



City of Pflugerville

Minutes - Final City Council

Tuesday, November 12, 2013

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, Starlet Sattler and Victor Gonzales were in attendance. City employees in attendance: Brandon Wade, City Manager; George Hyde, City Attorney; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Tom Word, Assistant City Manager; Emily Barron, Planning Director; Dan Franz, City Engineer; Blake Overmyer, Building Official; Terri Waggoner, Public Information Officer; Karen Thompson, City Secretary; Chuck Hooker, Police Chief; Bill Anderson, Police Lieutenant; Beth Davis, Finance Director; Amy Good, Assistant Finance Director; Pam Cosel, Marketing and Events.

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. 2013-2471 Proclamation recognizing the formation of the Pflugerville Chapter, American Legion Post 154.

Mayor Coleman congratulated the members of American Legion Post 154 and provided comments. Mr. Eduardo Zamora, Commander of the Post, provided comments. Mayor Coleman read and presented the proclamation.

3B. 2013-2464 Presentation of the book, "Images of Pflugerville," by co-authors Pam Stephenson, Audrey Dearing and Vernagene Mott.

Ms. Pam Stephenson, Ms. Audrey Dearing and Ms. Vernagene Mott were in attendance. Ms. Mott provided information and presented the book to Mayor Coleman.

- 3C. 2013-2442** Presentation of the 2013 Central Region Conservation Award from the Texas Recreation and Parks Society.

This award presentation was postponed to a future meeting.

- 3D. 2013-2473** Presentation on the Pfall Pfest holiday shopping event and the pfestive Pfarmers Market days.

Ms. Cosel provided information under the item.

4. Public Comment

There were no requests to speak under the Public Comment item.

Reading of the Consent Agenda

Item 8A was removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

5. Approval of Minutes

- 5A. 2013-2440** Approval of the minutes of the October 29, 2013 Special City Council Meeting.

The minutes were approved on the consent agenda.

6. Ordinances First Reading

- 6A. ORD-0182** Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS GRANTING THE CONVEYANCE OF AN INGRESS AND EGRESS EASEMENT AGREEMENT ON CITY PROPERTY TO MICHAEL AND LOUISE STUBBLEFIELD AT 3508 E. PFLUGERVILLE PARKWAY, PFLUGERVILLE, TEXAS 78660, ON A 23.442 ACRE TRACT OF LAND OUT OF THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE, OF RECORD IN DOCUMENT NO. 2006072986 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

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

- 6B. ORD-0183** Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIRST AMENDMENT TO FISCAL YEAR 2013-2014 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

7. Ordinances Second Reading

- 7A. ORD-0177** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING ORDINANCE NO. 974-07-04-10 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY APPROVING A SPECIAL DISTRICT FOR AN OUTDOOR COMMERCIAL AMUSEMENT USE FOR APPROXIMATELY 25 ACRES OUT OF THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 23, PFLUGERVILLE, TEXAS, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF FM 685 AND TOWN CENTER DRIVE, TO BE KNOWN AS THE HAWAIIAN FALLS WATER PARK SPECIAL DISTRICT (SD1308-01), AND PROVIDING AN EFFECTIVE DATE.

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

- 7B. ORD-0181** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF AN 18.938 ACRE TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, ABSTRACT 786 IN PFLUGERVILLE, TEXAS FROM MULTI-FAMILY URBAN (MF-U) TO ALTERNATIVE LAND USE REGULATION (ALUR) DISTRICT; TO BE KNOWN AS THE CARRINGTON COURT ALUR REZONING (REZ1307-01), AND PROVIDING AN EFFECTIVE DATE.

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

9. Other Actions

- 9A. 2013-2430** Authorizing the City Manager to approve the striping project for restriping portions of the Stone Hill Town Center from D.I.J. Construction, Inc. in the amount of \$53,269.55.

The item was approved on the consent agenda.

- 9B. 2013-2435** Approving Special Warranty Deed by and between Continental Homes of Texas, L.P. and the City of Pflugerville, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 9C. 2013-2453** Receive report on City Council, Commission, Board and Committee expenditures for October 2013.

The item was approved on the consent agenda.

- 9D. 2013-2455** Cancelling the December 24, 2013 City Council Worksession and Regular Meeting.
The item was approved on the consent agenda.
- 9E. 2013-2472** Appointing Anna Swenson and Aaron Dvorak to the Finance and Budget Committee as citizen members for two-year terms beginning January 1, 2014.
The item was approved on the consent agenda.

Action on the Consent Agenda

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

8. Resolution-removed from the Consent Agenda

- 8A. RES-0169** Approving a resolution to adopt a City standard Warranty Bond form for use in all public infrastructure projects within the jurisdiction of the City of Pflugerville.
The City Attorney provided a revised resolution to the City Council. Mr. Fletcher provided information and answered questions of the Council. Mr. Hyde and Mr. Franz provided input. Mr. Peña made a motion to approve the revised resolution. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

10. Discuss and consider action

- 10A. 2013-2479** Discuss and consider action regarding street naming.
Mayor Coleman indicated that the City Council had discussed the item in the earlier worksession. City staff was to bring back a plan for a public process for the possible renaming of some roads. No action was taken.
- 10B. 2013-2474** Discuss and consider action to approve a professional services supplemental agreement with the Thornhill Group, Inc. to amend the original agreement's timeline, scope of services and cost.
Mr. Word provided information on the revised scope and reduction in cost and discussed with the Council. Mr. Cooper made a motion to approve the supplemental agreement as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.
- 10C. 2013-2469** Discuss and consider action to award the construction contract for the Kelly Lane Phase 1 Widening project (Base Bid A, B and Alternate B) to Cash Construction Company, Inc. , the lowest responsive bidder of 5 bids received on October 30, 2013, in the amount of \$5,180,303. This project is being funded through existing bond funds, the utility fund and through existing escrow funds.

Mr. Word provided information and discussed with the Council. Mr. Wade and Mr. Franz also provided input. Mr. Marshall made a motion to approve the award of the construction contract as presented. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

- 10D. 2013-2387** Discuss and consider action to approve an agreement with Lockwood, Andrews & Newnam, Inc. (LAN) in the amount of \$311,980 for professional engineering services associated with design, bidding and construction administration of the former North Travis County Municipal Utility District (MUD) Service Projects and the 24-inch Heatherwilde Transmission Main Project and authorizing the City Manager to execute the agreement.

The item was postponed. There was no discussion or action the item.

- 10E. 2013-2253** Discuss and consider action to elect a Mayor Pro Tem per City Charter Section 3.06.

Mr. Gonzales nominated Mr. Cooper to serve as Mayor Pro Tem. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

- 10F. 2013-2454** Discuss and consider action regarding City Council representation on City Council Committees and City Council liaisons with other organizations.

The City Council was in agreement to make the following assignments:

CAMPO Transportation Policy Board: Jeff Coleman

CAPCOG: Victor Gonzales, Jeff Coleman

CAPCOG Executive Committee: Jeff Coleman

ESD #2: Brad Marshall, Omar Peña (Jeff Coleman Alt.)

Finance and Budget Committee: Brad Marshall

LCRA: Wayne Cooper, Victor Gonzales

Parks and Recreation Commission Liaisons: Wayne Cooper, Victor Gonzales

Pflugerville Community Development Corporation: Starlet Sattler, Omar Peña

Travis County: Omar Peña, Victor Gonzales

Transportation: Omar Peña, Victor Gonzales

Manville Water Supply: Wayne Cooper

(CAN) Community Advancement Network Board of Directors: Wayne Cooper

TML Region X Director: Victor Gonzales

Legislative Liaison: Jeff Coleman (Wayne Cooper Alt.)

- 10G. 2013-2480** Discuss and consider action regarding the significant activities report.

There was no discussion or action on the item.

- 10H. 2013-2462** Discuss and consider action regarding future agenda items.

Mr. Gonzales requested an item be placed on the agenda to discuss the evaluation of Municipal judge.

11. Discuss only

Mayor Coleman announced the the City Council was retiring to executive

session for discussion on items 11A, 11B, 11C, and 11D. He read the items to be discussed and retired to executive session. The time was 8:17 p.m.

11A. 2013-2451 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 was to take place in executive session. No action was taken.

11B. 2013-2478 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 was to take place in executive session. No action was taken.

11C. 2013-2476 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Attorney.

Discussion on the item was to take place in executive session. No action was taken.

11D. 2013-2468 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Manager.

Discussion on the item was to take place in executive session. No action was taken.

Executive Session- Closed

Mayor Coleman reconvened in open session at 9:58 p.m. No action was taken.

12. Adjourn

Mr. Marshall made a motion to adjourn. Mr. Cooper seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on November 26, 2013.