



MINUTES

**REGULAR CALLED MEETING OF THE
COMMUNITY DEVELOPMENT (Type B) CORPORATION
Tuesday, January 12, 2016 at 6:30 PM
Cedar Park City Hall Council Chambers
450 Cypress Creek Road, Building Four, Cedar Park, Texas 78613**

BOARD OF DIRECTORS

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|--|---|
| <input type="checkbox"/> Kaden Norton, Place 1
<input checked="" type="checkbox"/> Brian Rice, Place 5
<input type="checkbox"/> Dustin Weibel, Place 3 (Sect.) | <input checked="" type="checkbox"/> David Burger, Place 2, President
<input checked="" type="checkbox"/> Bob Lemon, Place 4 (V. P.)
<input checked="" type="checkbox"/> Ryan Wood, Place 6
<input checked="" type="checkbox"/> Mel Kirkland, Place 7 |
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Minutes

- A.1 **CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
President Burger called the meeting to order at 6:30 PM noting that a quorum was present.
- A.2 Citizen Communications
(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With 4B. The Board May Respond With Factual Information.)
- A.3 Board Members' Opening Comments.
President Burger wished everyone a happy new year and reminded all Board members to continue to be outgoing, kind, and accessible members of the community.
- A.4 Presentations
No items scheduled.

STAFF REPORTS (DISCUSSION ONLY)

- B.0 **No items scheduled.**

CONSENT AGENDA

(Pursuant To Community Development Board Rule, the Consent Agenda consists of all items set forth on Agenda Items C.1, C.2, C.3, and C.4. The Consent Agenda May Be Approved By A Single Motion.)

- C.1 Acceptance Of The Monthly Report On 2015-2016 Revenues, Expenditures, And Fund Balance.

- C.2 Approval Of The Minutes Of The December 8, 2015 Regular Called Meeting.
- C.3 Authorization To Excuse Of The Absence Of Ryan Wood From The Community Development Board Meeting Of December 8, 2015.
- C.4 Authorization To Excuse Of The Absence Of David Burger From The Community Development Board Meeting Of December 8, 2015.
Director Lemon moved to approve the consent agenda as presented. Director Wood seconded the motion and it passed with a 4-0 vote.

PUBLIC HEARINGS

- D.1 Public Hearing On A Proposed Project To Provide Park Improvements For The Nelson Ranch Park Playscape Project In An Amount Not To Exceed \$50,000.
Director Rice arrived at 6:36 PM.

Curt Randa, Director of Parks and Recreation, reminded the Board that this project would remove old playground equipment and install more modern equipment in Nelson Ranch Park and that at the last meeting the Board had concurred with the Staff recommendation for scoring and awarded the project 56 points on the Project Evaluation Matrix.

No public comments received.

- D.2 Public Hearing On A Proposed Project To Provide Park Improvements For The Buttercup Pool Bathhouse Rehabilitation Project An Amount Not To Exceed \$150,000.
Curt Randa, Director of Parks and Recreation, reminded the Board that this project would rehabilitate the existing bathhouse with new floors, plumbing and fixtures, doors, windows, drinking fountain, lifeguard/cashier area, improved wheelchair accessibility, and possibly some parking lot improvements. He also reminded the Board that they concurred with Staff recommendation for scoring and awarded the project 59 points on the Project Evaluation Matrix at their last meeting.

No public comments received.

REGULAR AGENDA DISCUSSION AND POSSIBLE ACTION

- E.1 Consider Approval Of A Resolution To Provide Park Improvements For The Nelson Ranch Park Playscape Project In An Amount Not To Exceed \$50,000.
Director Wood moved to authorize the President to execute the resolution recommending the Nelson Ranch Playscape project to City Council for approval in an amount not to exceed \$50,000. Director Kirkland seconded the motion and it passed with a 5-0 vote.
- E.2 Consider Approval Of A Resolution To Provide Park Improvements For The Buttercup Pool Bathhouse Rehabilitation Project An Amount Not To Exceed \$150,000.
Director Rice moved to authorize the President to execute the resolution recommending the Buttercup Pool Bathhouse Rehabilitation project to City Council for approval in an amount not to exceed \$150,000. Director Wood seconded the motion and it passed with a 5-0 vote.

- E.3 Consider Acceptance Of Transportation Improvement Projects To Design And Construct Intersection Improvements And Turn Lanes At Selected Locations In A Total Amount Not To Exceed Of \$950,000.
- a) Consider A Project Proposal For A Dedicated Right Turn Lane At Brushy Creek & Vista Ridge In The Amount Of \$250,000.
 - b) Consider A Project Proposal For A Dedicated Right Turn Lane At Brushy Creek & Lynnwood In The Amount Of \$250,000.
 - c) Consider The Design And Construction Of Right Turn Lanes At Lakeline & Old Mill In The Amount Of \$250,000.
 - d) Consider Improvements Including Construction Of A Median Break And Turn Lanes At Discovery Boulevard South Of Whitestone Boulevard (RM 1431) In The Amount Of \$200,000.

Darwin Marchell, Director of Engineering, provided the Board with an overview of the four projects. The first proposed project was the installation of a right turn lane westbound on Brushy Creek Road to northbound Vista Ridge Boulevard and has an estimated cost of \$250,000. The second project was the installation of a right turn lane westbound on Brushy Creek Road to Northbound Lynnwood Trail and has an estimated cost of \$250,000. The third project was a right turn lane southbound on Lakeline Boulevard at Old Mill Road and has an estimated cost of \$250,000. The last project explained was a new left turn lane and median Break on Discovery Boulevard south of Whitestone Boulevard with an estimated cost of \$200,000. The Board accepted staff scoring for the combined matrix thus awarding the projects a score of 75 points.

Director Lemon moved to accept the proposed transportation improvement projects in an amount not to exceed \$950,000 and to authorize staff to set a public hearing date and publish the project notice. Director Kirkland seconded the motion and it passed with a 5-0 vote.

- E.4 Consider Acceptance Of A Proposal For The Design And Construction Of The Sidewalk Gap Closure Phase 4 Project In The Amount Of \$350,000.

Darwin Marchell, Director of Engineering, explained that this project is a continuation of the earlier sidewalk gap projects and if accepted by the Board, would provide \$350,000 to continue to fill in areas of the City where sidewalk gaps are present. Some possible areas that they anticipate to target with this funding include: Bell Boulevard between Whitestone and Walton Way, Hatch Road south of RR620, Cottonwood Creek Trail at Medical Parkway, and Iris Lane north of Heather Lane. Portions of the funding are also anticipated to be used for the construction of several pedestrian ramps. The Board accepted the proposed staff scoring and awarded the project a total of 56 points on the Transportation Project Matrix.

President Burger made a motion to accept the proposed Sidewalk Gap Closure Phase 4 Project in an amount not to exceed \$350,000 and to authorize staff to set a public hearing date and publish the project notice. Director Kirkland seconded the motion and it passed with a 5-0 vote.

- E.5 Consider A Resolution Recommending The Assignment Of Performance Agreement Incentives From LiveOps, Inc. To Marlin Equity Partners.

Larry Holt, Assistant Director of Economic Development, explained that there is new ownership of the company and the company has requested that the incentive agreement be updated to reflect that payment will be made to the new owners. No other changes to the agreement are proposed and the performance milestones would remain the same. No payment milestones have been reached to date.

Director Rice moved to authorize the president to execute the resolution recommending the assignment of performance incentives from LiveOps, Inc, to Marlin Equity Partners to City Council for approval. Director Lemon seconded the motion and it passed with a 5-0 vote.

- E.6 Consider A Resolution Recommending Amendments To The Community Development (Type B) Rules And Procedures To Conform With Council Amendment To The Corporation Bylaws And Related Matters.

This item was withdrawn.

F.0 EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The Community Development (Type B) Corporation Board may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":

- F.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 the Economic Development Agreement between the City Of Cedar Park and Fallbrook Technologies, Inc.

The Board recessed into executive session at 7:27 PM.

The Community Development Corporation (Type B) Board reconvenes into Open Session.

Open Meeting

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

The Board reconvened into an open meeting at 8:02 PM. No action was taken on items discussed in executive session.

ADMINISTRATIVE ITEMS

(Board members and staff may discuss items related to the board member's general duties and responsibilities. The Board may not take a vote or other action on any item other than to obtain a consensus regarding how items are to be placed on future agendas for formal action.)

- G.1 Report on Council Actions Directly Related to Board Items Of December 2, and December 17, 2015 City Council Meetings.

Staff explained that an amendment to the Corporation's Bylaws to clarify voting. The amendment now requires a majority of the Board (4 votes) to approve an item. This makes the Community Development Corporations voting rules more similar to other City Boards and Commissions.

Staff also indicated that the Board's logo sign project was approved by City Council.

- G.2 Board Member Closing Comments.

Several Board members indicated they attended the sales tax workshop last month and found it useful.

Director Wood agreed to sign the minutes in the absence of the Board secretary, Director Weibel.

Director Kirkland indicated that he plans to attend the next Council meeting, but will let the Board know if something changes and he cannot attend.

Next Regular Scheduled Board Meeting Tuesday, February 9, 2016 At 6:30 P.M. In The Cedar Park Council Chambers At 450 Cypress Creek Road, Building Four.

H.1 ADJOURNMENT

The meeting adjourned at 8:05 PM.



David Burger, President

ATTEST:



Dustin Weibel, Secretary