



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, March 22, 2016

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 7:08 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña and Mike Heath were in attendance. Councilmember Starlet Sattler was absent. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Karen Thompson, City Secretary; Lauri Gillam, Assistant City Manager; Tom Word, Assistant City Manager; Trey Fletcher, Assistant City Manager; Emily Barron, Planning Director; Dan Franz, City Engineer; Terri Toledo, Public Information Officer; Blake Overmyer, Building Official; Amy Giannini, Development Engineering Director; Amy Good, Finance Director; James Hemenes, Parks Director; James Wills, Public Works Director; Jennifer Coffey, Library Director. Doug Weiss, Vice President of the Pflugerville Community Development Corporation Board of Directors, 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.**

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. [2016-4708](#)

Presentation and video about annual Clean Up Day on April 9, 2016 and the ongoing recycling opportunities at the Pflugerville Recycle Center.

Mr. Wills provided information and answered questions of the City Council. Mayor Coleman indicated the need to get the word out regarding the Recycle Center.

#### 4. Public Comment

Michelle Smith, 1111 Canyon Maple Road, provided a handout and an update on the Pflugerville Animal Shelter. She stated that she is excited to move forward with the expansion of the shelter discussed in December.

Rudy Metayer spoke regarding his concern for the area platted as the Colored Addition in Pflugerville. He stated that the city has stated that the citizens indicated in the past that they wished to keep the name, but this should not be the case in 2016. He stated that he wants to see if we can change it now. Mr. Wade provided information. Mayor Coleman indicated that they would place this as an upcoming agenda item.

#### Reading of the Consent Agenda

Item 7A was removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

#### 5. Approval of Minutes

- 5A. [2016-4755](#) Approval of the minutes of the March 8, 2016 Worksession and Regular Meeting; and March 14, 2016 Quorum.

The minutes were approved on the consent agenda.

#### 6. Ordinances First Reading

- 6A. [ORD-0289](#) Approving an ordinance on first 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 first reading on the consent agenda.

- 6B. [ORD-0291](#) Approving an ordinance on first 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.

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

#### 7. Ordinances Second Reading

- 7B. [ORD-0286](#) Approving an ordinance on second 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 second and final reading on the consent agenda.

## **8. Resolutions**

- 8A. [RES-0307](#) Approving a resolution accepting the Fiscal Year 2015 Audit.

The resolution was approved on the consent agenda.

- 8B. [RES-0309](#) Approving a resolution ratifying the City Manager's cancellation of the 380 economic development agreement between the City of Pflugerville and Pflugerville Crossing, L.P. for Project Sunshine.

The resolution was approved on the consent agenda.

## **9. Other Actions**

- 9A. [2016-4709](#) Authorizing the City Manager to Execute a Public Water and Wastewater Pipeline Easement Agreement with The Highlands Wells Branch, LLC and the City of Pflugerville for a water and wastewater line associated with the Highlands Apartment project.

The item was approved on the consent agenda.

## **Action on the Consent Agenda**

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

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

- 7A. [ORD-0287](#) Approving an ordinance on second 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.

Mayor Coleman read the item to include the caption of the ordinance under consideration. Mr. Heath stated that he wanted to ask Mr. Fletcher how we would prevent this from happening again. Mr. Fletcher explained that this was a retrofit and was not intended by the developer but was a connection that was provided to improve flow. He provided information on the future connections to be made and discussed with the Council. Mr. Heath explained that he would like this to be a lesson learned. Mr. Heath made a motion to approve the ordinance on second reading. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

## **10. Discuss and consider action**

- 10A.** [2016-4763](#) Discuss and consider action to approve a contract with Focused Advocacy for Legislative and Consulting Services and authorizing the City Manager to execute same.

Brandon Aghamalian provided information regarding the services provided by his firm. Mr. Wade spoke regarding the effectiveness of the firm and recommended continuing to use them. Mr. Wade and Mr. Hyde answered questions regarding the agreement and discussion with Council followed. Mr. Peña made a motion to approve the contract. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

- 10B.** [2016-4751](#) Discuss and consider action to utilize the Project Reserve fund for specific projects.

Discussion on the item was continued from the worksession. Mr. Heath asked to table the item. Mayor Coleman recommended using some of the funds to make improvements to the Pflugger Park restrooms. Discussion followed with Mr. Wade and Mr. Hemenes regarding suggested parks projects. Mr. Peña asked that staff come back with the top five projects. Mr. Heath asked that we have the right priorities for the city. Mr. Heath made a motion to table. Mr. Peña seconded the motion. All voted in favor. The motion carried.

- 10C.** [2016-4767](#) Discuss and consider action regarding scheduling appointments and a worksession with a facilitator for strategic planning.

Mr. Wade provided information on a proposal to use Joe Gonzalez of the Management Connection to facilitate a strategic planning process. Following discussion, the City Council indicated to schedule individual appointments on April 21 or April 22, 2016 and to schedule the worksession on May 4, 2016. Mr. Marshall made a motion to move forward and to set these as the dates. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

- 10D.** [2016-4754](#) Discuss and consider action regarding future agenda items.

Mr. Marshall asked for an item to discuss an overlay district for funding downtown improvements. Mayor Coleman indicated the need for an item to discuss changing the name of the Colored Addition. Mr. Heath asked for an

item to review development fees.

## 11. Discuss only

### Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for discussion on items 11A ,11E and 11F. He read the items and retired to executive session. The time was 8:32 p.m.

- 11A. [2016-4756](#) 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.
- 11B. [2016-4757](#) 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.
- 11C. [2016-4758](#) 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.
- There was no discussion on the item.
- 11D. [2016-4759](#) 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.
- 11E. [2016-4764](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding the City Council's obligations to consider and approve programs and expenditures of the Pflugerville Community Development Corporation (PCDC) as provided by Texas Local Government Code § 501.073.
- Discussion on the item took place in executive session.
- 11F. [2016-4760](#) 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 in executive session.

### **Executive Session - Closed**

Mayor Pro Tem Peña reconvened in open session at 11:26 p.m. Mr. Cooper and Mr. Marshall were present. Mayor Coleman and Mr. Heath were absent from the dais.

## **12. Adjourn**

Mr. Cooper made a motion to adjourn. Mr. Marshall seconded the motion. All present voted in favor. The motion carried. The meeting was adjourned at 11:26 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on April 12, 2016.