



# City of Pflugerville

## Minutes - Final - Draft

### City Council

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Tuesday, October 9, 2018

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

Mayor Pro Tem Omar Peña called the meeting to order at 7:00 p.m. Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. Mayor Victor Gonzales was absent. City employees attending: Sereniah Breland, City Manager; Cameron Cox, Assistant City Attorney; Trey Fletcher, Assistant City Manager; Lauri Gillam, Assistant City Manager; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Jennifer Coffey, Library Director; James Hemenes, Parks Director; Aileen Dryden, Park Development Manager; Manny Duarte, Interim Development Engineering Director; Terri Toledo, Communications Director; Jason Smith, Assistant Police Chief.

#### 2. Opening

##### A. Pledge of Allegiance to the Flag of the United States of America

Mayor Pro Tem Peña 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

Mayor Pro Tem Peña led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

##### C. Moment of Silence

Mayor Pro Tem Peña observed a moment of silence.

#### 3. Items of Community Interest

Mayor Pro Tem Peña announced that today is the last day to register to vote in the November 6, 2018 election and that Councilmember McDonald is a deputy voter registrar. Mr. Weiss announced that tomorrow is National Walk to School Day.

#### 4. Public Comment

Andrea Rye Gonzalez, 18932 Keeli Lane, stated that she is with the Reserve at Westcreek HOA and provided a proposal for a trail system.

Kathy Tomasino, 2516 Amen Corner Road, stated that she was in attendance to make an introduction to the new city manager. She stated that since the owner of the Blackhawk Golf Course announced intentions to sell the golf course one year ago, they have been staying on top of it and want to keep the AG zoning. She stated that they think the golf course is a great amenity.

Herman Whitney, 12336 Zeller Lane, Austin, TX 78752, President of Pflugerville Area Youth Soccer League (PAYSL), indicated that he would be speaking for himself and for Aria Whitney and voiced concerns regarding the costs to use the new 1849 Park facilities. He stated that he would like a reduced cost for PAYSL and would like a sliding scale for all of the clubs.

There were no additional requests to speak under the public comment item.

## Reading of the Consent Agenda

Items 6A, 7B, 7C and 7D were removed from the consent agenda. Ms. Thompson read the remaining items under consideration.

### 5. Approval of Minutes

- 5A. [2018-7091](#) Approval of the minutes of the September 18, 2018 Special Meeting and September 25, 2018 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

### 7. Resolutions

- 7A. [RES-0550](#) Approving a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL PURCHASING AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG).

The resolution was approved on the consent agenda.

## Consent Agenda Supplemental Item

- 7E. [RES-0559](#) Approving a Resolution with the caption: A RESOLUTION RELATING TO THE FUNDING OF A RECYCLING END-MARKET DEVELOPMENT PLAN AND STATE-WIDE EDUCATIONAL CAMPAIGN.

The resolution was approved on the consent agenda. There was additional consideration on item 7E later in the meeting.

### 8. Other Actions

- 8A. [2018-7068](#) Approving an agreement with Halff Associates, Inc. in the amount of \$99,856.00 for professional services associated with the 2018 Lake

Pflugerville Park Improvements & Biehle Property Concept Project.

**The item was approved on the consent agenda.**

- 8B.** [2018-7092](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the C.A.C.I. Office Building development located southwest of the intersection of Rowe Lane and Algreg Street and authorizing the City Manager to execute the agreement.

**The item was approved on the consent agenda.**

- 8C.** [2018-7093](#) Authorizing the City Manager to execute an easement purchase agreement and associated conveyance documents between Geraldine Timmermann and the City of Pflugerville as necessary to acquire a drainage easement for the Pfennig Lane Widening Project.

**The item was approved on the consent agenda.**

- 8D.** [2018-7094](#) Authorizing the City Manager to execute a contract with Brenntag SW, Inc. for the purchase of Chlorine in the amount of \$640.00/ton; Liquid Ammonium Sulfate (water treatment) in the amount of \$0.0885/pound; Liquid Ammonium Sulfate (wells) in the amount of \$170.00/drum; salt in the amount of \$224.00/ton; Aluminum Chlorhydrate (ACH) in the amount of \$.2380/pound; Sulfa-Clear (Colorado Sand lift station) in the amount of \$650.00/drum; Sulfa-Clear (Verona lift station) in the amount of 3,395.00/tote and sodium hyperchlorite in the amount of \$131.00/drum.

**The item was approved on the consent agenda.**

- 8E.** [2018-7095](#) Authorizing the City Manager to execute a contract with Polydyne Inc. for the purchase of Clarifloc C-6232 Polymer in the amount of \$2,829.00/tote for wastewater treatment.

**The item was approved on the consent agenda.**

- 8F.** [2018-7096](#) Authorizing the City Manager to execute a contract with Chameleon Industries, Inc. for the purchase of Aluminum Sulfate in the amount of \$0.605/gallon.

**The item was approved on the consent agenda.**

- 8G.** [2018-7097](#) Authorizing the City Manager to execute a contract with Lonestar Maintenance and Service for the purchase of chlorine for the water wells in the amount of \$110.00/cylinder.

**The item was approved on the consent agenda.**

### **Action on the Consent Agenda**

**Mr. Heath made a motion to approve the consent agenda. Mr. Weiss seconded the motion. All voted in favor. The motion carried.**

**6. Ordinances First Reading - Removed from the Consent Agenda**

- 6A.** [ORD-0403](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 72 BY SUPPLEMENTING SCHEDULE III REGARDING STOP SIGNS ON CITY STREETS, INCLUDING PRIVATE STREETS IN THE CITY OF PFLUGERVILLE CITY LIMITS, PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$200.00; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Peña opened and read the item to include the caption of the ordinance under consideration. Mr. Heath stated that he would like to make sure that all of the signs included have met warrants. He stated that the city needs to remove the current unwarranted signs. Ms. Breland indicated that the signs have met warrants and answered questions. Mr. Duarte stated that the last ordinance was brought forward in August 2016 and this ordinance includes all of the newly placed signs since then occurring with development. He stated that they have met warrants. Mr. Heath made a motion to approve the ordinance on first reading. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

**7. Resolutions - Removed from the Consent Agenda**

- 7B.** [RES-0551](#) Approving a resolution with the caption: RESOLUTION OF THE CITY OF PFLUGERVILLE ADOPTING THE CITY OF PFLUGERVILLE FIELD USE POLICY.

An amended resolution was provided on the dais for consideration. Mayor Pro Tem Peña read the item and opened it for consideration. Mr. Metayer stated that he wants to support and keep these fields maintained. He stated that he understands the concerns for the pricing and he would like to include the clubs and community in the process. Mr. Weiss asked regarding the cost recovery rate. Mr. Hemenes stated that this policy is at a 25% recovery rate based on full utilization. Council discussion followed with Mr. Hemenes regarding the cost structure. Mr. Hemenes stated that it is a new facility that needs to be maintained and the rates were based on the market. Mr. Metayer confirmed with Mr. Hemenes that there are still opportunities for groups that have an annual agreement to have consideration for a different fee structure. There was continued discussion. Mr. Metayer recommended 15 miles for the lightning radius in the policy. Mr. Hemenes was in support of a change to the lightning radius from 10 to 15 miles. Mr. Metayer made a motion to approve item 7B as amended with the lightning radius of 15 miles. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

- 7C.** [RES-0552](#) Approving a resolution establishing the City of Pflugerville's Legislative Agenda and Priorities for the 86th Session of the Texas Legislature.

Mayor Pro Tem Peña read the item and opened it for consideration. Mr. Heath asked why item 7E was not included in the proposed legislative agenda. Ms. Breland explained the Texas Municipal League (TML) will hear these resolutions. She stated that the legislative agenda is specific to the City of Pflugerville. Discussion followed. Mr. Heath made a motion to approve 7C. Mr. Metayer requested further discussion. Mr. Heath withdrew his motion. Mr. Metayer stated that he would like it more specifically stated regarding annexation and service to CCN. Mayor Pro Tem Peña stated that it has been one of the topics of discussion. Ms. Breland stated that Mayor Gonzales has spoken at the Senate hearing regarding annexation and they have proposed language to the lobbyist. She stated that the efforts are strong. Mr. Heath made a motion to approve as presented. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mr. Metayer-no, Mr. Heath-yes, Mr. McDonald-yes, Mayor Pro Tem Peña-yes. The motion carried.

- 7D. [RES-0553](#) Adopting a resolution providing for approval of a Pflugerville Community Development Corporation (PCDC) Economic Development Performance Agreement with Essentium, Inc., in Pflugerville, Travis County, Texas.

Mayor Pro Tem Peña read the item and opened it for consideration. Mr. Weiss indicated that he had pulled the item from the consent agenda to allow for a presentation. Ms. Amy Madison, PCDC Executive Director, reviewed the agreement, provided information on Essentium, Inc. and introduced Blake Teipel, CEO of Essentium. Ms. Madison and Mr. Teipel answered questions of the Council. Mr. Weiss made a motion to approve the resolution as presented. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

## 9. Discuss only

- 9A. [2018-7109](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code regarding *Jane Doe v. City of Pflugerville, et al* and *Schaefer v. City of Pflugerville*.

Mayor Pro Tem Peña announced that the City Council was retiring to executive session for discussion under item 9A. He read the item and retired to executive session. The time was 7:54 p.m. Mayor Pro Tem Peña reconvened in open session at 8:32 p.m. No action was taken.

- 7E. [RES-0559](#) Approving a Resolution with the caption: A RESOLUTION RELATING TO THE FUNDING OF A RECYCLING END-MARKET DEVELOPMENT PLAN AND STATE-WIDE EDUCATIONAL CAMPAIGN.

Mr. McDonald made a motion to reopen item 7E. Mr. Heath seconded the motion. All voted in favor. The motion carried. Mr. Heath stated that this was not included in the legislative agenda and he does not think it is appropriate. He indicated that he would like to take a vote to disapprove it. Mr. Cox indicated a need to make a motion to rescind 7E approved on the consent agenda. Mr. Heath made a motion to rescind item 7E approved on the consent agenda. Mr. McDonald seconded the motion. The vote was: Mr. Weiss-no, Mr. Marsh-no, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Pro Tem Peña-no. The vote was tied and therefore the motion failed. Ms. Breland confirmed with Mr. Cox that the resolution stands as approved on the consent agenda.

**10. Adjourn**

Mr. McDonald made a motion to adjourn. Mr. Marsh seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on October 23, 2018.