



City of Pflugerville

Minutes - Final - Draft

City Council

Tuesday, January 9, 2018

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:07 p.m. Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Jim McDonald and Mayor Pro Tem Omar Peña were in attendance. Councilmember Mike Heath was absent. City employees attending: Brandon Wade, City Manager; Charles Zech, City Attorney; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; James Hemenes, Parks Director; Emily Barron, Planning Director; Jennifer Coffey, Library Director; Amy Good, Finance Director; Sara Bustilloz, Public Information Officer; Cindy Pierce, Development Engineering Director; Elizabeth Taplin, Human Resources Director; Amy Giannini, City Engineer; Rose Cobb, Marketing Specialist.

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

3. Presentations

3A. [2018-6403](#) Presentation on the launch of the Pflugerville Police Blue Guardian program.

Ms. Bustilloz presented on the Blue Guardian program and answered questions of the council. Mayor Gonzales presented certificates of appreciation to Jill and Chris Cogburn of the Cogburn Family Foundation and Bill May, President and Founder of the St. Chubby's Golf Classic, for their contributions to the

program.

- 3B.** [2018-6413](#) Presentation to introduce the Library Book Bike.

Ms. Cobb presented a video regarding the Library Book Bike. The bike provides a connected hotspot, charging device, member registration, booking lending, and more. The bike is also equipped with a projector and speakers for media to take library programs on the go. Ms. Coffey answered questions of the council.

4. Public Hearing and Ordinance First Readings

- 4A.** [ORD-0386](#) Conduct a public hearing and consider approving the first reading of an ordinance with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF LOTS 1 AND 2 HANKINS SUBDIVISION CONSISTING OF APPROXIMATELY 1.94 ACRES OF LAND LOCALLY ADDRESSED AS 405 AND 407 FM 685 FROM GENERAL INDUSTRIAL (GI) TO GENERAL BUSINESS 2 (GB2) DISTRICT; TO BE KNOWN AS THE HANKINS SUBDIVISION REZONING (REZ1711-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Gonzales read the item to include the caption of the ordinance under consideration and opened the public hearing. Ms. Barron provided information. There were no requests to speak at the public hearing. Mayor Pro Tem Peña made a motion to close the public hearing. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. Marsh made a motion to approve 4A as read. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

- 4B.** [ORD-0388](#) Conduct a public hearing and consider approving the first reading of an ordinance with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF TWO TRACTS OF LAND OUT OF THE SEFRIN EISLIN SURVEY NO. 1 ABSTRACT NO. 265 CONSISTING OF APPROXIMATELY 5.02 ACRES OF LAND LOCALLY ADDRESSED AS 701 FM 685 FROM GENERAL INDUSTRIAL (GI) TO GENERAL BUSINESS 1 (GB1) DISTRICT; TO BE KNOWN AS THE NORTH FOREST OFFICE SPACE REZONING (REZ1710-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Gonzales read the item to include the caption of the ordinance under consideration and opened the public hearing. Ms. Barron provided information. There were no requests to speak at the public hearing. Mr. Marsh

made a motion to close the public hearing. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. McDonald made a motion to approve 4B as read. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

5. Public Comment

Mayor Pro Tem Peña announced that January 9, 2018 is National Law Enforcement Day. There were no additional requests to speak under public comment.

Reading of the Consent Agenda

Items 9A, 9B, 10A, 10B, and 10D were removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

6. Approval of Minutes

- 6A. [2018-6426](#) Approval of the minutes of the December 5, 2017 Special Meeting, December 12, 2017 Worksession and Regular Meeting, December 13, 2017 Quorum, and December 14, 2017 Quorum.
- The minutes were approved on the consent agenda.

7. Ordinances First Reading

- 7A. [ORD-0391](#) Approval of an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE CONVEYANCE OF A 2.0 ACRE TRACT OF LAND, BEING A PORTION OF A 72.883 ACRE TRACT OF LAND SITUATED IN THE SUMNER BACON SURVEY NO. 62, ABSTRACT 63, IN TRAVIS COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE, OF RECORD IN DOCUMENT NO. 2008130172 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; PROVIDING FOR CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- The ordinance was approved on first reading on the consent agenda.
- 7B. [ORD-0393](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FOURTH AMENDMENT TO THE FISCAL YEAR 2017 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.
- The ordinance was approved on first reading on the consent agenda.

8. Ordinances Third Reading

- 8A.** [ORD-0376](#) Approving an ordinance on third and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO REPUBLIC SERVICES, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

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

- 8B.** [ORD-0378](#) Approving an ordinance on third and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO PROGRESSIVE WASTE SOLUTIONS OF TX, INC. d/b/a WC OF TEXAS FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

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

- 8C.** [ORD-0379](#) Approving an ordinance on third and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO TEXAS DISPOSAL SYSTEMS, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

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

- 8D.** [ORD-0380](#) Approving an ordinance on third and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT OF TEXAS, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

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

- 8E. [ORD-0381](#) Approving an ordinance on third and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO DUMP IT, LLC FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

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

- 8F. [ORD-0384](#) Approving an ordinance on third and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO CENTRAL TEXAS REFUSE, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

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

10. Other Actions

- 10C. [2018-6431](#) Approving the selection of Freese and Nichols Inc. for professional engineering services associated with the preparation of a Water Master Plan Update and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

The item was approved on the consent agenda.

Action on the Consent Agenda

Mayor Gonzales made a motion to approve the consent agenda. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

9. Resolutions - Removed from the Consent Agenda

- 9A. [RES-0484](#) Approving a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS APPOINTING REPRESENTATIVES TO THE TECHNICAL ADVISORY COMMITTEE OF THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION TRANSPORTATION POLICY BOARD

Mr. Metayer made a motion to approve 9A as read. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

- 9B. [RES-0485](#) Approving a resolution with the caption reading: RESOLUTION OF THE

CITY OF PFLUGERVILLE, TEXAS IN SUPPORT OF PFLUGERVILLE AREA PROJECTS FOR CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) FUNDING IN THE 2019-2022 PROJECT CALL.

Mr. Fletcher reported that Travis County is no longer applying for the two projects. No action was taken.

Other Actions - Removed from the Consent Agenda

- 10A.** [2018-6419](#) Approving the appointment of Mr. Robert Polanco as Building Official.
- Mr. Metayer commended staff on the selection of the new hire. Mr. Wade noted the community's support in the selection of Mr. Polanco. Mayor Pro Tem Peña made a motion to approve 10A as read. Mr. Marsh seconded the motion. All voted in favor. The motion carried.**
- 10B.** [2018-6430](#) Approving the selection of Freese and Nichols Inc. for professional engineering services associated with the preparation of a Wastewater Master Plan Update and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- Mr. Metayer asked for an explanation for the public to understand how the selection was made. Ms. Giannini provided information regarding the selection process with input from Mr. Wade. Mayor Pro Tem Peña made a motion to approve 10B as read. Mr. Marsh seconded the motion. All voted in favor. The motion carried.**
- 10D.** [2018-6448](#) Approval of an Equal Employment Opportunity Plan.
- Ms. Gillam provided information regarding the Equal Employment Opportunity plan associated with Police Department grants. Mayor Pro Tem Peña asked if this plan could be expanded for the entire city. Discussion followed. Mr. Zech stated that this is specifically for law enforcement. Mr. Marsh moved to approve 10D as read. Mr. McDonald seconded the motion. All voted in favor. The motion carried.**
- 11. Discuss and consider action**
- 11A.** [2018-6429](#) Discuss and consider action to award a construction contract for the Gilleland Creek Pool Renovation Project to Atlantis Pool Plastering, Inc. DBA Atlantis Aquatic Group, the lowest responsible bidder of two (2) bids received on December 14, 2017, in the amount of \$774,894.00 and authorizing the City Manager to execute same.
- Mr. Hemenes provided information to the council. He stated this project is to meet current health and safety codes. Discussion followed. Mr. Marsh made a motion to approve 11A as read. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**
- 11B.** [2018-6422](#) Discuss and consider action to appoint a City Councilmember to serve on the Community Advancement Network (CAN) board of directors.

Mr. Wade stated that Councilmember Heath is currently appointed and has offered to allow another councilmember the opportunity to serve. Mr. Fletcher provided information on CAN and answered questions. Discussion followed. Mr. Metayer indicated interest in serving. Mayor Pro Tem Peña made a motion to approve Mr. Metayer as the councilmember on the CAN board. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

11C. [2018-6465](#)

Discuss and consider action to provide direction to city staff regarding holding Town Hall meetings.

Mr. Marsh made a motion to approve city staff to start forming a plan for the Mayor and a Councilmember, City Manager's office, Police Department, and requests to PCDC and the PfISD School Board to attend a town hall meeting when available, to be advertised on social media and other various methods and to bring the plan before the end of first quarter and for the meeting to take place by the second quarter. A friendly amendment to add ESD #2 was provided. Mr. McDonald seconded the motion. All voted in favor the motion carried.

11D. [RES-0486](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding granting consent to the inclusion of up to 782 additional acres of land into the Lakeside WCID No. 5 or into up to two future water control and improvement districts or municipal utility districts. 2.) Open Session Item: Discuss and consider a resolution with the caption reading: A RESOLUTION GRANTING THE CONSENT OF THE CITY OF PFLUGERVILLE, TEXAS, TO THE INCLUSION OF LAND INTO A WATER DISTRICT OR DISTRICTS; RATIFYING AND APPROVING CERTAIN PRIOR RESOLUTIONS AND AGREEMENTS OF THE CITY; AND AUTHORIZING AN AMENDMENT TO DISTRICT CONSENT AGREEMENT.

There was discussion on the item in open session. Mr. Wade stated that he had provided some information under item 2E in the worksession. He stated that the developer is in attendance (Rob Tiemann) and that he and Mr. Fletcher had met with him this afternoon and that staff recommends no action at this time but to continue discussions and to provide a new resolution for consideration in two weeks. Mr. Wade reviewed the proposed agreement points and answered questions of the council. Mr. Fletcher provided input. Mr. Tiemann stated that they had a productive meeting and he agrees to tabling the item for two weeks, but needs to move forward. There was continued discussion. No action was taken.

Executive Session

Mayor Gonzales announced that the City Council was retiring to executive session for discussion on items 11E and 11F. He read the items to be discussed and retired to executive session. The time was 8:15 p.m.

11E. [2018-6420](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding search and selection of a City Manager and the interim process. 2.) Open Session

Item: Discuss and consider action regarding the search and selection of a City Manager and the interim process.

There was discussion on the item in executive session. No action was taken.

11F. [2018-6447](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code and consultation with legal council pursuant to Chapter 551.071 of the Texas Government Code for discussion regarding approving an agreement with Strategic Government Resources (SGR) for services related to the search and selection of a City Manager. 2.) Open Session Item: Discuss and consider action to approve an agreement with Strategic Government Resources (SGR) for services related to the search and selection of a City Manager and authorizing the City Manager to execute same.

Discussion on the item took place in executive session. Action was taken in open session later in the meeting.

Executive Session - Closed

Mayor Gonzales reconvened in open session at 9:05 p.m.

11F. [2018-6447](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code and consultation with legal council pursuant to Chapter 551.071 of the Texas Government Code for discussion regarding approving an agreement with Strategic Government Resources (SGR) for services related to the search and selection of a City Manager. 2.) Open Session Item: Discuss and consider action to approve an agreement with Strategic Government Resources (SGR) for services related to the search and selection of a City Manager and authorizing the City Manager to execute same.

Mr. Marsh made a motion to approve 11F as read. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

11G. [2018-6427](#)

Discuss and consider action regarding future agenda items.

None stated.

12. Discuss only

12A. [RES-0483](#)

Discuss amending rules of order and procedure for City Council meetings.

There was no discussion on the item during the regular meeting. Discussion on the item took place during the worksession.

12B. [2018-6444](#)

Discuss policy direction regarding retaining or abandoning alley right of ways in Old Town area.

There was no discussion on the item during the regular meeting. Discussion on the item took place during the worksession.

12C. [2018-6450](#)

Discussion regarding water rates.

Mr. Wade provided an introduction. Ms. Gillam provided water rate information. Mayor Pro Tem Peña provided a city rate comparison he had completed in 2017 and indicated concerns for the commercial perspective. Discussion followed. Ms. Gillam explained that the rates are higher due to the utility debt of the city. She stated that they could look at structuring differently, but the debt would need to be covered. Mr. Wade stated that the lake is one of the smartest things that the city has done and it gives them the advantage of a several month buffer during drought conditions. Ms. Gillam stated that a water rate increase is not planned for two years. Mr. Wade stated that he thinks what is shown in the rate study is worst case scenario and they would also look at opportunities with the Texas Water Development Board and strategic agreements. There was continued discussion.

12D. [2018-6451](#)

Discussion regarding policy concerning municipal utility districts, water control and improvement districts and other special purpose districts such as Local Government Corporations in Pflugerville and its extraterritorial jurisdiction.

There was no discussion on the item during the regular meeting. Discussion on the item took place during the worksession.

12E. [2018-6455](#)

Discuss Travis County Municipal Utility District (MUD) No. 24 and the results of the financial analysis of the out of city municipal utility district (MUD) versus in-city municipal utility district as prepared by Public Finance Group.

Mr. Fletcher provided an introduction. Cheryl Allen, Public Finance Group, reviewed the developer proposal for MUD No. 24 to become an in-city MUD with payment to the developer. Mr. Fletcher stated that the city has not received information from the city's financial advisor (Terrell Palmer) on the proposal but they would have Mr. Palmer present his recommendation in the future. Ms. Allen answered questions of the council. Mr. Wade stated that the city's financial advisor is currently reviewing and that it isn't unusual for an in-city MUD to request a reimbursement. Mr. Marsh asked regarding the cost to the city for providing the area with city services. It was noted that the city council would need to hear from the city financial advisor first before any consideration. There was continued discussion.

13. Adjourn

Mr. Marsh made a motion to adjourn. Mr. McDonald seconded the motion. The vote was: Mr. Marsh- yes, Mr. Weiss- yes, Mayor Pro Tem Peña-no, Mayor- yes, Mr. Metayer- yes, Mr. McDonald- yes. The motion carried. The meeting was adjourned at 9:48 p.m.

Respectfully submitted,

Jennifer Stubbs
Deputy City Secretary

Approved as _____ on January 23, 2018.