



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, March 11, 2014

7:00 PM

100 East Main Street, Suite 500

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### Regular Meeting

#### 1. Call to order

Mayor Jeff Coleman called the regular meeting to order at 7:04 p.m. Councilmembers Wayne Cooper, Brad Marshall, Starlet Sattler and Victor Gonzales were in attendance. Councilmember Omar Peña was absent. 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; Chuck Hooker, Police Chief; Dan Franz, City Engineer; Emily Barron, Planning 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 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.

#### 3. Presentation

**3A. 2014-2794** Presentation by the Texas Department of Transportation (TxDOT) regarding the MoKan Corridor Study.

Mr. Fletcher provided an introduction. Mr. Terry McCoy of TxDOT presented and answered questions of the City Council. The stakeholder questionnaire was to be distributed to the City Council.

#### 4. Public Hearing and Resolution

**4A. RES-0195** Public hearing and possible action approving a resolution adopting a Community Development Block Grant (CDBG) Citizen Participation Plan.

Mayor Coleman read the item and opened the public hearing. Ms. Barron provided information and answered questions of the City Council. There were no requests to speak at the public hearing. Ms. Sattler made a motion to close the public hearing. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

Mr. Cooper made a motion to approve the resolution adopting a Community Development Block Grant Citizen Participation Plan. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

## 5. Public Comment

There were no requests to speak under the Public Comment Item.

## Reading of the Consent Agenda

Ms. Thompson read the items along with the captions of the ordinance under consideration.

## 6. Approval of Minutes

- 6A. 2014-2797 Approval of the minutes of the February 25, 2014 City Council Worksession and Regular Meeting.

Approved on the Consent Agenda

## 7. Ordinances First Reading

- 7A. ORD-0190 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, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS, ESTABLISH PRIMA FACIE MAXIMUM SPEEDS, AND PROVIDING AN EFFECTIVE DATE.

Approved on first reading on the Consent Agenda

- 7B. ORD-0195 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, CHAPTER 72 ADDING SCHEDULE III REGARDING STOP SIGNS ON CITY STREETS, PROVIDING A PENALTY NOT TO EXCEED TWO HUNDRED (\$200), AND PROVIDING AN EFFECTIVE DATE.

Approved on first reading on the Consent Agenda

## 8. Resolution

- 8A. RES-0194 Approving a resolution appointing the Planning and Zoning

Commission to serve as the Community Development Block Grant (CDBG) advisory committee, and appointing Ms. Emily Barron, Planning Director, as the City's Fair Housing/Equal Opportunity/Section 504 Standards Officer.

**Approved on the Consent Agenda**

## **9. Other Actions**

- 9A. 2014-2773** Approving a Chapter 380 economic development agreement with Springbrook APTSP1, LP for the extension of wastewater utility infrastructure in connection with the Springbrook Apartments wastewater improvements project (CON1305-03) and authorizing the City Manager to execute same.

**Approved on the Consent Agenda**

- 9B. 2014-2799** Receive report on City Council, Commission, Board and Committee expenditures for February 2014.

**Approved on the Consent Agenda**

## **Action on the Consent Agenda**

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

## **10. Resolution**

- 10A. RES-0186** Discuss and consider a proposed resolution of the City of Pflugerville, Texas in support of the Project Connect High Capacity Transit System Plan efforts.

**Mr. Fletcher provided information and answered questions of the City Council. Council discussion followed. Todd Hemingson, Vice President of Strategic Planning and Development for Capital Metropolitan Transportation Authority (Capital Metro) was in attendance and spoke to the total estimated cost of \$164 million and that it would need to be phased in over time. Mayor Coleman stated that the City of Pflugerville wants to be at the table and that the use of MoKan continues to be a concern. Mr. Cooper made a motion to approve the resolution. Mr. Marshall seconded the motion. All voted in favor. The motion carried.**

## **11. Discuss and consider action**

- 11A. 2014-2801** Discuss and consider action regarding the MoKan Corridor Study.

**Mr. Fletcher provided information stating that the study is expected to be complete in June 2014. Discussion followed. Staff was to provide the stakeholder questionnaire to the Council with suggestions for a formal response.**

**11B. 2014-2800**

Discuss and consider action to appoint a working group to develop a strategy/concept for a new animal shelter.

Mr. Gonzales stated that the Council had looked at a new animal shelter during the last bond election but thought it was not practical to put a \$1 million project on a bond issue. He stated that the City has made good improvement to the facilities and had good input from the community on the volunteer side. He complimented the Police Department for their conscientious care. He noted that adoptions have been successful as well as incentives such as lowering fees and utilizing social media. He stated that the City has made diligent efforts and that he appreciates the volunteer groups. He stated with the City moving forward and expanding, he thinks it is a bandaid approach. Mr. Gonzales recommended putting a work group together to look at the past, present and future of animal services, to have this group look at the alternatives and the options, for this year and the long term. Mayor Coleman provided comments.

Ms. Rhonda McLendon, Animal Control Director, presented on the projects, statistics and accomplishments of the animal shelter for the past year. She answered questions of the Council and discussion followed. Mayor Coleman stated to Ms. McLendon that she runs an incredible shop, that they need more space, that the current facility is ugly and the parking lot is in disrepair, but it is functional. Ms. McLendon stated that it is functional, that they need to make improvements, but there are things they can do with the existing facility to keep getting by.

Mr. Gonzales stated that he thinks having the beginning of a strategy/concept for a new shelter is important. Mayor Coleman stated concerns that if they spend \$4, 6, or 8 million on a new shelter, if they would get better results. Mr. Gonzales stated that he thinks that they will spend \$8 to 10 million in the next 10 years and he would like this Council to just take care of it. He stated that some time the City of Pflugerville will have a new animal shelter. Mr. Gonzales suggested a work group of 8 to 10 people. Mr. Marshall explained that as stewards of tax dollars, he would want to look at Chief Hooker's plan for expansion. Mr. Cooper suggested that they include Chief Hooker's information in the group. Mr. Cooper suggested assembling the group and then coming back with a set of options in the next six to eight weeks. Mr. Cooper made a motion to direct staff to work with Mr. Gonzales to appoint a committee to study the animal shelter. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

**11C. 2014-2798**

Discuss and consider action regarding future agenda items.

Mr. Gonzales requested a future item for presentation on the Capital Metro van pool program.

**Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session on items 11D, 11E and 12A. He read the items to be discussed and retired executive session at 8:46 p.m.

**11D. 2014-2785**

1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of

the Texas Government Code, consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning economic development negotiations, and deliberations regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement, a City of Pflugerville Chapter 380 Economic Development Agreement, a PCDC and City of Pflugerville Drainage Maintenance Agreement, and a PCDC Land Purchase Agreement with Cortec Precision Sheet Metal. 2.) Open Session Item: Discuss and consider action to approve a Pflugerville Community Development Corporation (PCDC) Performance Agreement, a City of Pflugerville Chapter 380 Economic Development Agreement, a PCDC and City of Pflugerville Drainage Maintenance Agreement, and a PCDC Land Purchase Agreement with Cortec Precision Sheet Metal.

**Discussion on the item was to take place in executive session. Action on the item was taken later in the meeting in open session.**

**11E. 2014-2804**

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. 2.) Open Session Item: Discuss and consider action regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.

**Discussion on the item was to take place in executive session. Action on the item was taken later in the meeting in open session.**

**11F. 2014-2769**

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding considerations related to the appointment, performance evaluation and duties of City Attorney. 2.) Open Session Item: Discuss and consider action regarding the appointment, performance evaluation and duties of City Attorney.

**There was no discussion on the item. The item was tabled.**

**12. Discuss only**

**12A. 2014-2796**

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. No action was taken on the item.**

**Executive Session Closed**

Mayor Coleman reconvened in open session at 10:40 p.m.

**11D. 2014-2785**

1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code, consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning economic development negotiations, and deliberations regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement, a City of Pflugerville Chapter 380 Economic Development Agreement, a PCDC and City of Pflugerville Drainage Maintenance Agreement, and a PCDC Land Purchase Agreement with Cortec Precision Sheet Metal. 2.) Open Session Item: Discuss and consider action to approve a Pflugerville Community Development Corporation (PCDC) Performance Agreement, a City of Pflugerville Chapter 380 Economic Development Agreement, a PCDC and City of Pflugerville Drainage Maintenance Agreement, and a PCDC Land Purchase Agreement with Cortec Precision Sheet Metal.

**Mr. Cooper made a motion to approve the PCDC Performance Agreement, Chapter 380 Economic Development Agreement, Drainage Maintenance Agreement, and PCDC Land Purchase Agreement with Cortec Precision Sheet Metal. Ms. Sattler seconded the motion. Mr. Hyde asked to include a legal correction to the land purchase agreement. Mr. Cooper indicated agreement with the amendment. Ms. Sattler seconded. All voted in favor. The motion carried.**

**11E. 2014-2804**

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. 2.) Open Session Item: Discuss and consider action regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.

**Mr. Marshall made a motion to approve the resolution regarding possible county unified fire system. Mr. Cooper seconded the motion. Mr. Gonzales asked for discussion on the resolution showing cooperative agreement between the Travis County ESD No. 2 and the City of Pflugerville. Mr. Marshall read Sections 1 through 5 of the resolution. Mayor Coleman called for a vote on the motion. All voted in favor. The motion carried.**

**Mr. Marshall made a motion to approve the second resolution regarding cooperative efforts with the Travis County Emergency Services District No. 2 related to funding emergency services and economic development. He read Sections 1 and 2 of the resolution. Mr. Gonzales provided comments. Mr. Cooper seconded the motion. All voted in favor. The motion carried.**

**13. Adjourn**

**Mr. Cooper made a motion to adjourn. Mr. Marshall seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 10:47 p.m.**

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on March 25, 2014.