



# City of Pflugerville

## Minutes - Final

### City Council

---

Tuesday, June 14, 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 7:06 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; Emily Barron, Planning Director; Blake Overmyer, Building Official; Dan Franz, City Engineer; Amy Giannini, Development Engineering Director; Chuck Hooker, Police Chief; James Hemenes, Parks Director; Amy Good, Finance Director; Terri Toledo, Public Information Officer; Jennifer Coffey, Library Director; Wayne Granger, Field Operations Superintendent, Rhonda McLendon, Animal Shelter Director; Richard Donoghue, Bond Counsel; Terrell Palmer, Financial Advisor. Amy Madison, 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.

Items were addressed in the order as recorded in the minutes.

#### 3. Presentations

- 3A. [2016-4911](#) Appreciation presentation to Ms. Kaylie Curington for service to the City as the student member of the City of Pflugerville Parks and Recreation Commission from June 2014 to May 2016.

Mr. Hemenes provided information and thanked Ms. Curington for her service to the Parks Commission. Mayor Coleman presented a certificate of appreciation and small gift.

- 3B.**    [2016-4949](#)            Presentation of the Texas Historical Commission Award of Merit to the Pflugerville History Diggers for Accomplishing a Significant Preservation Milestone for Local History in the Pflugerville Community.

Ms. Coffey provided information and presented the award to the History Diggers: Audrey Dearing, Vernagene Mott, Lois Shrout and Pam Stephenson. Mayor Coleman provided comments and thanked them for their work. Ms. Mott provided comments.

- 3D.**    [2016-4907](#)            Proclamation declaring support for the National Wildlife Federation's Mayor's Monarch Pledge.

Mayor Coleman provided comments and read the proclamation. Mr. Hemenes provided information on the Parks Department's efforts to restore the population of monarch butterflies. Mr. Cooper provided information on milkweed.

- 3C.**    [2016-4945](#)            Preview of the Pflugerville Public Library Summer Reading Program special events.

Ms. Coffey presented information and a video on the summer reading program.

#### **4.     Annexation Public Hearings**

- 4A.**    [ORD-0305](#)            Conduct the first public hearing on the annexation, for full purposes, of a 40-acre tract of land situated in the J. Zambrano Survey No. 38, Abstract No. 844, a 135.31-acre tract of land situated in the J.P. Kempe Survey No. 12, Abstract No. 462, and a 12.48-acre tract of land situated in the J.P. Kempe Survey No. 12, Abstract No. 462, of the real property records of Travis County, Texas, and generally located at the northeast corner of the intersection of Cele Road and Weiss Lane/Hodde Lane, to be known as the Elementary 21 and Cele MS Campuses Annexation. (ANX1604-01)

Mayor Coleman opened public hearing items 4A and 4B to be considered at the same time. Ms. Barron provided information. Ms. Vernagene Mott, Pflugerville Independent School District Board Member, stated that they have acquired the properties for future expansion, and that she thinks that as they go forward with development of the properties, that working in cooperation will be important. She noted a need for a correction to Fuchs Grove in the documentation.

Dr. Carol Fletcher, Pflugerville Independent School District Board Member, stated that she hopes that the City and the School District can maintain an open dialogue and a good working relationship. She stated that they were surprised to hear about the annexation, as they just received a letter that this property was being annexed. She stated that she wants to make sure that the School Board and the City Council maintain open lines of communication and consider what is good for the taxpayers.

Mayor Coleman stated that open communications is also the City Council's goal. He stated that the Council has stated that it would love to continue joint meetings.

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

**4B. [ORD-0306](#)**

Conduct the first public hearing on the annexation, for full purposes, of a 97.5-acre tract of land situated in the Andrew Austin 960 Acre Survey No. 19, Abstract No. 38, of the real property records of Travis County, Texas, and generally located along Cameron Road/Fuchs Grove, north of Jesse Bohls Road, to be known as the PflISD Cameron Road/Fuchs Grove Tract Annexation. (ANX1604-02)

Mayor Coleman opened public hearing items 4A and 4B to be considered at the same time. Ms. Barron provided information. Ms. Vernagene Mott, Pflugerville Independent School District Board Member, stated that they have acquired the properties for future expansion, and that she thinks that as they go forward with development of the properties, that working in cooperation will be important. She noted a need for a correction to Fuchs Grove in the documentation.

Dr. Carol Fletcher, Pflugerville Independent School District Board Member, stated that she hopes that the City and the School District can maintain an open dialogue and a good working relationship. She stated that they were surprised to hear about the annexation, as they just received a letter that this property was being annexed. She stated that she wants to make sure that the School Board and the City Council maintain open lines of communication and consider what is good for the taxpayers.

Mayor Coleman stated that open communications is also the City Council's goal. He stated that the Council has stated that it would love to continue joint meetings.

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

**5. Discuss and consider action**

**5A. [2016-4964](#)**

Discuss and consider action to use reserve funds to purchase a replacement bus with lift for senior center use and other city use as needed.

Mr. Hemenes indicated that they received many requests to purchase a new senior bus. He explained that the current senior bus has a limited capacity and the pfun camp bus is larger, but does not have a lift. He stated that they are proposing to replace the smaller senior bus with a larger 40-person bus with a lift. He provided information. He explained that it is time to replace the senior bus. He stated that the new bus would be for senior program and pfun camp use. Mayor Coleman explained that the City had looked at using CDBG funds for the purchase of a senior bus but the restrictions became too great. Ms. Barron provided information. Mayor Coleman stated that this is why he placed this item on the agenda to consider using reserve funds for the

purchase of a new bus. He asked for Council approval. Mr. Hemenes provided information on the cost. Mr. Peña asked what would happen to the other bus. Mr. Hemenes stated that he imagines it will go to auction. Discussion continued.

Gary Robertson stated that he is really pleased that they want to do this with available funds so it can be done quickly for a group that will thoroughly enjoy using it. He stated that it is essential. He asked that they please approve and stated that it will be appreciated by the seniors.

Mr. Hemenes answered questions. Mr. Hemenes estimated that a bus could be procured in 120 days. Mr. Peña made a motion to approve the allocation of \$150,000 in reserve funds for the purchase of the replacement bus. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

## **6. Community Development Block Grant (CDBG) Public Hearings**

- 6A.**    [2016-4861](#)            First public hearing and recommendation regarding Community Development Block Grant (CDBG) program amended Action Plan for Program Year 2015.

Mayor Coleman opened the public hearings under items 6A and 6B. Ms. Barron stated that each plan is separate, but coincides with the other. She provided information on the 2015 and 2016 projects and alternate projects and answered questions of the Council. There were no requests to speak at the public hearings. Mr. Cooper made a motion to close the public hearings. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

- 6B.**    [2016-4954](#)            First public hearing and recommendation regarding Community Development Block Grant (CDBG) program Action Plan for Program Year 2016.

Mayor Coleman opened the public hearings under items 6A and 6B. Ms. Barron stated that each plan is separate, but coincides with the other. She provided information on the 2015 and 2016 projects and alternate projects and answered questions of the Council. There were no requests to speak at the public hearings. Mr. Cooper made a motion to close the public hearings. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

## **7. Public Hearing and Ordinance First Readings**

- 7A.**    [ORD-0304](#)            Conduct a public hearing and consider approving the first reading of an ordinance with a 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 A PORTION OF A 443.692-ACRE TRACT OF LAND SITUATED IN THE J. LEISSE SURVEY, ABSTRACT NO. 496, J. WIEHL SURVEY, ABSTRACT NO. 802, AND THE W. CALDWELL SURVEY, ABSTRACT NO. 162 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE-FAMILY MIXED USE (SF-MU) DISTRICT FOR 45.5 ACRES,

AND FROM AGRICULTURE/CONSERVATION (A) TO SINGLE-FAMILY RESIDENTIAL (SF-R) FOR 240.4 ACRES; TO BE KNOWN AS THE CARMEL PHASE 1 REZONING (REZ1604-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

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

## **8. Public Comment**

Kim Waters, Kessler Drive, provided an update on Pflugerville Pets Alive rescue efforts.

Meme Styles, 2508 Grand Mission Way, provided information on the poor condition of the Colored Addition cemetery and invited the Council to participate in a restoration project on Monday, June 20, 2016. Mr. Wade thanked Ms. Styles and provided comments. He stated that he has asked city staff to do a title search to find the ownership of the property and is looking at the legal aspects to see how the City could assist. He stated that he is happy to meet with her and looks forward to working with her.

## **Reading of the Consent Agenda**

Items 11A, 11C, 11D, 12E and 12G were removed from the consent agenda. Ms. Thompson read the items to include the caption of the ordinance under consideration.

## **9. Approval of Minutes**

- 9A. [2016-4932](#) Approval of the minutes of the May 24, 2016 Regular Meeting.
- The minutes were approved on the consent agenda.

## **10. Ordinances Second Reading**

- 10A. [ORD-0297](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE EXECUTION OF A TAX RESALE DEED FOR THE CONVEYANCE OF PROPERTY ORIGINALLY PLATTED IN 1910 AND HISTORICALLY RECOGNIZED AS LOTS 3 AND 4, BLOCK E, THE COLORED ADDITION TO PFLUGERVILLE SUBDIVISION, PFLUGERVILLE, TRAVIS COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN

## EFFECTIVE DATE.

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

**11. Resolutions**

- 11B.** [RES-0328](#) Approving a resolution providing approval for Travis Central Appraisal District acquisition of property.

The resolution was approved on the consent agenda.

- 11E.** [RES-0329](#) Approving a resolution adopting a Multiple Use Agreement with the Texas Department of Transportation (TxDOT) affiliated with the FM 1825 trail gap improvements.

The resolution was approved on the consent agenda.

**12. Other Actions**

- 12A.** [2016-4944](#) Approving the award of a construction contract for the Bohls Place Pond Repair project to JKB Construction, the lowest responsible bidder of five (5) bids received on June 2, 2016, in the amount of \$113,770 and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

- 12B.** [2016-4956](#) Authorize the City Manager to execute a contract for contractual mowing services for specific park areas with Maldonado Nursery and Landscaping Inc. in the amount of \$100,527.48.

The item was approved on the consent agenda.

- 12C.** [2016-4957](#) Authorize the City Manager to execute a contract for contractual mowing services for specific rights-of-way with Maldonado Nursery and Landscaping, Inc. in the amount of \$96,434.60.

The item was approved on the consent agenda.

- 12D.** [2016-4958](#) Receive report on City Council, Commission, Board and Committee expenditures for May 2016.

The item was approved on the consent agenda.

- 12F.** [2016-4960](#) Approving an agreement with Travis County to conduct the City of Pflugerville's August 6, 2016 special election and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

- 12H.** [2016-4953](#) Approving an agreement accepting extraterritorial jurisdiction (ETJ) property from the City of Round Rock and authorizing the City

Manager to execute same.

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.

### **Resolutions - Removed from Consent Agenda**

- 11A. [RES-0325](#) Approving a resolution authorizing the City Manager to execute an Interlocal Agreement with the City of Round Rock associated with cost sharing for the SH 45 Frontage Road gap.
- Mr. Cooper stated that he had removed the item from the consent agenda because he thinks it is important and wanted people to know about it. Mr. Fletcher provided information. Mayor Coleman provided comments on how this will benefit residents. Ms. Sattler noted that it is also an opportunity for business development. Mr. Wade recognized the City of Round Rock for their leadership and efforts in this. Mr. Heath made a motion to approve item 11A. Mr. Cooper seconded the motion. All voted in favor. The motion carried.
- 11C. [RES-0327](#) Approving a resolution with the caption reading: RESOLUTION APPROVING PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING DISTRIBUTION OF SUCH PRELIMINARY OFFICIAL STATEMENT RELATING TO THE CITY'S COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016A, SERIES 2016B, TAXABLE SERIES 2016C AND LIMITED TAX AND REFUNDING BONDS, SERIES 2016.
- Ms. Gillam provided information and answered questions of the Council. She stated that Mr. Donoghue and Mr. Terrell were in attendance. Mr. Heath stated concerns for not having a completed strategic plan prior to issuing the debt. He stated a need to prioritize projects. He stated that he thinks that the CO issuance can wait a few months. Mayor Coleman stated that this has already been thoroughly discussed. Mr. Hyde stated that the maximum amount has been set for the CO issuance, but that they can reduce the scope until the ordinance is passed. Mr. Donoghue stated that they can delete projects but cannot add projects. Mr. Cooper asked what the process would be if they were going to change it. Mr. Donoghue explained that when they send the CO package out to sell the bonds, it will be priced according to that full amount, so it would need to start again if changes are made. Ms. Sattler made a motion to approve the resolution. Mr. Marshall seconded the motion. The vote was: Mr. Cooper-no, Mr. Marshall-yes, Mr. Peña-yes, Ms. Sattler-yes, Mr. Heath-no. The motion carried.
- 11D. [RES-0330](#) Approving a resolution authorizing the sale of approximately 2.329 acres of land owned by the Pflugerville Community Development Corporation (PCDC) in the One-Thirty Commerce Center described as Renewable Energy Park, Lot 1B (a portion of) "Future Lot 1B" as described in Exhibit A to SRH Hospitality Holdings, LLC.

Mr. Heath stated that he had removed the item from the consent agenda to hear the good things happening at the PCDC. Ms. Madison provided information on the sale of PCDC property to SRH Hospitality Holdings, LLC for the proposed development of a Fairfield Inn. Mr. Heath made a motion to approve the resolution. Mr. Peña seconded the motion. All voted in favor. The motion carried.

### **Other Actions - Removed from Consent Agenda**

- 12E.** [2016-4959](#) Approving a Professional Services Agreement with Quorum Architects, Inc. for the Pflugerville Animal Intake Services Building in the amount of \$175,400 for design and contract management services and authorizing the City Manager to execute same.

Mr. Fletcher provided information. Mr. Heath stated that he removed the item from the consent agenda because it was associated with item 11C. Mr. Fletcher stated that the city has funds for the design which are being allocated from reserve funds. Mr. Cooper asked regarding the floodplain. Mr. Fletcher stated that this would be constructed within the area outside of the floodplain. Mr. Cooper asked if they could look at channeling in order to mitigate the floodplain. Mr. Wade stated that they would be happy to study it. Ms. Sattler made a motion to approve the item. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 12G.** [2016-4962](#) Approving budget amendments for the Pflugerville Community Development Corporation for FY 2016 to date and providing an effective date.

Mr. Heath stated that he had removed the item from the consent agenda to receive the highlights on the changes. Ms. Madison provided information. Mr. Heath made a motion to approve the item. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

Mayor Coleman called for a break. The time was 8:50 p.m. He reconvened the meeting at 9:01 p.m.

### **13. Discuss and consider action**

- 13A.** [2016-4910](#) Conduct interviews and discuss and consider action to appoint a student member of the Parks and Recreation Commission for a term ending May 31, 2017.

The City Council conducted interviews with Ms. Black and Mr. Shah. Council discussion followed. Mr. Marshall made a motion to appoint Mr. Shah as the student member of the Parks Commission. Mr. Peña seconded the motion. Discussion followed. Mr. Cooper noted that Mr. Shah is a senior and Ms. Black is a junior. He asked that Ms. Black apply again next year. All voted in favor. The motion carried.

- 13C.** [2016-4940](#) Discuss and consider action to adopt the 1849 Park Master Plan Map.



**Mr. Word distributed the proposed plan map and provided information. Mr. Cooper stated that landscaping required by City Codes should be included in the budget and completed as required for all developers.**

**13D. [2016-4941](#)**

Discuss and consider action to approve a supplemental agreement #1 with Schrickel, Rollins and Associates (SRA) in the amount of \$577,061 for professional services associated with design and construction administration for the 1849 Park Project and authorizing the City Manager to execute the agreement.

**Mayor Coleman opened item 13D for consideration. Mr. Word and Henry Parker of Schrickel, Rollins and Associates provided information and answered Council questions.**

**[2016-4940](#)**

Discuss and consider action to adopt the 1849 Park Master Plan Map.

**Mr. Cooper made a motion to approve the 1849 map. Mr. Peña seconded the motion. All voted in favor. The motion carried.**

**[2016-4941](#)**

Discuss and consider action to approve a supplemental agreement #1 with Schrickel, Rollins and Associates (SRA) in the amount of \$577,061 for professional services associated with design and construction administration for the 1849 Park Project and authorizing the City Manager to execute the agreement.

**Mr. Cooper made a motion to approve and to approve the scope of Phase 1 with the addition of the landscaping required by the City. Mr. Peña seconded the motion. All voted in favor. The motion carried.**

**13B. [2016-4863](#)**

Discuss and consider action to approve a purchase and license agreement with Spillman Technologies, Inc. for software, professional services and hardware in the amount of \$1,197,626 associated with the Pflugerville Police Department's CAD/RMS Software and system project and authorizing the City Manager to execute same.

**Mr. Peña made a motion to approve. Mr. Heath seconded the motion. All voted in favor. The motion carried. Mayor Coleman asked if this software will communicate with the Capital Area Council of Governments (CAPCOG). Todd Jorgensen of Spillman Technologies, stated that their strength is working with others and provided information.**

**13E. [2016-4943](#)**

Discuss and consider action to approve a supplemental agreement #1 with Halff Associates, Inc. in the amount of \$396,928.00 for professional engineering services associated with the Heatherwilde/Windermere Subdivision Street Reconstruction Project and authorizing the City Manager to execute the agreement.

**Mr. Word provided information and answered questions. He stated that the construction estimate is \$4.1 million. Mr. Cooper made a motion to approve as presented. Ms. Sattler seconded the motion. All voted in favor. The motion carried.**

**13F. [2016-4950](#)**

Discuss and consider action regarding future agenda items.

Mr. Peña requested an item to discuss the Colored Addition cemetery. Mr. Heath requested to discuss the strategic plan. Mayor Coleman stated that the item is scheduled for a July 19, 2016 special meeting. Mr. Heath and Mr. Peña requested to discuss and consider the Goodman contract.

## **Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 14A, 14B and 14C. He read the items and retired to executive session. The time was 9:51 p.m.

### **14. Discuss only**

- 14A.** [2016-4951](#) 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.
- 14B.** [2016-4955](#) 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.
- 14C.** [2016-4966](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding enforcement of city sign regulations in light of the United States Supreme Court decision in *Reed v. Town of Gilbert*.
- Discussion on the item took place in executive session. No action was taken.

## **Executive Session - Closed**

Mayor Coleman reconvened in open session at 11:35 p.m.

### **15. Adjourn**

Mr. Cooper made a motion to adjourn. Ms. Sattler seconded the motion. The vote was: Mr. Cooper-no, Mr. Marshall-yes, Mr. Peña-no, Ms. Sattler-yes. Mr. Heath was absent from the dais. Mayor Coleman voted yes to break the tie. The motion carried. The meeting was adjourned at 11:35 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on June 28, 2016.