



City of Pflugerville

Minutes - Final City Council

Tuesday, October 27, 2015

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 7:01 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña and Starlet Sattler were in attendance. Councilmember Victor Gonzales 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; Terri Toledo, Public Information Officer; Dan Franz, City Engineer; James Hemenes, Parks Director; Jim McLean, Assistant Police Chief; Jennifer Coffey, Library Director; Amy Good, Finance Director; Deborah Jones, Utility Billing Specialist II; Lauren Vander Laan, Senior Accountant; Jaynette Odegard, Accounting/Payroll Tech; Jacquelyn Smith, CIP Program Manager. Amy Madison, Interim Executive Director and Doug Weiss, Board President; Pflugerville Community Development Corporation (PCDC) also attended.

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.

Items were addressed in the order as recorded in the minutes.

3. Presentations

- 3A. [2015-4359](#)** Presentation of Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting (CAFR) and Popular Annual Financial Report (PAFR) for the fiscal year ended September 30, 2014.

Mayor Coleman provided comments and presented the award to the Finance

employees in attendance: Ms. Good, Ms. Vander Laan, Ms. Jones, and Ms. Odegaard.

- 3B.** [2015-4345](#) Mayor's proclamation declaring November 6, 2015 as Arbor Day in the City of Pflugerville.

Mayor Coleman read the proclamation and Mr. Hemenes provided information on plans for a City tree planting on Arbor Day.

- 3C.** [2015-4331](#) Presentation and discussion about the City's Capital Improvement Program.

Mr. Word provided the quarterly report under the item and answered questions of the Council. Mr. Franz provided input on the item.

4. Public Hearing and Ordinance First Readings

- 4A.** [ORD-0269](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 127.203 ACRES OF LAND LOCATED GENERALLY NORTHWEST OF THE CELE RD AND MELBER LN INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY RESIDENTIAL (SF-R); TO BE KNOWN AS THE 127.203 ACRES NW CORNER OF MELBER AND CELE REZONING (REZ1509-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman opened items 4A and 4B for public hearing and simultaneous consideration. He read the items to include the captions of the ordinances under consideration. Mr. Fletcher provided information and answered questions of the Council. There were no requests to speak at the public hearings. Mr. Cooper made a motion to close the public hearings. Mr. Peña seconded the motion. All voted in favor. The motion carried.

Mr. Cooper made a motion to approve items 4A and 4B as presented. Mr. Peña seconded the motion. All voted in favor. The motion carried.

- 4B.** [ORD-0270](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 19.95 ACRES OF LAND LOCATED GENERALLY NORTHWEST OF THE CELE RD AND MELBER LN INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY MIXED USE (SF-MU); TO BE KNOWN AS THE 19.95 ACRES NW CORNER OF MELBER AND CELE REZONING (REZ1509-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;

PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman opened items 4A and 4B for public hearing and simultaneous consideration. He read the items to include the captions of the ordinances under consideration. Mr. Fletcher provided information and answered questions of the Council. There were no requests to speak at the public hearings. Mr. Cooper made a motion to close the public hearings. Mr. Peña seconded the motion. All voted in favor. The motion carried.

Mr. Cooper made a motion to approve items 4A and 4B as presented. Mr. Peña seconded the motion. All voted in favor. The motion carried.

5. Public Comment

Mr. Rudy Metayer, announced that the Austin Texans 99G team had won the Southern Regional Premier League Championships. He thanked the City for its direct impact in allowing the practice fields at Pfennig Lane. Mayor Coleman stated that the team would be recognized at the November 10, 2015 Council meeting.

Reading of the Consent Agenda

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

6. Approval of Minutes

- 6A. [2015-4349](#) Approval of the minutes of the October 13, 2015 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

7. Ordinance First Reading

- 7A. [ORD-0273](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE ELECTING FOR THE CITY TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE BENEFIT ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION.

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

8. Resolution

- 8A. [RES-0271](#) Approving a resolution of the City of Pflugerville, Texas, reviewing and approving the Investment Policy of the City of Pflugerville, Texas.

The resolution was approved on the consent agenda.

9. Other Actions

- 9A.** [2015-4355](#) Accepting a Gift Deed for a 0.36-acre tract of land located in Lot 6, Block 3, Stone Hill Town Center in the City of Pflugerville, Travis County, Texas in order to facilitate future intersection improvements on Town Center Drive at Limestone Commercial Drive.

The item was approved on the consent agenda.

- 9B.** [2015-4363](#) Authorizing the City Manager to execute a Public Utility Easement Agreement with Robert J. and Michelle T. Sheehan, Individually, and the City of Pflugerville for the installation of dry utilities to serve the 1601 E. Pfennig Lane project.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

10. Ordinance Second Reading

- 10A.** [ORD-0266](#) Approving an ordinance on second reading with the caption: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION FROM AGRICULTURE / CONSERVATION (A) TO CORRIDOR URBAN CENTER LEVEL 5 (CL5) ON 75.3 ACRES OF LAND SITUATED IN THE T.S. BARNES SURVEY NO. 46, ABSTRACT NO. 267, PFLUGERVILLE, TRAVIS COUNTY, TX, GENERALLY LOCATED ALONG THE SOUTH SIDE OF EAST PECAN STREET, WEST OF THE INTERSECTION OF SH 130 AND EAST PECAN STREET; TO BE KNOWN AS THE 130 COMMERCE PARK PHASE 2 REZONING (REZ1508-01), AND PROVIDING AN EFFECTIVE DATE.

Mr. Fletcher provided information on the planned roadways and answered questions of the Council. Mr. Cooper made a motion to approve the ordinance. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

11. Discuss and consider action

- 11A.** [2015-4351](#) Discuss and consider action regarding future agenda items.

Mr. Peña asked for an update on the Pflugerville Area Soccer League (PAYSL) agreement.

12. Resolution

12A. [RES-0272](#)

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 for Project 3D. 2.) Open Session Item: Discuss and consider action to approve a resolution authorizing a PCDC performance agreement for Project 3D.

Ms. Madison provided information on the PCDC performance agreement with the 3D printer company EOS North America. Mayor Coleman provided comments, highlighting that this is a national headquarters with a \$15 million investment and 74 jobs. Mr. Peña made a motion to approve item 12A. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 11B and 11C. He read the items and retired to executive session. The time was 7:40 p.m.

Mayor Coleman reconvened in open session at 7:57 p.m. He indicated that the Council would now consider action on item 11C.

Discuss and consider action**11C. [2015-4361](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning the status of the City's reconsideration of petition(s) seeking consent to create municipal utility districts to support the Carmel development. 2.) Open Session Item: Discuss and consider action regarding the petition(s) seeking consent to create municipal utility districts to support the Carmel development.

Mr. Marshall made a motion to approve item 11C. Mr. Marshall made a motion to approve the consent agreements to create MUD 22 and MUD 23. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

Executive Session

Mayor Coleman announced that the City Council was returning to executive session for discussion on item 11B. The time was 7:58 p.m. Mayor Coleman reconvened in open session at 8:45 p.m.

11B. [2015-4293](#)

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: Discuss and consider action regarding performance evaluation of the City Manager.

Mayor Coleman extended appreciation to Mr. Wade and provided comments. Mr. Wade stated appreciation for working for the City of Pflugerville. Mr. Cooper made a motion to provide Mr. Wade with a 4% salary increase. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

13. Discuss only

- 13A.** [2015-4350](#) 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 in the earlier worksession. There was no discussion on the item during the regular meeting.

- 13B.** [2015-4348](#) 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.

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

- 13C.** [2015-4352](#) 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 took place in executive session in the earlier worksession. There was no discussion on the item during the regular meeting.

14. Adjourn

Ms. Sattler made a motion to adjourn. Mr. Marshall 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 yes. The motion carried. The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on November 10, 2015.