



City of Pflugerville

Minutes - Final

City Council

Tuesday, May 24, 2016

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Jeff Coleman called the meeting to order at 10:26 p.m. Councilmembers Brad Marshall, Starlet Sattler and Mike Heath were in attendance. Councilmember Omar Peña entered the meeting at 10:59 p.m. Councilmember Wayne Cooper was absent. City employees in attendance: 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; James Hemenes, Parks Director; Chuck Hooker, 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. Presentations

- 3A. [2016-4883](#) Presentation of the Texas Historical Commission Award of Merit to the Pflugerville Diggers for Accomplishing a Significant Preservation Milestone for Local History in the Pflugerville Community.

The item was not addressed. There was no discussion on the item.

- 3B. [2016-4912](#) Invite to Music in the Park 2016, "Hot Summer Nights."

The item was not addressed. There was no discussion on the item.

- 3C. [2016-4774](#) Presentation of draft Transit Development Plan (TDP) concepts.

The item was not addressed. There was no discussion on the item.

4. Public Comment

Gregory Pope, 19308 Orts Lane, owner of Mr. Pfranks, spoke in support of city investment and rejuvenation of the downtown area.

Renae Mitchell, 600 Willow Wood, thanked the City Council for appointing her to the Planning and Zoning Commission, stating that she enjoyed the position. She announced that she is now stepping down due to her election to the Pflugerville ISD School Board.

Jim McDonald, 1014 Duke Cove, spoke regarding the successful Deutschen Pfest and congratulated the Rotary Club for having their best year ever. He thanked the volunteers that serve on the Deutschen Pfest Committee chaired by Starlet Sattler. He stated that the event exemplified "Where Quality Meets Life."

Reading of the Consent Agenda

Mr. Hyde provided information on a substitute easement agreement under item 9C. Items 8A, 8C, 8D were removed from the consent agenda. Ms. Thompson read the consent agenda to include the captions of the ordinances under consideration.

5. Approval of Minutes

- 5A. [2016-4890](#) Approval of the minutes of the May 4, 2016 Worksession and May 10, 2016 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

6. Ordinances First Reading

- 6A. [ORD-0297](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE EXECUTION OF A TAX RESALE DEED FOR THE CONVEYANCE OF PROPERTY ORIGINALLY PLATTED IN 1910 AND HISTORICALLY RECOGNIZED AS LOTS 3 AND 4, BLOCK E, THE COLORED ADDITION TO PFLUGERVILLE SUBDIVISION, PFLUGERVILLE, TRAVIS COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

7. Ordinances Second Reading

- 7A. [ORD-0292](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE

READOPTING CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

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

7B. [ORD-0300](#)

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, BY AMENDING TITLE VII TITLED TRAFFIC CODE, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS; PROVIDING A VIOLATION OF SECTION 71.05 IS A MISDEMEANOR; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Adding no parking zones along portions of Terrell Lane)

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

7C. [ORD-0301](#)

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, BY AMENDING TITLE VII TITLED TRAFFIC CODE, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS; PROVIDING A VIOLATION OF SECTION 71.05 IS A MISDEMEANOR; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Adding no parking zones along the southern portion of Justice Center Drive)

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

8. Resolutions

8B. [RES-0312](#)

Approving a resolution authorizing the City Manager to execute a Partial Release and Vacation Instrument to vacate a portion of an existing drainage easement within the Carmen subdivision.

The resolution was approved on the consent agenda.

9. Other Actions

- 9A.** [2016-4784](#) Approving a Weiss Lane Roadway Improvements Interlocal Agreement (ILA) with Travis County and authorizing the City Manager to execute same.
- The item was approved on the consent agenda.
- 9B.** [2016-4859](#) Approving a supplemental agreement #3 with LJA Engineering, Inc. in the amount of \$112,875.00 for professional engineering services associated with the Weiss Lane Roadway Reconstruction project and authorizing the City Manager to execute the agreement.
- The item was approved on the consent agenda.
- 9C.** [2016-4884](#) Authorizing the City Manager to Execute a Sidewalk Easement Agreement with Mohammad K. Minhas and the City of Pflugerville for a sidewalk associated with the Picadilly Business Park, Block A, Lot 1 site development project located at the northeast corner of Joe Barbee Drive and Picadilly Drive.
- The item was approved on the consent agenda.
- 9D.** [2016-4894](#) Authorizing the City Manager to execute an easement purchase agreement between Kelly Stephen Pfluger, et.al. for property known as the Kuhn Estate Tract and the City of Pflugerville for a permanent wastewater easement and a temporary construction easement for the Sorento Wastewater Interceptor Project.
- The item was approved on the consent agenda.
- 9E.** [2016-4856](#) Authorizing the City Manager to execute a conditional purchase agreement, an easement purchase agreement and a special warranty deed between Trelton Bohls and the City of Pflugerville for right of way and easement acquisition for roadway construction associated with the East Pecan Street Widening Project.
- The item was approved on the consent agenda.
- 9F.** [2016-4908](#) Authorizing the City Manager to execute a purchase agreement between Pecan Street Estates, Ltd and Pville East Ltd and the City of Pflugerville for right of way acquisition for roadway construction associated with the East Pecan Street Widening Project.
- The item was approved on the consent agenda.

Action on the Consent Agenda

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

Resolutions - Removed from the Consent Agenda

- 8A. [RES-0304](#)** Approving a resolution adopting an annual annexation plan.
- Mr. Fletcher provided information, stating that there is no target three-year annexation plan at this time. He explained that the current annexation plan is to not involuntarily annex property requiring a three-year plan. He stated that the city can amend the annexation plan at any time and staff is currently analyzing the possible annexation of Lakeside WCID No. 1. Discussion followed. Ms. Sattler made a motion to approve the resolution. Mr. Heath seconded the motion. All voted in favor. The motion carried.
- 8C. [RES-0315](#)** Approving a resolution adopting a Water Conservation Plan.
- Mr. Word provided information on the update to the water conservation plan. He provided information on how the City has reduced its total gallon usage per capita per day and answered questions. Mr. Heath made a motion to approve the resolution. Ms. Sattler seconded the motion. All voted in favor. The motion carried.
- 8D. [RES-0323](#)** Approving a resolution approving a change in the rates of Atmos Energy Corporation, Mid-Tex Division ("Atmos") as a result of a settlement between Atmos and the Atmos Texas Municipalities ("ATM") under the rate review mechanism; finding the rates set by the attached tariffs to be just and reasonable; finding that the meeting complied with the open meetings act; declaring an effective date; and requiring delivery of the resolution to the company and legal counsel.
- Ms. Gillam provided information on the City's participation in the ATM (Atmos Texas Municipalities) and the settlement reached with Atmos that would provide an overall increase of 5.5%. Mr. Heath asked how these rates could be increasing while oil prices have fallen. Mr. Hyde noted that Atmos has a required gas line replacement program that may provide some justification in the increase of their rates. Discussion continued. Ms. Sattler made a motion to approve the resolution. Mr. Marshall seconded the motion. All voted in favor. The motion carried.
- 10. Discuss and consider action**
- 10A. [2016-4904](#)** Discuss and consider action regarding active transit planning contracts and associated activities.
- The item was not addressed. There was no discussion or action on the item.
- 10B. [2016-4892](#)** Discuss and consider action regarding future agenda items.
- The item was not addressed. There was no discussion or action on the item.
- 10C. [RES-0324](#)** 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) economic development performance agreement with Kompan, Inc. a Corporation for Project Easy E. 2.) Open Session Item: Discuss and consider action to approve a resolution authorizing a Pflugerville Community Development Corporation (PCDC) economic development performance agreement with Kompan, Inc., a Delaware Corporation for Project Easy E.

Mayor Coleman opened the item and indicated that they would only address the item in open session. Mr. Hyde provided information on the key points of the agreement approved by the PCDC on May 19, 2016. Mr. Peña entered the meeting. Mr. Hemenes answered questions regarding the playground equipment and noted the need for new equipment at city parks. Mr. Hyde provided comments and answered questions. Mr. Heath made a motion to approve the resolution. Mr. Peña seconded the motion. All voted in favor. The motion carried.

11. Discuss only

11A. [2016-4891](#)

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.

The item was not addressed. There was no discussion on the item.

11B. [2016-4909](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code and deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the purchase, exchange, lease, transfer and/or sale of real property.

The item was not addressed. There was no discussion on the item.

11C. [2016-4871](#)

Discussion regarding the draft strategic plan.

The item was not addressed. There was no discussion on the item.

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1A. [RES-0321](#)

Resolution ordering a Special Election on August 6, 2016 to fill the City Councilmember Place 2 vacancy.

Ms. Sattler made a motion to approve the resolution. Mr. Peña seconded the motion. All voted in favor. The motion carried.

Mayor Coleman asked to table all remaining items on the agenda that were not addressed. Mr. Marshall indicated to make the motion. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

12. Adjourn

Mr. Marshall made a motion to adjourn. Ms. Sattler seconded the motion. The vote was: Mr. Marshall-yes, Mr. Peña-no, Ms. Sattler-yes, Mr. Heath-yes. The motion carried. The meeting was adjourned at 11:09 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on June 14, 2016.