



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, April 26, 2016

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

Mayor Jeff Coleman called the regular meeting to order at 7:08 p.m. Councilmembers Wayne Cooper, Brad Marshall, Starlet Sattler and Omar Peña were in attendance. Councilmember Mike Heath 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; Amy Good, Finance Director; Amy Giannini, Development Engineering Director; James Hemenes, Parks Director; Emily Barron, Planning Director; Chuck Hooker, Police Chief; Terri Toledo, Public Information Officer; Dan Franz, City Engineer; Jacquelyn Smith, CIP Program Manager; Jennifer Coffey, Library Director; Wayne Granger, Field Operations Superintendent; Matt Woodard, Wastewater Superintendent.

#### 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 Jeff Coleman lead 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 lead those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

#### 3. Presentations

##### 3A. [2016-4838](#)

Proclamation declaring May 1-7, 2016 as National Small Business Week in the City of Pflugerville.

Patricia Gervan-Brown, President & CEO of the Pflugerville Chamber of Commerce provided comments. Mayor Coleman read and presented the proclamation to Ms. Gervan Brown and Perry Sanford, Quality Care Sleep Diagnostics & Chair of the Pflugerville Chamber of Commerce and Dennis Spencer, Ricochet Promotion & Chair Elect/Treasurer of the Pflugerville Chamber of Commerce.

- 3B.**     [2016-4843](#)            Presentation and discussion regarding on-street parking.

Mr. Word provided information on recommended no parking zones on Pfluger Farm Lane, Terrell Lane, Pfennig Lane, and Justice Center Drive and discussed with the Council. Mr. Wade and Mr. Franz provided input.

**4.        Presentation and Discuss and consider action**

- 4A.**     [2016-4825](#)            Presentation and discuss and consider action regarding conceptual alternatives and funding for the Community Park Master Plan and Sports Complex.

Mr. Word provided information on the public process and the preferred concept. He answered questions of the Council and there was discussion. He reviewed the total estimated cost of \$65 million, noting the estimated improvements that could be constructed with \$5 million and \$10 million. Mr. Wade suggested moving park bond funds currently allocated to the Lake Pflugerville project and using utility funds for that portion of funding. Mr. Word presented improvements that could be achieved with \$10,150,000 and discussed with Council. Mr. Word and Henry Parker of Schrickel, Rollins and Associates answered questions of Council. Council discussion followed. Mr. Cooper made a motion to pursue Phase 1 Option B at the funding level of \$10.15 million, diverting some of the bond funds from Lake Pflugerville and replacing with utility funds, and allow staff and consultant to come back with the Phase 1 plan. Mr. Peña seconded the motion. All voted in favor. The motion carried. The plan was to be brought back to Council on June 14, 2016.

- 4B.**     [2016-4745](#)            Presentation and discuss and consider action regarding designating names for the community park and sports complex and neighborhood parks.

Mr. Wade provided information on the list of proposed names. Mr. Wade stated that this is essentially where Pflugerville started and this is the community's park. He stated that staff's recommendation is "1849 Park" for the sports complex name, which is the date that Henry Pfluger moved into the central Texas area and "Stone Hill Park" and "Wilbarger Creek Park" are recommended for the other two parks. Mayor Coleman stated that they had discussed "Pfounders Park." Council discussion followed.

Victor Gonzales, 303 Wilbarger Street, stated to Council that they are about to make history in selecting the name for this park (the sports complex). He stated that he thinks there is also an opportunity to be able to name a part of the park after someone who has made a longstanding contribution. He recommended naming a part of the park after Councilmember Starlet Sattler for her contributions to the community. He spoke on her contributions.

Council discussion continued. Mr. Hemenes answered questions regarding the list of names. Mr. Peña suggested having the public vote on a few of the names. Mr. Marshall made a motion to approve the name "1849 Park." Ms. Sattler seconded the motion. All voted in favor. The motion carried.

Mayor Coleman asked if they wish to approve the names "Stone Hill Park" and "Wilbarger Creek Park" as recommended by staff. Mr. Cooper made a motion to approve the names "Stone Hill Park" and "Wilbarger Creek Park" as presented by staff. Mr. Marshall seconded the motion. All voted in favor. The

motion carried.

## 5. Public Comment

Doris Williams, 18603 Mammoth Cave Blvd, stated that she felt compelled to come tonight to speak regarding the Colored Addition. She stated that she first became aware of the Pflugerville Colored Addition a couple of years after she moved to Pflugerville and she couldn't believe what she was seeing. She stated that she was then and is now, appalled at this designation. She stated that ethnic groups are moving to Pflugerville and are already here. She indicated that she has attended some community events and doesn't see much diversity at the community events. She stated that she thinks that Pflugerville should work toward harmony and work with its diverse populations.

Mr. Wade stated that he couldn't believe it either. He stated staff has been researching it and in order to change it, they will have to have all of the owners approve and sign. He stated that they will need all of the owners interested in making the change. He stated that he spoke with one of the owners today and they are not interested in changing the name, that they wish to maintain its history. He stated that all of the Councilmembers are appalled, but we have to work through the issues to address it.

## Reading of the Consent Agenda

Ms. Thompson read the items along with the captions of the ordinances under consideration.

## 6. Approval of Minutes

- 6A. [2016-4814](#) Approval of the minutes of the April 12, 2016 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 7. Ordinances First Reading

- 7A. [ORD-0299](#) 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, 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.

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

- 7B. [ORD-0298](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,

ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2016 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

## **8. Ordinances Second Reading**

- 8A.**     [ORD-0293](#)     Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, FOUR CONTIGUOUS TRACTS TOTALING APPROXIMATELY 5.99 ACRES OF LAND SITUATED IN THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT NO. 802 AND BEING OUT OF A 149.96 ACRE TRACT DESCRIBED IN VOLUME 4232 PAGE 2153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (PfISD North School Road, ANX1603-01)

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

- 8B.**     [ORD-0294](#)     Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, AN APPROXIMATELY 4.79 ACRE TRACT OF LAND SITUATED IN THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT NO. 802 AND BEING OUT OF A 149.96 ACRE TRACT DESCRIBED IN VOLUME 4232 PAGE 2153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (PfISD South School Road, ANX1603-02)

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

- 8C.**     [ORD-0296](#)     Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT FINANCING AGREEMENT FOR REINVESTMENT ZONE NUMBER

ONE, CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE MAYOR TO EXECUTE SAID AMENDMENT; CONTAINING VARIOUS PROVISIONS RELATED TO THE FORGOING SUBJECT.

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

**8D. [ORD-0295](#)**

Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, APPROVING THE THIRD AMENDMENT TO THE DEVELOPMENT FINANCING AGREEMENT FOR REINVESTMENT ZONE NUMBER ONE, CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE MAYOR TO EXECUTE SAID AMENDMENT; CONTAINING VARIOUS PROVISIONS RELATED TO THE FORGOING SUBJECT.

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

**9. Resolutions**

**9A. [RES-0310](#)**

Approving a resolution directing City staff to initiate annexation proceedings and adopt a schedule for annexation, publish notice of two public hearings in accordance with Chapter 43 of the Texas Local Government Code, and prepare an annexation ordinance and a service plan for the annexation of approximately 186.27 acres of land located at the northeast corner of the intersection of Cele Road and Weiss Lane/Hodde Lane.

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

**9B. [RES-0311](#)**

Approving a resolution directing City staff to initiate annexation proceedings and to adopt a schedule for annexation for a tract of land along Cameron Road owned by the Pflugerville Independent School District (PflISD), publish notice of two public hearings in accordance with Chapter 43 of the Texas Local Government Code, and prepare an annexation ordinance and a service plan for the annexation of the area along the west side of Cameron Road at its intersection with Steger Lane.

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

**10. Other Actions**

**10A. [2016-4812](#)**

Authorizing the City Manager to execute a Public Wastewater Easement Agreement with Cash Construction, Inc. and the City of Pflugerville for a wastewater line associated with the Cash Construction site development project generally located southeast of Heatherwilde Blvd. and Kingston Lacy Blvd.

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

- 10B.** [2016-4836](#) Authorizing the City Manager to execute a purchase agreement between the Jack and Winnie Mae Murchison Family Partnership, LTD and the City of Pflugerville for a permanent wastewater easement and a temporary construction easement for the Carmel Wastewater Interceptor Project.
- The item was approved on the consent agenda.
- 10C.** [2016-4837](#) Authorizing the City Manager to execute a purchase agreement between Lanier C. Bohls and Janet Bohls and the City of Pflugerville for a permanent wastewater easement and a temporary construction easement for the Carmel Wastewater Interceptor Project.
- The item was approved on the consent agenda.
- 10D.** [2016-4830](#) Approving the selection of Stantec Consulting Services, Inc. for professional engineering services associated with the design of the Heatherwilde Boulevard and Grand Avenue Parkway Traffic Signals Project 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.

#### **Approval of the Consent Agenda**

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

Mayor Coleman called for a break. The time was 8:48 p.m. He reconvened the meeting at 8:56 p.m.

#### **11. Discuss and consider action**

- 11A.** [2016-4833](#) Discuss and consider action to authorize the City Manager to execute a contract for valve and hydrant maintenance with R&M Service Solutions, the lowest responsive bidder of 2 bids received on February 7, 2016, in the amount of \$134,086.00.
- Mr. Word provided information and answered questions of the Council. Mr. Wade provided input on the item. Mr. Cooper made a motion to approve as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.
- 11B.** [2016-4834](#) Discuss and consider action to authorize the City Manager to execute a contract for crack sealing with Champion Infrastructure LLC, the lowest responsive bidder of 5 bids received on April 14, 2016, in the amount of \$95,981.20.
- Mr. Word provided information. Mr. Cooper made a motion to approve as presented. Ms. Sattler seconded the motion. All voted in favor. The motion

carried.

**11C. [2016-4751](#)**

Discuss and consider action to utilize the Project Reserve fund for specific projects.

Discussion was continued from the worksession. Chief Hooker presented on the proposed radio consoles, hand-held radios and CAD/RMS software. Todd Jorgensen of Spillman Technologies provided information on the software. Mr. Marshall and Mr. Cooper inquired about the purchase of body cameras. Mr. Wade indicated that they will address it during budget discussions. Mr. Wade requested that the Council take action to approve the list as presented. Mr. Cooper made a motion to approve as presented. Mr. Peña seconded the motion. All voted in favor. The motion carried.

**11D. [2016-4832](#)**

Discuss and consider action regarding future agenda items.

Mr. Cooper suggested body cameras as a future agenda item.

### **Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 11E, 12A, 12B, 12C, 12D, and 12D. He read the items and retired to executive session. The time was 9:25 p.m.

**11E. [2016-4842](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding a request for the City of Pflugerville's consent to decertify portions of the city's sewer Certificate of Convenience and Necessity (CCN) that overlap with the jurisdictional boundaries of Lakeside Water Control and Improvement Districts Nos. 1, 2A, 2B, 2C and 2D.  
2.) Open Session Item: Discuss and consider action regarding a request for the City of Pflugerville's consent to decertify portions of the city's sewer CCN that overlap with the jurisdictional boundaries of Lakeside Water Control and Improvement Districts Nos. 1, 2A, 2B, 2C and 2D.

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

**12. Discuss only**

**12A. [2016-4815](#)**

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. No action was taken.

**12B. [2016-4840](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the creation and development of an agreement with other

local government entities to conduct joint meetings.

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

**12C. [2016-4839](#)**

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.

**There was no discussion on the item.**

**12D. [2016-4816](#)**

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 contracts for the purchase of two parcels of property on Pfennig Lane: 2.895 acres of property legally described as ABS 99 SUR 3 Blessing H ACR 2.895 and 1.9389 acres of property legally described as ABS 99 SUR 3 Blessing H ACR 1.9389.

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

### **Executive Session - Closed**

**Mayor Coleman reconvened in open session at 9:52 p.m.**

**[2016-4842](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding a request for the City of Pflugerville's consent to decertify portions of the city's sewer Certificate of Convenience and Necessity (CCN) that overlap with the jurisdictional boundaries of Lakeside Water Control and Improvement Districts Nos. 1, 2A, 2B, 2C and 2D.

2.) Open Session Item: Discuss and consider action regarding a request for the City of Pflugerville's consent to decertify portions of the city's sewer CCN that overlap with the jurisdictional boundaries of Lakeside Water Control and Improvement Districts Nos. 1, 2A, 2B, 2C and 2D.

**Mr. Peña made a motion to approve with the exception of the city-owned portion in 2D. Ms. Sattler seconded the motion. All voted in favor. The motion carried.**

### **13. Adjourn**

**Mr. Cooper made a motion to adjourn. Mr. Peña seconded the motion. The vote was: Mr. Cooper-no; Mr. Marshall-yes; Mr. Peña-no; Ms. Sattler-yes. Mayor Coleman voted to break the tie. He voted no. The motion failed. Mr. Cooper made a motion to adjourn. Mr. Marshall seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:55 p.m.**



Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on May 10, 2016.