



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, March 10, 2015

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 7:00 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña, Starlet Sattler and Victor Gonzales were in attendance. 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; Emily Barron, Planning Director; Dan Franz, City Engineer; Terri Waggoner, Public Information Officer; Amy Good, Finance Director; James Hemenes, Parks Director; Chuck Hooker, Police Chief; Amy Giannini, Interim Development Engineering Director. Floyd Akers, Executive Director of the Pflugerville Community Development Corporation (PCDC), was also in attendance.

#### 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. Public Comment

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

#### Reading of the Consent Agenda

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

#### 4. Approval of Minutes

- 4A.** [2015-3736](#) Approval of the minutes of the February 17, 2015 Worksession and

February 24, 2015 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 5. Ordinances First Reading

- 5A. [ORD-0237](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2015 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

## 6 Ordinances Second Reading

- 6A. [ORD-0234](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING PROVISIONS OF CHAPTER 130 OFFENSES AGAINST CITY REGULATIONS, SECTION 130.03 DISCHARGING FIREARMS, TO DEFINE BB GUNS AND ADDING TWO EXCLUSIONS FROM THE PROHIBITION OF THE DISCHARGE OF BB GUNS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

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

## 7. Resolutions

- 7A. [RES-0241](#) Approving a resolution with a caption reading: RESOLUTION DELAYING ACTION ON AN ORDINANCE AUTHORIZING CITY OF PFLUGERVILLE, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED \$26,500,000; AND OTHER MATTERS RELATED THERETO.

The resolution was approved on the consent agenda.

## 8. Other Actions

- 8A. [2015-3724](#) Authorizing the City Manager to execute an agreement with Kennedy Consulting, Inc. for Design & Construction Phase Services for the Pflugerville Turn Lanes CIP project in an amount not to exceed \$123,721.

The item was approved on the consent agenda.

- 8B. [2015-3730](#) Awarding the construction contract for the Rowe Loop Wastewater

Service Extension project to Rockin Q Construction of San Marcos, Texas, the lowest responsive bidder of 12 bids received on February 19, 2015, in the amount of \$499,765.85.

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

**8C. [2015-3733](#)**

Approving the selection of LJA Engineering Inc. for professional engineering services associated with preliminary engineering, final design, and construction phase services for the Travis County-City of Pflugerville interlocal Weiss Lane roadway 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.**

**8D. [2015-3734](#)**

Approving the selection of Klotz Associates Inc. for professional engineering services associated with preliminary engineering, final design, and construction phase services for the Travis County-City of Pflugerville interlocal Rowe Lane roadway 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.**

**8E. [2015-3740](#)**

Receive report on City Council, Commission, Board and Committee expenditures for February 2015.

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

**8F. [2015-3758](#)**

Approving a reimbursement request in the amount of \$107.19 for City Councilmember Victor Gonzales for business meeting mileage and expenses.

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

### **Action on 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.**

### **9. Discuss and consider action**

**9A. [2015-3741](#)**

Discuss and consider action to appoint the Mayor or one City Councilmember to serve on the Pflugerville Economic Development Foundation (PEDF) Executive Committee for a one-year term.

**Mr. Wade provided an introduction to the item. Mr. Gonzales made a motion to appoint Councilmember Brad Marshall. Mr. Cooper seconded the motion. All voted in favor. The motion carried.**

**9B. [2015-3735](#)**

Discuss and consider action regarding future agenda items.

Mr. Gonzales stated that he had requested an item regarding parking of big rigs on the Mokan. Mr. Wade stated that he had Chief Hooker working on some solutions and would place an item on an upcoming agenda.

## **Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 9C, 9D, 10A, 10B, 10C, and 10D. He read the items and retired to executive session. The time was 7:08 p.m.

**9C.**    [2015-3747](#)

1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning approval of a Pflugerville Community Development Corporation (PCDC) Drainage Facility Maintenance Agreement and Commercial Contract for the sale of approximately 29.7943 acres of real property to 130 Commerce Center LLC. 2.) Open Session Item: Discuss and consider action to approve a Pflugerville Community Development Corporation Drainage Facility Maintenance Agreement and Commercial Contract for sale of approximately 29.7943 acres of real property to 130 Commerce Center LLC.

**Discussion on the item was to take place in executive session.**

**9D.**    [2015-3722](#)

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.

**Discussion on the item was to take place in executive session.**

**10.    Discuss only**

**10A.**    [2015-3737](#)

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.**

**10B.**    [2015-3738](#)

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.**

**10C.**    [2015-3739](#)

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.

**Discussion on the item was to take place in executive session.**

**10D. [2015-3765](#)**

1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding purchase and sale of real property.

**Discussion on the item was to take place in executive session.**

### **Executive Session - Closed**

**Mayor Coleman reconvened in open session at 10:02 p.m.**

**9C. [2015-3747](#)**

1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning approval of a Pflugerville Community Development Corporation (PCDC) Drainage Facility Maintenance Agreement and Commercial Contract for the sale of approximately 29.7943 acres of real property to 130 Commerce Center LLC. 2.) Open Session Item: Discuss and consider action to approve a Pflugerville Community Development Corporation Drainage Facility Maintenance Agreement and Commercial Contract for sale of approximately 29.7943 acres of real property to 130 Commerce Center LLC.

**Mr. Hyde recommended that the agreement be approved as to form approved by the City Attorney's Office. Mr. Cooper indicated to make the motion to approve the PCDC Facility Maintenance Agreement and Commercial Contract for sale of approximately 29.7943 acres of real property to 130 Commerce Center LLC as to form approved by the City Attorney's Office. Mr. Peña seconded the motion. All voted in favor. The motion carried.**

**9D. [2015-3722](#)**

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.

**Mr. Gonzales made a motion for the City Attorney to amend the City Manager's contract to include three weeks vacation and eight floating holidays with adherence to the vacation cap of 160 hours. Mr. Cooper seconded the motion. All voted in favor. The motion carried.**

### **11. Adjourn**

**Mr. Cooper made a motion to adjourn. Ms. Sattler seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 10:04 p.m.**

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on March 24, 2015.