



City of Pflugerville

Minutes - Final City Council

Tuesday, September 9, 2014

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Jeff Coleman called the regular meeting to order at 7:06 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña and Victor Gonzales were in attendance. Councilmember Starlet Sattler was absent. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Karen Thompson, City Secretary; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Tom Word, Assistant City Manager; Amy Good, Finance Director; Dan Franz, City Engineer; Emily Barron, Planning Director; James Hemenes, Parks Director; James Wills, Public Works Director; Terri Waggoner, Public Information Officer; Sarah Moody, Budget Analyst; Lauren Vander Laan, Accountant II; Chuck Hooker, Police Chief; Blake Overmyer, Building Official; Lisa Charbonnet, Library Director; Laura Wilkes, Police Lieutenant.; William Edwards, Pflugerville ISD Police Chief.

2. Opening

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

Mayor Coleman led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Mayor Coleman led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

3. Presentation

3A. 2014-3278 Presentation of budget recommendation by the Finance and Budget Committee.

Ms. Anna Swenson, Finance and Budget Committee member, reported that the Finance and Budget Committee had recommended approval of the proposed fiscal year 2015 budget as well as the investment policy and new fund balance policy which would be coming to Council in the future.

4. Public Hearing

4A. ORD-0198

Conduct the first of two public hearings on an ordinance with the caption reading: TAX LEVY ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS.

Mayor Coleman noted that there would be a minimum decrease of 3.46 cents in the property tax rate this year. There were no requests to speak at the public hearing. Mr. Peña made a motion to close the public hearing. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

5. Public Comment

David Woodrich, 3300 Heron Call Trail, asked that a recycle receptable be added outside the Council Chambers. He asked if this is the body that gives Parks their money and spoke on the needs of the senior activity center. Mr. Wade stated that staff has been looking at it and there may be opportunities in the future.

Reading of the Consent Agenda

Item 7A was removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

6. Approval of Minutes**6A. 2014-3259**

Approval of the minutes of the August 19, 2014 City Council Special Meeting and August 26, 2014 City Council Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

7. Ordinances First Reading**7B. ORD-0214**

Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY SORENTO HOLDINGS 2012, LLC FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, A 5.016-ACRE TRACT OF LAND OUT OF THE REMAINING PORTION OF A CALLED 10.00-ACRE TRACT RECORDED IN DOCUMENT NO. 2013132325 OF THE OFFICIAL PUBLIC RECORD OF TRAVIS COUNTY, TEXAS, OUT OF THE JOHN C. BRAY, SURVEY NO. 10, ABSTRACT 73, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION (A); BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was approved on first reading on the consent agenda.

8. Ordinances Second Reading

- 8A. ORD-0208** Approving an ordinance on second reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF
ORDINANCES, CHAPTER 72 REGARDING SPEED LIMITS ON CITY
STREETS, ESTABLISHING PRIMA FACIE MAXIMUM SPEEDS, AND
PROVIDING AN EFFECTIVE DATE for Becker Farm Rd.,
Heatherwilde Blvd., New Meister Ln. and Pflugerville Parkway.

The ordinance was approved on second and final reading on the consent agenda.

- 8B. ORD-0211** Approving an ordinance on second reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF
ORDINANCES, CHAPTER 72 REGARDING STOP SIGNS ON
PUBLIC STREETS; ADDING STOP INTERSECTIONS, AND
PROVIDING AN EFFECTIVE DATE.

The ordinance was approved on second and final reading on the consent agenda.

- 8C. ORD-0212** Approving an ordinance on second reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF
ORDINANCES, CHAPTER 150, REGARDING AN AMENDMENT TO
THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION;
PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES
NOT TO EXCEED \$2000.00 PER OFFENSE; AND PROVIDING AN
EFFECTIVE DATE.

The ordinance was approved on second and final reading on the consent agenda.

9. Other Actions

- 9A. 2014-3205** Approving a joint election agreement and contract for election services
with Williamson County for elections to be held on November 4, 2014
and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

- 9B. 2014-3279** Approving an election services contract with Travis County and
authorizing the City Manager to execute same.

The item was approved on the consent agenda.

- 9C. 2014-3266** Receive report on City Council, Commission, Board and Committee
expenditures for July 2014.

The item was approved on the consent agenda.

- 9D. 2014-3267** Appointing Dr. Alicia Mercado-Castro as alternate member of the Library Board for an unexpired term ending December 31, 2014.

The item was approved on the consent agenda.

- 9E. 2014-3277** Approving a CPI adjustment for Windermere Utility Company water and wastewater rates.

The item was approved on the consent agenda.

Action on the Consent Agenda

Mr. Gonzales made a motion to approve the consent agenda. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 7A. ORD-0213** Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING RATES, CHARGES AND FEES FOR WATER, WASTEWATER AND SOLID WASTE UTILITY SERVICE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman read the item to include the caption of the ordinance under consideration. Mr. Cooper made a motion to approve the ordinance as amended with removal of Section 2. Water Curtailment Rates. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

10. Discuss and consider action

- 10A. 2014-3270** Discuss and consider action to authorize the City Manager to execute a construction contract for the Pfennig Lane Pump Station Improvements Project with Patin Construction, LLC, the lowest responsive bidder of 7 bids received on August 26, 2014, in the amount of \$3,144,325.35.

Mr. Word provided information on the item. Mr. Cooper made a motion to authorize the City Manager to execute a construction contract for the Pfennig Lane Pump Station Improvements Project with Patin Construction, LLC in the amount of \$3,144,325.35. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 10B. 2014-3275** Discuss and consider action to provide direction to the City Manager regarding the animal shelter.

Mr. Wade reported that the shelter technical committee met on September 3, 2014 and talked about the prospect of a new shelter as well as improvements to the existing shelter. He stated that he has proposals from Quorum Architects for kennel addition plans for the existing shelter as well as a needs assessment and concept plan for a new shelter at Lake Pflugerville. He noted

that a November 2015 bond election was preferred by the group. He recommended plans for demolition of the old shelter if a new shelter is approved by the voters and if it is not approved by the voters, addition of the pod at the existing shelter. Mr. Gonzales provided comments stating that they now have a developmental model and short term and long term plans, options and a back up plan. He stated that it would take three years, but that they would get there.

Mayor Coleman read public comment from those not wishing to speak: Devin Cook, 20425 Rita Blanca Circle, indicated that she supports both temporary and future improvements of the Pflugerville Animal Shelter. Chasity Parrett, Pflugerville, TX, indicated that she supports short and long term plans for the animal shelter.

10C. 2014-3264 Discuss and consider action regarding future agenda items.

Mr. Cooper requested an item to discuss the city's standard professional services contract. Mayor Coleman requested an item to discuss senior programs.

11. Discuss only

11A. 2014-3258 Discussion regarding the Fiscal Year 2015 budget and City Council Fiscal Year 2015 goals.

There was no discussion on the item.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 11B, 11C, 11D, 11E, 11F, and 11H. He read the items and retired to executive session. The time was 7:38 p.m.

11B. 2014-3260 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning economic development negotiations.

There was no discussion on the item.

11C. 2014-3261 1.) Executive Session Item: Consultation with legal counsel regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.

Discussion on the item took place in executive session.

11D. 2014-3262 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the provision of public utilities within the City of Pflugerville.

There was no discussion on the item.

- 11E. 2014-3263** 1.) Executive Session Item: Deliberations regarding real property acquisition pursuant to Chapter 551.072 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning real property acquisition.
- There was no discussion on the item.
- 11F. 2014-3265** 1.) Executive Session Item: Deliberations with legal counsel regarding what steps are necessary to preserve, protect and pursue the City's legal options related to the Lake Pflugerville Pump Station failure pursuant to Chapter 551.071 of the Texas Government Code.
- There was no discussion on the item.
- 11G. 2014-3276** 1.) Executive Session Item: Deliberations with legal counsel regarding legal issues related to the Steeds Crossing culvert failure pursuant to Chapter 551.071 of the Texas Government Code.
- Discussion on the item took place at the earlier worksession. There was no discussion on the item at the regular meeting.
- 11H. 2014-3280** 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code to discuss process related to the evaluation of the City Manager.
- Discussion on the item took place in executive session.

Executive Session - Closed

Mayor Coleman reconvened in open session at 8:28 p.m.

12. Adjourn

Mr. Cooper made a motion to adjourn. Mr. Marshall seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on September 23, 2014.