



City of Pflugerville

Minutes - Final

City Council

Tuesday, February 9, 2016

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 7:03 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña, Starlet Sattler and Mike Heath were in attendance. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Christa Deamer, Deputy City Secretary; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Tom Word, Assistant City Manager; Dan Franz, City Engineer; Emily Barron, Planning Director; Amy Giannini, Development Engineering Director; Amy Good, Finance Director; James Hemenes, Parks Director, Jennifer Coffey, Library Director; Daniel Berra, Assistant Library Director; Amanda Cawthon, Librarian - Youth Programs; Liz Evans, Librarian - Technical Services; Tracy Hibbs, Utility Business Operations Manager; Rhonda McLendon, Animal Control 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.

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. [2016-4564](#) Presentation of the 2015 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association.

Mayor Coleman announced that the Pflugerville Public Library was recognized with the 2015 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association and presented the award to Ms. Coffey, Mr. Berra, Ms. Cawthon, Ms. Evans and Robert Spoonemore and Kevin Williams of the Library Board.

- 3B.** [2016-4624](#) Presentation on Hoopla at the Library.
- Mr. Berra and Ms. Coffey presented information and a video on the Hoopla program.**
- 3C.** [2016-4567](#) Semi-annual report presentation by Progressive Waste Solutions, the City's solid waste and recycling provider.
- Jimmy Esparza from Progressive Waste Solutions gave information and answered questions from Council.**

4. Public Hearing and Ordinance First Reading

- 4A.** [ORD-0272](#) 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 THE SINGLE FAMILY PORTION OF THE VERONA SUBDIVISION CONSISTING OF APPROXIMATELY 87.991 ACRES FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY RESIDENTIAL (SF-R); AND THE NON-RESIDENTIAL LOT CONSISTING OF APPROXIMATELY 2.49 ACRES FROM AGRICULTURE/CONSERVATION (A) TO NEIGHBORHOOD SERVICES (NS), TO BE KNOWN AS THE VERONA SUBDIVISION REZONING (REZ1510-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- Mayor Coleman opened the public hearing and read the item to include the caption of the ordinance under consideration. Ms. Barron provided information and answered questions. There was no one in attendance who requested to speak at the public hearing. Mr. Cooper made a motion to close the public hearing. Ms. Sattler seconded the motion. All voted in favor. The motion carried.**
- Mr. Cooper made a motion to approve the ordinance on first reading as presented. Mr. Peña seconded the motion. All voted in favor. The motion carried.**

5. Public Comment

Larry Rawls, 1923 Fast Filly, provided a handout to Council and voiced his opposition to the city performing any more annexations until his concerns about a collapsed storm drain on his property are resolved.

Reading of the Consent Agenda

Ms. Deamer read the items to include the captions of the ordinances under consideration.

6. Approval of Minutes

- 6A. [2016-4628](#) Approval of the minutes of the January 16, 2016 Special Meeting and Worksession; and January 26, 2016 Quorum and Regular Meeting.

The minutes were approved on the consent agenda.

7. Ordinances First Reading

- 7A. [ORD-0279](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY CE DEVELOPMENT INC. FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, A 443.692-ACRE TRACT OF LAND SITUATED IN THE J. LEISSE SURVEY, ABSTRACT NO. 496, SITUATED IN THE J. WIEHL SURVEY, ABSTRACT NO. 802, AND SITUATED IN THE W. CALDWELL SURVEY, ABSTRACT NO. 162 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION (A); BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (ANX1511-01 Carmel West Annexation)

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

- 7B. [ORD-0282](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING ANNEXATION AND ANNEXING, FOR FULL PURPOSES, CITY OWNED LAND CONSISTING OF APPROXIMATELY 177.004 ACRES OF LAND AS DESCRIBED AS THE FIRST AND SECOND TRACTS DESCRIBED IN VOLUME 10761, PAGE 199, OUT OF THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT NO. 162 AND THE JOHN LIESSE SURVEY NO. 18 ABSTRACT NO. 406 SAVE AND EXCEPT THEREFORE THAT CERTAIN LAND DESCRIBED UNDER DOCUMENT NO. 200711908 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION (A); BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (ANX1511-002 Pflugerville Athletic Complex).

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

8. Ordinance Second Reading

- 8A. [ORD-0281](#) Denying and cancelling an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE,

TEXAS AUTHORIZING THE CONVEYANCE AND EXCHANGE OF A PORTION OF LOT 4 FOR A PORTION OF LOT 3 WITHIN THE SUBDIVISION PLAT RECORDED IN DOCUMENT NO. 200800320 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS TITLED PFLUGERVILLE INDUSTRIAL PARK PERMITTING THE RECONFIGURATION OF LOT 3 AND LOT 4 OF THE FINAL PLAT OF PFLUGERVILLE INDUSTRIAL PARK INTO LOTS 3A AND 4A; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was approved to be denied and cancelled on second reading on the consent agenda.

9. Resolutions

- 9A. [RES-0296](#) Approving a resolution confirming the granting of consent to the creation of Travis County Municipal Utility District No. 23, a political subdivision to be situated within the corporate limits of the City of Pflugerville, Texas.

The resolution was approved on the consent agenda.

- 9B. [RES-0297](#) Approving a resolution confirming the granting of consent to the creation of Travis County Municipal Utility District No. 24, a political subdivision to be situated within the extraterritorial jurisdiction of the City of Pflugerville, Texas.

The resolution was approved on the consent agenda.

10. Other Actions

- 10A. [2016-4565](#) Submission of the 2015 Racial Profiling Data Report to the City Council as required by Texas Statute Code of Criminal Procedure, Chapter 2 General Duties of Officers, Art. 2.132 Law Enforcement on Racial Profiling.

The item was approved on the consent agenda.

- 10B. [2016-4631](#) Receive report on City Council, Commission, Board and Committee expenditures for January 2016.

The item was approved on the consent agenda.

- 10C. [2016-4632](#) Authorizing the City Manager to enter into an agreement with Ichor Construction Inc. of Round Rock, Texas in the amount of \$158,961.00 for the Pflugerville Public Library Renovation project.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

11. Resolution

- 11A. [RES-0290](#) Discuss and consider action to approve a resolution appointing representatives to the Austin Executive Airport Joint Zoning Board and Airport Board of Adjustment.

Mr. Fletcher and Mr. Andrew Perry of the Austin Executive Airport gave information and answered questions from Council. Mr. Cooper made a motion to approve the resolution. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

12. Discuss only

- 12A. [2016-4622](#) Animal shelter update.

Mr. Wade gave information on an alternative for a possible partnership with the Williamson County Regional Animal Shelter and answered questions from Council.

13. Discuss and consider action

- 13A. [2016-4627](#) Discuss and consider action regarding future agenda items.

Mr. Cooper requested additional information regarding public comment provided tonight by Mr. Larry Rawls, 1923 Fast Filly.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 13B, 14A, 14B, 14C, and 14E. He read the items and retired to executive session. The time was 8:09 p.m.

- 13B. [ORD-0285](#) 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 for discussion regarding the acquisition of real property for the Heatherwilde Elevated Storage Tank and necessary condemnation proceedings. 2.) Open Session Item: Discuss and consider action to approve an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF A 3.084 ACRE TRACT;

LOT 1 OF THE WILKE SUBDIVISION, PFLUGERVILLE, TEXAS, TRAVIS; DOCUMENT NO. 200500119 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; REAL PROPERTY OWNED AND CLAIMED BY NELSON H. PUETT; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS

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

14. Discuss only

- 14A.** [2016-4633](#) 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.**
- 14B.** [2016-4629](#) 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. No action was taken.**
- 14C.** [2016-4630](#) 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. No action was taken.**
- 14D.** [2016-4634](#) 1.) Executive Session Item: Consultation with legal counsel regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.
- There was no discussion on the item.**
- 14E.** [2016-4647](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding fair housing regulations and policy.
- Discussion on the item took place in executive session. No action was taken.**
- 14F.** [2016-4635](#) 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 for discussion of goals.
- There was no discussion on the item.**

Executive Session - Closed

Mayor Coleman reconvened in open session at 9:29 p.m. No action was taken.

Discuss and consider action

[ORD-0285](#)

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 for discussion regarding the acquisition of real property for the Heatherwilde Elevated Storage Tank and necessary condemnation proceedings. 2.) Open Session Item: Discuss and consider action to approve an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF A 3.084 ACRE TRACT; LOT 1 OF THE WILKE SUBDIVISION, PFLUGERVILLE, TEXAS, TRAVIS; DOCUMENT NO. 200500119 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; REAL PROPERTY OWNED AND CLAIMED BY NELSON H. PUETT; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS

Mayor Coleman read the open session item to include the caption of the ordinance under consideration. Mr. Cooper made a motion to approve item 13B by directing the City Attorney to initiate condemnation proceedings. Mayor Coleman noted that this property will be used for a water tower that will benefit all citizens. Mr. Peña seconded the motion. All voted in favor. The motion carried.

15. Adjourn

Mr. Cooper made a motion to adjourn. Mr. Marshall seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Christa Deamer

Deputy City Secretary

Approved as _____ on February 23, 2016.