

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS**

**ORDINANCE NO. 24-085-00**

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING SECTIONS OF CHAPTER 10, EXHIBIT A, THE SUBDIVISION ORDINANCE, TO ADOPT UPDATES TO THE PARKLAND DEDICATION, PARK IMPROVEMENT, AND PARKLAND FEE-IN-LIEU REGULATIONS; AMENDING DEFINITIONS; UPDATING INTERNAL SECTION REFERENCES; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the pursuant to the City Charter and state law, including Chapter 212, Texas Local Government Code, the City Council of the City of Leander, Texas adopts ordinances that regulate subdivision and platting in the City limits and portions of the extraterritorial jurisdiction;

**WHEREAS**, the Planning and Zoning Commission held a public hearing and voted on a recommendation on the adoption of this ordinance;

**WHEREAS**, the City Council held a public hearing on the proposed adoption of this ordinance; and

**WHEREAS**, the City Council finds that adoption of this ordinance is reasonable and necessary to promote the health, safety, morals, and general welfare of the City and the safe, orderly, and healthful development of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:**

**SECTION 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. Amendment of Article I, Section 1.** Article I, Section 1 of Exhibit A, Chapter 10 of the City of Leander Code Ordinances (the “Subdivision Ordinance”) is hereby amended to add the following definitions:

***Detention Ponds*** means a type of infrastructure designed to manage and control stormwater runoff.

***Drainage Ditch*** means a manmade water conveyance channel for the purpose of draining water away from lands.

***Greenway*** means a recreational experience within a corridor of land recognized for its ability to connect people and places together. These ribbons of open space are located within linear corridors that are either natural, such as rivers and streams or manmade, such as abandoned railbeds or utility corridors.

***Park Improvements*** means Recreational facilities and buildings for public use that are enjoyable, safe and accessible offering an essential quality of life. Generally, are those that have been planned, designed, constructed and maintained by experts and professionals. Fair Market Value means an assessment of the price an asset could sell for based on several conditions. Essentially it should represent an accurate evaluation or assessment of its worth in contrast to its purchased or current price.

***Parkland*** means land consisting of trees and open space that is suitable for and/or designated as a park for public use and may contain recreation amenities.

***Parkland Dedication*** means a local government requirement imposed on subdivision and site plan applications mandating the dedication of land for a park and/or the payment of a fee to be used by the governmental entity to acquire land and/or develop park facilities.

***Parkland Fee-in-lieu*** means a formula that the local government develops to assess a fee if a developer is unwilling or not able to provide sufficient acreage and types of parkland for public benefit.

***Private Parks*** means privately owned outdoor recreational premises, available for use by specific residents of a community. Typically, the private park is owned and maintained by a Homeowners Association (HOA) or a similar private management group.

***Public Park*** means an area of land typically owned, designated and maintained by governmental authority for the recreational enjoyment of all residents. Parks may or may not have recreational facilities to be so designated.

***Trails*** means a recreational experience marked by a corridor, path, route or travel way established through physical construction or repeated use and is passable by at least one or more of the following, but not limited to: foot traffic, bicycles, wheelchairs, skating, skiing, motorized off-road vehicular activities and even aquatic or water activities. Trail surface or foundation can come in a variety of mediums from natural surface to hard paved surface.

***Utility Easement*** means a legal agreement between a property owner and utility company that gives the utility company the right to use a designated parcel of land to access for the purpose of installing and maintaining utilities on private property for the good of the community.

**SECTION 3. Amendment of Term “Municipal Authority”.** The term “Park Land” wherever it appears in the Subdivision Ordinance shall be amended to be “Parkland.”

**SECTION 4. Amendment of Article IV, Section 61.** Article IV, Section 61 of the Subdivision Ordinance is hereby amended as follows.

**Parkland Dedication and Park Improvements Required:** The park fee-in-lieu and park development fee is determined to be in the best interest of the residents of the city by advancing

public health, safety and welfare in a fair, reasonable and uniform method of financing that does not impose an unfair burden on new or existing developments. The requirements constitute the impact of new dwelling units (DUs) on the park and recreation system and ensure that they bear their proportionate share of the cost of providing parks and recreation related facilities to meet the needs created by respective development.

As such, the parkland fees are additional and supplemental to, and not in substitution of the City's Code of Ordinances, specific plans, or any other planning document. The dedication requirement is restricted to the acquisition and improvement of parks and facilities and cannot be used for maintaining or operations of the park system. Therefore, a developer of any subdivision subject to this ordinance or a site development permit subject to the Composite Zoning Ordinance which includes residential lots, building sites, or multi-family residential site development within the City limits or the City's extra-territorial jurisdiction, that adds any residential units to any subdivision or multi-family residential site development, shall prepare a park plan to provide for sufficient and suitable parkland and park improvements for the purpose of public recreation in accordance with the following provisions:

(a) **Park Plan Approval Process:** A residential developer shall prepare a park plan in conformance with the requirements of this Section and obtain approvals from the City as follows:

- (1) A Developer is required to submit a subdivision application as required by this Ordinance, if the development is not proposing multi-family or use of a Short Form Plat is not needed. The developer is required to obtain approval of a park plan in compliance with this Section by the City Council in conjunction with consideration of the Concept Plan application.
- (2) If the developer does not propose multi-family development, and the developer is required to submit a subdivision as required by this Ordinance that is permitted to be filed as a Short Form Plat application, the developer is required to obtain approval of a park plan in compliance with this Section by the Planning and Zoning Commission in conjunction with consideration of the Short Form Plat application. However, approval of any public parkland dedication other than land identified on the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan* is required to be approved by the City Council.
- (3) If the developer proposes multi-family development, the developer is required to obtain approval of a park plan in compliance with this Section by the Director of Parks and Recreation in conjunction with consideration of a Site Development Permit application. However, approval of any public parkland dedication other than land identified on the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan* is required to be approved by the City Council.

(b) **Payment of Fee In-Lieu Required and/or Public Parkland Dedication**

- (1) **Formula for Calculating Area of Parkland:** The acreage of parkland to be contributed by a developer prior to Final Plat or Short Form Plat approval of any single family or two-family residential subdivision, or prior to site development permit approval for multi-family residential development, shall be equal to seven and one half (7.5) acres for each one hundred (100) dwelling units projected to occupy the fully developed subdivision or development. A "dwelling unit", when used in this section, shall mean each individual

residence, including each individual residential unit in a multi-family residential structure or manufactured home park, designed or intended for habitation by a single family.

- (2) Payment of Fee In-Lieu of Parkland Dedication: In general, the Appropriate Reviewing Authorities shall favor the payment of a fee in-lieu of parkland dedication over the dedication of parkland for single family and two-family subdivisions including Short Form Plats and multi-family development unless such Plat or multi-family development contains land identified as parkland in the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan*. The Fee In-lieu will be determined based on the following:

- (i) The fair market value of a real, residential, single-family property unit, for the purposes of calculating a fee in lieu of parkland dedication, shall be derived from prior certified tax years by an appraisal district authorized to assign value to tracts of land within the municipal jurisdiction of the proposed property.
- (ii) Calculation: The fee in-lieu shall be a three-year average of the calculation of values which include city population, residents per unit, developed park acres, total single-family residential units, and total appraised value of single-family residential units.

Sample formula for Year One of Three:

P = Population

R = Residents per unit

D = Developed park acres

T = Total single-family residential units

A = Total appraised value of single-family residential units

Year One Fee In-Lieu =  $(1/((P/R)/D))*((T/A)*0.25)$

The Fee In-Lieu for 2025, 2026, and 2027 shall be \$1,676.60 for residential units in Williamson County and \$2,355.13 for residential units in Travis County.

- (iii) The developer shall pay the in-lieu fee to the City prior to approval of the Final Plat, Short Form Plat, or, in the case of multi-family development, prior to site development permit approval.
- (3) Geographic Nexus: Fees must serve the district area in which the development is located. However, fees may be used within an adjacent service area if the project is a neighborhood park and within ½ mile of the service area where the fees were collected; a community park if 1½ miles of the service area where the fees were collected; or a regional park if within 3 miles of the service area where the fees were collected. (see Parkland Dedication Service Districts Map).
- (4) Standards for Dedication of Parkland: The land dedicated by a developer to meet the requirements of this section shall be suitable for public parks and recreation activities and shall comply with *Leander Parks, Public Spaces, and Recreation Comprehensive Plan* with the following standards:

- (i) The dedicated land shall form a single parcel or tract of land with acreage based upon the number of dwelling units proposed (7.5 acres/per 100 DU's) unless the City determines that more than one (1) tract or smaller tracts would be in the best public interest.
- (ii) The developer shall provide public access to parkland by providing at least twenty-five percent (25%) of the perimeter boundary of the park with street frontage, or as determined to be satisfactory by the City. At the time the land abutting the delineated areas is developed, the developer of such abutting land shall dedicate and construct streets along all abutting street frontage and shall provide water and wastewater utilities to the boundary of one (1) side of the delineated area to meet minimum requirements of this Ordinance.
- (iii) The developer shall dedicate parkland located within convenient distance from the majority of the residents to be served or within an area identified on the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan*, and adaptable for use as a public park and recreation facility. However, the City may require parkland to be located at the edge of a development so that additional land may be added at such time as adjacent land is developed or acquired for public use in accordance with this ordinance. In addition, rare, unique, endangered, historic or other significant natural areas shall be given high priority for dedication pursuant to this ordinance. The City may also require areas providing linkage to parks, schools or public places, or areas that preserve the natural character of the surrounding environment, be included in the parkland dedication.
- (iv) The site shall not be encumbered by overhead utility lines or easements; no more than two (2) sides of the park may be adjacent to sides or rear of homes; must have a visible and attractive means of ingress and egress; and sites with existing trees, especially Heritage Trees, or significant scenic elements will be provided preference.
- (v) The developer shall restore and stabilize any disturbed soil and establish vegetative cover of a type determined appropriate for the terrain and by the Director of Parks and Recreation on parkland.
- (vi) Land dedication of trail corridors identified on the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan* shall be a high priority. Developers are responsible for preserving the natural character of the trail corridor and dedicating the required right-of-way. Right-of-way dedication or easement size may vary due to site physical characteristics.
- (vii) If the land identified in the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan* exceeds the amount of land required for parkland dedication by this section, the remainder of the land not required for dedication can be donated to the City for future parks/trail and/or public space connections, with the City providing minimal maintenance until the park is developed ~~shall~~ may be shown as a reserve park lot/corridor that they may develop in the future ~~or~~ or may be purchased by the City in fee simple by fair market value or through an easement at a time when funds become available, or, the City may credit the required park improvements fee in an amount equal to the fee in-lieu value of the remaining land if such land is dedicated and deeded to the City.

- (viii) Land within the one hundred (100) year floodplain and land that has greater than 15% slope may constitute, in total, not more than thirty-three percent (33%) of the land dedication requirement. Floodplains and slopes will be calculated on 3:1 basis (3 acres of floodplain/slopes equals to 1 acre of parkland credit). Lands within an inundation easement falling outside of the one hundred (100) year floodplain may constitute up to one hundred percent (100%) of the land dedication requirement if such land remains undisturbed and in a pre-development condition, and if such land is not utilized for another public purpose. In addition, for every acre of land dedicated for parkland within the one hundred (100) year floodplain, or having a slope greater than 15%, one-third (1/3) acre of parkland dedication credit shall be given. [Example: If ten (10) acres is required to be dedicated for parkland, at least six and one half (6.5) acres of such parkland must be outside the 100 year floodplain and comprised of slopes less than 15%. For the remaining ~~five~~ three and one half (3.5) acres of parkland required, the developer can achieve compliance by dedicating five additional acres outside the 100-year floodplain and comprised of slopes less than 15%, or ten additional acres inside the 100 year floodplain and/or comprised of slopes more than 15%, or some combination thereof.]
- (ix) The developer shall dedicate all parkland as a park lot on the applicable Final Plat or Short Form Plat. The developer shall deliver to the City a signed warranty deed transferring title to property dedicated as public parkland to the City after City acceptance of park improvements and release of fiscal surety. If the developer fails to deliver the warranty deed in a timely manner, the City may withhold Final Plat approvals and/or the issuance of building permits. The developer shall provide parkland free and clear of all mortgages and liens at the time of such dedication or conveyance. The developer shall have iron rods or pins set in accordance with the Final Plat or Short Form Plat. If a subdivision Plat is not required based on the standards of this Ordinance, the developer shall have iron rods or pins set at corners identified on a recordable land survey completed by a land surveyor registered in the State of Texas.
- (x) The City may accept parkland from a developer that is not part of an addition or subdivision in order to meet the parkland requirement. A deed shall be required.
- (xi) Drainage ditches, detention ponds, power line easements, and similar sites shall not be accepted for parkland dedication, unless 75% or more of the active and usable area is designed for recreational use and the Department finds, after consultation with the city manager or his/her authorized designee, that the land has exceptional recreational value that warrants its acceptance as parkland or open space.

**(c) Park Improvements**

- (1) In addition to the required fees in-lieu of or dedication of land as set forth above, the developer shall also pay a park improvements fee to the City prior to approval of a Final Plat or Short Form Plat, or, in the case of multi-family development, prior to site development permit approval. Construction cost per acre should be empirically derived by reviewing recent bid packages of the development of new parks and the number of acres in those parks to derive a development cost per acre. The per dwelling development fee is ascertained by dividing the construction cost per acre by the existing level of service dwelling units times the number of dwelling units in the development.

Such park improvements fee shall be sufficient to provide up to fifty percent (50%) for the development of amenities and improvements on the dedicated land to meet the standards for a neighborhood park to serve the area in which the subdivision is located. The remaining 50% will be placed in the parkland dedication fund to develop public parks.

- (2) The formula for calculating the Park Improvement fee is as follows:

Recent Park Cost: \$8,200,000 divided by 100 acres = \$82,000/acre

\$82,000 divided by 58 DU'/acre = \$1400.00 per DU in park improvements.

- (3) The park improvements fee shall be calculated on the basis of \$1400 per dwelling unit.

- (4) In lieu of payment of the park improvements fee, the City may approve a plan from the developer to construct public park improvements. Up to 100% credit for publicly accessible parks may be provided if park improvements meet city needs and all criteria of this ordinance. If the park or any portion of the park is within areas shown in the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan* as land to meet strategic needs for future parks and/or trails, the developer may be required to construct trails or other park amenities in lieu of payment of the park improvements fee. This plan shall meet the following standards:

- (i) All plans and specifications for the construction of such amenities and improvements shall be reviewed and approved by the City, and the developer shall meet *City Park & Facility Equipment Standards*.
- (ii) Amenities and improvements may include one (1) or more children's play areas, picnic areas, game court areas, turf play fields, splash parks and/or swimming pools, recreational/fitness buildings, trails (sidewalks, walkways or bike trails), and landscaped sitting areas, to include community flower or garden spaces.
- (iii) The value of amenities and improvements shall be greater than or equal to \$1350 per residential dwelling unit.
- (iv) All park areas and playground equipment shall be in accordance with the U.S. Consumer Products Safety Commission - Publication 325, as currently amended and in accordance with current provisions of the Americans with Disabilities Act; ASTM F1487-21 Playground Equipment Standard; ASTM F2373-11(R2017) Performance Specifications; ASTM F2075-20 Specification for Engineered Wood Fiber for use; ASTM F2479-17 Specification, Purchase, Installation of Poured in Place Playground Surfacing; and ASTM F3012-22 Specification for Loose-Fill Rubber Playground Safety Surface; and ASTM F2049-11 (2017) Specification for Fences/Barriers.
- (v) These park improvements shall be completed to the satisfaction of the City Parks and Recreation Director prior to release of fiscal surety or, in the case of a multi-family development, prior to issuance of a certificate of completion or a certificate of occupancy for the project.
- (vi) These park improvements shall be designed, reviewed and permitted in conjunction with a Site Development Permit application and/or subdivision Construction Plans as deemed appropriate by the City Parks and Recreation Director.

- (d) **Privately Owned & Maintained Parks:** The City may approve a plan from the developer to provide privately owned and maintained parkland and park improvements meeting all requirements of this section not to exceed fifty percent (50%) of the fee-in-lieu of public parkland dedication and public park improvements. The remaining fifty percent (50%) will be placed in the parkland dedication fund to develop public parks. However the City shall not approve a plan for privately owned parkland and park improvements if such land is shown in the *Leander Parks, Public Spaces, and Recreation Comprehensive Plan* as land to meet strategic needs for future parks and/or trails. In addition, such plan shall meet the following:
- (1) Private ownership and perpetual maintenance of such areas and facilities shall be adequately provided for by recorded written agreement, conveyance, and/or restrictions.
  - (2) The use of such areas and facilities shall be restricted to park and recreational purposes by a recorded covenant, which runs with the land in favor of the future owners of property, and which cannot be defeated or eliminated without the consent of the Council.
  - (3) The single parcel or tract of land for a private park is limited to no more than 50% of the 7.5 acres required per 100 dwelling units. For example, 100 dwelling units are being constructed, the parkland requirement is 7.5 acres, of which only 50% or 3.75 acres will be credited to a physical park within the development. The remaining 3.75 acres will be assessed a Fee In-lieu based upon the formula shown below.
  - (4) The City may allow a portion of the fee in-lieu to be used for trail development if such land is dedicated and deeded to the City.
- (e) **Alternative Parkland Dedication and Park Improvements Plan:** The City may consider and approve a plan from the developer for an alternative parkland dedication and park improvements plan meeting the following standards.
- (1) If all other standards of this section are met, the amount of parkland to be dedicated may, if approved by the City, be reduced, if the reduced value of the land dedication is compensated by an equal or larger increase in the value of park improvements. However, in no case shall the amount of parkland dedicated, whether public or private, be less than seventy five percent (75%) of the amount required by this section. The calculation to convert parkland value to additional park improvements shall be determined based on how much fee in-lieu would be required to compensate for the parkland deficiency and by adding this dollar amount to the required dollar value of park improvements.
  - (2) If all other standards of this section are met, the amount of park improvements may, if approved by the City, be reduced, if the reduced value of such improvements is compensated by an equal or greater increase in the value of parkland to be dedicated. The calculation to convert park improvements value to additional parkland shall be determined based on reducing the required park improvements dollar value by not more than the fee in-lieu dollar value of the additional parkland to be dedicated.
  - (3) For subdivisions located outside the city limits, up to one hundred percent (100%) credit may, at the discretions of the City, be given if the subdivider enters into a written agreement with the city stating that all private parkland shall be dedicated to the City as the time of full purpose annexation of said subdivision by the City.

- (f) **Park Fund Established:** The City hereby creates a separate fund to be entitled "Parkland Dedication Fund." Money, and the interest on such money, collected as a fee in-lieu of park improvements fees and parkland dedication, shall be held in said fund in trust to be used by the City solely and exclusively for the purpose of purchasing, improving, and/or renovating public park and recreational land and shall not be used for maintaining or operating public park facilities.
- (1) Improvements to public park and recreational lands include public art installations. The Park Fund will contain a category entitled "Park Public Art Fund" where fifteen percent (15%) of fee-in-lieu and park improvements fees, and interest on such money, will be held to be used for public art in public parks and recreational land; provided that the City Council may, from time to time, authorize use of the funds for purchasing parkland or non-public art improvements or renovations when determined necessary in relation to a particular public park project. Such fund shall be invested or held in an interest-bearing account and all earnings and interest shall accrue to the Park Fund.
- (g) **Subdivision Changes:** In the event a developer obtains Commission approval to deviate from the approved Preliminary Plat thereby increasing the number of dwelling units projected, or where the use of property is changed from a non-residential use to a residential use, the owner or developer shall be obligated to provide additional land or fees for the parkland and amenities required for the additional dwellings in accordance with this section prior to the City approving the Final Plat for recordation.
- (h) **Phasing Plan:** If a developer proposes a multi-phased residential subdivision or other residential development, the developer shall submit a proposed park phasing plan to indicate a plan for phasing parkland dedication and/or park improvements to coincide with the development phasing. This park phasing plan shall be approved in conjunction with the park plan as provided by this section. A park phasing plan shall include provisions for compliance with the standards of this section for all phases of the development. A phasing plan may propose parkland, park improvements and/or fee in-lieu in an early phase of development to fulfill requirements of a later phase of development, but in no case shall a phasing plan propose parkland, park improvements and/or fee in-lieu in a later phase of development to fulfill requirements of an earlier phase of development unless the developer provides adequate fiscal surety with the earlier phase of development. Such fiscal surety shall be in a form that shall not expire unless specifically released by the City.
- (i) **Fiscal Surety:** Except for multi-family development, prior to Final Plat or Short Form Plat approval, the developer shall provide fiscal surety for the completion of all park improvements that complies with this subsection and Sec. 28 of this Ordinance (to the extent Sec. 28 does not conflict with this subsection), and the fiscal shall be in a form acceptable to the Director of Parks and Recreation, the Executive Director of Development Services and the City Attorney. Unless otherwise approved, such fiscal shall be in the form of a letter of credit from a major lending institution, or cash held in escrow. Such fiscal surety shall be held by the City until either the City has accepted all public park improvements and title to the public parkland, or the City has approved on final inspection all private park improvements. Such fiscal surety shall be in a form that shall not expire unless specifically released by the City.
- (j) **Time Limit for Expenditure of Dedication Funds:** The City must expend the funds within

five (5) years from the date received for acquisition or development of neighborhood recreation land, or ten (10) years for a community or regional park.

- (k) **Frequency of Ordinance Reviews:** City Council requires a review of the ordinance every three (3) years and be updated as necessary. Updates may include, but not limited to the prior three (3) certified tax years by an appraisal district authorized to adding value to tracts of land within the municipal jurisdiction of the proposed property along with park amenity and development costs; etc.

### **PARKLAND DEDICATION AND PARK IMPROVEMENTS OPTION SUMMARY**

(The Appropriate Reviewing Authorities shall determine which option is acceptable.)

#### **OPTION ONE**

No parkland dedication and/or improvements (public or private) by the developer. Fee-in-Lieu of Land Dedication plus Park Improvements Fee to be paid to the city.

#### **OPTION TWO**

Parkland dedication with privately owned and maintained parkland. Fee-in-Lieu of Land Dedication plus Park Improvements Fee up to fifty percent (50%) to be used by the developer and the remaining fifty percent (50%) be paid to the city.

#### **OPTION THREE**

Parkland Dedication within the development as a public park. Fee-in-Lieu of Land Dedication plus Park Improvements Fee up to one hundred percent (100%) can be credited if park and facilities are open to the general public at large.

#### **OPTION FOUR**

Alternate Parkland Dedication and Park Improvements Plan: A customized plan that may include combinations of all other options. However no more than 50% of the total Fee-in-Lieu of Land Dedication plus Park Improvements Fee will go towards private parkland.

**SECTION 5. Conflicting Ordinances.** Exhibit A, Chapter 10 Leander Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

**SECTION 6. Savings Clause.** All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7. Effective Date.** This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter

**SECTION 8. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**SECTION 9. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

**PASSED AND APPROVED** on this the 19<sup>th</sup> day of **September, 2024**.

**ATTEST:**

**THE CITY OF LEANDER, TEXAS:**

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Dara Crabtree, City Secretary

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Christine DeLisle, Mayor