



City of Pflugerville

Minutes - Final - Draft

City Council

Tuesday, October 24, 2017

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:01 p.m. Councilmembers Doug Weiss, Jeff Marsh, Omar Peña and Mike Heath were in attendance. Councilmember Starlet Sattler was absent. City employees attending: Brandon Wade, City Manager; Charles Zech, City Attorney; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Lauri Gillam, Assistant City Manager; Tom Word, Assistant City Manager; Rhonda McLendon, Animal Shelter Director; Jennifer Coffey, Library Director; Terri Toledo, Communications Director; Emily Barron, Planning Director; James Hemenes, Parks Director; Amy Giannini, City Engineer; Jason Smith, Assistant Police Chief; Cindy Pierce, Development Services 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.

The Kerlin-Lyerly American Legion Post 154 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.

The Kerlin-Lyerly American Legion Post 154 led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

C. Moment of silence in memory of Mr. Charles Kuempel.

Mayor Gonzales provided comments regarding Mr. Charles Kuempel and observed a moment of silence.

3. City Council Announcements

Mayor Pro Tem Peña welcomed Boy Scout Troop 1407. Mr. Heath provided comments regarding Chili Pfest. Mr. Weiss provided comments regarding a

citizen that received friendly assistance from the Police Department.

Pursuant to Texas Government Code Sec. 551.0415. a member of the governing body may make an announcement about items of community interest during a meeting of the governing body without having given notice of the subject of the announcement.

"Items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

4. Presentations

- 4A. [2017-6133](#) Mayor's proclamation declaring October 24, 2017 as Mrs. Janice Heath Day in the City of Pflugerville.
Mayor Gonzales read and presented the proclamation to Mrs. Janice Heath.
- 4B. [2017-6267](#) Mayor's proclamation welcoming the Kerlin-Lyerly American Legion Auxiliary Unit 154.
Mayor Gonzales read and presented the proclamation to the Kerlin-Lyerly American Legion Auxiliary. Jan Nichtman provided information regarding the Auxiliary and the Auxiliary members pinned red poppies on the Councilmembers in memory of those lost in service to our country.
- 4C. [2017-6270](#) Mayor's proclamation declaring Saturday, November 11, 2017 as Veterans Day in the City of Pflugerville.
Mayor Gonzales read the proclamation and presented it to Brian Allen, American Legion Post 154 Post Commander along with the Vice Commander and Adjunct. Mr. Allen provided information on the Veterans Day Ceremony to be held on Friday, November 10, 2017 at the Fallen Warrior Memorial.
- 4D. [2017-6234](#) Mayor's proclamation declaring Friday, November 3, 2017 as Arbor Day in the City of Pflugerville.
Mayor Gonzales read the proclamation and presented it to James Hemenes, Parks and Recreation Director. Mr. Hemenes provided information on the Arbor Day tree planting on November 3, 2017 at Cambridge Heights Park.

- 4E. [2017-6205](#) October Adopt a Dog month including \$20 adoption specials and the second annual Trunk or Treat.

Ms. McLendon stated that October is National Adopt a Shelter Dog Month and that the \$20 adoptions would be wrapping up soon. She invited those in attendance to attend the annual Trunk or Treat on October 28, 2017.

- 4F. [2017-6256](#) Presentation and discussion about the City's Annual Street and Pavement Maintenance Program for Fiscal Year 2018.

Ms. Giannini presented on the City's Annual Street and Pavement program and answered questions from Council.

5. Public Comment

Kim Waters, Kessler Dr, provided information on the success of Pflugerville Pets Alive's first microchip event. She invited the public to the Dog Jog 5K on November 4, 2017 at Pflugger Park.

Reading of the Consent Agenda

Items 7A and 8B were removed from the consent agenda. Ms. Thompson read the items to include the caption of the ordinance under consideration.

6. Approval of Minutes

- 6A. [2017-6268](#) Approval of the minutes of the October 3, 2017 Quorum and October 10, 2017 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

8. Ordinances Second Reading

- 8A. [ORD-0367](#) 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 REZONING THREE SEPARATE (3) PARCELS WITHIN A PROPOSED 7.31-ACRE SUBDIVISION GENERALLY LOCATED SOUTHWEST OF THE NORTH HEATHERWILDE BOULEVARD AND KINGSTON LACY BOULEVARD INTERSECTION WITH PARCEL ONE (1), CONSISTING OF 5.46 ACRES, BEING REZONED FROM GENERAL BUSINESS 1 (GB1) TO GENERAL BUSINESS 2 (GB2) DISTRICT, PARCEL TWO (2), CONSISTING OF 1.0 ACRE, BEING REZONED FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 2 (GB2) DISTRICT, AND PARCEL THREE (3), CONSISTING OF 0.45 ACRES, BEING REZONED FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1) DISTRICT, AND ALL COLLECTIVELY TO BE KNOWN AS THE KUEMPEL COMMERCIAL REZONING (REZ1708-01); PROVIDING FOR REPEAL OF

CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

9. Resolutions

- 9A. [RES-0466](#) 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 2017A, SERIES 2017B, AND LIMITED TAX BONDS SERIES 2017, AND REFUNDING BONDS SERIES 2017.

The resolution was approved on the consent agenda.

10. Other Actions

- 10A. [2017-6257](#) Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Ronny Wayne Rinderknecht, Becky Rinderknecht Krueger, Kyle Rinderknecht, Amy Rinderknecht Gutierrez and Debra Rinderknecht and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Roadway Project.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

7. Ordinances First Reading - Removed from Consent Agenda

- 7A. [ORD-0372](#) Approving an ordinance on first reading with a caption reading AN ORDINANCE OF THE CITY OF PFLUGERVILLE TEXAS CLOSING, VACATING, ABANDONING AND CONVEYING A PORTION OF KELLY LANE IN THE CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED WITHOUT WARRANTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

Mayor Gonzales opened the item for consideration and Ms. Thompson read the caption of the ordinance under consideration. A revised ordinance was provided on the dais. Mr. Zech stated that he had provided minor changes to

the ordinance and that Section 3 now allows the City Manager to execute the deed and to hold in escrow. He stated that the effect of the ordinance is the same. Mr. Marsh made a motion to approve the ordinance on the first reading as revised. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

8. Ordinances Second Reading - Removed from the Consent Agenda

- 8B. [ORD-0369](#) 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 APPROVING A SPECIFIC USE PERMIT FOR A PROPOSED MULTI-FAMILY LAND USE ON A 17.43 ACRE TRACT OF LAND CURRENTLY ZONED CORRIDOR URBAN LEVEL 4 DISTRICT (CL4) SITUATED IN THE THOMAS G. STUART SURVEY, SECTION NO. 6, ABSTRACT 689, LOCATED IN PFLUGERVILLE, TRAVIS COUNTY, TEXAS, TO BE KNOWN AS THE STONE HILL LUXURY APARTMENTS SPECIFIC USE PERMIT (SUP1706-01); PROVIDING A CUMULATIVE AND REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Gonzales opened the item for consideration and Ms. Thompson read the caption of the ordinance under consideration. Ms. Barron provided information and addressed concerns regarding parking, impact on the schools and dust. Kurt Goll, developer, provided information on the berm and addressed maintenance and parking. Mr. Marsh made a motion to approve. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Heath-no, Mayor Gonzales-yes. The motion carried.

11. Discuss and consider action

- 11A. [2017-6126](#) Conduct interviews and discuss and consider action to appoint up to two citizen members of the Finance and Budget Committee to fill one unexpired term ending December 31, 2017 and one unexpired term ending December 31, 2018.

Council conducted interviews with candidates Allison Atherton and Victor To. Candidate Craige Howlett was not in attendance. Mayor Pro Tem Peña made a motion to appoint Mr. To to the position ending December 31, 2017 and Ms. Atherton to the position ending December 31, 2018. Mayor Gonzales seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-no, Mayor Pro Tem Peña-yes, Mr. Heath-no, Mayor Gonzales-yes. The motion carried.

- 11B. [2017-6262](#) Discuss and consider action regarding future agenda items.

Mr. Heath requested an agenda item to discuss the process of placing items on the agenda. Mr. Marsh seconded the request. Mr. Heath requested status updates from the Pflugerville Community Development Corporation (PCDC) for Typhoon Texas and Precision Ammunition. Mr. Marsh seconded the requests. Mayor Pro Tem Peña requested to review the code requirements for apartment

complexes and the street repair schedule by the end of 2017. Mr. Marsh seconded the requests.

12. Discuss only

Mayor Gonzales announced that the Council was retiring to executive session for discussion on items 12A, 12B and 12C. He read the items and retired to executive session. The time was 8:30 p.m.

12A. [2017-6264](#)

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 regarding:

- A. Costco
- B. Project Cardinal

Discussion on the item took place during executive session.

12B. [2017-6265](#)

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 related to:

- A. Weiss Lane Roadway Project

Discussion on the item took place during executive session.

12C. [2017-6266](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager.

Discussion on the item took place during executive session.

13. Adjourn

Mayor Gonzales reconvened in open session at 9:09 p.m. No action was taken. Mr. Weiss made a motion to adjourn. Mr. Marsh seconded the motion. Mr. Heath was absent from the dais. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Heath-absent, Mayor Gonzales-yes. The motion carried. The meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on November 14, 2017.