



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, April 12, 2016

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

Mayor Pro Tem Omar Peña called the regular meeting to order at 7:02 p.m. Councilmembers Wayne Cooper, Brad Marshall, Starlet Sattler and Mike Heath were in attendance. Mayor Jeff Coleman was absent. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Christa Deamer, Deputy City Secretary; Karen Thompson, 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; James Hemenes, Parks Director; Jennifer Coffey, Library Director; Chuck Hooker, Police Chief; James Wills, Public Works Director; Wayne Granger, Field Operations Superintendent; Jacquelyn Smith, CIP Program Manager; Terri Toledo, Public Information Officer; Amy Giannini, Development Engineering 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 Pro Tem Peña 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 Pro Tem Peña led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

#### 3. Presentations

##### 3A. [2016-4793](#)

Proclamation declaring the week of April 10 to April 16, 2016 as National Public Safety Telecommunicators Week.

Mayor Pro Tem Peña read the proclamation and presented it to Chief Hooker and Civilian Director Stacy Boeck.

##### 3B. [2016-4780](#)

Presentation and discussion about the City's Capital Improvement Program.

Mr. Word provided a quarterly update on the City's Capital Improvement Program.

#### **4. Public Hearing and Resolution**

- 4A.**     [RES-0302](#)     Conduct the second of two required public hearings and consider approving a resolution regarding the Community Development Block Grant (CDBG) program proposed amendment to the 2014-2019 Consolidated Plan.

Mayor Pro Tem Peña opened the public hearing and consideration of the resolution. Ms. Barron presented on the item. Gary Robertson, 3351 Killingsworth Lane #530, stated that he would like the funds to be used for the purchase of a bus with a lift. David Wodrich, 3300 Heren Call Trail, stated that he would like someone to come to a senior meeting to gather input. He spoke regarding parking at the recreational center and indicated concern for adding too many handicapped parking spaces that take up additional room. He suggested that city vehicles be parked further from the building. He spoke regarding the seniors just needing a large room. Mr. Robertson asked regarding the process. Ms. Barron provided information on the upcoming comment period, public hearings and action on an action plan. She answered questions of the Council. There were no additional requests to speak at the public hearing. Mr. Cooper made a motion to close the public hearing. Mr. Marshall seconded the motion. All voted in favor. The motion carried. Mr. Cooper made a motion to approve the resolution as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

#### **5. Public Comment**

Stephanie Ford, 19701 Maiden Grass Drive, provided a monthly update on the activities of Pflugerville Pets Alive.

#### **Reading of the Consent Agenda**

Items 8B, 9C, and 9D were removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

#### **6. Approval of Minutes**

- 6A.**     [2016-4786](#)     Approval of the minutes of the March 22, 2016 Worksession and Regular Meeting; and April 5, 2016 Quorum.

The minutes were approved on the consent agenda.

#### **7. Ordinances First Reading**

- 7A.**     [ORD-0293](#)     Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, FOUR CONTIGUOUS TRACTS

TOTALING APPROXIMATELY 5.99 ACRES OF LAND SITUATED IN THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT NO. 802 AND BEING OUT OF A 149.96 ACRE TRACT DESCRIBED IN VOLUME 4232 PAGE 2153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (PfISD North School Road, ANX1603-01)

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

**7B. [ORD-0294](#)**

Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, AN APPROXIMATELY 4.79 ACRE TRACT OF LAND SITUATED IN THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT NO. 802 AND BEING OUT OF A 149.96 ACRE TRACT DESCRIBED IN VOLUME 4232 PAGE 2153 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (PfISD South School Road, ANX1603-02)

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

**7C. [ORD-0296](#)**

Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT FINANCING AGREEMENT FOR REINVESTMENT ZONE NUMBER ONE, CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE MAYOR TO EXECUTE SAID AMENDMENT; CONTAINING VARIOUS PROVISIONS RELATED TO THE FORGOING SUBJECT.

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

**7D. [ORD-0295](#)**

Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, APPROVING THE THIRD AMENDMENT TO THE DEVELOPMENT FINANCING AGREEMENT FOR REINVESTMENT ZONE NUMBER ONE, CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE MAYOR TO EXECUTE SAID AMENDMENT; CONTAINING VARIOUS PROVISIONS RELATED TO THE FORGOING SUBJECT.

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

**8. Ordinances Second Reading**

- 8A. [ORD-0289](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE CONVEYANCE OF A .072 ACRE EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY WITHIN THE JOHN DAVIS SURVEY NO. 13 OF 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.

**9. Other Actions**

- 9A. [2016-4782](#) Authorizing the City Manager to execute a conditional purchase agreement between Gerald and Margaret M. Wilke and the City of Pflugerville for utility and roadway construction associated with the East Pecan Street Widening Project.

The item was approved on the consent agenda.

- 9B. [2016-4785](#) Receive report on City Council, Commission, Board and Committee expenditures for March 2016.

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.

**Ordinances Second Reading - Removed from Consent Agenda**

- 8B. [ORD-0291](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING RATES, CHARGES AND FEES FOR SOLID WASTE UTILITY SERVICE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Peña opened the item for consideration. Mr. Heath indicated his desire for additional information. Ms. Thompson read the item to include the caption of the ordinance under consideration. Ms. Gillam provided information. She stated that this ordinance would provide an increase of 30 cents per month to each garbage customer. She explained that the current garbage services contract would end in 2018 and that city staff would begin the bid process next year with an Request For Proposals for services. Mr. Hyde also provided input. Mr. Heath made a motion to approve as presented. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

**Other Actions - Removed from Consent Agenda**

- 9C.**    [2016-4794](#)            Authorize the City Manager to execute a contract for contractual mowing services for specific rights-of-way with International Building Services, the lowest responsive bidder of five (5) bids received on March 17, 2016, in the amount of \$56,056.85.

Mayor Pro Tem Peña opened both items 9C and 9D simultaneously for consideration. Mr. Cooper asked questions regarding the contracts for mowing. Ms. Gillam and Mr. Wills provided information. There was Council discussion. Mr. Cooper made a motion to approve items 9C and 9D as presented. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

- 9D.**    [2016-4795](#)            Authorize the City Manager to execute a contract for contractual mowing services for specific park areas with International Building Services, the lowest responsive bidder of seven (7) bids received on March 17, 2016, in the amount of \$89,357.76

Mayor Pro Tem Peña opened both items 9C and 9D simultaneously for consideration. Mr. Cooper asked questions regarding the contracts for mowing. Ms. Gillam and Mr. Wills provided information. There was Council discussion. Mr. Cooper made a motion to approve items 9C and 9D as presented. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

**10.    Discuss and consider action**

- 10A.**    [2016-4778](#)            Discuss and consider action to award a construction contract for the CDBG Sidewalk Improvement Projects Phase I to Mario L. Carlin Management LLC, the lowest responsible bidder of six (6) bids received on March 23, 2016, with a base bid in the amount of \$85,419.17.

Ms. Barron provided information. Mr. Cooper made a motion to approve the item as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 10B.**    [2016-4781](#)            Discuss and consider action to approve supplemental agreement #1 with Studio 16:19 in the amount of \$283,499 for professional services associated with the design and construction administration for the Highland Park/Highland Park North Park Development project and authorizing the City Manager to execute the agreement.

Mr. Franz provided information and answered questions of the Council. Mr. Cooper indicated concern regarding the cost for services as a percentage of the overall project cost. Mr. Hemenes and Brent Baker of Studio 16:19 provided information. Mr. Heath stated that he would like to look at doing only priority projects and is interested in phasing this project over time. Mr. Cooper spoke on the needs of the Highland Park area for parks amenities and the priority of these projects approved as 2014 bond projects. Mr. Cooper asked to table the item in order to receive a breakdown of the fees. Mr. Heath

seconded the motion. All voted in favor. The motion carried.

**10C. [2016-4787](#)**

Discuss and consider action regarding future agenda items.

Mr. Heath requested a future agenda item regarding the transit planning contract for presentation and possible action. Mr. Cooper indicated to second the request.

**11. Discuss only**

**Executive Session**

Mayor Pro Tem Peña announced that the City Council was retiring to executive session for possible discussion on items 11A, 11B, 11D and 11E. He read the items and retired to executive session. The time was 8:13 p.m.

**11A. [2016-4768](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding traffic impact analysis and agreement regarding allocation of traffic related costs for future platted tracts in Lakeside WCID 2A and 2D.

Discussion on the item took place in executive session. No action was taken.

**11B. [2016-4788](#)**

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.

**11C. [2016-4789](#)**

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.

**11D. [2016-4790](#)**

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.

**11E. [2016-4791](#)**

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.

**Executive Session - Closed**

Mayor Pro Tem Peña reconvened in open session at 9:10 p.m.

**12. Adjourn**

Mr. Cooper made a motion to adjourn. Mr. Marshall seconded the motion. The vote was: Mr. Cooper- no; Mr. Marshall-yes; Ms. Sattler-yes; Mr. Heath-no. Mayor Pro Tem Peña voted no. The motion failed. Ms. Sattler exited the meeting. Mr. Marshall made a motion to adjourn. Mr. Cooper seconded the motion. The vote was: Mr. Cooper-yes; Mr. Marshall-yes; Mr. Heath-no. The motion carried. The meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on April 26, 2016.