



City of Pflugerville

Minutes - Final City Council

Tuesday, November 24, 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 7:04 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; Karen Thompson, City Secretary; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Tom Word, Assistant City Manager; Terri Toledo, Public Information Officer; Amy Giannini, Development Engineering Director; James Hemenes, Parks Director; Kyle Benedict, Aquatics/Athletics Coordinator; Blake Overmyer, Building Official; Emily Barron, Planning Director; Chuck Hooker, Police Chief; Dan Franz, City Engineer; Pam Cosel, Marketing and Special Events; Jennifer Coffey, Library Director; Amy Good, Finance Director.

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. [2015-4462](#) Recognition presentation to Jack Swanson for kindness and generosity.

Mayor Coleman and Mayor Pro Tem Peña provided comments and presented a certificate of recognition and key to the city to Jack Swanson. State Representative Celia Israel read a letter from Senator Kirk Watson commending Jack Swanson. Ms. Israel also honored Mr. Swanson for his generosity and leadership. Faisal Naeem, Board Member at the Islamic Center in Pflugerville, also provided comments and appreciation to Mr. Swanson.

3B. [2015-4460](#) Enjoy the Pfestival of Lights 2015.

Ms. Cosel presented information and a video.

4. Public Comment

There were no requests to speak under the item.

Reading of the Consent Agenda

Items 7A and 8D were removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

5. Approval of Minutes

- 5A. [2015-4439](#) Approval of the minutes of the November 10, 2015 Worksession and Regular Meeting; November 16, 2015 Special Meeting and Quorum; and November 17, 2015 Special Meeting.

The minutes were approved on the consent agenda.

6. Ordinances First Reading

- 6A. [ORD-0274](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIFTH 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.

- 6B. [ORD-0275](#) Approving an ordinance with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO CENTRAL WASTE & RECYCLING, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

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

8. Other Actions

- 8A. [2015-4381](#) Authorizing the City Manager to execute a Public Parkland Landscaping License Agreement granting the Villages of Hidden Lake Homeowners Association Inc. permission to install landscaping improvements and provide private parkland maintenance for a public park within the Villages of Hidden Lake Subdivisions until the Villages of Hidden Lake is annexed by the City.

The item was approved on the consent agenda.

- 8B. [2015-4438](#) Cancelling the December 22, 2015 City Council Worksession and Regular Meeting.

The item was approved on the consent agenda.

- 8C. [2015-4445](#) Review of the Quarterly Investment Report for the quarter ending September 30, 2015.

The item was approved on the consent agenda.

Approval of the Consent Agenda

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

7. Ordinances Second Reading

- 7A. [ORD-0271](#) Approving an ordinance on second 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 TWO SEPARATE TRACTS CONSISTING OF APPROXIMATELY 31.439 ACRES OF LAND LOCATED GENERALLY SOUTHWEST OF THE WEISS LN AND KELLY LN INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO RETAIL (R); TO BE KNOWN AS THE KELLY LANE SENIOR LIVING REZONING (REZ1509-03); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman read the item to include the caption of the ordinance under consideration. Ms. Barron presented information on the zoning request. Mr. Heath indicated concerns for the off set intersection and future issues after the area is developed. Ms. Barron stated that they will consider the off set intersection and driveways during the preliminary plan. Mr. Peña made a motion to approve the ordinance on second reading. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

8. Other Actions

- 8D. [2015-4455](#) Rejecting all bids received for the Sidewalk Raising/Repairs bid project.

Mr. Word stated that they only had one bidder and they would like to go back out and seek additional bidders for added competition. Mr. Wade stated that he has also asked staff to call other cities to compare information. Mr. Cooper made a motion to approve the item rejecting all bids. Mr. Heath seconded the motion. All voted in favor. The motion carried.

9. Ordinance First Reading

- 9A. [ORD-0277](#) 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 Weiss Lane Project 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 THREE TRACTS OF LAND TOTALING 15,021 SQUARE FEET; BEING A 6,676 SQUARE FOOT TRACT; A 3,338 SQUARE FOOT TRACT; AND A 5,007 SQUARE FOOT TRACT; ALL THREE TRACTS OF LAND SITUATED IN THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT 802, TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN 2.0 ACRE TRACT DESCRIBED AS TRACT 2 IN A SPECIAL WARRANTY DEED CONVEYED TO IRBY MAX FORD, OF RECORD IN VOLUME 11526, PAGE 796, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; REAL PROPERTY OWNED AND CLAIMED BY IRBY MAX FORD; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

Ms. Sattler made a motion to table. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

10. Resolution

- 10A. [RES-0274](#) Discuss and consider action to approve a resolution changing the name of Pinyon Pine Lane in the Falcon Pointe Section 13, Phase C subdivision.

Ms. Barron announced that the residents and developers had reached a consensus and chosen the name "Peach Blossom Lane." Mr. Cooper made a motion to approve the resolution changing the name of Pinyon Pine Lane in the Falcon Pointe Section 13, Phase C to "Peach Blossom Lane." Mr. Marshall seconded the motion. All voted in favor. The motion carried.

11. Discuss and consider action

- 11A. [2015-4461](#) Discuss and consider action to make appointment to the Pflugerville

Community Development Corporation (PCDC) Board of Directors for Place 6 for an unexpired term ending December 31, 2016.

Ms. Sattler explained that she had made an error when writing her nomination ballot last week and that she had meant to include Rudy Metayer for appointment to the PCDC Board of Directors. Discussion followed. Mr. Ron Agnew and Mr. Rudy Metayer were in attendance. Mr. Agnew stated that he is willing to serve. Mr. Metayer spoke to his interest in serving on the PCDC Board. Mr. Heath asked if there was an attendance issue. Ms. Sattler stated that when a PCDC Board meeting is changed to the same night as the Travis County Emergency Services District No. 2 Board meeting, it causes Mr. Metayer to be late to the PCDC Board meeting. Ms. Sattler made a motion to vacate the PCDC Board Place 6 position. The motion died due to lack of a second. Mr. Agnew was to remain on the board.

11B. [2015-4281](#)

Discuss and consider action regarding City Council representation on City Council Committees and City Council liaisons with other organizations.

The City Council reviewed their representation and made the following appointments:

**CAMPO Transportation Policy Board: Jeff Coleman; Brad Marshall, alt.
Transportation/Transit: Brad Marshall; Jeff Coleman, alt.**

**CAPCOG: Jeff Coleman; Omar Peña
CAPCOG Executive Committee: Jeff Coleman
CAPCOG Clean Air Coalition: Jeff Coleman**

Parks and Recreation Commission Liaisons: Starlet Sattler; Jeff Coleman

Travis County: Omar Peña; Mike Heath

Water Resources: Wayne Cooper; Omar Peña

**(CAN) Community Advancement Network Board of Directors: Mike Heath
(Staff: Trey Fletcher/Emily Barron, alt.)**

Legislative Liaison: Jeff Coleman (Omar Peña, alt.)

11C. [2015-4433](#)

Discuss and consider action regarding scheduling a 2016 City Council retreat worksession.

The City Council scheduled a retreat worksession on January 16, 2016 at 9:00 a.m.

11D. [2015-4440](#)

Discuss and consider action regarding future agenda items.

None were noted.

12. Discuss only

12A. [2015-4389](#)

Presentation and discussion regarding the status of the Sports License Agreement with the Pflugerville Area Youth Soccer League (PAYSL).

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

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 12B and 12E. He read the items and retired to executive session. The time was 7:55 p.m.

- 12B.** [2015-4442](#) 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 during the earlier worksession. There was no discussion on the item during the regular meeting. No action was taken.
- 12C.** [2015-4441](#) 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 during the earlier worksession. There was no discussion on the item during the regular meeting. No action was taken.
- 12D.** [2015-4444](#) 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 during the earlier worksession. There was no discussion on the item during the regular meeting. No action was taken.
- 12E.** [2015-4463](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice related to the city's obligations, duties and authority pursuant to Texas Local Government Code Chapters 501, 502 and 505
- Discussion on the item took place in executive session. No action was taken.

Executive Session - Closed

Mayor Coleman reconvened in open session at 8:53 p.m. No action was taken.

13. Adjourn

Ms. Sattler made a motion to adjourn. Mr. Cooper seconded the motion. The vote was Mr. Cooper-yes, Mr. Marshall-no, Mr. Peña-no, Ms. Sattler- yes. Mr.

Heath- yes. The motion carried. The meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on December 8, 2015.