



City of Pflugerville

Minutes - Final

City Council

Tuesday, March 8, 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 7:00 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; Amy Good, Finance Director; Terri Toledo, Public Information Officer; James Hemenes, Parks Director; Blake Overmyer, Building Official; Emily Barron, Planning Director; Chuck Hooker, Police Chief; Jennifer Coffey, Library Director; Pam Cosel, Special Events Coordinator. 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.

Boy Scouts in attendance lead 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.

Boy Scouts in attendance lead those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

3. Presentation

- 3A. [2016-4700](#) Presentation regarding the Spring Pfling and Super Summer Signup Day at Pflugerville Recreation Center.

Ms. Cosel presented on the item.

4. Public Hearing

- 4A. [RES-0302](#) Conduct the first of two required public hearings and receive feedback regarding the Community Development Block Grant (CDBG) program

proposed amendment to the 2014-2019 Consolidated Plan.

Ms. Barron presented on the item and answered questions of the Council. Mayor Coleman suggested holding an information fair after the senior luncheon to provide information.

Gary Robertson, 3351 Killingsworth Lane, asked to use the grant to move the children upstairs and to expand the senior room at the recreation center. He stated that the senior room should also just be for the seniors.

A J Kutach, 901 Sunflower Drive, asked that they use the grant to purchase a new bus. He stated that the back two seats of the current bus provide a very rough ride.

Kathie McCoy, 16500 Yellow Sage, stated that she likes the use of the grant for the extra ramps and handicapped parking at the recreation center. She stated that they currently have 440 seniors and their bus only seats 22. She stated that one of their major services to our seniors is travel. She stated that many are unable to drive in traffic or at night safely. She stated that she would like a new bus with a lift with a capacity of at least 54 passengers.

Carol Michel stated she read that the plan would be posted for review but was unable to locate it at the city or the library. Ms. Barron stated that the plan is for review at the recreation center and library. Ms. Coffey stated that there was some misunderstanding with her staff and the plan is located for public review at the library.

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.

5. Public Comment

Barb Woodworth, 809 Windsor Castle Drive, stated that their group is waiting to work with the city on not outsourcing the animal shelter and to form an advisory council. She stated that a political action committee has been formed for saveourshelter.org. Mr. Wade stated that he had seen on social media that it was stated that the city has not provided any information. He stated that the city has communicated with them that there is no additional information to provide at this time.

Kim Waters stated that she is representing Pflugerville Pets Alive this evening. She provided a status update on the ways the organization has helped the Pflugerville Animal Shelter and the community this year.

Gina LaFiora, 18001 Catumet Cove, stated that they are having more and more renters parking up and down the street and it is a safety issue for the kids, especially at the bus stops. She stated that they cannot see cars coming. She stated that she is trying to find a way to make it safer, like with the use of no parking signs. She stated that speeding in the neighborhood has become an issue. She stated to the Council that hopefully they can do something. Mr. Wade stated that he has asked staff to look at this. He stated that there is another item on the agenda for a proposed no parking zoning that is a similar issue to this.

Matthew Wilson stated that he would like to have a camp ground in Pflugerville. He stated that campouts are required for Boy Scouts and there is no place currently in Pflugerville. He stated that the city could charge \$10-15 and this would be just another bonus to bring people to Pflugerville.

Reading of the Consent Agenda

Items 7A and 8C 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. [2016-4699](#) Approval of the minutes of the February 23, 2016 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

7. Ordinances First Reading

- 7B. [ORD-0286](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING TITLE XI TITLED BUSINESS REGULATIONS, BY AMENDING CHAPTER 110, TITLED FOOD ESTABLISHMENTS, INSTITUTING STATE MANDATED CHANGES; PROVIDING A VIOLATION OF CHAPTER 110 IS A MISDEMEANOR, PROVIDING A CUMULATIVE CLAUSE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

8. Other Actions

- 8A. [2016-4703](#) Receive report on City Council, Commission, Board and Committee expenditures for February 2016.

The item was approved on the consent agenda.

- 8B. [2016-4711](#) Review of the Quarterly Investment Report for the quarter ending December 31, 2015.

The item was approved on the consent agenda.

- 8D. [2016-4692](#) Authorizing the City Manager to execute Change Order #1 in the amount of \$99,104.40 with JKB Construction Company, LLC for additional utility improvements associated with the Weiss Lane Transmission Main Phase 1A project.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

7. Ordinances First Reading - Removed from Consent Agenda

- 7A. [ORD-0287](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING TITLE VII TITLED TRAFFIC CODE, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS; PROVIDING A VIOLATION IS A MISDEMEANOR, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

An amended ordinance was provided to the Council on the dais. Mayor Coleman read the item to include the caption of the ordinance under consideration. Mr. Wade stated that he has asked staff to bring forward this proposed ordinance to create no parking zones due to a concern for cars parking on both sides of the narrow street impeding traffic flow. Mr. Word provided information and stated that they would continue to look at areas to enhance safety. Council discussion followed. Mr. Cooper made a motion to approve the ordinance on first reading as presented. Mr. Marshall seconded the motion. The vote was: Mr. Cooper-yes; Mr. Marshall-yes; Mr. Peña-yes; Ms. Sattler-yes; Mr. Heath- no. The motion carried.

8 Other Actions - Removed from Consent Agenda

- 8C. [2016-4707](#) Authorizing the City Manager to amend the Progressive Waste Solution (PWS) solid waste contract to approve a price adjustment increase as described in the current contract extension which became effective on February 1, 2013.

Ms. Gillam provided information stating that staff had reviewed the request for a price adjustment increase of 2% and found it to be justified. She stated that it would be an additional 30 cents cost per month per customer. Mr. Marshall stated that he just wanted to point out that there has been an 18% increase over the past 10 years and to ask how often we look at competitive rates. Ms. Gillam stated that the city contracted with Progressive Waste (IESI) in 2009 and in 2012, extended the contract to 2018. She stated that they will begin the process to bid it out in a year. Mr. Wade stated that this is the rate that they charge the city, not the rate that the city charges the customer. Ms. Gillam stated that the city has not increased the rate to the customers since 2010. She stated that the cost to the city would be \$30,000-40,000 for the remainder of this fiscal year. She noted that the City of Pflugerville has the lowest rate for

its level of services compared to other cities in the region. Mr. Marshall made a motion to approve item 8C as read. Mr. Heath seconded the motion. All voted in favor. The motion carried.

9. Discuss and consider action

9A. [RES-0305](#)

Discuss and consider action to approve a resolution making replacement appointments to the Charter Review Commission.

Mr. Peña indicated his desire to replace Floyd Akers who has resigned with Michelle Sheehan. Discussion followed. Mr. Cooper asked if they need to appoint someone half way through the process. Discussion followed with input from Mr. Hyde. Mr. Peña made a motion to appoint Michelle Sheehan. Ms. Sattler seconded the motion. The vote was: Mr. Cooper-no, Mr. Marshall-yes, Mr. Peña- yes, Ms. Sattler-yes, Mr. Heath-yes. The motion carried.

9B. [2016-4695](#)

Discuss and consider action to award a construction contract for the Trail Gap Development project to Muniz Concrete and Construction, the lowest responsible bidder of three (3) bids received on February 25, 2016, with a base bid in the amount of \$709,170 and an overall contract not to exceed \$850,000.

Mr. Word provided information and answered questions of the Council. Discussion followed. Mr. Cooper made a motion to approve item 9B as presented. Mr. Peña seconded the motion. All voted in favor. The motion carried.

9C. [2016-4694](#)

Discuss and consider action to authorize the City Manager to execute Change Order #1 in the amount of \$91,351.20 with Cash Construction Company for additional work associated with the Heatherwilde Boulevard Widening project.

Mr. Word provided information and answered questions of the Council. Discussion followed. Mr. Peña made a motion to approve item 9C as presented. Mr. Heath seconded the motion. All voted in favor. The motion carried.

9D. [2016-4717](#)

Discuss and consider action regarding the installation of temporary traffic signals at the intersection of Pflugerville Parkway and the SH 130 frontage roads.

Mayor Coleman stated that he had asked staff to look into this. Mr. Word provided information. He stated that the intersection has met warrants for traffic signals. He noted the anticipated traffic issues when the bridge on Weiss Lane is closed during Travis County's road construction project. He stated that it is anticipated that plans for the temporary signals would take two months to complete and construction would take another two to four months, with the temporary signals in place in four to six months. He noted that some delay in the Travis County Weiss Lane project is anticipated. Council discussed accelerating the permanent installation of the traffic signals. Mr. Heath made a motion that staff look at breaking the traffic signals out of the Pflugerville Parkway roadway project and to expedite and install permanent signals as soon as possible. Mr. Marshall seconded the motion. Mr. Word

stated that they will not be able to affix the lights to the permanent arm masts because they will not have the lanes in place, but they would be able to erect the permanent foundations and would get as close to permanent as possible. Council was in agreement. All voted in favor. The motion carried.

- 9E. [2016-4698](#) Discuss and consider action regarding future agenda items.

Mr. Heath asked for an item to discuss project-based time reporting.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 10A, 10D, and 10F. He read the items and retired to executive session. The time was 8:46 p.m.

10. Discuss only

- 10A. [2016-4704](#) 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.

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

- 10B. [2016-4730](#) 1.) Executive Session Item: Consultation with legal counsel regarding City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Project Plan and Reinvestment Zone Financing Plan and Development Financing Reimbursement Agreement pursuant to Chapter 551.071 of the Texas Government Code.

There was no discussion on the item.

- 10C. [2016-4701](#) 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.

- 10D. [2016-4702](#) 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.

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

- 10E. [2016-4705](#) 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.

10F. [2016-4706](#)

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 for discussion of goals.

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

Executive Session - Closed

Mayor Coleman reconvened in open session at 10:34 p.m. No action was taken.

11. Adjourn

Mr. Cooper made a motion to adjourn. Mr. Sattler seconded the motion. The vote was: Mr. Cooper-no, Mr. Marshall-yes, Mr. Peña- no, Ms. Sattler-yes, Mr. Heath-yes. The motion carried. The meeting was adjourned at 10:34 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on March 22, 2016.