



City of Pflugerville

Minutes - Final City Council

Tuesday, December 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 7:04 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; Dan Franz, City Engineer; Amy Giannini, Engineer, James Hemenes, Parks Director; LeAnn Resendez, Recreation Superintendent; Terri Waggoner, Public Information Officer; Amy Good, Finance Director, Laura Wilkes, Police Lieutenant; Rhonda McLendon, Animal Control Director.

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. [2014-3488](#) Presentation on the new city partnership with Knights of Columbus Holiday Parade.

Ms. Cosel presented on the item and answered questions of the Council.

4. Public Comment

Ms. Kim Waters, Kessler Drive, did not wish to speak, but asked that the Mayor announce the need for pet fosters at the Pflugerville Animal Shelter.

Reading of the Consent Agenda

Ms. Thompson read the items to include the caption of the ordinance under consideration.

5. Approval of Minutes

- 5A. [2014-3538](#) Approval of the minutes of the November 18, 2014 City Council Special Meeting and November 25, 2014 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

6. Ordinances First Reading

- 6A. [ORD-0227](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIFTH AMENDMENT TO THE FISCAL YEAR 2014 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

7. Resolutions

- 7A. [RES-0224](#) Approving a resolution appointing Mr. Mike Marsh to Position 1, Mr. Jeffrey Thompson to Position 3, and Mr. Scott Williams to Position 5 of the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors for two-year terms beginning January 1, 2015.

The resolution was approved on the consent agenda.

- 7B. [RES-0225](#) Approving a resolution appointing Mr. Mike Marsh, Position 1, as chairman of Reinvestment Zone No. One (Falcon Pointe TIRZ) for a one-year term beginning January 1, 2015.

The resolution was approved on the consent agenda.

8. Other Actions

- 8A. [2014-3483](#) Approving the Mayor's appointment of Mr. Melvin Clark, Mr. Tony Ellis and Mr. Dwain Jones to the Personnel Appeal Board for three-year terms beginning January 1, 2015.

The item was approved on the consent agenda.

- 8B. [2014-3496](#) Approving an interlocal agreement with the Region VIII Education Service Center to allow for City of Pflugerville membership in the The

Interlocal Purchasing Systems (TIPS) purchasing cooperative and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

8C. [2014-3518](#)

Approving the selection of a project auditor for Reinvestment Zone No. 1 (Falcon Pointe TIRZ).

The item was approved on the consent agenda.

8D. [2014-3526](#)

Approving and authorizing the City Manager to enter into a Public Improvement Easement Agreement for pedestrian travel, otherwise known as a sidewalk easement agreement, by and between NFMM L.L.C. and the City of Pflugerville generally located along F.M. 685 just south of Rowe Lane, on Lot 2A, Block E of the Amending Plat of Block E 685 Commercial Park.

The item was approved on the consent agenda.

8E. [2014-3531](#)

Authorizing the City Manager to execute a Waterline Easement Agreement with Joe S. Vasquez, Bishop of the Catholic Diocese of Austin, and the City of Pflugerville for the utility construction associated with the Pflugerville Parkway Transmission Main Capital Improvement Project.

The item was approved on the consent agenda.

8F. [2014-3536](#)

Approving an agreement with Lockwood, Andrews and Newnam Inc. (LAN) for professional right of way services associated with property acquisition activities for all components of the City's Capital Improvement Program (CIP) projects.

The item was approved on the consent agenda.

8G. [2014-3547](#)

Approving and authorizing the City Manager to enter into a Sidewalk Easement Agreement for pedestrian travel, by and between Steve Durhman, Trustee, and the City of Pflugerville generally located along the east side of FM 685 just south of CR138, on Lot 2, Block A of the Gattis Crossing Subdivision.

The item was approved on the consent agenda.

8H. [2014-3548](#)

Approving and authorizing the City Manager to enter into a Public Improvement Easement Agreement for pedestrian travel, otherwise known as a sidewalk easement agreement, by and between Pickroy 2000, LLC and the City of Pflugerville generally located at the southeast corner of Picadilly Drive and Central Commerce Court, on Lot 11, Block A of the SpringBrook Industrial Park, Section One Subdivision.

The item was approved on the consent agenda.

- 8I. [2014-3556](#) Approving registration and hotel costs for Councilmember Victor Gonzales to attend the 2015 Elected Officials Conference in San Marcos, Texas, from February 12-14, 2015.
- The item was approved on the consent agenda.
- 8J. [2014-3558](#) Approving the appointments of Mr. Eduardo Zamora and Ms. Beatriz Flores as alternate members of the Board of Adjustment for two-year terms beginning January 1, 2015.
- The item was approved on the consent agenda.
- 8K. [2014-3559](#) Receive report on City Council, Commission, Board and Committee expenditures for November 2014.
- 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.

9. Discuss and consider action

- 9A. [2014-3415](#) Discuss and consider action regarding proposed short-term solutions for the animal shelter, as well as an update regarding efforts for long-term solutions.
- Mr. Fletcher and Ms. McLendon provided information and answered questions of the Council. Mr. David Duman of Quorum Architects provided information on the proposed plan for short-term improvements and discussed with Council. Mr. Wade provided input and asked for action from the Council to authorize staff to advertise for bids. Mr. Wade indicated that it might save time to go ahead and order some of the equipment items for contractor installation.
- Lynn Vaughan, 17215 Village Glen Road, requested that the Council support the current animal shelter improvements and authorize the City Manager to do a needs assessment and plan for a new animal shelter. She stated that she is a long-time animal shelter volunteer and has seen many improvements. She stated that the additional staff and Director Rhonda McLendon have been a great asset. She stated that while there have been a number of positive changes, she believes the shelter is way too small to accommodate the incoming number of animals. She stated that she believes the City needs to do the temporary shelter improvements and to make plans to build a new shelter. She stated that the problem of homeless pets will only get worse and the longer it is put off, the more it will cost. She requested that the Council authorize the City Manager to order a needs assessment and master plan for the shelter.
- Sarah Nolte, 1211 Vincent Place, stated that some think that we do not need a new shelter. She stated that with the growth of the City and surrounding area, the additional kennels will not be enough. She stated that volunteers and Pflugerville Pets Alive have helped keep animals from being put down for space. She asked the Council to please continue with plans for a needs

assessment and master plan for the shelter.

Mayor Coleman stated that the following did not wish to speak but asked to state their support for spending money on short-term and long-term animal shelter improvements.

Barb Woodworth, 809 Windsor Castle Drive
Devin Cook, 20425 Rita Blanca Circle
Chastity Parrett, Rita Blanca Circle
Karyn Buchanan, 1014 Vanderbilt
Barbara Beard, 804 Havard Lane
Peggy Dudzinski
Jim Shaffer, 17215 Village Glen Road
Tony Bonacci, 1005 Duke Cove
Cassandra Harrisin, Secretariat Ridge Lane

Mr. Cooper made a motion to move forward with the proposed short-term solutions for the animal shelter and to come back with a bid package and to put out to bid as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

Mayor Coleman asked for direction to proceed with the selection of an architectural firm and to negotiate cost and bring back for consideration for a new animal shelter. Mr. Cooper made a motion for staff to go ahead with the selection of an architect and to come back with recommendation of the selected firm as well as their fee. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 9B.** [2014-3448](#) Discuss and consider action to authorize the City Manager to execute Change Order #1 with DKC Construction Group for the construction and expansion of the Public Works Offices at the Wastewater Treatment Plant site.

Mr. Word provided information on the proposed additions in the change order at a cost of \$102,996 and 32 additional days. He stated that the anticipated completion date is April 8, 2015. Mr. Gonzales made a motion to approve the change order. Mr. Peña seconded the motion. All voted in favor. The motion carried.

- 9C.** [2014-3537](#) Discuss and consider action regarding future agenda items.

None stated.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 9D, 9E, 10A, 10B and 10C. He read the items and retired to executive session. The time was 7:59 p.m.

- 9D.** [2014-3557](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the City of Pflugerville's legislative agenda. 2.) Open Session Item: Discuss and consider action regarding the City of Pflugerville's legislative agenda.

There was no discussion on the item. No action was taken on the item.

- 9E. [2014-3540](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager. 2.) Open Session Item: Discussion and consider action regarding performance evaluation of the City Manager.

There was discussion on the item in executive session. Action on the item took place later in the meeting in open session.

10. Discuss only

- 10A. [2014-3543](#) 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 took place in executive session.

- 10B. [2014-3539](#) 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.

There was no discussion on the item.

- 10C. [2014-3542](#) 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.

Executive Session - Closed

Mayor Coleman reconvened in open session at 9:18 p.m.

- 9E. [2014-3540](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager. 2.) Open Session Item: Discussion and consider action regarding performance evaluation of the City Manager.

Mr. Cooper made a motion to approve the amendments to the City Manager's contract as discussed in executive session. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

11. Adjourn

Mr. Cooper made a motion to adjourn. Mr. Gonzales seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:19 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on January 13, 2015.