



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, April 25, 2017

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:09 p.m. Councilmembers Doug Weiss, Jeff Marsh, Starlet Sattler and Mike Heath were in attendance. Mayor Pro Tem Omar Peña was absent. City employees attending: Trey Fletcher, Assistant City Manager; Lauri Gillam, Assistant City Manager; Karen Thompson, City Secretary; Tom Word, Assistant City Manager; Amy Good, Finance Director; Emily Barron, Planning Director; Blake Overmyer, Building Official; Amy Giannini, City Engineer; James Hemenes, Parks Director; Jessica Robledo, Police Chief; Cindy Pierce, Development Engineering Director; Terri Toledo, Communications Director; Jacquelyn Smith, CIP Program Manager; Jennifer Coffey, Library Director; James Wills, Public Works 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 Gonzales 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 Gonzales led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

#### 3. Presentations

- 3A.** [2017-5799](#) Proclamation declaring May 1 to May 5, 2017 as Air Quality Awareness week in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to Hank Marley, Environmental Specialist.

- 3B.** [2017-5752](#) Proclamation declaring April 2017 as Fair Housing Month.

Mayor Gonzales read the proclamation. Ms. Barron provided information on Fair Housing Month.

- 3C.** [2017-5709](#) Presentation regarding the Pflugerville Book Festival.
- Ms. Coffey introduced Bette McDowell, Librarian. Ms. McDowell provided information and a short video on the book festival .**
- 3D.** [2017-5780](#) Presentation on water restrictions. (Requested by Councilmember Doug Weiss)
- Mr. Wills provided information on the current Stage 2 water restrictions.**
- 3E.** [2017-5757](#) Presentation and discussion about the City's Capital Improvement Program.
- Mr. Word provided a quarterly update on the CIP Program. Mayor Gonzales and Mr. Heath provided comments.**
- 3F.** [2017-5750](#) Presentation of Pflugerville 2017 Resident Survey Results.
- Ms. Toledo introduced of Jason Morado, Senior Project Manager of ETC Institute. Mr. Morado presented the survey results showing a high level of citizen satisfaction with delivery of city services. Areas for improvement noted were roads and traffic congestion; maintenance of city streets, drainage, sidewalks; and animal shelter facilities. Major areas for investment noted were roads and traffic management; downtown; and job development. Mr. Morado answered questions of the Council during the presentation.**

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

- 4A.** [RES-0405](#) Conduct the second public hearing and consider approving a resolution regarding the Community Development Block Grant (CDBG) program proposed amendment to the 2016 Action Plan.
- Mayor Gonzales opened the public hearing and read the item to include the caption of the resolution under consideration. Ms. Barron provided information and answered questions of the Council. Mr. Fletcher provided input. There were no requests to speak at the public hearing. Ms. Sattler made a motion to close the public hearing. Mr. Weiss seconded the motion. All voted in favor. The motion carried. Mayor Gonzales made a motion to approve the resolution as presented. Mr. Weiss seconded the motion. All voted in favor. The motion carried.**

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

- 5A.** [ORD-0346](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE READOPTING CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

Mayor Gonzales opened the public hearing and read the item to include the caption of the ordinance under consideration. Mr. Hemenes provided information and confirmed that no complaints had been received. There were no requests to speak at the public hearing. Ms. Sattler made a motion to close the public hearing. Mr. Heath seconded the motion. All voted in favor. The motion carried.

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

**5B.** [ORD-0348](#)

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 AN APPROXIMATE 5.964 ACRE TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, LOCATED GENERALLY SOUTHEAST OF THE BLACK LOCUST DR. AND GRAND AVE. PKWY INTERSECTION FROM AGRICULTURE/CONSERVATION (A) TO MULTI-FAMILY 10 (MF-10) DISTRICT; TO BE KNOWN AS THE WINDERMERE PARK GARDEN VILLAS SECTION TWO REZONING (REZ1701-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Gonzales opened the public hearing and read the item to include the caption of the ordinance under consideration. Ms. Barron provided information. Diane Hall of Ridge Hall Investments, representing the developer Steve Hickerson, provided information on the request for rezoning to allow for development of garden homes. Ms. Barron answered questions. Jenn Henderson, civil engineer on the project, spoke regarding drainage improvements. Ms. Pierce provided input. Mr. Fletcher stated that the developer is seeking zoning to correspond to the deed restrictions on the property. Mr. Heath stated that it would be a good location for retail. There were no additional requests to speak at the public hearing. Mr. Heath made a motion to close the public hearing. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

Mr. Heath made a motion to approve the ordinance on first reading as presented. Ms. Sattler seconded the motion. Mr. Weiss asked what the process is after this; what other items would come to Council. Ms. Barron explained that no other items would come to the Council. She answered questions of the Council. The vote on the item was: Mr. Weiss-no; Mr. Marsh-yes; Ms. Sattler-yes; Mr. Heath-no; Mayor Gonzales-yes. The motion carried.

**6. Public Comment**

Barbara Woodworth, Friends of the Pflugerville Animal Shelter, announced that they had received their first grant in the amount of \$2,500 from the Pflugerville Walmart for treatment of heart-worm positive dogs.

## Reading of the Consent Agenda

Items 8A, 8B, 8C and 9A were removed from the consent agenda. Ms. Thompson read the items under consideration.

### 7. Approval of Minutes

- 7A. [2017-5774](#) Approval of the minutes of the April 4, 2017 Quorum; and April 11, 2017 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

### 9. Other Actions

- 9B. [2017-5759](#) Authorizing the City Manager to execute multiple Wastewater Pipeline Easement Agreements with Sorento Holdings 2012 LLC, and the City of Pflugerville for wastewater pipelines associated with the Sorento Phase 4 and Sorento Phase 9 subdivisions generally located east of Weiss Lane and north of Jesse Bohls Roads.

The item was approved on the consent agenda.

## Action on the Consent Agenda

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

### 8. Resolutions

- 8A. [RES-0409](#) Approving a resolution acknowledging PCDC's refinance of a \$24 million dollar loan with Hancock Whitney Bank effective as of March 15, 2017.

Mr. Heath stated that he had removed the item from the consent agenda to allow for information to be provided to the public. Mr. Hyde provided information and stated that the resolution is to acknowledge that the Pflugerville Community Development Corporation (PCDC) has satisfied all commitments to Capital One. Mr. Heath made a motion to approve the resolution as presented. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

- 8B. [RES-0413](#) Approving a resolution of the City of Pflugerville re-establishing parks & recreation fees and amending them to incorporate veteran & active duty military fee categories and to increase non-resident membership fees for the Senior Center and rental fees for the Green Red Barn.

Mr. Hemenes stated that they have done a full fee review and compared to other cities. He stated that staff recommends approval of the update of the fees to include the creation of the veterans/military discount. Mr. Weiss stated that he noticed that this doubles the rental fees for the Green Red Barn. Mr. Hemenes stated that it is commensurate with the level of effort of cleaning and

maintenance of the facility with the large events taking place there as well as the high demand for the facility. He stated that it is a full-day rental. Mr. Heath stated that the City is providing a great value to the residents with the fees. Discussion followed. Mr. Weiss made a motion to approve as presented. Mr. Marsh asked that Ms. Toledo publicize the veterans discount. Mr. Heath seconded the motion. All voted in favor. The motion carried.

**8C.** [RES-0421](#)

Approving a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING THE NORTH POINTE ECONOMIC DEVELOPMENT PROJECT RESOLUTION 1539-17-01-24-0384 TO EXTEND DEADLINE TO AUGUST 31, 2017.

Mr. Heath recused himself on the item due to a possible conflict of interest with his business, Alliance Transportation Group. He stepped down from the dais. The time was 8:31 p.m. Mr. Hyde provided information on the item to provide an extension of time. Discussion followed. Mr. Hyde confirmed that the City is not at risk of spending money on this. Mr. Marsh made a motion to approve the resolution as presented. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

**9. Other Actions - Removed from the Consent Agenda**

**9A.** [2017-5758](#)

Approving the selection of Freese and Nichols, Inc. for professional engineering services associated with the New Sweden Wastewater Treatment Plant Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

Mr. Heath resumed his place on the dais and participation in the meeting at 8:34 p.m. Ms. Giannini provided information on the selection scoring and the project. Mr. Heath asked if Freese and Nichols has the capacity to provide services for the project. Ms. Giannini stated that Freese and Nichols has committed to the project. Kendall King, Freese and Nichols Group Manager, provided information on the group that would be working on the project and stated that he would be managing the project himself. He stated that he is only managing two projects, both for the City of Pflugerville. Mr. Heath noted his concern for some of the costs included in the last contract with Freese and Nichols. He stated he would like them to look at these during the contract negotiations. Mr. Heath made a motion to approve the item as presented. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

**10. Discuss and consider action**

**10A.** [2017-5777](#)

Discuss and consider action regarding future agenda items.

Mr. Hyde stated that in the past easements items have come to the Council for approval at their request. He noted that Council approval is not needed for approval of easements unless the cost is over \$50,000. He asked if they would like to continue to see those or if they would like to consider an item on a future agenda. Mr. Hyde was to bring forward an item for consideration.

Mayor Gonzales asked to consider the Gin property. Mr. Marsh asked to discuss draft zoning and an expanded downtown district. Mr. Heath asked to look at traffic impact fees and the TIA ordinance. Mr. Heath asked to look at

driveway spacing requirements.

## 11. Discuss only

**Mayor Gonzales announced that the Council was retiring to executive session on items 11A, 11B, 11C and 11D. He read the items and retired to executive session. The time was 8:46 p.m.**

### 11A. [2017-5775](#)

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.**

### 11B. [2017-5776](#)

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 was to take place in executive session.**

### 11C. [2017-5800](#)

1.) Executive Session Item: Discuss Municipal Court Prosecutor duties pursuant to Chapter 551.074 of the Texas Government Code and to consult with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning Municipal Court operations.

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

### 11D. [2017-5801](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the duties of the City Attorney related to his service to the city as a volunteer peace officer. (Requested by: Mayor Victor Gonzales)

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

## 12. Adjourn

**Mayor Gonzales reconvened in open session at 9:58 p.m. Mr. Heath made a motion to adjourn. Mr. Marsh seconded the motion. All were in favor. The motion carried. The meeting was adjourned at 9:58 p.m.**

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on May 9, 2017.