



# City of Pflugerville

## Minutes - Final City Council

---

Tuesday, July 8, 2014

7:00 PM

100 East Main Street, Suite 500

---

### Regular Meeting

#### 1. Call to order

Mayor Coleman called the regular meeting to order at 7:05 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña, Starlet Sattler, and Victor Gonzales were in attendance. 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; Emily Barron, Planning Director; Amy Good, Finance Director; Dan Franz, City Engineer; Blake Overmyer, Building Official; James Hemenes, Parks Director; Chuck Hooker, Police Chief; Terri Waggoner, Public Information Officer.

#### 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. Public Hearing

- 3A. 2014-2740 Conduct the second of two required public hearings and receive feedback regarding the Community Development Block Grant (CDBG) program Consolidated Plan.

Ms. Barron presented on the CDBG consolidated plan and action plan and answered questions of the Council.

Ernest Tomes, 18616 Silent Water Way, stated that he came to speak regarding transportation. He stated that he is blind and visually impaired and the reason why they need transportation is that they have places they need and want to go to during the week and weekend as well. He stated that he should not have to rely on friends or family members to take him where he needs to go. He stated that he does not want to have to depend on them everytime. He stated that he

speaks for all disabled, like himself. He stated that public transportation is the best way to get around Pflugerville and we need it. He stated that they need metro access as well to come out here. He stated that he uses CARTS but they only operate on the weekdays. He stated that Metro access does weekday and weekends. Mr. Tomes addressed questions from Mayor Coleman.

Mary Sanford, resident of Cambridge Villas, 15711 Dessau Road, stated that she was here to speak about transportation. She stated that she was here as a citizen that happens to be a senior. She stated that there are a lot of seniors that want to stay independent. She explained that they have CARTS and other resources, but they are limited. She stated that Cambridge Villas would be a good bus stop. She stated that they have 250 residents and half do not have vehicles or family members. She stated that it gets to be a problem sometimes. She stated that she has utilized CARTS and has used Faith in Action. She stated that she is a very healthy woman and can advocate for herself, but there are others that cannot and she is speaking for them as well. Ms. Sanford addressed questions from Council.

Bernice Lucio, resident of Cambridge Villas, 15711 Dessau Road, stated that transportation is a problem. She stated that her friends have started a non-profit called Community Transport Service, and they need a van and they would like Council to help them get a van. She stated that they need a van so they can plan a route. She stated that they need a van and money to help them.

Beatrice Fields, resident of Westchester Woods, 19600 N. Heatherwilde Blvd, stated that her concern is transportation. She stated that she is 69 and soon she will not be able to drive herself and is going to have to have transportation. She stated that she takes care of her 96 year old mother. She stated that she thinks transportation should be the high priority.

Allison Phillips, Community Transport Service, 1317 Picadilly, stated that Community Transport Service has been in the city since 2009. She stated that it began from Cambridge Villas and went from there. She stated that she has talked with Lauri Gillam and learned that the city voted to not participate in Capital Metro any longer. She stated that there are CARTS and Drive a Senior, but many do not fall into those categories. She stated that Community Transport became a nonprofit in 2010. She stated that she found out there is a possibility for funding and that is why they are here. She stated that Community Transport Service is a small part of the solution. She stated that they coordinate and work with others to get people where they want to go. She stated that they want to be a part of Pflugerville and to grow with Pflugerville, and that they want to be a resource for pflugerville. Ms. Phillips addressed questions of the Council.

The following people did not wish to speak but asked that the Mayor announce for the record their support for transportation:

Debra Hicks, resident of Cambridge Villas, 15711 Dessau Road

Marva Lewis, 4800 Broadhill

Brenda Bullock, resident of Cambridge Villas, 15711 Dessau Road

Rudy Metayer, 915 Craters of the Moon Blvd, explained that some of the services of Community Transport Service may fall under the Texas Department of Health and Human Services medical transportation program. He

encouraged Ms. Phillips to contact his offices. Mr. Metayer implored Council to go ahead and have an in depth conversation regarding transportation. He stated that he thinks it is a high priority.

Natasha Wilson, 613 Abby Glenn Castle Drive, stated that she lives with her sister and Community Transport Service really helps her. She stated that she sometimes walks home from work 10 miles. She stated that her other options are CARTS or Yellow Cab. She stated that Community Transport Service in Pflugerville could use your help and would really appreciate it.

There were no additional people in attendance that requested to speak at the public hearing. Mr. Cooper made a motion to close the public hearing. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

Mayor Coleman asked Ms. Barron if the Council could put a portion of the CBDG funds toward Community Transport Service. Ms. Barron indicated yes, that they could be a subrecipient of the grant and that they would need to set criteria that they would have to follow in order to be a recipient of the funds.

Mayor Colman asked Ms. Phillips if she could give the Council their wish list for their organization. Ms. Phillips stated that they have applied to Cap Metro to receive vans through their van grant program. She stated beyond that, they would need to insure those vans. She stated that they already have office space and phones, but they need to be able to hire a couple of drivers. She stated that they are registering with a volunteer program, but believe if they are hiring individuals that are qualified to drive that they would have a better service. She indicated a need for a couple of drivers and administration. She indicated they are looking at \$104,000, even if just one driver and administration. She stated with another driver it would be \$124,000. She stated that that does not include the purchase of the vans. She explained that the passengers are currently paying a gas fee.

Ms. Barron provided additional information.

Mayor Coleman asked to add this subject to next week's worksession agenda.

#### **4. Public Comment**

Anthony J. Pazik, Jr., 19536 Vilamoura Dr, explained issues with Avalon traffic taking Vilamoura to Falsterbo. He asked for the placement of a three-way stop at the Vilamoura/Falsterbo intersection. Mr. Wade stated that he will have the traffic engineer determine the level of warrant and have the police look at enforcement of the speed limit.

#### **Reading of the Consent Agenda**

Item 6E was removed from the consent agenda. Ms. Thompson read the items under consideration.

#### **5. Approval of Minutes**

- 5A. 2014-3072** Approval of the minutes of the June 24, 2014 City Council Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## **6. Other Actions**

- 6A. 2014-2971** Authorizing the City Manager to execute a Right of Way License Agreement between the City of Pflugerville and the Carrington Court Residential Community Inc. applicable to all City streets within the subdivision.
- The item was approved on the consent agenda.
- 6B. 2014-3020** Authorizing the City Manager to execute an agreement with S&B Infrastructure, LTD in the amount of \$49,727.07 for professional engineering services associated with design, bidding, and construction administration of the Gilleland Creek Trail Project.
- The item was approved on the consent agenda.
- 6C. 2014-3071** Appointing Mr. Raul Capetillo as a regular member of the Parks and Recreation Commission for an unexpired term ending December 31, 2015.
- The item was approved on the consent agenda.
- 6D. 2014-3073** Receive report on City Council, Commission, Board and Committee expenditures for June 2014.
- The item was approved on the consent agenda.
- 6F. 2014-3094** Approving a reimbursement request in the amount of \$291.07 by City Councilmember Victor Gonzales for business meeting mileage and expenses.
- The item was approved on the consent agenda.

## **Action on the Consent Agenda**

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

- 6E. 2014-3082** Appointing Mayor Jeff Coleman to serve as City Council liaison to the Parks and Recreation Commission.
- Mr. Cooper indicated that he would like to nominate Ms. Sattler to serve as the Parks Commission liaison. Mayor Coleman was in agreement. An item was to be placed on the next agenda.

## **7. Resolution**

- 7A. RES-0212** Discuss and consider approving a resolution of the City of Pflugerville, Texas declaring support of the Project Connect High Capacity Transit

System Plan efforts.

Mr. Fletcher provided information and discussion followed. Mr. Cooper made a motion to adopt this resolution, rescinding the previous Resolution No. 1397-14-03-11-0186. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

## **8. Discuss and consider action**

- 8A. 2014-3084** Discuss and consider approval of additional funding for a total proposed allocation of \$965,000 for Lake Pflugerville Pump Station Emergency Repairs.
- Mayor Coleman opened 8B and 8C for discussion and consideration. Mr. Word provided information and answered questions of the City Council. Mr. Cooper made a motion to approve item 8A and 8B. Mr. Marshall seconded the motion. All voted in favor. The motion carried.
- 8B. 2014-3083** Discuss and consider action to approve a professional services supplemental agreement with Freese and Nichols, Inc. to amend the original agreement's scope of services and fee to add an additional amount of \$77,166 for emergency repairs at the Lake Pflugerville Pump Station and authorizing the City Manager to execute the agreement.
- Action on the item was taken at the same time as item 8A.
- 8C. 2014-3034** Discuss and consider action regarding the City of Pflugerville's participation in the Austin Chamber of Commerce Intercity visit to San Francisco, California from September 21 to September 23, 2014.
- Mr. Gonzales indicated an interest in attending. Mr. Cooper spoke on the benefits of attending in seeing how other cities work and developing relationships with others from the Austin region. He stated that he would support Mr. Gonzales attending. Mr. Marshall stated that he does not think that San Francisco relates to Pflugerville and does not think it is a good use of public funds. Mr. Cooper made a motion to approve Mr. Gonzales' attendance. Mr. Peña seconded the motion. The vote was: Mr. Cooper-yes, Mr. Marshall-no, Mr. Peña-yes, Ms. Sattler-yes, Mr. Gonzales-yes. The motion carried.
- 8D. 2014-3102** Discuss and consider action to provide direction to city staff to prepare materials for ordering a November 4, 2014 general obligation bond election for Capital Improvement Program (CIP) Transportation, Parks, and/or any other projects.
- Mr. Franz, Mr. Wade, Ms. Gillam and Mr. Hemenes provided information under the item and discussed with Council. The Council was to discuss at the worksession the following week and consider action on the item again on July 22, 2014.
- 8E. 2014-3078** Discuss and consider action regarding future agenda items.

None additional.

## **Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session for discussion on items 8F, 8G, 9B, 9C, 9D, 9E, and 9F. He read the items and retired to executive session. The time was 9:12 p.m.

- 8F. 2014-3080** 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 regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Bowl. 2.) Open Session Item: Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Bowl.

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

- 8G. 2014-3081** 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 regarding an amended Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Exit. 2.) Open Session Item: Discuss and consider action regarding an amended Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Exit.

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

## **9. Discuss only**

- 9A. 2014-2852** Discussion regarding the Fiscal Year 2015 budget and City Council Fiscal Year 2015 goals.

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

- 9B. 2014-3074** 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.

Discussion on the item was to take place in executive session. No action was

taken.

- 9C. 2014-3075** 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 was to take place in executive session. No action was taken.**

- 9D. 2014-3076** 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.

**Discussion on the item was to take place in executive session. No action was taken.**

- 9E. 2014-3077** 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.

**Discussion on the item was to take place in executive session. No action was taken.**

- 9F. 2014-3079** 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.

**Discussion on the item was to take place in executive session. No action was taken.**

### **Executive Session - Closed**

**Mayor Coleman reconvened in open session at 10:38 p.m.**

- 8F. 2014-3080** 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 regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Bowl. 2.) Open Session Item: Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Bowl.

**Mr. Marshall made a motion to approve 8F. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.**

- 8G. 2014-3081** 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 regarding an amended Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Exit. 2.) Open Session Item: Discuss and consider action regarding an amended Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Exit.

Mr. Gonzales made a motion to approve 8G. Mr. Peña seconded the motion. All voted in favor. The motion carried.

## 10. Adjourn

Mr. Cooper made a motion to adjourn. Ms. Sattler seconded the motion. The vote was: Mr. Cooper-no, Mr. Marshall-yes, Mr. Peña-yes, Ms. Sattler-yes, Mr. Gonzales-yes. The motion carried. The meeting was adjourned at 10:39 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on July 22, 2014.