of Event 03/22/2025
 Name of Park Lakeline Park Location in Park Grass Field Area
 Time Event Begins 12pm Time Event Ends 4pm Number of Participants 500
 Will participants be charged? ☒ Yes ☐ No If so, how much? \$10 per person (kids 12 and under free)
 Describe in detail all activities planned (please attach another sheet of paper, if necessary). Holi is the cultural event a people come and play with organic colors and enjoy their culture , music and fun games.

Will any type of sound amplifying equipment be used at the event (other than small, portable speakers)? ☒ Yes ☐ No
 If so, please explain what type of equipment will be used. _____

DJ will bring his own speakers.

Will the event include live musical entertainment? ☐ Yes ☒ No If yes, please explain what type of live music. _____

List any variances required from Park Rules & Regulations that have not been addressed on this application. we will only use grass area
we will make sure, all conceret pathways are covered with plasitc cevering and we will wash all the color. we need water access please.

Will the event interfere with or detract from the general public's enjoyment? ☐ Yes ☒ No

Will the event interfere with or detract from the promotion of public health, welfare, safety and recreation? ☐ Yes ☒ No

Is violence, crime or disorderly conduct anticipated as part of the event? ☐ Yes ☒ No

Will the event entail extraordinary or burdensome expense or police operation by the City? ☐ Yes ☒ No

Is there a conflict with another scheduled activity? ☐ Yes ☒ No

* If you replied "Yes" to any of the above questions, please explain. _____

Applicant's Signature

Najia

Date 01/02/2025

File Attachments for Item:

F.2 A Resolution Authorizing Issuance Of A Special Use In Parks Permit To The Cedar Park Chamber Of Commerce For A Barbecue Cookoff Event And Festival On March 28th – March 29th, 2025.



CITY COUNCIL AGENDA

January 23, 2025

Item/Subject: A Resolution Authorizing Issuance Of A Special Use In Parks Permit To The Cedar Park Chamber Of Commerce For A Barbecue Cookoff Event And Festival On March 28 – March 29, 2025.

Commentary

Erika Sainos with the Cedar Park Chamber of Commerce is requesting a special use in parks permit for a barbecue cookoff event and festival in Milburn Park on March 28th and 29th, 2025. Barbecue teams will cook overnight in the park beginning the evening of the 28th, with a festival to be held on the 29th. This event requires overnight camping for the teams participating in the barbecue cookoff. The festival on the 29th will include vendors, food trucks, and potentially a live band, which has yet to be confirmed. The Chamber is expecting approximately 500 people to attend the event.

Article 8.03 of the Cedar Park Code of Ordinances pertaining to conduct in parks and playgrounds requires a special permit for this type of activity. Staff respectfully requests Council authorization for the issuance of a special use permit for this event.

The permit application is attached.

Initiating Dept: Parks

Fiscal Impact

Fund: N/A

Budget

Amount: N/A



Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:**2024-2026 Strategic Plan**

This agenda item generally supports and furthers the following goals and/objectives from the City Council 2024-2026 Strategic Plan:

- Goal: Livability and Sense of Place
 - Objective: Recreation & Cultural Opportunities

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT TO ERIKA SAINOS ON BEHALF OF THE CEDAR PARK CHAMBER OF COMMERCE AT MILBURN PARK ON MARCH 28th – MARCH 29th, 2025; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, pursuant to the Code of Ordinances Chapter 8, Article 8.03, Section 8.03.004 special permits for activities not permitted in City parks or recreation areas shall be obtained by making application to the Director of Parks and Recreation and approved by the City Council; and

WHEREAS, an application for a Special Use Permit was submitted by Erika Sainos on behalf of the Cedar Park Chamber of Commerce for use of Milburn Park on March 28th – 29th, 2025; and

WHEREAS, in accordance with the applicable standards for issuance, the proposed activity or use will not unreasonably interfere with or detract from the general public's enjoyment; and

WHEREAS, the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation; and

WHEREAS, the proposed activity or use is not anticipated to include violence, crime or disorderly conduct; and

WHEREAS, the proposed activity or use will not entail extraordinary or burdensome expense or police operation by the City; and

WHEREAS, the proposed activity or use is not in conflict with another scheduled activity; and

WHEREAS, the Director of Parks and Recreation has recommended issuance of the special permit.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The Special Use Permit requested by Erika Sainos on behalf of the Cedar Park Chamber of Commerce, for a BBQ Cookoff and Festival at Milburn Park on March 28 – March 29, 2025, or an alternate date approved by the Director of Parks and Recreation, is hereby approved.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney



Application for Special Use in Parks
City of Cedar Park – Parks & Recreation Department
1435 Main Street ♦ Cedar Park, TX 78613
(512) 401-5500 ♦ Fax (512) 260-1661

APPLICANT INFORMATION

Applicant's Name Erika Sainos
 Address 1460 E Whitestone Blvd Suite 180 City & Zip Cedar Park, TX 78613
 Home Phone _____ Work Phone _____ E-mail Address erika@cedarparkchamber.org
 Organization's Name (if applicable) Cedar Park Chamber Phone Number (512) 260 7800
 Organization's Address 1460 E. Whitestone Blvd suite 180 City & Zip Cedar Park, TX 78613

EVENT INFORMATION

Type of Event BBCQ Cookoff and Festival Date of Event 03/28/25-03/29/25
 Name of Park Elizabeth Milburn Park Location in Park Park as whole (minus the swimming pool)
 Time Event Begins 03/28 7am Time Event Ends 03/29 1pm Number of Participants 500+

Will participants be charged? ☒ Yes ☐ No If so, how much? BBCQ Teams \$300, Vendors \$300, \$150, \$50

Describe in detail all activities planned (please attach another sheet of paper, if necessary).

BBCQ Teams will camp overnight from 03/28-03/29 in the back area of the park. Pavillion will be used for stage area, 03/28 dinner and 03/29 for event judging. The front of the park will be used for set up on 03/28 and the festival with vendors and food truck on 03/29
 Will any type of sound amplifying equipment be used at the event (other than small, portable speakers)? ☒ Yes ☐ No

If so, please explain what type of equipment will be used.

A live band might play but has not been confirmed yet.

Will the event include live musical entertainment? ☒ Yes ☐ No If yes, please explain what type of live music.

A live band might play but has not been confirmed yet.

List any variances required from Park Rules & Regulations that have not been addressed on this application.

The event will require overnight camping from 03/28-03/29 by BBCQ teams.

Will the event interfere with or detract from the general public's enjoyment? ☐ Yes ☒ No

Will the event interfere with or detract from the promotion of public health, welfare, safety and recreation? ☐ Yes ☒ No

Is violence, crime or disorderly conduct anticipated as part of the event? ☐ Yes ☒ No

Will the event entail extraordinary or burdensome expense or police operation by the City? ☐ Yes ☒ No

Is there a conflict with another scheduled activity? ☐ Yes ☒ No

* If you replied "Yes" to any of the above questions, please explain.

Applicant's Signature _____

Date 12/20/24.

File Attachments for Item:

F.3 A Resolution Ordering And Calling A General Election For May 3, 2025 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.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Ordering And Calling A General Election For May 3, 2025 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.

Commentary

The City of Cedar Park will have a General Election on May 3, 2025, for the purpose of electing the Council Place One, Council Place Three, and Council Place Five. These three positions are for full, two-year terms.

Pursuant to separate agreements with Williamson County and Travis County, the Williamson County Elections Department and Travis County Elections Department will be providing election services for Cedar Park voters located in Williamson County and Travis County, respectively. The City will be sharing Early Voting and Election Day polling locations, staff, and equipment with all participating entities within each Williamson and Travis County. Polling locations will be finalized by Williamson County and Travis County at a later date.

Both Counties utilize a countywide polling place program for Early Voting and Election Day. The program eliminates county election precinct polling places and establishes countywide polling places or vote centers. Voters may go to any voting location within the County they reside in for Early Voting and Election Day.

Election Day and Early Voting Polling Locations are determined by the final entities that will be having a May 3rd election.

Initiating Dept: Legal/City Secretary

Fiscal Impact

Budget

Fund:**Amount:**☐**Finance Director Review****Legal Certification**

Approved as to form and content:

☐

Yes

☐No **City Attorney****Associated Information:**

RESOLUTION NUMBER _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, ORDERING AND CALLING THE CITY OF CEDAR PARK, TEXAS, GENERAL FOR MAY 3, 2025; FOR THE PURPOSE OF ELECTING THE COUNCIL PLACE ONE, COUNCIL PLACE THREE, AND COUNCIL PLACE FIVE; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, pursuant to the provisions of the Cedar Park Charter, the Texas Election Code, as amended, and other related statutes the City Council of the City of Cedar Park, Texas ("City") is authorized to call a General Election for the purpose of electing the following positions: Council Place One, Council Place Three, and Council Place Five, all of which are positions of the City of Cedar Park; and

WHEREAS, Section 41.001 of the Texas Election Code establishes Saturday, May 3, 2025, as a uniform election date for the purposes of conducting an election; and

WHEREAS, the City will conduct a joint election with the Williamson County and Travis County Election Administrators and Participating Entities; and

WHEREAS, pursuant to Section 31.092 (a), Texas Election Code, and Chapter 791, Texas Government Code, the City has made provisions with the Williamson County Elections Department and the Travis County Elections Department to perform and conduct election services in connection with said election with respect to registered City of Cedar Park voters in their respective Counties; and

WHEREAS, that said election shall be held in accordance with the Texas Election Code and only resident, qualified voters of said City shall be eligible to vote at said election.

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution is being adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS THAT:

SECTION 1. General Election Ordered

It is hereby ordered, pursuant to the laws of the State of Texas and the Charter of the City of Cedar Park that a general election be held in the City of Cedar Park, Texas, on May 3, 2025, at which all resident qualified voters of the City of Cedar Park, shall be entitled to

vote for the purpose of electing the Council Place One, Council Place Three, and Council Place Five

SECTION 2. Applications For Place On Ballot

Candidates shall file an application for a place on the election ballot in accordance with Chapter 143 of the Texas Election Code commencing on January 15, 2025. Applications shall be filed with the City Secretary, located in City Hall, 450 Cypress Creek Road, Building One, Cedar Park, Texas, 78613. The last day for filing such applications shall be February 14, 2025, at 5:00 p.m.

SECTION 3. Official Ballot

The official ballot for the election shall be prepared in accordance with Texas Election Code, Chapter 52, with the order of offices on the ballot as follows:

a. General Election:

Council Places One	Full Term
Council Place Three	Full Term
Council Place Five	Full Term

Where applicable, the ballot will include all participating entities and elections of which Cedar Park citizens are eligible to vote. The official ballot shall be printed both in English and Spanish languages and shall contain such provisions, markings, and language as required by law.

SECTION 4. Drawing For Places On The Ballot

In the event there are two (2) or more candidates for the office of the Council Place One, Council Place Three, and Council Place Five, the order in which the names of such candidates are to be printed on the ballot shall be determined by a drawing to be conducted by the City Secretary. Three (3) days prior to the date, on which the drawing is to be held, the City Secretary shall post a notice in the official posting place of the City for the time and place of the drawing. Each candidate involved in the drawing or a representative designated by said candidate shall have a right to be present and observe the drawing.

SECTION 5. Conduct Of Election

The City of Cedar Park is located in Williamson and Travis Counties. As authorized under Section 31.092 of the Texas Election Code, the City will make provisions with Williamson County and Travis County Elections Departments to perform and conduct election services in connection with said election. The Williamson County Elections Administrator and the Travis County Election Manager and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election for the entire City pursuant to the contracts for election services

between the City and Williamson and Travis County Elections. The election shall be held as a joint election pursuant to Chapter 271 of the Texas Election Code and in accordance with joint election agreements to be entered into between the City and the other participating entities. The election shall be held and conducted by the Williamson County Elections Administrator and the Travis County Elections Manager in compliance with all state laws and the Election Services Agreements.

SECTION 6. Election Officials

The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board, and other election officials for the Election shall be made by the Elections Administrators in their respective County in accordance with the Election Contracts and the Texas Election Code. The Elections Administrators in their respective County may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station.

SECTION 7. Election Precincts And Polling Places

Election Day precincts for the election shall be the election precincts as established by Williamson and Travis Counties and shall contain and include geographic area within the City. The precincts and polling places within the City designated for holding the election are identified in Exhibit A and Exhibit B to this Resolution and these exhibits are incorporated by reference for all purposes. The exhibits may be revised as necessary to conform to final county polling locations as amended and finalized by Williamson County Elections and Travis County Elections.

SECTION 8. Early Voting

All Early Voting shall be conducted by Williamson County Elections and Travis County Elections and shall perform such duties in accordance with all laws in the Texas Elections Code. Early Voting shall be conducted by the Williamson County Elections Administrator and Travis County Elections Manager/Officer, who are hereby designated and appointed as the Early Voting Clerks for the called election and shall perform such duties in accordance with all laws in the Texas Elections Code.

Williamson County and Travis County shall designate the Main Early Voting Location for early voting for the election. Early voting shall be conducted at all polling places identified in Exhibit C and Exhibit D to this Resolution and this exhibit is incorporated by reference for all purposes. These offices or places shall remain open on the dates and at times set forth in Exhibit C and Exhibit D hereto as authorized by the Williamson County Elections Administrator and the Travis County Elections Manager. Early voting shall commence on the 12th day before the election and continue through the 4th day preceding the date of the election all as provided by the provisions of the Texas Election Code and attached hereto.

The exhibits may be revised as necessary to conform to final county polling locations as amended and finalized by Williamson County Elections and Travis County Elections.

SECTION 9. Voting by Mail.

Applications for voting by mail for all resident, qualified electors of the City shall be submitted to the respective County by personal delivery not later than April 22, 2025, or shall be mailed to the address below and received (not postmarked) by April 2, 2025.

The Early Voting Clerks' mailing address to which ballot by mail applications may be sent to:

<u>WILLIAMSON COUNTY VOTERS</u>	<u>TRAVIS COUNTY VOTERS</u>
Bridgette Escobedo	Travis County Election Officer
Williamson County Elections	Travis County Elections
Postal Mailing Address:	Postal Mailing Address:
P.O. Box 209, Georgetown, TX 78627	P.O. Box 149325, Austin TX 78714
Commercial Carrier or Hand-Delivered, In Person:	Commercial Carrier or Hand-Delivered, In Person:
Inner Loop Annex, 301 SE Inner Loop, Suite 104, Georgetown, TX 78626	5501 Airport Blvd, Suite 100, Austin TX 78751
Email: BBM@wilco.org	Email: ebbm@traviscountytexas.gov
Fax: 512-943-1634	Fax: 512-854-3969
Phone: 512-943-1630 or 512-943-1633	Phone: 512-238-8683
Ballot By Mail Website: https://www.wilcotx.gov/450/Voting-By-Mail	Ballot By Mail Website: https://elections.traviscountytexas.gov/voter-information/ballot-by-mail/#AbsenteeBallotSearch
General Website: https://www.wilcotx.gov/Elections	General Website: https://elections.traviscountytexas.gov
<i>Subject to change</i>	<i>Subject to change</i>

SECTION 10. Early Voting Ballot Board

An Early Voting Ballot Board shall be created by each County to process early voting results of the Election and the Presiding Judge of an Early Voting Ballot Board shall be designated by the Elections Administrators in their respective County. The Presiding Judge of an Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

SECTION 11. Voters

All resident, qualified electors of the City shall be entitled to vote at the election.

SECTION 12. Notice

Pursuant to and in accordance with the Texas Election Code, the Mayor shall cause the notice of said election to be given, that the Mayor shall cause to have such notice posted and/or published; that the Mayor shall cause a copy of this resolution to be served on the Presiding Judge as notice of said election; and that immediately after said election is held, the officers holding the same shall make returns of the results thereof to the Mayor. The attached Exhibit E shall serve as order of said election.

Notice of the Election: shall include a Spanish translation thereof, shall be posted not later than the twenty-first (21st) day before the election on the bulletin board used for posting notices of meetings of the city council and shall be published at least once, not early than the thirtieth (30th) day nor later than the tenth (10th) day before the election in a newspaper published and or general circulation in the City of Cedar Park.

SECTION 13. Adoption Of Voting Systems

An electronic voting system, as defined by the Texas Election Code, may be used for voting at the polling places for said election and the tabulation of the results. The conduct of the election and the use of the electronic voting systems shall be in accordance with the Texas Election Code. In accordance with the Texas Election Code, Chapter 123, the City of Cedar Park hereby adopts the voting systems utilized by Williamson and Travis County Elections for Early Voting and Election Day, as certified by the Secretary of State.

SECTION 14. Voting Devices

The City of Cedar Park adopted the voting systems for City elections and the use of Direct Recording Electronic Voting Machines ("DRE's") by Resolution Number R76.24.02.22.F4 for Williamson County and Resolution Number R77.24.02.22.F5 for Travis County. Electronic Optical scan voting devices may also be used in conducting the election. Williamson County and Travis County may also utilize a central counting station as provided by Section 127.000 *et. seq.*, as amended, of the Texas Election Code.

SECTION 15. Texas Election Code

In all respects the election shall be conducted in accordance with the Texas Election Code, and all other applicable statutes, and the City of Cedar Park Home Rule Charter.

SECTION 16. Results

The Williamson County Elections Administrator and the Travis County Elections Manager shall conduct an unofficial tabulation of results after the closing of the polls on May 4, 2025. The official canvass and tabulation of the results of the election shall be conducted by the City Council at a Special or Regular Called Council Meeting in accordance with the Texas Election Code.

SECTION 17. Custodian Of Election Records

Pursuant to the Election Code and Election Services Contracts, the Williamson County Elections Administrator and the Travis County Elections Manager shall serve as the Custodian of Election Records for the conduct of the election and voted ballots in their respective counties, and the City Secretary shall serve as custodian of all other election records as maintained by the City.

SECTION 18. Other Action

The Mayor and/or the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to execute and/or issue, for and on behalf of the City, such orders, documents, forms as may, from time to time, be promulgated by the Secretary of the State of the State of Texas in conjunction with the election herein ordained. In addition, the Mayor and/or the City Secretary are authorized to take any and all action necessary to comply with provisions of the Texas Election Code or state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized therein.

SECTION 19. Provisions

The provisions of this Resolution are severable; and in case any one or more the provisions of this Resolution of the application thereof to any person or circumstances should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, the remainder of this Resolution nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SECTION 20. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

EXHIBITS

- A Williamson County Polling Locations – Election Day
To Be Finalized by Williamson County
- B Travis County Polling Locations – Election Day
To Be Finalized by Travis County
- C Williamson County Polling Locations – Early Voting
To Be Finalized by Williamson County
- D Travis County Polling Locations – Early Voting
To Be Finalized by Travis County
- E Order Of Election
Pending finalization of polling locations

File Attachments for Item:

F.4 A Resolution Authorizing An Agreement With Flock Group, Inc. For The Continued Use Of License Plate Recognition And Vehicle Fingerprint Technology For Five Years In An Amount Not To Exceed \$60,000.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing An Agreement With Flock Group, Inc. For The Continued Use Of License Plate Recognition And Vehicle Fingerprint Technology For Five (5) Years At The Fixed Annual Cost of \$60,000 Per Year, In An Total Amount Not To Exceed \$300,000.

Commentary

The purpose of this resolution is to authorize the execution of an agreement with Flock Group, Inc. for the continued use of license plate recognition and vehicle fingerprint technology. This is a service renewal and is a 5-year fixed cost agreement that will lock in the price at \$60,000 per year. The current, 2-year agreement that was signed for 2023 and 2024, is expiring.

The Cedar Park Police Department has had great success utilizing the Flock camera system to help develop investigative leads. The technology is used to identify subject vehicle identifiers including make, model, color, license plate, and other identifiable markings to help identify vehicles involved in criminal offenses. Several outstanding cases resolutions have already been achieved utilizing the technology, including numerous violent suspect apprehensions, the location and recovery of missing and endangered persons, and the recovery of multiple stolen vehicles.

The current agreement concludes in February and the recommended 5-year agreement will lock in the annual price at \$60,000. This will ensure no cost increase for the contract period.

City Staff recommends execution of an agreement with Flock Group, Inc., in accordance with Texas Local Government Chapter 252. Texas Local Government Code Section 252.022(a)(7) states that expenditures for items available from only one source are exempt from competitive bidding requirements. Flock Group, Inc. is a sole source provider of goods and services being purchased.

Therefore, staff recommends execution of an agreement with Flock Group, Inc. for the continued use of software and hardware related to automatic license plate recognition and vehicle fingerprint technology in the total authorized expenditure amount not to exceed \$60,000 per year, for five (5) years. The funding for year one of this agreement is in the approved FY 2025 Police Department budget.

Initiating Dept: Police/Finance

Fiscal Impact

Fund:

Budget

Amount:

\$60,000 FY25, with an annual renewal
for \$60,000 for FY26 through FY29.

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS; AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH FLOCK GROUP, INC. FOR AUTOMATIC LICENSE PLATE RECOGNITION AND VEHICLE FINGERPRINT TECHNOLOGY FOR FIVE (5) YEARS AT THE FIXED ANNUAL COST OF \$60,000 PER YEAR, FOR A TOTAL AMOUNT NOT TO EXCEED \$300,000; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Cedar Park desires to renew a contract for a solution for automatic license plate recognition and vehicle fingerprint technology to develop investigative leads to aid in reducing crime; and

WHEREAS, Section 252.022(a)(7) of the Texas Local Government Code states that expenditures for items available from only one source are exempt from competitive bidding requirements; and

WHEREAS, Flock Group, Inc. is the sole source provider of the goods and services being purchased; and

WHEREAS, City staff recommends execution of an agreement with Flock Group, Inc. in the total amount not to exceed \$60,000 per year, for (5) five years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. That the City Manager is hereby authorized and directed to negotiate and execute an agreement with Flock Group, Inc. for license plate recognition and vehicle fingerprint technology for five (5) years at the fixed annual cost of \$60,000 per year, for a total amount not to exceed \$300,000, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

RESOLUTION NO. _____

File Attachments for Item:

F.5 A Resolution Authorizing The Purchase Of New And Replacement Structural Bunker Gear And Wildland Gear In An Amount Not To Exceed \$230,000.



CITY COUNCIL AGENDA

January 23, 2025

Item/Subject: A Resolution Authorizing The Purchase Of New And Replacement Structural Bunker Gear And Wildland Gear In An Amount Not To Exceed \$230,000.

Commentary

The Vehicle and Equipment Services Fund (VES) provides for the replacement of the City's vehicles and equipment including fire department bunker gear and wildland firefighting gear.

The new and replacement bunker gear and wildland gear will be purchased using the most advantageous method for the City of Cedar Park, such as competitive bids, multiple quotes, or cooperative purchasing agreements available to the City and in accordance with Texas Local Government Code Chapters 252 and 271. These purchasing cooperatives include, but are not limited to, Texas Association of School Boards Buy Board, Texas and the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Agreements.

Initiating Dept: Fire Department

Fiscal Impact

Fund:

Budget

Amount: **\$230,000**

The funding needed for the purchase of all new and replacement bunker and wildland gear is within the approved FY 2025 budget.



Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:**2024-2026 Strategic Plan**

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal: Service and Fiscal Excellence
 - Objective A: Government Operations
 - Strategy i: Responsibly plan for and deploy resources and staff using best practices, needs assessments, and fiscal modeling.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE PURCHASE OF NEW AND REPLACEMENT STRUCTURAL BUNKER GEAR AND WILDLAND GEAR, USING FUNDING APPROVED IN THE FY 2025 BUDGET IN A TOTAL AMOUNT NOT TO EXCEED \$230,000; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the approved FY 2025 budget includes the Vehicle and Equipment Service (“VES”) fund; and

WHEREAS, the VES fund provides for the replacement of firefighting personal protection equipment (PPE) including bunker gear and wildland gear; and

WHEREAS, as bunker and wildland gear age and become costly to maintain, they then need to be removed from service; and

WHEREAS, Texas Local Government Code Chapter 252 requires that, unless exempted, before entering into a contract that requires an expenditures of more than \$50,000, a municipality must comply with competitive bidding procedures; and

WHEREAS, Texas Local Government Code Chapter 271 provides that purchases made through a purchasing cooperative satisfy state law requiring the local government to seek bids; and

WHEREAS, City staff desire to use cooperative purchasing agreements available to the City to procure the necessary new and replacement personal protection equipment including bunker and wildland gear; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Manager is hereby authorized and directed to purchase replacement and new personal protection equipment authorized in the approved FY 2025 budget in an amount not to exceed \$230,000 through cooperative purchasing agreements available to the City, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City SecretaryAPPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

RESOLUTION NO.

File Attachments for Item:

F.6 A Resolution Authorizing The Assignment Of Contract For Engineering Services With Carter & Burgess, Inc. To The Brushy Creek Regional Utility Authority.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing The Assignment Of Contract For Engineering Services With Carter & Burgess, Inc. To The Brushy Creek Regional Utility Authority.

Commentary

The City of Cedar Park, City of Round Rock, and the City of Leander entered into a Contract for Engineering Services with Carter & Burgess, Inc. on or about December 21, 2006, related to engineering services related to the Raw Water Barge and Pipeline Project (“Contract”). Subsequently after the execution of the Contract, the three Cities created the Brushy Creek Regional Utility Authority (“BCRUA”) in 2007, a Local Government Corporation, to operate a regional water treatment and distribution system.

The Contract allows for the Cities to assign the Contract to the BCRUA, which has managed the construction and operation of these facilities since its inception. This item is for approval the Assignment Of Contract For Engineering Services to the BCRUA and for said assignment to be retroactively effective as of July 26, 2007.

Initiating Dept: Legal

Fiscal Impact
Fund:

Budget
Amount:



Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:**2024-2026 Strategic Plan**

This agenda item generally supports and furthers the following goals and/objectives from the City Council 2024-2026 Strategic Plan:

- Goal Infrastructure and Environment
 - Objective: Sustaining Infrastructure and Assets.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE ASSIGNMENT OF CONTRACT FOR ENGINEERING SERVICES WITH CARTER & BURGESS TO THE BRUSHY CREEK REGIONAL UTILITY AUTHORITY; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on December 21, 2006, the City of Round Rock, the City of Cedar Park, and the City of Leander (collectively the “Assignors”) entered into a Contract for Engineering Services with Carter & Burgess, Inc. for provide engineering services related to Raw Water Barge and Pipeline for the Cedar Park/Round Rock/Leander Regional Water System Improvements; and

WHEREAS, subsequent to the execution of the Contract, the Assignors created the Brushy Creek Regional Utility Authority (“BCRUA”), a Local Government Corporation, on July 26, 2007; and

WHEREAS, Article 28 of said Contract specifically provides that the Assignors may assign the Contract to a Local Government Corporation created by the Assignors and Assignors intended for such Local Government Corporation to benefit from and be an assignee of Assignor’s rights, remedies, benefits, duties, and obligations under the Contract; and

WHEREAS, the Assignors desire to assign the Contract to BCRUA and for said assignment to be retroactively effective as of July 26, 2007.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. That the City Council hereby approved the assignment of the Contract for Engineering Services with Carter & Burgess, Inc. executed on December 21, 2006, to the Brushy Creek Regional Utility Authority to be retroactively effective as of July 26, 2007.

SECTION 2. That the Mayor is hereby authorized and directed to execute on behalf of the City the Assignment of Contract for Engineering Services, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

ASSIGNMENT OF CONTRACT FOR ENGINEERING SERVICES

This Assignment of Contract for Engineering Services ("Assignment") is entered into by and between the City of Round Rock, the City of Cedar Park, and the City of Leander, (collectively referred to as "Assignors") and the Brushy Creek Regional Utility Authority, Inc., a Local Government Corporation ("BCRUA"). The above entities may be referred to herein as "Party" or "Parties" as the context may require.

RECITALS

WHEREAS, Assignors and Carter & Burgess, Inc. ("Engineer") entered into that certain Contract for Engineering Services ("Contract") effective December 21, 2006, whereby Engineer was to provide engineering services related to Raw Water Barge and Pipeline for the Cedar Park/Round Rock/Leander Regional Water System Improvements for Assignors; and

WHEREAS, Article 28 of said Contract specifically provides that the Assignors may assign the Contract to a Local Government Corporation created by the Assignors and Assignors intended for such Local Government Corporation to benefit from and be an assignee of Assignor's rights, remedies, benefits, duties and obligations under the Contract; and

WHEREAS, on the 26th day of July, 2007, Assignors did create the BCRUA, a Local Government Corporation pursuant to the provisions of Subchapter D of Chapter 431, Texas Transportation Code; and

WHEREAS, Assignors desire to memorialize the assignment of rights, remedies, benefits, duties and obligations under the Contract and applicable law to the BCRUA, and the BCRUA desires to assume and accept such assignment;

NOW, THEREFORE, it is hereby agreed between the Parties as follows:

I.**ASSIGNMENT AND ACCEPTANCE**

1.1 Subject to the conditions and reservations of the assignment set forth in Section II below, Assignors hereby assign Assignors' rights, remedies, benefits, duties and obligations under the Contract and under applicable law to the BCRUA.

1.2 Subject to the conditions and reservations of the assignment set forth in Section II below, BCRUA hereby accepts the assignment of the Assignors' rights, remedies and benefits under the Contract and applicable law and accepts Assignors' duties and obligations under the Contract and under applicable law.

II. CONDITIONS AND RESERVATIONS OF ASSIGNMENT

2.1 In executing this Assignment, in addition to assigning to Assignee the rights, remedies, benefits, duties and obligations of Assignor under the Contract and under applicable law and as a condition to such assignment, Assignors also reserve and retain unto themselves, the right, if they so choose, to exercise the rights and remedies of the Owners under the Contract and under applicable law and the right, if they so choose, to perform any of the duties and obligations of the Owners under the Contract and under applicable law.

2.2 In accepting this Assignment, the BCRUA acknowledges and accepts the assignment set forth herein subject to the conditions and reservations set forth in paragraph 2.1 above.

2.3 In executing this Assignment, the Assignors are intending to assign and are assigning to the BCRUA any benefits applicable to the Assignors under applicable law, including but not limited to any codes or statutes that pertain to the rights, remedies, benefits, duties and obligations of the Assignors under the Contract.

IN WITNESS WHEREOF, the above-named parties have caused this document to be executed on the dates provided below by their duly authorized agents to be retroactively effective as of the 26th day of July, 2007.

ASSIGNORS

The City of Round Rock

By: _____
Craig Morgan, Mayor

Date: _____

The City of Cedar Park

By: _____
Jim Penniman-Morin, Mayor

Date: _____

The City of Leander

By: _____
Christine DeLisle, Mayor

Date: _____

**BRUSHY CREEK REGIONAL UTILITY
AUTHORITY, INC.**

By: _____
Na’Cole Thompson, President

Date: _____

File Attachments for Item:

F.7 A Resolution Authorizing A Professional Services Agreement With Raftelis Financial Consultants, Inc., DBA Raftelis, For The Rate Model Modernization Project In An Amount Not To Exceed \$200,000.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing A Professional Services Agreement With Raftelis Financial Consultants, Inc., DBA Raftelis, For The Rate Model Modernization Project In An Amount Not To Exceed \$200,000.

Commentary

The purpose of this resolution is to authorize the City Manager to execute a Professional Services Agreement ("Agreement") with Raftelis Financial Consultants, Inc. DBA Raftelis ("Raftelis"), to modernize the City's utility rate model through the Rate Model Modernization Project ("Project"). The City's existing model has historically served as a reliable tool for financial planning, accurately predicting revenue needs, rate adjustments, and future financial conditions of the utility. This model has supported the City's ability to maintain fiscal sustainability and meet service demands. However, as the utility continues to evolve and face increasingly complex financial and operational considerations, the current model has become outdated. Its limitations in usability, scalability, and advanced data analysis capabilities are driving the desire for modernization to meet the City's long-term financial planning needs and ensure adaptability to changing conditions.

Objectives of the Project include:

- Usability Improvements: Streamline data input, calculations, and navigation to make the model more accessible to staff.
- Enhanced Data Analysis and Visualization: Incorporate advanced tools to improve analysis and reporting capabilities.
- Future-Ready Design: Ensure the model is scalable to accommodate changes in financial planning requirements.

Pursuant to Texas Government Code Chapter 2254, City staff advertised a Request for Qualifications ("RFQ") for professional services to support the model modernization effort. The evaluation factors and ranking criteria identified in the RFQ included: qualifications and availability (15%), proposed team experience (25%), project experience

(40%), and proposed project approach (20%). A description of these evaluation factors and the ranking criteria are attached to this memo.

The City received two (2) Statements of Qualifications (“SOQ”) from interested firms. An evaluation and selection committee consisting of Public Works Utility staff and Finance Department staff evaluated the SOQs using a scoring matrix that rates the firm’s qualifications for each of the evaluation factors. After evaluating and ranking the SOQs, staff recommends negotiating a professional services agreement with Raftelis to support the Project. The ranking of each firm that submitted a SOQ is attached. Funding for the Project is included in the FY2025 Utility Capital Improvement Project budget.

Initiating Dept: Public Works

Fiscal Impact

Fund: Utility W59

Budget

Amount: \$200,000.00

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal: Infrastructure and Environment
 - Objective: Infrastructure
 - Strategy: Ensure utility rate structure supports capital and operational needs for retail and wholesale customers

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. DBA RAFTELIS, FOR THE UTILITY RATE MODEL ENHANCEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$200,000; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Cedar Park's Strategic Goal 5, Infrastructure and Environment, Objective A, prioritizes investments that support the quality and reliability of critical infrastructure, including the defined Strategic Goal Strategy to ensure utility rate structure supports capital and operational needs for retail and wholesale customers; and

WHEREAS, the City of Cedar Park's utility rate model has historically been a reliable tool for predicting revenue, rate adjustments, and future financial conditions, supporting sound fiscal planning and sustainability; and

WHEREAS, while the existing model has been effective, it is now outdated and lacks the usability, scalability, and advanced analytical capabilities desired to meet the City's evolving financial and operational needs; and

WHEREAS, enhancing the utility rate model will provide improved functionality, streamline calculations, and incorporate advanced tools for data analysis and visualization, ensuring the model remains a robust tool for future rate-setting and financial planning; and

WHEREAS, funding has been allocated in the fiscal year 2025 Utility Capital Improvement Project budget to modernize the existing model through the Utility Rate Model Modernization Project; and

WHEREAS, a request for qualifications for professional services to conduct the Study was advertised in compliance with Texas Government Code Chapter 2254; and

WHEREAS, the City received two (2) Statements of Qualifications from qualified firms; and

WHEREAS, Raftelis Financial Consultants, Inc., DBA Raftelis, ranked the highest among the qualified responding firms and has extensive experience with similar projects; and

WHEREAS, the City desires to execute a Professional Services Agreement with Raftelis to implement the Utility Rate Model Modernization Project in an amount not to exceed \$200,000; and

WHEREAS, pursuant to Texas Government Code Chapter 2254, if negotiations are unsuccessful, the City desires to negotiate with the next most qualified responding firm until a professional services agreement to implement the Utility Rate Model Modernization Project is agreed upon and executed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Council hereby authorizes and directs the City Manager to negotiate and execute an Professional Services Agreement with Raftelis Financial Consultants, Inc., DBA Raftelis, for the Utility Rate Model Enhancement Project in an amount not to exceed \$200,000, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

**Rate Model Modernization Project
Statement of Qualifications for Design
Evaluation Criteria Scoring Summary**



Firm	1. Qualifications and Availability (15 pts)	2. Proposed Staff (25 pts)	3. Project Experience (40 pts)	4. Project Approach (20 pts)	Overall Score	Scoring Rank
Raftelis Financial Consultants, Inc.	14.8	23.8	38.0	19.3	95.8	1
NewGen Strategies and Solutions, LLC	14.0	24.3	38.5	17.8	94.5	2

Rate Model Modernization Project

Statement of Qualifications

Evaluation Criteria

1. Qualifications and Availability:

Did the response meet the page limit?

Was all requested information provided? (legal Name of Firm, location of office conducting the work, etc.)

Is the firm/team available and did they show a level of commitment to the project?

Did they provide a narrative illustrating their expertise and any unique qualifications?

Were the City required forms (CIQ) submitted?

2. Proposed Staff:

Did the firm provide names and roles of key personnel proposed to work on the project and their locations?

Is the firm/team available and did they show a level of commitment to the project?

Did they provide a narrative illustrating their expertise and any unique qualifications, including working on similar projects?

Did the firm/team provide an organizational chart for personnel (including sub-consultants) who are to work on this project including licensure information?

3. Project Experience:

Did the firm/team provide the names and roles of key personnel proposed to work on this project and their office locations?

Did the firm/team provide proposed staff availability to perform services? Do they have availability to complete our project?

Did the firm/team provide the Project Managers experience with similar size projects? Evaluate provided experience.

Did the firm/team provide the sub-consultants experience with similar size projects? Evaluate provided experience.

Did the firm/team provide verifiable examples of at least three (3) similar projects completed in the last five (5) years by the principal, project manager and sub-consultants?

Did the firm/team include the project name and location, services provided, date of completion or project status, final construction costs, client name and contact person, history of meeting project schedules, history of accomplishing services within established budget (planned vs actual) for the similar projects presented?

Are the projects presented equal or greater in complexity when compared with the proposed projects listed in scope and types of deliverables required?

Are any of the project presented local (Central Texas) projects?

4. Project Approach:

Did the consultants provide an explanation of how the project will be managed and implemented?

Was a project schedule provided?



File Attachments for Item:

F.8 A Resolution Authorizing An Agreement With Walker Partners, LLC For Professional Engineering Services For A Multi-Disciplinary Condition Assessment Including Operation And Maintenance For The Water Treatment Plant In An Amount Not To Exceed \$142,852.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing An Agreement With Walker Partners, LLC For Professional Engineering Services For A Multi-Disciplinary Condition Assessment Including Operation And Maintenance For The Water Treatment Plant In An Amount Not To Exceed \$142,852.

Commentary

This resolution authorizes the City Manager to execute a Professional Services Agreement for a Multi-disciplinary Condition Assessment of the Water Treatment Plant, including Operation and Maintenance. The assessment aims to evaluate aged piping and equipment, improve safety, and optimize operations. It will involve interviews with maintenance staff and site visits covering mechanical, civil, electrical, structural, HVAC, and plumbing disciplines. The primary deliverable will be a matrix prioritizing plant improvements, identifying components for repair or replacement, and outlining a scope of work and timeline for future projects.

In October 2023, the City developed a list of engineering firms qualified to perform utility engineering services pursuant to Texas Government Code 2254, which requires qualification-based selection for engineering services. Staff determined that, of those firms, Walker Partners, LLC is the most qualified based on their knowledge of the Texas Commission on Environmental Quality regulations, expertise in process mechanical; civil, electrical, and structural engineering; HVAC and plumbing disciplines; availability; and proposed staff. Staff has reviewed the proposed scope of services and associated fee and determined that the fee is reasonable and customary. Staff, therefore, recommends authorizing the City Manager to execute an agreement with Walker Partners, LLC for conducting a Multi-disciplinary Condition Assessment including Operation and Maintenance for the Water Treatment Plant in an amount not to exceed \$142,852.

Initiating Dept: Public Works

Fiscal Impact**Fund: Utility – W29****Budget****Amount: \$142,852.00**☐ **Finance Director Review****Legal Certification**

Approved as to form and content:

☐ Yes☐ No **City Attorney****Associated Information:****2024-2026 Strategic Plan**

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal: Infrastructure and Environment
 - Objective: Infrastructure

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN ENGINEERING SERVICES AGREEMENT TO CONDUCT A MULTI-DISCIPLINARY CONDITION ASSESSMENT INCLUDING OPERATION AND MAINTENANCE FOR THE WATER TREATMENT PLANT WITH WALKER PARTNERS, LLC, IN AN AMOUNT NOT TO EXCEED \$142,852; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the assessment will evaluate aged piping and equipment, enhance safety, and optimize operations through maintenance staff interviews and site visits covering mechanical, civil, electrical, structural, HVAC, and plumbing disciplines; and

WHEREAS, the condition assessment will prioritize plant improvements, identify components for repair or replacement, and outline a scope of work and timeline for future projects; and

WHEREAS, the selected engineering firm will conduct a Multi-disciplinary Condition Assessment including Operation and Maintenance for the Water Treatment Plant; and

WHEREAS, in October 2023, the City Council approved an engineering services qualification process pursuant to Texas Government Code 2254; and

WHEREAS, staff reviewed the qualifications of the firms that were prequalified to provide utility engineering services and determined Walker Partners, LLC to be the most qualified based on their qualifications, including their expertise and experience in multiple engineering disciplines, availability, and proposed staff.

WHEREAS, City staff recommends authorizing a Professional Services Agreement with Walker Partners, LLC to conduct a Multi-disciplinary Condition Assessment including Operation and Maintenance for the Water Treatment Plant in an amount not to exceed \$142,852.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Council of Cedar Park hereby authorizes and directs the City Manager or their designee to execute a Professional Services Agreement with Walker Partners, LLC to conduct a Multi-disciplinary Condition Assessment including Operation and Maintenance for the Water Treatment Plant in an amount not to exceed \$142,852, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.9 A Resolution Authorizing A Professional Engineering Services Agreement Amendment With Cobb, Fendley & Associates, Inc. For Design Services Associated With The Toro Grande Boulevard North And South Roadway Improvements Project In An Amount Not To Exceed \$235,081.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing The Execution Of A Professional Engineering Services Agreement Amendment With Cobb, Fendley & Associates, Inc. For Design Services Associated With The Toro Grande Boulevard North And South Roadway Improvements Project In An Amount Not To Exceed \$235,081.

Commentary

The purpose of this resolution is to authorize the City Manager to execute a professional engineering services agreement amendment to the original agreement for the design of the Toro Grande Boulevard North (RM 1431 to New Hope Drive) and South (RM 1431 to Parmer Lane) Roadway Improvements Project ("Project"). The Toro Grande Boulevard North ("North Project") section runs from RM 1431 to the recently constructed New Hope Drive. The Toro Grande Boulevard South ("South Project") section will be a new roadway alignment connecting RM 1431 south and west to Parmer Lane. See Figure 1 below for a Project Location Map. Funding for the North Project was allocated by the 2022 Bond Program and funding for the South Project was allocated through 2020 Wilco ILA and 2015 Bond Program.

The City executed the original Agreement for Professional Engineering Services with Cobb, Fendley & Associates, Inc. including compensation for \$2,577,890.75 to perform design and construction phase services associated with the Project on October 26, 2023. To date, two Professional Service Agreement Amendments have been approved. The first amendment included an additional \$46,544.50 for conceptual bridge aesthetic renderings and a mussel survey in September 2024. The second amendment included an additional \$40,306.50 for Parmer Lane Intersection improvements and waterline bridge attachment in November 2024.

Staff proposes an additional project scope increase to include deep foundations required for the new traffic signal design at Commerce St and Parmer Lane; retaining wall design required for the Brushy Creek North Fork Trail to connection on each side of Commerce; enhancements to the bridge over Brushy Creek; and additional easement documentation

Staff has determined the additional services to be necessary to the Project and the associated fees to be fair, reasonable and within the Project budget. Staff recommends execution of a professional services amendment to the original agreement for professional engineering services with Cobb, Fendley & Associates, Inc. in an amount not to exceed \$235,081.

Initiating Dept.: Engineering & Capital Projects

Fiscal Impact

Fund: T84 & T100

Budget

Budget: \$ 235,081

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

This agenda item generally supports and furthers the following goals and/objectives from the City Council 2024-2026 Strategic Plan:

- Goal: Mobility and Connectivity
 - Objective: B. Roadways: Construct additional roadways or expand existing roadways to increase capacity and reduce traffic congestion.
 - Strategy: ii. Design, construct and complete significant roadway, intersection, and turn lane projects



Figure 1 - Project Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT AMENDMENT FOR DESIGN OF THE TORO GRANDE BOULEVARD NORTH AND SOUTH ROADWAY IMPROVEMENTS PROJECT WITH COBB, FENDLEY & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$235,081; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Toro Grande Boulevard North (RM 1431 to New Hope Drive) and South (RM 1431 to Parmer Lane) Roadway Improvements Project (“Project”) is a Capital Improvement Project combining funding allocated in the 2022 and 2015 Bond Program; and

WHEREAS, the Project will extend and widen Toro Grande Boulevard between New Hope Drive and Parmer Lane to provide a four-lane roadway; including intersection & signal improvements, turn lanes, a bridge structure, raised medians, sidewalk & shared-use path (SUP), bike lanes, connection to the Brushy Creek North Fork Trail, curb and gutter, drainage facilities, street lighting, illumination, water / wastewater and other utility adjustments as required; and

WHEREAS, the City executed an agreement for professional engineering services with Cobb, Fendley & Associates, Inc. in an amount not to exceed \$2,577,890.75; and

WHEREAS, the City included a first agreement amendment for professional engineering services with Cobb, Fendley & Associates, Inc. in an amount not to exceed \$46,544.50 for conceptual bridge renderings and mussel survey; and

WHEREAS, the City included a second agreement amendment for professional engineering services with Cobb, Fendley & Associates, Inc. in an amount not to exceed \$40,306.50 for Parmer Lane Intersection improvements and waterline bridge attachment; and

WHEREAS, additional authorization is required to compensate the Engineer for deep foundation signal design at Parmer Lane, retaining wall design for the Brushy Creek North Fork Trail connection, enhancements to the bridge over Brushy Creek, and additional easement documentation; and

WHEREAS, City staff has determined additional services to be necessary to the Project and the associated fees to be fair, reasonable and within the Project budget; and

WHEREAS, City staff recommends execution of a professional services amendment to the original agreement for professional engineering services with Cobb, Fendley & Associates, Inc. in an amount not to exceed \$235,081.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute an amendment to the professional engineering service agreement for design services Cobb, Fendley & Associates, Inc. for the Toro Grande Boulevard North (RM 1431 to New Hope Drive) and South (RM 1431 to Parmer Lane) Roadway Improvements Project in an amount not to exceed \$235,081, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.10 A Resolution Authorizing An Agreement With Johnson, Mirmiran & Thompson, Inc. For Third-Party Construction Inspection And Observation Services To Support Construction Of The Public Safety Training Center In An Amount Not To Exceed \$201,402.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing An Agreement With Johnson, Mirmiran & Thompson, Inc. For Third-Party Construction Inspection And Observation Services To Support Construction Of The Public Safety Training Center In an Amount Not To Exceed \$201,402.

Commentary

The purpose of this resolution is to authorize the execution of an agreement for third-party construction inspection and observation services to support construction of the Public Safety Training Center Project ("Project"). The Public Safety Training Center, located at 1204 Fire Lane, will consist of three new facilities: a 17,000 square-foot training building housing classrooms, office space, and an Emergency Operations Center; a 10,000 square-foot facility housing space for fitness and simulated real-world training applications; and, a 7,700 square foot Apparatus bay to house vehicles for the Emergency Management and Fire departments, along with an outdoor classroom. Funding for the Project was included in the 2022 Bond Program. The design phase for the Project began in July 2023, with Construction beginning in December 2024 and the Training Center expected to open in the Spring of 2026.

The scope of services to be provided includes daily construction inspection, review of contractor pay estimates, witnessing construction materials testing, attending project meetings, daily reports, identification of construction deficiencies, assistance in resolution of design conflicts, and identification of potential time and money saving opportunities. These services help to ensure the project is constructed in accordance with the approved construction documents.

A Request for Proposals (RFP) was publicly advertised, and seven (7) responses were received from prospective firms that provide construction inspection and observation services. The proposals were evaluated using a numerical grading criteria matrix that rates

each firm's proposal in the key areas of: "Firm Qualifications and Availability", "Qualifications and Experience of Proposed Staff", "Firm Project Experience" "Project Approach" and "Fees". After reviewing, grading and ranking each firm's proposals, Johnson, Mirmiran & Thompson, Inc. was determined to be the firm that offered the best value for inspection and observation services for the Project. A copy of the final ranking summary is attached.

Staff recommends that the City Manager be authorized to negotiate and execute an agreement with Johnson, Mirmiran & Thompson, Inc. for third-party construction inspection and observation services for the Public Safety Training Center Project in an amount not to exceed \$201,402.

Initiating Dept.: Engineering & Capital Projects

Fiscal Impact

Fund: F76

Budget

Budget: \$201,402

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐

Yes

☐

No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal: 2. Safe Community
 - Objective: A. Public Safety
 - Strategy: v. Increase all-hazards and disaster preparedness, response and recovery through training, coordination and intergovernmental cooperation

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH JOHNSON, MIRMIRAN & THOMPSON, INC. FOR THIRD-PARTY CONSTRUCTION INSPECTION AND OBSERVATION SERVICES TO SUPPORT CONSTRUCTION OF THE PUBLIC SAFETY TRAINING CENTER PROJECT IN AN AMOUNT NOT TO EXCEED \$201,402; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Public Safety Training Center Project is a capital improvement project located at 1204 Fire Lane ("Project"); and

WHEREAS, the Project consists of three new facilities: a 17,000 square-foot training building housing classrooms, office space, and an Emergency Operations Center; a 10,000 square-foot facility housing space for fitness and simulated real-world training applications; and, a 7,700 square-foot Apparatus bay to house vehicles for the Emergency Management and Fire departments; and

WHEREAS, pursuant to Local Government Code Chapter 252, the City solicited proposals for construction inspection and observation services for the Project utilizing a request for proposals, and received responses from seven (7) prospective firms; and

WHEREAS, City staff evaluated each firm's ability to perform the required services based on their proposals and the numerical grading criteria outlined in the request for proposals; and

WHEREAS, Johnson, Mirmiran & Thompson, Inc. ranked the highest of the qualified firms and has extensive experience with construction inspection and observation of similar projects; and

WHEREAS, staff recommends that the City Manager be authorized to negotiate and execute an agreement with Johnson, Mirmiran & Thompson, Inc. for third-party construction inspection and observation services for the Project in an amount not to exceed \$201,402.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Manager is hereby authorized and directed to negotiate and execute an agreement with Johnson, Mirmiran & Thompson, Inc. for third-party construction inspection and observation services for the Public Safety Training Center Project in an amount not to exceed \$201,402, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

RESOLUTION NO. _____

**Public Safety Training Center
3rd Party Inspection and Observation
Request for Proposal
Evaluation Criteria Scoring Summary**

Overall Rank	Firm	1. Firm Qualifications and Availability 10%	2. Qualifications and Experience of Proposed Staff 20%	3. Firm Project Experience 25%	4. Project Approach 20%	5. Rates and Fees 25%
1	JMT	1	2	1	2	6
2	Dial Development Services	5	6	5	6	1
3	AGCM	5	4	4	4	3
4	Bureau Veritas	4	5	6	5	5
5	AOKA	3	3	3	3	2
6	Burgess Construction Consultants	2	1	2	1	4

File Attachments for Item:

F.11 A Resolution Authorizing A Professional Services Agreement With SCI Engineering, Inc. For Construction Materials Testing For The Public Safety Training Center In an Amount Not To Exceed \$60,000.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing A Professional Services Agreement With SCI Engineering, Inc. For Construction Materials Testing For The Public Safety Training Center In an Amount Not To Exceed \$60,000.

Commentary

The purpose of this resolution is to authorize the execution of a Professional Services Agreement (PSA) with SCI Engineering, Inc. for construction materials testing services for the Public Safety Training Center Project (the “Project”). The Public Safety Training Center, located at 1204 Fire Lane, will consist of three new facilities: a 17,000 square-foot training building housing classrooms, office space, and an Emergency Operations Center; a 10,000 square-foot facility housing space for fitness and simulated real-world training applications; and, a 7,700 square foot Apparatus bay to house vehicles for the Emergency Management and Fire departments, along with an outdoor classroom. Funding for the Project was included in the 2022 Bond Program. The design phase for the Project began in July 2023, with Construction beginning in December 2024 and the Training Center expected to open in the Spring of 2026.

Construction materials testing is performed on almost all City construction projects to ensure earthwork, concrete, asphalt, and other materials are constructed in accordance with the required specifications.

City Staff advertised a Request for Qualifications (RFQ) for geotechnical engineering and construction materials testing for the Project on November 8, 2024. The evaluation factors and ranking criteria identified in the RFQ included: qualifications and availability, proposed staff, and project experience.

In response to the RFQ, City Staff received eight (8) Statements of Qualifications (SOQs) from prospective consultants on December 2, 2024. Staff graded the submitted

qualifications in accordance with state statutes and the evaluation criteria stated in the RFQ. After implementing the grading matrix, SCI Engineering, Inc. was ranked as the most highly qualified provider of the desired services. SCI Engineering, Inc. has completed many geotechnical engineering and construction materials testing projects in Cedar Park and the surrounding communities, exhibiting both strong experience and favorable scheduling.

Staff recommends that the City Manager be authorized to negotiate and execute an agreement with SCI Engineering, Inc. for construction materials testing services for the Public Safety Training Center Project in an amount not to exceed \$60,000.

Initiating Dept.: Engineering & Capital Projects

Fiscal Impact

Fund: F76

Budget

Budget: \$60,000.00

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐

Yes

☐

No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal: 2. Safe Community
 - Objective: A. Public Safety
 - Strategy: v. Increase all-hazards and disaster preparedness, response and recovery through training, coordination and intergovernmental cooperation

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH SCI ENGINEERING, INC. FOR CONSTRUCTION MATERIALS TESTING SERVICES TO SUPPORT CONSTRUCTION OF THE PUBLIC SAFETY TRAINING CENTER PROJECT IN AN AMOUNT NOT TO EXCEED \$60,000; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Public Safety Training Center Project is a capital improvement project located at 1204 Fire Lane ("Project"); and

WHEREAS, the Project consists of three new facilities: a 17,000 square-foot training building housing classrooms, office space, and an Emergency Operations Center; a 10,000 square-foot facility housing space for fitness and simulated real-world training applications; and, a 7,700 square-foot Apparatus bay to house vehicles for the Emergency Management and Fire departments; and

WHEREAS, construction materials testing is performed to ensure earthwork, concrete, asphalt, and other materials are constructed in accordance with the required specifications; and

WHEREAS, pursuant to Texas Government Code Chapter 2254, the City issued a request for qualifications for professional engineering services for the Project, and received responses from eight (8) prospective firms; and

WHEREAS, City staff evaluated each firm's ability to perform the required services based on their Statements of Qualifications, utilizing the numerical grading criteria outlined in the request for proposals; and

WHEREAS, SCI Engineering, Inc. ranked the highest of the qualified firms and has extensive experience with construction materials testing services in the immediate area; and

WHEREAS, staff recommends that the City Manager be authorized to negotiate and execute an agreement with SCI Engineering, Inc. for construction materials testing services for the Project in an amount not to exceed \$60,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Manager is hereby authorized and directed to negotiate and execute an agreement with SCI Engineering, Inc. for construction materials testing services

for the Public Safety Training Center Project in an amount not to exceed \$60,000, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

RESOLUTION NO. _____

**Public Safety Training Center
Construction Materials Testing
Statement of Qualifications
Evaluation Rankings**

Overall Rank	Firm	1. Qualification and Availability (10 pts) Rank	2. Proposed Staff (30 pts) Rank	3. Project Experience (60 pts) Rank
1	SCI Engineering, Inc	1	1	2
2	Raba Kistner	6	4	1
3	Terracon Consultants, Inc	1	1	3
4	Arias & Associates	5	5	3
5	Professional Services Industries, Inc	1	1	6
6	CMT Technical Services, Inc	7	5	5
7	Braun Intertec Corporation	4	8	7
8	MEG Engineers	7	7	8

File Attachments for Item:

H.1 Consideration For Appointment Of Christian von Wupperfeld To Place Four On The Economic Development (Type A) Sales Tax Corporation.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: Consideration For Appointment Of Christian von Wupperfeld To Place Four On The Cedar Park Economic Development (Type A) Sales Tax Corporation Board. (Boyce)

Commentary

		Term Length: 2 yr	
		Term: 8/1-7/31	
		Residency Requirement	
7 Person Boards	Apptd by:	Current Members/Term Expires	Applicant
Place One	Hutchinson	Scot Vidrine	
		<i>7.31.25 unexpired term</i>	
Place Two	Kirkland	Petri Darby	
		<i>7.31.24</i>	
Place Three	Duffy	Erin Osman	
		<i>7.31.21</i>	
Place Four	Boyce	Jim Cooper	Christian von Wupperfeld
		<i>7.31.22</i>	<i>Unexpired Term 7.31.26</i>
Place Five	Harris	Brian Rice	
		<i>7.31.23</i>	
Place Six	Jefts	Steve Howard	
		<i>7.31.22</i>	
Place Seven	Penniman-Morin	Kelly Brent	
		<i>7.31.22</i>	



City of Cedar Park

Application for Appointment

In order to be considered for an appointment to a Cedar Park Board, Commission, Task Force, Committee, or other position, please complete the following application and attach a current resume and letter of interest.

1. PERSONAL INFORMATION

Full Legal Name Christian Jon von Wupperfeld		Preferred Name Christian	
Spouse's Name [REDACTED]			
Physical Home Address [REDACTED]		Subdivision Bella Vista	
City Cedar Park	State Texas	Zip 78613	
County Travis		Home Phone 512-535-2502	
Mobile Phone 512-653-8725		Work Phone	
Email Address [REDACTED]			
Date of Birth [REDACTED]	Texas Driver License or DPS ID # [REDACTED]		
Are you a registered voter? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

2. AREAS OF INTEREST

Please indicate the position(s) of interest to you. A list of all entities to which the City of Cedar Park makes appointments may be found at www.cedarparktexas.gov.

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Economic Development Sales Tax Corporation (4A)
<input type="checkbox"/> Community Development Corporation (4B)
<input type="checkbox"/> Board of Adjustments
<input type="checkbox"/> Building Standards Commission
<input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Parks, Arts, & Community Enrichment Board (PACE)
<input type="checkbox"/> Planning & Zoning Commission (P&Z)
<input type="checkbox"/> Tourism Advisory Board
<input type="checkbox"/> Other: _____ |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

In the space below, please explain your interest in the position(s) selected above.

Also, please explain any experience you have related to your selection(s).

I spent 35-years as an Army Soldier, serving both on active duty and in the National Guard, retiring in 2018 as a colonel. I have deep experience as a planner and strategic thinker. My family and I have lived in Cedar Park for more than 10 years. With my son's recent graduation for Cedar Park High School and transition to college, I find myself with some additional time. I would like to continue serving my community.

3. Employment History

Please provide your employment history for at least the past ten (10) years. Attach additional sheets as needed.

Employer Kahana Feld, LLP	Employer's Address 7600 Chevy Chase Dr., Suite 300 Austin, Texas 78752	Present Job Title Practice Group Manager
		Profession Legal
Job Description Please see CV attached herein. Thank you.		

4. Miscellaneous Information

Note: "Material Interest" is defined as a ten (10) percent or greater ownership or serving on the governing board of directors. This does not apply to mutual funds in which you do not exercise authority in investment decisions.

Are you, your spouse, or any company in which you have a material interest currently delinquent in any local, state or federal taxes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please provide details
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------

Do you, your spouse or any company in which you have a material interest or are employed by conduct any business with or receive funds from the City of Cedar Park or its boards, commissions or development corporations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please provide details
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------

Are you or your spouse related to a City of Cedar Park public official? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, please provide name, title, and relationship.		
Name of Public Official	Title	Relationship

Do you currently serve, or have you ever served on any City of Cedar Park board, commission or committee or in any elected or appointed office? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, please list the entity, position held, dates and indicate if you were reimbursed.			
Entity	Position	Years	Reimbursed (Y/N)

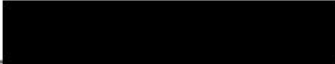
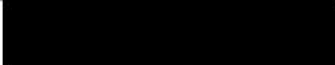
MISCELLANEOUS INFORMATION CONT.

Have you ever been convicted in a criminal proceeding (excluding traffic violations), placed on probation, required to perform community service, or had a criminal proceeding disposed of by pre-trial diversion, deferred prosecution, deferred adjudication or some similar proceeding? ☒ Yes ☐ No

If yes, list the charge, the date of the offense, the city and/or county and state in which it allegedly occurred, and the disposition thereof.

DWI--Travis County, Texas 1989; plead no contest and completed probation.

In the spaces below, please provide two references.

Name	Contact Number	Relationship to Applicant
Chris Logue		Friend
David Cripe		Friend

CERTIFICATION OF APPLICANT

I hereby certify that the foregoing and any attached statements are true, accurate and complete. I agree that any misstatement, misrepresentation, or omission of fact may result in my disqualification for appointment. I assign and hereby give the City of Cedar Park full authority to conduct background investigations pertinent to this application. I specifically authorize the Texas Department of Public Safety to conduct a background investigation and to disclose the results of that investigation to the Mayor of the City of Cedar Park or his/her authorized representative. I also understand that this application is subject to disclosure under the Texas Public Information Act.

Christian von Wupperfeld

Digitally signed by Christian von Wupperfeld
DN: cn=Christian von Wupperfeld, o=eu,
email=cj_vw@hotmail.com, c=US
Date: 2024.11.06 14:59:12 -06'00'

November 6, 2024

Applicant's Signature

Date

Completed application, resume and letter of interest may be submitted in person, email, mail, or by fax to:

City Secretary

City of Cedar Park

450 Cypress Creek Rd, Bldg. 1

Cedar Park, TX 78613

Phone: 512-401-5002

FAX # 512-401-5003

leann.quinn@cedarparktexas.gov

Applications are valid until December 31st of the year of submission.

Thank you for your interest in serving the Cedar Park Community.

Christian J. von Wupperfeld

Professional Summary

- Accomplished civilian attorney and Army operational leader.
- Deep strategic and operational planning experience.
- Demonstrated ability to provide timely responses to difficult, complex, and urgent problems.

Professional Experience

Kahana & Feld LLP

January 2024 to Present

Practice Group Manager—Firm lead responsible for developing, implementing, and improving the practice-groups' systems, workflows, and business operations of the firm's practices. Manage day-to-day operations and execute practice group strategies while supporting the profitable, effective operations of the practice groups. Serve as the connector between the services and solutions for the practices' attorneys and the people and resources need to accomplish the work.

- Oversees training and professional development of 90-+ attorneys.
- Conduct analysis of attorney billing trends to identify and correct deviations and ensure maximum staff utilization to drive profitability.

Texas Juvenile Justice Department

September 2018 to January 2024

General Counsel and Chief Ethic Officer—Leads the Office of General Counsel and serves as the primary advisor to the Department's Executive Director and Board on complex legal issues and a wide range of strategic and operational matters. Assigns, and supervises the work and development of nine attorneys and 42 non-attorneys. Provides direction, guidance, and planning of the Department's legal services; directs the development of plans and analysis of legal functions.

- Oversees \$2.8M budget, ensuring team remains "right sized" to meet requirements.
- Resolved lease dispute, saving Department over \$650,000.
- Established template-based contracting program that increased output and reduced errors.

United States Army South

June 2017 to June 2018

Program Manager, Security Force Training Mission (Colonel)—Led compliance advisory teams developing partner security, intelligence, and strategic/operational planning capabilities in 5 Central American countries ensuring that the United States remained regional partner-of-choice.

- Managed identification of leadership attributes and skills required of 105-person training team.
- Established conditions for mission success by developing action plans, timetables, and benchmarks, reviewing progress with teams and stakeholders, adjusting as needed.
- Managed oversight and execution of annual program budget of \$3.5M.

Resolute Support Headquarters, Afghanistan

April 2016 to June 2017

Director, Afghan National Defense Security Force Operations (Colonel)—Leader of four multinational consulting teams working in a complex and dynamic environment to develop the Afghan government's ability to build and sustain security, and improve communication between NATO and Afghan command elements.

- Led transformation of the Afghan National Command Center into the preferred location for Afghan national leaders to gain situational understanding and conduct strategic operations.
- Transformed Afghan command center's organizational structure and job descriptions to migrate their ongoing operations to a more effective and strategic operational platform.
- Developed and implemented personnel training, team building and staffing processes creating a partner network, thus improving crisis communication between NATO and Afghan forces, and enhancing overall security.
- Managed performance of 12 contractor personnel, ensuring adherence to statement of work.

36th Infantry Division**June 2014 to June 2016****Assistant Chief of Staff, Plans (Lt. Colonel)**

Lead operational and strategic plans advisor to Commanding General (CEO) of 19,000 person organization.

- Leader of 27-person cross-functional team, creating a framework and culture supporting development of future-state (3-5 years) strategic plan driving organizational change.
- Utilized analytic and visualization tools to assess impact of varying design and decision solutions.
- Led planning effort during culminating exercise (Warfighter) contributing to unit's selection for deployment to Afghanistan in an area command role, a first for a National Guard unit.

Astin Companies**February 2012 to June 2014**

General Counsel—C-Suite legal advisor for privately held group of companies engaged in diverse activities, including government-funded R&D (Lynntech, Inc.); datacenter operations (Fibertown, Inc.); commercial real estate; and airport operations (Easterwood Airport and Astin Aviation).

- Supervised development of processes and changes to programs that increased efficiency, reduced risk and resulted in significant savings, greater productivity and increased customer satisfaction.
- Led rewrite of personnel policies, eliminating more than \$2 million in potential liabilities.
- Oversaw renegotiation of pre-existing contracts, resulting in \$1.6 million savings.
- Collaborated with other C-Suite leaders to develop and execute company strategies, while advising them on legal and risk management issues.

Dell, Inc.**July 2006 to February 2012**

Senior Manager, Federal Contracts—Contracting expert responsible for negotiating, conducting due diligence, and post-sale management of \$2.5 billion contract portfolio.

- Independently managed complex contract negotiations and administration between Dell and the US military services, resulting in over \$1.5B in revenue and with no compliance issues.
- Developed strategy and led negotiations for VA contracts driving over \$710 million in revenue.
- Advised, educated, and supported sales team on contract compliance.
- Evaluated customer feedback and service metrics resulting in over 90% repeat business.

Multi-National Force Iraq**August 2008 to September 2009**

Strategist & Red Team Leader, (Major and Lt. Colonel)—Provided 4-star theater commander critical and strategic analysis, resulting in enhanced decision making.

National Guard Bureau**November 2004 to July 2006**

Legal Officer (Major)—Provide legal, technical, and analytical expertise to enable the transformation of National Guard Counter-Drug program to support Homeland Defense/Security and Global War on Terror.

Fletcher & Springer, L.L.P.**September 2001 to November 2004****Associate Attorney**

State and federal court litigation practice focusing on commercial litigation, insurance defense and defense of governmental entities.

Education

University of Houston Law Center, Juris Doctorate — Order of Barristers (national oral advocacy honor)

United States Army War College, Masters in Leadership and Strategy

The University of Texas at Austin, Bachelor of Journalism (minor in Business)

U.S. Army Red Team Leader Course (18-week post-graduate critical analysis course)

Certifications and Interests

Admitted to Practice of Law, State Bar of Texas (Active License)

Avid Runner: Completed 31 marathons and 2 ultra marathons

File Attachments for Item:

H.2 (2024-8-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Industrial/Manufacturing (I/M) For Approximately 9.2 Acres Located At 6400 183A Toll Road.



CITY COUNCIL AGENDA

January 23, 2025

Item/Subject: (2024-8-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Industrial/Manufacturing (I/M) For Approximately 9.2 Acres Located At 6400 183A Toll Road.

Staff	Dustin Henry, AICP, 512-401-5063, dustin.henry@cedarparktexas.gov
Owner	The Offices At Scottsdale, LLC
Agent	Jon Leuders, Holt Lunsford Commercial Investments, LLC
City Limits	Yes
Extraterritorial Jurisdiction	No
Current Zoning	General Business-Conditional Overlay (GB-CO)
Existing Future Land Use Plan	Regional Office/Retail/Commercial (REG)
Proposed Future Land Use Plan	Industrial/Manufacturing (I/M)
Major Corridor	183A Toll Road
Summary of Applicant's Request	Accept a FLUP Amendment Petition to change the Future Land Use designation to Industrial/Manufacturing (I/M) for approximately 9.2 Acres.

This Future Land Use Plan (“FLUP”) Amendment Petition comprises approximately 9.2 acres of land generally located northeast of the intersection of Scottsdale Drive and 183A Toll Road. Immediately to the east of the subject site, and noted as not being part of the FLUP Amendment Petition request, there is a drainage easement which varies in width by approximately 110 to 200 feet and separates the subject site from the Scottsdale Crossing neighborhood further to the east. Apart from some stockpiled materials and construction debris, the subject property is currently vacant. Site improvements had begun associated with a previously permitted office building development, although that project has stalled with no apparent plans to resume.

The 2024 Comprehensive Plan designated the subject property as Regional Office/Retail/Commercial (REG) as shown on Exhibit A. The petition represents a request to amend the Future Land Use Plan designation to Industrial/Manufacturing (I/M) to support a greater flexibility of land uses for a Class-A business park. Below is a summary of how the FLUP percentages will change if amended from Regional Office/Retail/Commercial (REG) to Industrial/Manufacturing (I/M):

FLUP DESIGNATION	CURRENT FLUP ACRES	PERCENT OF TOTAL ACRES	PROPOSED FLUP ACRES	PROPOSED PERCENT OF TOTAL ACRES
Regional Office/Retail/Commercial (REG)	1,970.87	9.23%	1,961.67	9.19%
Industrial/Manufacturing (I/M)	702.51	3.29%	711.71	3.33%

This property is located along the 183A Toll Road frontage, a major arterial, and north of its intersection with Scottsdale Drive, a commercial collector. This corridor along 183A Toll Road is envisioned to be developed with regional commercial and industrial/manufacturing uses along the east side of the Toll Road. The abutting FLUP designations, zoning districts and existing land uses are summarized in the table below:

DIRECTION	FLUP	ZONING	EXISTING USES
North	Regional Office/Retail/Commercial (REG)	Open Space Greenbelt (OG)	Vacant – Block House Creek
South	Regional Office/Retail/Commercial (REG)	General Business-Conditional Overlay (GB-CO)	Office and Retail
East	Regional Office/Retail/Commercial (REG), Low Density Residential (LDR)	General Business-Conditional Overlay (GB-CO), Semi Urban Residential (SU)	Vacant (Drainage Easement Lot); Single-Family Residential
West	Low Density Residential (LDR)	None (ETJ)	Single-Family Residential

The Applicant’s concept plan and letter of intent (Exhibit C) propose development of the 9.2-acre property into a Class-A business park composed of two (2) buildings of approximately 107,000 gross square feet supporting office/warehouse and light industrial uses.

If accepted, this Future Land Use Plan Amendment (2024-8-FLU) will allow the Applicant to proceed with the process to amend the Future Land Use designations and rezone the subject property to Light Industrial (LI) to accommodate the proposed office/warehouse light industrial development.

History

The following chart outlines the FLUP History for this property.

YEAR	FLUP DESIGNATION	FLUP DESCRIPTION
1998 Comprehensive Plan	Medium Intensity	Supports Commercial, Downtown district, High density residential.
2006 Comprehensive Plan	Regional Office/Retail/Commercial (REG)	Supports a broad range of land uses from small-scale offices for transitional areas bordering neighborhoods, to large scale corporate offices, retail, and mixed use developments.
2014 Comprehensive Plan	Regional Office/Retail/Commercial (REG)	Supports broad range of retail, service uses and professional office activities that aim to meet the needs of residents within a three to five-mile radius or more.

Future Land Use Description

Descriptions of the existing and proposed FLUP designations are provided below:

Industrial/Manufacturing (I/M)

This land use designation is suitable for manufacturing, processing, assembling, packaging and fabricating previously prepared materials, as well as warehousing. This category is typically auto-oriented with large parking lots and a wide range of commercial uses that serve the local and regional markets. Large tracts of land with easy access to roadway transportation are becoming increasingly hard to find for the industrial business community. However, these businesses can be advantageous for a municipality in terms of providing employment and an increased tax base.

Regional Office, Retail, and Commercial (REG)

This land use is compatible on larger land parcels and is suitable for a broad range of retail, service uses and professional office activities that aim to meet the needs of residents within a three to five mile radius or more. The developments in this category are typically larger in scale, more intense and are also high generators of traffic, generally more appropriate around employment centers, along 183A and RM 1431. This category is intended to incorporate a blend of nonresidential uses, such as retail shopping centers, mid-rise corporate office parks, medical campuses, and technology parks. They are characterized by large parking lots where buildings may be of multiple stories as

they highly depend on visibility from major roadways. It is encouraged that building designs within this zone be coordinated when possible. Types of uses in this land use category include business parks, hotels, and “big box” retailers.

Petition Process:

The Future Land Use Plan (FLUP) Amendment Petition process allows an applicant to present a proposal to the City Council that is inconsistent with the FLUP as adopted in the Comprehensive Plan, and solicit City Council feedback on that proposal. Each FLUP Amendment Petition will be evaluated by the City Council on its own merits. It is the responsibility of the property owner or applicant to provide evidence that the proposed FLUP amendment supports community goals and objectives as set forth within the Comprehensive Plan.

The adopted Comprehensive Plan provides that amendments to the FLUP should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The City Council will consider each proposed FLUP amendment petition carefully to determine whether it is consistent with the Comprehensive Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Cedar Park. Upon review of the Petition materials, a FLUP amendment petition may be accepted by a majority vote of the City Council.

Acceptance by the City Council of a FLUP amendment Petition shall not constitute or guarantee approval of the proposed FLUP amendment. Acceptance of a FLUP amendment Petition only indicates an applicant may proceed through the FLUP amendment process. If the City Council does not vote to accept or table the FLUP amendment Petition, the Petition shall be deemed denied. The Applicant's materials, which include a Summary Memorandum, Statement of Comprehensive Plan Goals furthered by the Petition, and other supportive materials are attached (see Exhibit C).

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

Exhibit A: Current Future Land Use Plan

Exhibit B: Proposed Future Land Use Plan

Exhibit C: Applicant's Materials in Support of Petition

Exhibit A
Existing Future Land Use Plan

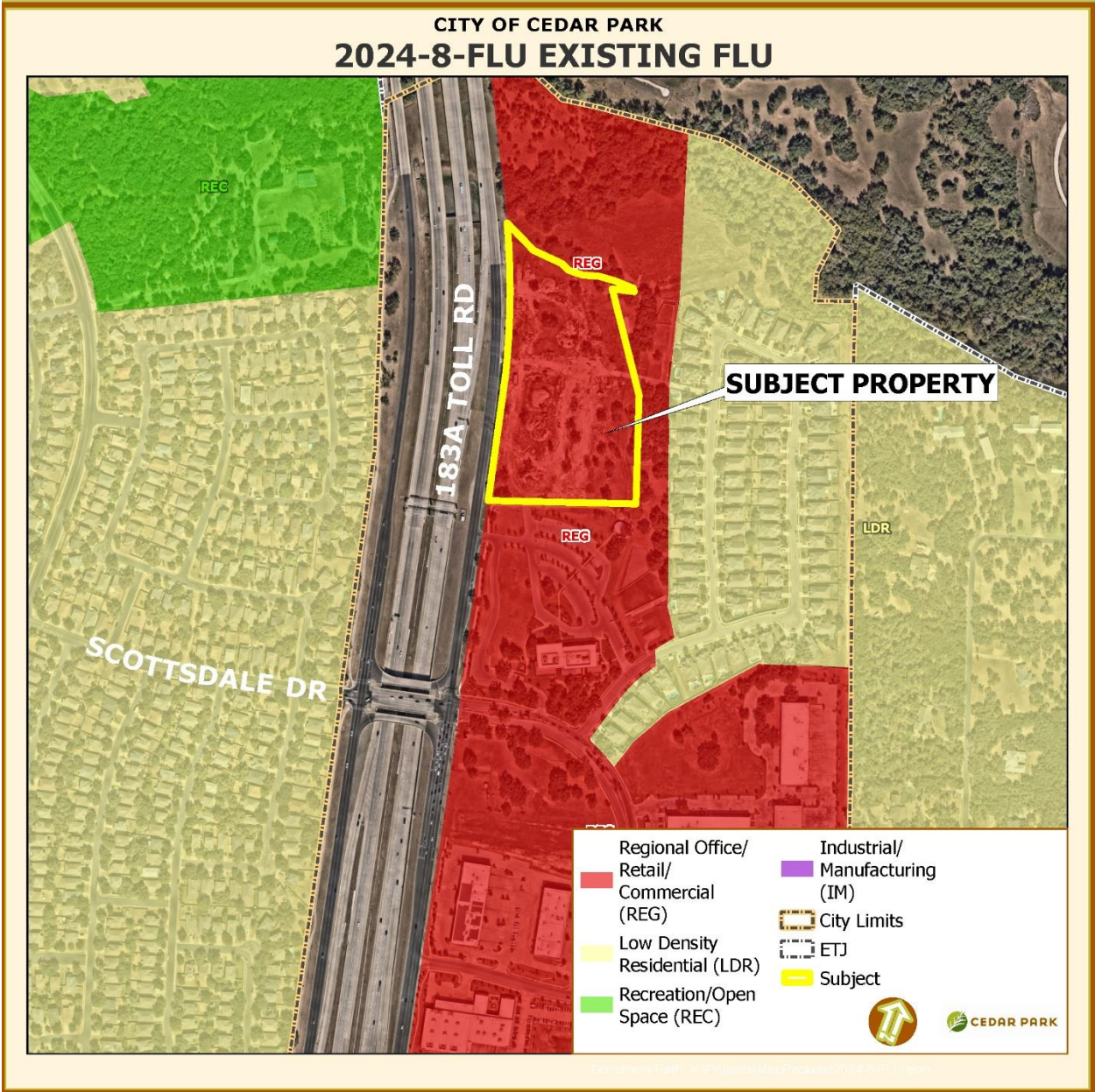


Exhibit B
Proposed Future Land Use Plan

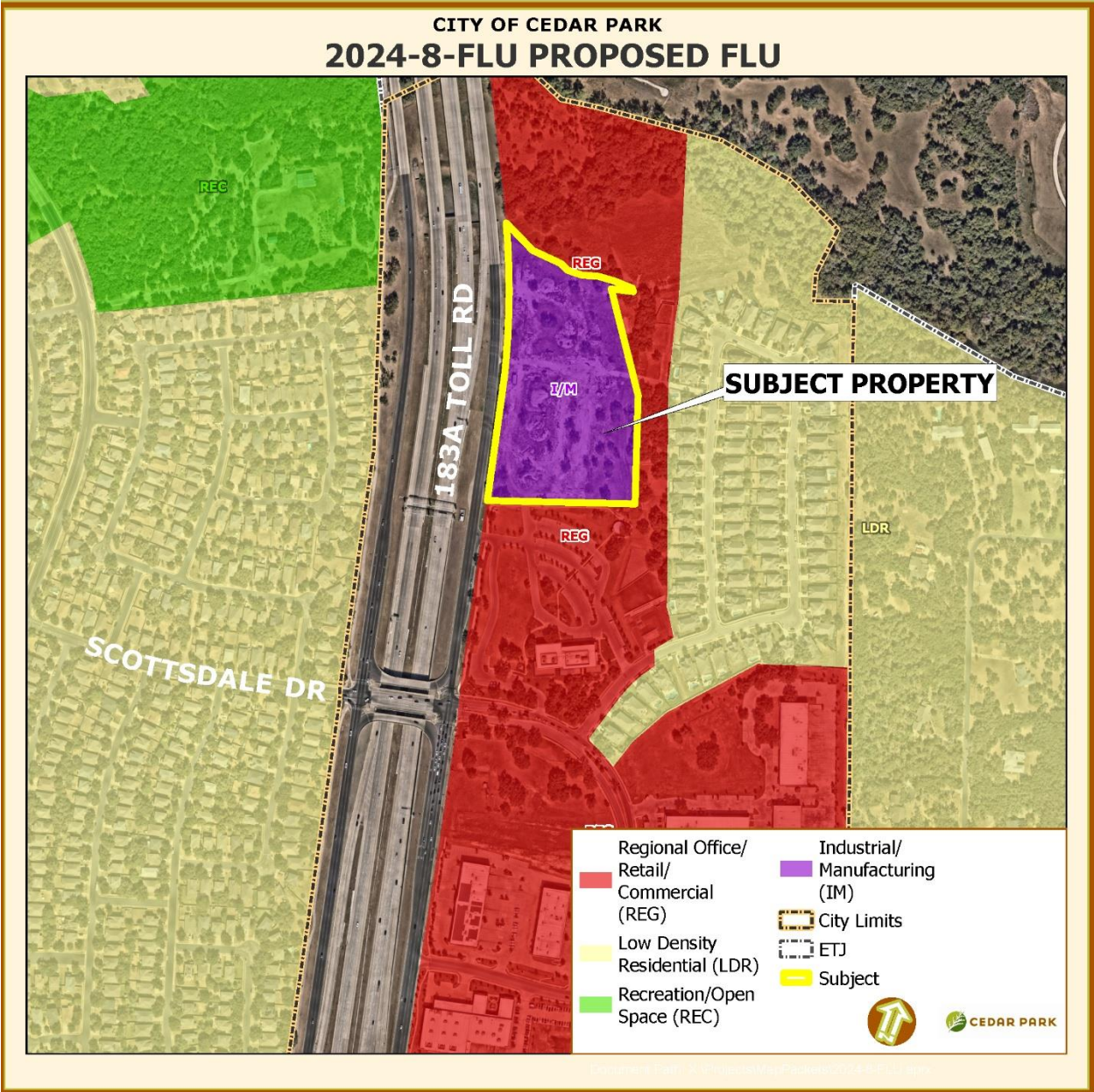


Exhibit C: Applicant's Materials

The following items are required as part of a complete Petition. Items in italics have been submitted but are not included in the attached.

1. *Proof of property ownership.*
2. An aerial map clearly depicting the subject property and surrounding properties; the same or additional map should identify the property's current FLUP designation and the designation of surrounding properties.
3. Letter of Request. A Letter of Request from the owner/applicant outlining the justification for the proposed FLUP amendment. The Letter shall include:
 - a) How the proposed change will enhance the site and the surrounding area;
 - b) Whether the necessary infrastructure is already in place or how this will be provided;
 - c) How the proposed change reflects the vision identified by the Future Land Use Plan;
 - d) Whether or how the subject property is compliant with surrounding land uses and zoning;
 - e) How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and uses in a negative manner a compatible manner, or enhances adjacent areas;
 - f) Whether uses adjacent to the proposed land use are similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility. If adjacent uses are dissimilar, how compatibility will be addressed;
 - g) How the proposed land use presents a better benefit to the public health, safety and welfare of the community than the current designation of future land use; and
 - h) How the proposed land use contributes to the City's long-term economic well-being.
4. Statement of Relevant Goals and Objectives. This Statement from the applicant identifies which goals and objectives of the Comprehensive Plan are supported by the proposed land use change, and how they are supported or strengthened by the proposal.
5. Proposed Land Use and Development Information. This includes information on proposed land uses, building intensity, building height, building area, density, number of non-residential or residential dwelling units, etc.
6. Identification of unique characteristics of the area that supports the proposed land use and any additional maps or other information from the applicant to support the proposed Amendment.
7. *Scan of completed Owner's Acknowledgement.*

Letter of Request – Scottsdale Crossing

November 15, 2024

City of Cedar Park
ATTN: Jim Penniman-Morin, Mayor
450 Cypress Creek Road
Cedar Park, TX 78613

City of Cedar Park
ATTN: City Council Members
ATTN: Planning Department
ATTN: J.P. LeCompte, City Attorney
ATTN: Scott Smith, Assistant Director of Economic Development
450 Cypress Creek Road
Cedar Park, TX 78613

Re: Letter of Request for a FLUP Amendment Petition of approximately \pm 9.2 Acres located near Scottsdale Dr. in Cedar Park, TX.

To whom it may concern:

Scottsdale Crossing is a \pm 9.2-acre tract of land located within the City of Cedar Park, TX. The purpose of this letter is to petition an amendment to the Future Land Use Plan (FLUP), converting the future land use of the property from Regional Office/Retail/Commercial (REG) to Industrial/Manufacturing (I/M).

Per the FLUP Petition Checklist, the justifications for the FLUP Petition are as follows:

1. How does the *Scottsdale Crossing* FLUP Petition enhance the site and the surrounding area?

The proposed change from Regional Office/Retail/Commercial (REG) to Industrial/Manufacturing (I/M) will enable a transformation of the site, moving it from an inactive construction zone—characterized by dirt piles, debris, and dormant equipment—to a premier Class-A business park. The site, which benefits from frontage on Highway 183A, will evolve from its current unsightly state into a project that reflects Cedar Park's vision for quality development.

Under the proposed Industrial/Manufacturing (I/M) designation we plan to develop high-finish office/warehouse buildings as shown in Exhibit "A". The I/M designation provides greater tenant flexibility within the business park by addressing leasing challenges faced by the Scottsdale Crossing Technology Center under its REG land use designation. *Scottsdale Crossing* will offer an attractive and dynamic space for innovative and contemporary businesses to flourish, which in turn will contribute to the economic vitality of Cedar Park's already-thriving economy.

2. Is the necessary infrastructure in place to serve *Scottsdale Crossing*, and if not, how will this be provided?

Water and wastewater services will be adequate based upon existing and planned public improvements. A public 12" water line has already been installed along the 183A frontage of the property but has not yet been accepted by the City of Cedar Park as public infrastructure. *Scottsdale Crossing* will work to have this line tested and accepted by the City to service the property, while also providing a connection point to facilitate future service to real property to the north and west of the subject tract. A public 12" wastewater line is present on the northern portion of the property adjacent to Blockhouse Creek, which has sufficient capacity to service the development.

Developing *Scottsdale Crossing* will require coordination with the Central Texas Regional Mobility Authority (CTRMA) for the proper traffic and transportation improvements to ensure safe access to the property. These improvements will include a new right-hand turn and deceleration lane on the 183A northbound access road, which will allow for safe exit from the access road into the development. The project will also include a southern access point from the James Avery HQ2 office development, which will provide improved connectivity for the surrounding business park.

Stormwater detention for *Scottsdale Crossing* has already been provided within the Upper Brushy Creek Water Control and Improvement District (UBCWCID) Soil Conservation Site 3 Reservoir to the northeast of the property. This detention was previously allocated and approved for the entirety of the greater *Scottsdale Crossing* development and will be utilized to serve this project. The site contains an existing water quality pond that was installed with the James Avery HQ2 project and was designed to allow for the addition of the *Scottsdale Crossing* property. The water quality apparatus currently in place has been approved by the Texas Commission on Environmental Quality (TCEQ), and when expanded will improve the quality of stormwater runoff from the property in its current condition.

3. How does the *Scottsdale Crossing* FLUP Petition reflect the vision identified by the Future Land Use Plan?

The *Scottsdale Crossing* FLUP Petition reflects the vision of Cedar Park's Future Land Use Plan by aligning with the City's values of community, innovation, and economic vitality. By transforming the site into a high-quality employment center, the petition supports Cedar Park's goal of fostering business growth and creating a cohesive community that provides for critical needs.

The petition also mirrors the Plan's commitment to innovation and fiscal responsibility by adapting the site to meet current market conditions, addressing the limited availability of developable industrial land. Currently, only 3.36% of Cedar Park is designated for Industrial/Manufacturing use, limiting the City's ability to attract and retain businesses, especially in the research, high technology, defense, and design sectors. This petition supports Cedar Park's responsiveness to evolving economic trends and fulfills its commitment to service and professionalism by enhancing valuable resources and infrastructure that drive business success. Through this petition, the City embraces a forward-looking perspective, ensuring its long-term growth and quality of life for all residents.

4. Is *Scottsdale Crossing* compliant with the surrounding land uses and zoning?

The proposed conversion of *Scottsdale Crossing* aligns with the surrounding land uses along the Highway 183A eastern frontage, which feature a mixture of Regional Office/Retail/Commercial (REG) and

Industrial/Manufacturing (I/M) designations. This change is consistent with recent land use adjustments, including the 2021 FLUP amendment and rezoning of a site directly south along Scottsdale Drive (FLU-21-006 and Z-21-010). These conversions show how the corridor's cohesive development pattern is preserved while meeting Cedar Park's growing tenant demand for high quality space.

5. How does *Scottsdale Crossing* impact adjacent areas?

The *Scottsdale Crossing* development has been thoughtfully designed to enhance the surrounding area, providing a balance between supporting economic growth and preserving the character of the neighborhood. While its modern facilities and strategic location will bring new economic activity to the area, the development will prioritize the needs of the local community by minimizing any potential impact on residents.

To maintain a harmonious environment, *Scottsdale Crossing* will incorporate extensive screening, generous setbacks, and enhanced landscaping to create a visually appealing buffer that respects the adjacent neighborhood (Exhibit "A"). We are committed to open communication with nearby residents and will prioritize community feedback throughout the design process. These measures allow *Scottsdale Crossing* to contribute to economic vitality without compromising the quality of life for those in adjacent areas.

6. Are the adjacent land uses similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility with *Scottsdale Crossing*?

The proposed Industrial/Manufacturing (I/M) use for *Scottsdale Crossing* is highly compatible with the surrounding uses both in terms of appearance and operational characteristics. Surrounding businesses within this corridor operate during standard business hours, which is expected of our future tenants. This alignment ensures minimal impact on nearby residential areas, as future activity will meet regulations and restrictions provided by the city.

Regarding appearance, the proposed buildings at *Scottsdale Crossing* will align closely with nearby developments such as the New Hope mixed-use development north of E New Hope Drive and the Scottsdale Crossing Technology Center, which incorporates office, R&D, and flex space. The proposed high-quality, modern facilities will visually complement the established business park aesthetic. While there is a residential neighborhood to the east, we will implement a variety of buffers and screening to create a clear and respectful transition between the two areas, in line with the City's commitment to compatible and community-sensitive development (Exhibit "A").

7. How will the *Scottsdale Crossing* FLUP Petition better benefit public health, safety, and welfare of the community?

The project includes cleaning up the existing site, removing construction debris, and addressing visual concerns for nearby residents. In addition, we intend to improve the existing fire lane that connects the site with the adjacent residential community, ensuring better emergency access and safer conditions for both the site and surrounding residents.

The proposed project also plans to extend existing sidewalks, connecting them with the pathway at the neighboring James Avery property and expanding connectivity to the *183A Shared-Use Trail* (Exhibit "A"). This

improvement aligns with Cedar Park's vision for connected, pedestrian-friendly infrastructure, creating a cohesive sidewalk network that enhances walkability and public safety within the community.

8. How will *Scottsdale Crossing* contribute to the City's long-term economic well-being?

Scottsdale Crossing will significantly contribute to the City's long-term economic well-being by transforming the site into a premier Class-A business park that attracts high-quality tenants and fosters job creation. By shifting the land use from Regional Office/Retail/Commercial to Industrial/Manufacturing the development will provide much-needed warehouse space, capitalizing on Cedar Park's track record of attracting high-quality technology firms such as Hylion, AM Technologies, and Hanyang.

The presence of modern, high-finish office/warehouse buildings will not only generate increased tax revenue for the City but also stimulate local businesses through heightened economic activity. As innovative companies establish operations in *Scottsdale Crossing*, they will contribute to a diverse and resilient economy, supporting the City's vision for sustained growth and economic prosperity. The project's emphasis on creating a vibrant, interconnected business community aligns with Cedar Park's goals for long-term economic development and quality of life, ensuring that the City remains competitive in attracting and retaining businesses.

I look forward to working with City Council, City staff, adjacent property owners, and all other stakeholders to bring *Scottsdale Crossing* to fruition. If you have any questions or require any additional information, please do not hesitate to contact me.



Jon Lueders
Vice President, Development
Holt Lunsford Commercial Investments
Cell: 972.265.0140
Email: jlueders@holtlunsford.com

Site plan for the proposed 100,000 sq ft retail building at Highway 183 and Highway 183 Frontage Rd. The plan shows two buildings: Building 01 (32,500 sq ft) and Building 02 (74,800 sq ft). Building 01 is a rectangular structure with a 52'-0" typical width and a 250'-0" length. Building 02 is a larger rectangular structure with a 52'-0" typical width and a 440'-0" length. The site includes a parking lot, a tree buffer, and setbacks: 80' building setback, 25' landscape setback, and 30' building setback. The site is bounded by Highway 183 to the north and Highway 183 Frontage Rd to the south.



Statement of Relevant Goals and Objectives – Scottsdale Crossing

November 15, 2024

City of Cedar Park
ATTN: Jim Penniman-Morin, Mayor
450 Cypress Creek Road
Cedar Park, TX 78613

City of Cedar Park
ATTN: City Council Members
ATTN: Planning Department
ATTN: J.P. LeCompte, City Attorney
ATTN: Scott Smith, Assistant Director of Economic Development
450 Cypress Creek Road
Cedar Park, TX 78613

Re: Statement of Relevant Goals and Objectives for a FLUP Amendment Petition of approximately \pm 9.2 Acres located near Scottsdale Dr. in Cedar Park, TX.

To whom it may concern:

Scottsdale Crossing is a \pm 9.2-acre tract of land located within the City of Cedar Park, TX. The purpose of this letter is to petition an amendment to the Future Land Use Plan (FLUP), converting the future land use of the property from Regional Office/Retail/Commercial (REG) to Industrial/Manufacturing (I/M).

Per the FLUP Petition Checklist, the Statement of Relevant Goals and Objectives and how they align with the City's Comprehensive Plan are as follows:

Objective #1: Focus on business attraction and retention to be a destination for major employers and innovative entrepreneurs.

Scottsdale Crossing supports Cedar Park's goal of becoming a premier destination for major employers by providing a flexible, high-quality business park. With its strategic location along Highway 183A, the site will attract businesses in high-tech and innovative sectors, contributing to job creation and economic growth. This project will enhance Cedar Park's reputation as a business-friendly community that prioritizes sustainable, forward-looking development.

Objective #4: Ensure an appropriate mix of land use types within the City.

Scottsdale Crossing addresses Cedar Park's limited availability of industrial sites, with only 3.36% of the City's land currently designated for this use. As one of few remaining undeveloped tracts with frontage along Highway 183A, *Scottsdale Crossing* presents a rare opportunity for industrial development along a major corridor, enhancing the City's land use mix and ability to attract diverse businesses.

Objective #6: Address current and projected heavy traffic volumes moving through and within the City.

Scottsdale Crossing's frontage along Highway 183A ensures minimal traffic impact to Cedar Park's local roads. With direct access to a major corridor, trucks and commercial vehicles will avoid residential areas, keeping traffic concentrated along Highway 183A and reducing the burden on the City's streets. This setup supports Cedar Park's goal of managing traffic flow efficiently while minimizing disruption to residents.

Objective #8: Ensure pedestrian connectivity and safety, especially near Bell Boulevard.

Scottsdale Crossing's scope includes extending existing sidewalks at the neighboring James Avery property and expanding connectivity to the 183A Shared-Use Trail. These improvements will create a cohesive, pedestrian-friendly infrastructure that promotes walkability and public safety.

Objective #10: Maintain acceptable level of service for roadways and intersections.

Improvement of the existing fire lane that connects the 183A frontage road to the adjacent residential community is included in *Scottsdale Crossing's* scope. Following development, the owner will be responsible for upkeep and maintenance of this fire lane, reducing potential costs to the City.

Objective #15: Meet the community's needs for public safety and service.

Scottsdale Crossing will enhance public safety by improving the existing fire lane, providing better emergency access between the site and the adjacent residential community. The development also includes site cleanup efforts, removing debris and addressing visual concerns, contributing to a safer and more appealing environment.

Objective #17: Coordinate with the in-progress Parks and Recreation Master Plan to ensure recreation amenities meet the needs for the increasing population.

The proposed business park will expand connectivity to the 183A Shared-Use Trail, designated as a special-purpose park in Cedar Park's 2015 Parks and Open Space Master Plan. The park is described as a "premier shared use path" and accounts for nearly 15% of the City's total trail length. *Scottsdale Crossing* also enhances access to the 15.7-acre Scottsdale Crossing Park to the north, providing additional recreational options for the surrounding community.

Objective #18: Address the physical appearance of the built environment to ensure that a positive image of Cedar Park is exhibited to residents and visitors.

The *Scottsdale Crossing* development will transform the current site by cleaning up construction debris and drastically improving the property's physical appearance. Extensive landscaping buffers and screening will provide a visually appealing boundary that respects neighboring areas, while the design will be contiguous with the existing business park and will reinforce a cohesive and high-quality aesthetic.

Objective #19: Maintain a civic-minded community with a strong social fabric that promotes social, economic, and spiritual interaction and quality of life at a community-wide level.

Scottsdale Crossing will contribute significantly to Cedar Park's economic vitality by attracting high-quality tenant, creating new job opportunities, strengthening the City's economy, and supporting community growth. The

development's design also encourages social interaction through enhanced pedestrian access and connectivity to nearby parks, fostering a cohesive environment that benefits residents and businesses alike.

Objective #20: Improve the walkability and connectedness of Cedar Park for pedestrians and bicyclists.

Scottsdale Crossing will enhance pedestrian and cyclist connectivity by extending sidewalks and expanding access to the 183A Shared-Use Path.

I look forward to working with City Council, City staff, adjacent property owners, and all other stakeholders to bring *Scottsdale Crossing* to fruition. If you have any questions or require any additional information, please do not hesitate to contact me.



Jon Lueders
Vice President, Development
Holt Lunsford Commercial Investments
Cell: 972.265.0140
Email: jlueders@holtlunsford.com

CEDAR PARK

Development Services Intake
450 Cypress Creek Road, Building 2
Cedar Park, TX 78613
Office: 512-401-5100
Fax: 512-258-1471

OWNER'S ACKNOWLEDGMENT & DESIGNATION OF AGENT

The signature of the property owner or owners is required. If the property owner information does not match appraisal district records, documentation verifying the change in ownership must be provided.

By signing, the owner indicates consent to the submittal of this petition. If the owner designates an agent to facilitate the petition, both owner and agent must sign this acknowledgment. Signatures certify that the applicant and his agent, if so designated, has reviewed the requirements of this petition and acknowledges that the acceptance of the proposed amendment petition by the City Council does not grant the requested FLUP amendment or guarantee such approval by the Planning and Zoning Commission or City Council when the amendment is presented for consideration. **Acceptance** of a FLUP amendment petition shall be **valid 18 months** from City Council consideration unless a public hearing for the FLUP amendment has been held before the Planning and Zoning Commission and any substantive changes to original submission must be submitted for reconsideration by City Council.

Note: the agent is the official contact person for this petition and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

☐ I will represent my petition before the City Council.

☒ I hereby authorize the person named below to act as my agent/applicant in processing this petition before the City Council.

Owner's Name (Printed): THE OFFICES AT SCOTTSDALE, LLC

Owner's Address: 317 Grace Lane, Suite 240

Owner's Phone: (512) 970-7271 Cell: _____ Email: Steveharren@aol.com

Owner's Signature:  Date: 11/15/2024

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

Agent's Name (Printed): Holt Lunsford Commercial Investments, LLC (Jon Lueders)

Agent's Address: 5950 Berkshire Lane Dallas, Tx 75225

Agent's Phone: 972.265.0140 Cell: _____ Email: Jlueders@holtlunsford.com

Agent's Signature:  Date: 11/15/2024

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

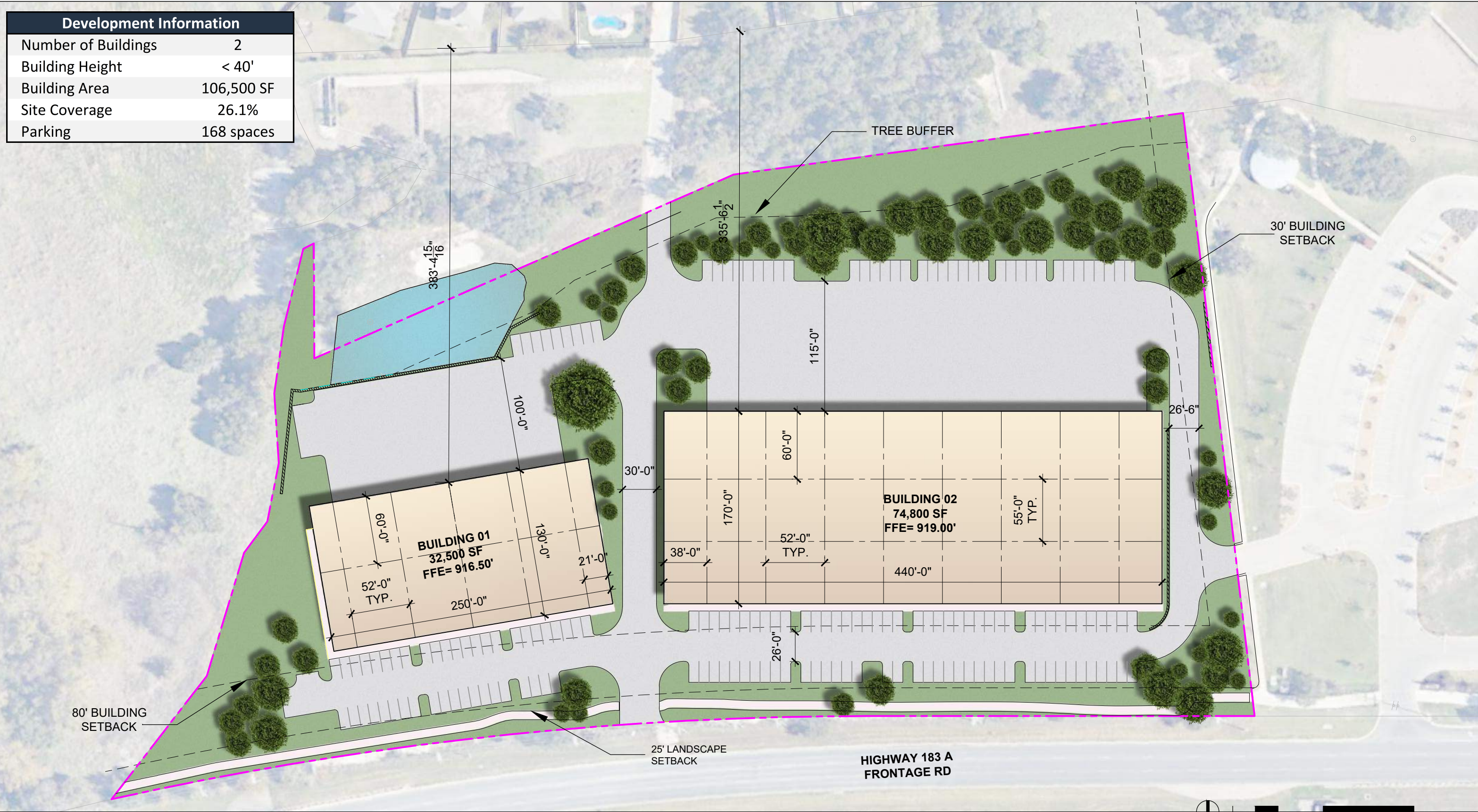
SITE AREA : 9.36 AC (407,804 SF)

BUILDING AREA : 106,500 SF

COVERAGE : 26.1%

PARKING : 168

Development Information	
Number of Buildings	2
Building Height	< 40'
Building Area	106,500 SF
Site Coverage	26.1%
Parking	168 spaces



* PRELIMINARY NOT FOR CONSTRUCTION, PERMIT, OR REGULATORY APPROVAL.

* BOUNDARY LINES AND EASEMENTS ARE PRELIMINARY & REQUIRE VERIFICATION - SURVEY NOT PROVIDED.

* ALL BUILDING AREAS ARE APPROXIMATE UNTIL BUILDING FOOTPRINT/ ENTRY DESIGNS ARE FINALIZED.

* RENDERING IS REPRESENTATIVE OF DESIGN INTENT ONLY. IT IS NOT A PHOTOREALISTIC REPRESENTATION OF ACTUAL MATERIALS PROPOSED AND SHOULD BE CONSIDERED PRELIMINARY AT ALL STAGES.

* PRELIMINARY DETENTION CALCULATIONS. CALCULATIONS ARE SUBJECT TO CHANGE AND NEED TO BE CONFIRMED BY A LICENSED ENGINEER. *



File Attachments for Item:

H.3 Consideration Of A Resolution Authorizing A Professional Services Agreement With Carollo Engineers, Inc. To Support Development Of The Alternative Water Supply Study Project In An Amount Not To Exceed \$300,000.



CITY COUNCIL AGENDA
January 23, 2025

Item/Subject: A Resolution Authorizing A Professional Services Agreement With Carollo Engineers, Inc. To Support Development Of The Alternative Water Supply Study Project In An Amount Not To Exceed \$300,000.

Commentary

The purpose of this resolution is to authorize the City Manager to execute a Professional Services Agreement ("Agreement") with Carollo Engineers, Inc. to support development of the Alternative Water Supply Study ("Study"). The City currently purchases raw water for drinking water treatment from the Lower Colorado River Authority ("LCRA"). While the City's surface water supply contract is projected to meet demands through 2070, the City seeks to enhance its water supply resiliency, principally in response to the potential for future droughts or other emergency situations.

Objectives of the Study include:

- Evaluation and Identification of Alternative Water Sources: Identify and assess alternative water supply options to supplement the current surface water source, with a focus on protection during droughts or emergencies.
- Developing Additional Resiliency: Enhance the City's water system resiliency by identifying strategies that diversify the water portfolio, potentially reducing dependence on surface water and mitigating the impacts of drought.
- Ensure Future Water Security: Provide recommendations to enhance the City's water supply to address future demands and conditions.

Pursuant to Texas Government Code Chapter 2254, City staff advertised a Request for Qualifications ("RFQ") for professional engineering services to support the development of the Study. The evaluation factors and ranking criteria identified in the RFQ included: qualifications and availability (15%), proposed team experience (25%), project experience (40%), and proposed project approach (20%). A description of these evaluation factors and the ranking criteria are attached to this memo.

The City received three (3) Statements of Qualifications (“SOQ”) from interested engineering firms. An evaluation and selection committee consisting of department staff evaluated the SOQs using a scoring matrix that rates the firm’s qualifications for each of the evaluation factors. After evaluating and ranking the SOQs, staff is recommending negotiating a professional services agreement with Carollo Engineers, Inc. to develop the Study. The ranking of each firm that submitted a SOQ is attached. Funding for this Study is included in the FY2025 Utility Capital Improvement Project budget.

Initiating Dept: Public Works

Fiscal Impact

Fund: Utility W56

Budget

Amount: \$300,000.00

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Finance Director Review

Legal Certification

Approved as to form and content:

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Yes

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No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal: Infrastructure and Environment
 - Objective: Infrastructure
 - Strategy: iii. Explore supplemental water supply with regional partners to ensure long-term water needs are met

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS, INC. FOR ENGINEERING SERVICES TO SUPPORT THE DEVELOPMENT OF THE ALTERNATIVE WATER SUPPLY STUDY IN AN AMOUNT NOT TO EXCEED \$300,000; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Cedar Park's Strategic Goals include preserving and enhancing the tools and resources necessary to support critical infrastructure and sustainability initiatives, as demonstrated by Strategic Goal Objective 5.C, which emphasizes responsible stewardship of community and natural resources; and

WHEREAS, ensuring the long-term sustainability and resilience of Cedar Park's water supply is a key component of the City's infrastructure planning, and includes considering the impact of future droughts and emergencies; and

WHEREAS, funding was allocated in the fiscal year 2025 utility budget to undertake a study to examine alternative water sources to supplement the City's existing water supply (the "Study"); and

WHEREAS, a request for qualifications for professional engineering services to conduct the Study was advertised in compliance with Texas Government Code Chapter 2254; and

WHEREAS, the City received three (3) Statements of Qualifications from qualified engineering firms registered with the Texas Board of Professional Engineers; and

WHEREAS, Carollo Engineers, Inc. ranked the highest of the qualified responding engineering firms and has extensive experience with the design of this type of study; and

WHEREAS, the City desires to execute an engineering services agreement with Carollo Engineers, Inc. to develop the Alternative Water Supply Study in an amount not to exceed \$300,000; and

WHEREAS, pursuant to Texas Government Code Chapter 2254, if negotiations are unsuccessful, the City desires to negotiate with the next most qualified responding engineering firm until an engineering services agreement to support development of the Alternative Water Supply Study is agreed upon and executed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. The City Council of Cedar Park hereby authorizes and directs the City Manager or their designee to negotiate and execute an agreement with Carollo Engineers, Inc. for development of the Alternative Water Supply Study in an amount not to exceed \$300,000, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 23rd day of January, 2025.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

**Alternative Water Supply Study
Statement of Qualifications for Design
Evaluation Criteria Scoring Summary**



Firm	1. Qualifications and Availability (15 pts)	2. Proposed Staff (25 pts)	3. Project Experience (40 pts)	4. Project Approach (20 pts)	Overall Score	Scoring Rank
Carollo Engineers, Inc.	14.5	24.0	38.0	18.5	95.0	1
Freese and Nichols, Inc.	13.5	24.5	38.0	17.0	93.0	2
Lockwood, Andrews and Newnam, Inc.	13.0	21.5	35.5	16.5	86.5	3

Alternative Water Supply Study

Statement of Qualifications for Design

Evaluation Criteria

1. Qualifications and Availability:

Did the response meet the page limit?

Was all requested information provided? (legal Name of Firm, location of office conducting the work, etc.)

Is the firm/team available and did they show a level of commitment to the project?

Did they provide a narrative illustrating their expertise and any unique qualifications?

Were the City required forms (CIQ) submitted?

2. Proposed Staff:

Did the firm provide names and roles of key personnel proposed to work on the project and their locations?

Is the firm/team available and did they show a level of commitment to the project?

Did they provide a narrative illustrating their expertise and any unique qualifications, including working on similar projects?

Did the firm/team provide an organizational chart for personnel (including sub-consultants) who are to work on this project including licensure information?

3. Project Experience:

Did the firm/team provide the names and roles of key personnel proposed to work on this project and their office locations?

Did the firm/team provide proposed staff availability to perform services? Do they have availability to complete our project?

Did the firm/team provide the Project Managers experience with similar size projects? Evaluate provided

Did the firm/team provide the sub-consultants experience with similar size projects? Evaluate provided

Did the firm/team provide verifiable examples of at least three (3) similar projects completed in the last five (5) years by the principal, project manager and sub-consultants?

Did the firm/team include the project name and location, services provided, date of completion or project status, final construction costs, client name and contact person, history of meeting project schedules, history of accomplishing services within established budget (planned vs actual) for the similar projects presented?

Are the projects presented equal or greater in complexity when compared with the proposed projects listed in scope and types of deliverables required?

Are any of the project presented local (Central Texas) projects?

4. Project Approach:

Did the consultants provide an explanation of how the project will be managed and implemented?

Was a project schedule provided?