



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, February 11, 2014

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 7:16 p.m. Councilmembers Wayne Cooper, Omar Peña and Victor Gonzales were in attendance. Councilmembers Brad Marshall and Starlet Sattler were 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; Emily Barron, Planning Director; Dan Franz, City Engineer; Terri Waggoner, Public Information Officer; James Hemenes, Parks Director; Amy Good, Finance Director; Deborah Jones, Utility Billing Specialist II; Lauren Vander Laan, Accountant II.

#### 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. [2014-2702](#)

Presentation of Government Finance Officers Association (GFOA) Award for Outstanding Achievement in Popular Annual Financial Reporting for the fiscal year ended September 30, 2012.

Mayor Coleman and Ms. Good provided information. Mayor Coleman presented the award to the Finance employees in attendance: Ms. Good, Ms. Vander Laan and Ms. Jones.

##### 3B. [2014-2703](#)

Presentation of Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended September 30, 2012.

Mayor Coleman presented the award to the Finance employees in attendance:

Ms. Good, Ms. Vander Laan and Ms. Jones.

- 3C. [2014-2700](#) Presentation on the Pflugerville Community Development Corporation (PCDC) Zonability web application by Mr. Floyd Akers, PCDC Executive Director.

Mr. Floyd Akers, PCDC Director, presented on the item and answered questions of the Council.

#### 4. Public Hearing and Ordinance First Readings

- 4A. [ORD-0191](#) 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. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF LOT 2, BLOCK A SPRINGBROOK INDUSTRIAL PARK SECTION ONE, CONSISTING OF 1.66-ACRES OF LAND LOCALLY ADDRESSED AS 1808 CENTRAL COMMERCE COURT IN PFLUGERVILLE, TX, FROM GENERAL BUSINESS 2 (GB2) TO LIGHT INDUSTRIAL (LI); TO BE KNOWN AS 1808 CENTRAL COMMERCE COURT REZONING (REZ1401-01) AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman opened the public hearing and read the item to include the caption of the ordinance to be considered on first reading. Ms. Barron provided information on the request for rezoning. There were no requests to speak at the public hearing. Mr. Cooper made a motion to close the public hearing. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

Mr. Cooper made a motion to approve the rezoning on first reading as presented. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

- 4B. [ORD-0194](#) 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. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF LOT 3 OF THE PFLUGERVILLE INDUSTRIAL PARK SUBDIVISION, CONSISTING OF 4.576 ACRES OF LAND LOCALLY ADDRESSED AS 18617 WEISS LANE IN PFLUGERVILLE, TX, FROM LIGHT INDUSTRIAL (LI) TO GENERAL BUSINESS - 1 (GB1); TO BE KNOWN AS THE SHOPPES AT SORENTO REZONING (REZ1310-01) AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman opened the public hearing and read the item to include the caption of the ordinance to be considered on first reading. Ms. Barron provided information on the request for rezoning and answered questions of the City Council. Kristoffer Capuchino, 18605 Willie Drive, stated that he is a resident of Villages of Hidden Lake and asked how this would affect him. Mayor Coleman provided information on the rezoning of the parcel from LI to

GBI. There were no additional requests to speak at the public hearing. Mr. Cooper made a motion to close the public hearing. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

Mr. Cooper made a motion to approve the rezoning on first reading as presented. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

## 5. Public Comment

There were no requests to address the Council under the public comment item.

## Reading of the Consent Agenda

Item 7B was removed from the consent agenda. Ms. Thompson read the items to be considered on the consent agenda.

## 6. Approval of Minutes

- 6A. [2014-2729](#) Approval of the minutes of the January 28, 2014 City Council Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 7. Resolutions

- 7A. [RES-0192](#) Approving a resolution setting a March 25, 2014 public hearing date before the Pflugerville City Council to receive public comment regarding the proposed land use assumptions and capital improvement plan (CIP) for revising Pflugerville's water and wastewater impact fees.

The resolution was approved on the consent agenda.

## 8. Other Actions

- 8A. [2014-2712](#) Submission of the 2013 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.

- 8B. [2014-2731](#) Receive report on City Council, Commission, Board and Committee expenditures for January 2014.

The item was approved on the consent agenda.

## Action on the Consent Agenda

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

**Resolution - Removed from Consent Agenda**

- 7B. [RES-0193](#) Approving a resolution setting a May 13, 2014 public hearing date before the Pflugerville City Council to receive public comment regarding revisions to Pflugerville's water and wastewater impact fees.
- There was no action on the resolution. Action was postponed to a future Council meeting.**
9. **Discuss and consider action**
- 9A. [2014-2695](#) Discuss and consider action regarding Capital Improvement Program (CIP) Transportation and Parks projects for a possible May 2014 general obligation bond election.
- Mayor Coleman stated that city staff had previously provided information on the proposed projects. He asked if any of the Councilmembers were opposed to city staff bringing forward an item to approve calling the bond election to the next regular meeting on February 25, 2014. No objection was stated.**
- 9B. [2014-2730](#) Discuss and consider action regarding future agenda items.
- It was noted that the resolution item 7B was postponed until March.**
- 9C. [2014-2732](#) Executive Session Item: Discussion 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 regarding approving a Pflugerville Community Development Corporation (PCDC) Loan for approximately \$23.5 million for Project Wave aka Hawaiian Falls Water Park. Open Session Item: Discuss and consider action to approve a PCDC Loan for approximately \$23.5 million and to approve a resolution of the PCDC approving same.
- Mayor Coleman stated no executive session would be held on the item. A resolution for the Council's consideration was distributed by the City Attorney. The City Attorney stated that the City Council took action to approve the PCDC's loan on January 28, 2014 and the bank had asked for this resolution. Mr. Peña made a motion to approve the resolution as presented by the City Attorney authorizing the PCDC to borrow up to \$23.5 million for the purchase of land and construction of the Hawaiian Falls Water Park Mr. Cooper seconded the motion. Mayor Coleman provided information. Mr. Akers provided information on the expected funding date of the loan. The City Attorney and Mr. Akers were to review the loan documents further and finish preparation by Thursday. It was expected that the loan could fund on Friday or early the next week. Mayor Coleman called for a vote on the motion. All voted in favor. The motion carried.**
- 9D. [2014-2736](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding considerations related to the appointment, performance evaluation and

duties of City Attorney. 2.) Open Session Item: Discuss and consider action regarding the appointment, performance evaluation and duties of City Attorney.

Discussion on the item was postponed since a full Council was not present.

## 10. Discuss only

Mayor Coleman announced that the City Council was retiring to executive session on item 10A. He read the item to be discussed and retired to executive session. The time was 7:53 p.m.

### 10A. [2014-2726](#)

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. No action was taken.

### 10B. [2014-2727](#)

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.

There was no discussion on the item.

### 10C. [2014-2728](#)

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.

There was no discussion on the item.

## 11. Adjourn

Mayor Coleman reconvened in open session at 9:18 p.m. Mr. Peña made a motion to adjourn. Mr. Cooper seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:18 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on February 25, 2014.