



# City of Pflugerville

## Minutes - Final

### City Council

---

Tuesday, September 13, 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 7:05 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña and Starlet Sattler were in attendance. Councilmember Mike Heath 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; Emily Barron, Planning Director; Terri Toledo, Public Information Officer; Amy Giannini, Development Engineering Director; Jennifer Coffey, Library Director; Amy Good, Finance Director; James Hemenes, Parks Director; Chuck Hooker, Police Chief.

#### 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. [2016-5142](#) Presentation of statewide and national communications awards.

Ms. Toledo provided information on the awards received from the City County Communications and Marketing Association (3CMA) for the City's "Pflugerville is 50" Special Video and the "Blue Santa is Coming to Town" public service announcement as well as two state awards of excellence from the Texas Association of Municipal Information Officers (TAMIO) for the 2015 Year in Review Booklet and the City's Year in Review video 2015. Ms. Toledo recognized the communications department as well as the police department's participation. Mayor Coleman provided comments.

#### 4. Public Hearing

- 4A. [ORD-0325](#) Conduct the first of two public hearings on an ordinance with the caption reading: TAX LEVY ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS.

Mayor Coleman read the item and opened the public hearing. Ms. Gillam provided information, stating this is the first of the two public hearings and the second will be held on September 20, 2016 at 6:00 p.m. here in the City Council Chambers, 100 East Main Street, Suite 500. She stated that these public hearings are required because the proposed tax rate for fiscal year 2017 of \$0.5399 is higher than the calculated effective rate and will raise more ad valorem tax revenue. She announced that the City Council would take action on the tax rate on September 27, 2016.

Bob Reichenbach, 309 Cottenwood Lane, stated that he would like to be able to afford to stay in Pflugerville during his retirement. He stated that the increases in the appraisals by the Travis Central Appraisal District have been substantial and voiced concerns for seniors on fixed incomes and the higher taxes.

Barbara Woodworth, 809 Windsor Castle Drive, spoke in support of the animal shelter and thanked the Council for moving the Animal Shelter from the Police Department to under an Assistant City Manager.

Mayor Coleman stated that the following people did not wish to speak but asked that he announce for the record their support for the animal shelter becoming its own department:

A.K Brewer  
Kim Waters, Kessler Drive  
Teri Dial, 7920 San Felipe Boulevard  
Mary McKenna, 119 Brooke Street  
Lynn Vaughan, 17215 Village Glen Road

There were no additional requests to speak at the public hearing. Mr. Marshall made a motion to close the public hearing. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

#### 5. Public Comment

Sheri Moose, 1205 Noton Court, indicated concern for the change to the stop signs at 12th and Pfluger. She stated that she would like it to be a 4-way stop.

#### Reading of the Consent Agenda

Ms. Thompson read the items to be considered on the consent agenda.

#### 6. Approval of Minutes

- 6A. [2016-5155](#) Approval of the minutes of the August 15, 2016 Special Meeting and August 23, 2016 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 7. Other Actions

- 7A. [2016-5144](#) Authorizing the City Manager to execute a Sidewalk Easement Agreement with Terrabrook Falcon Pointe, LLC, and the City of Pflugerville for a sidewalk easement associated with the Falcon Pointe Section 17, Lot 3 project.
- The item was approved on the consent agenda.
- 7B. [2016-5148](#) Authorizing the City Manager to execute a Special Warranty Deed accepting the conveyance of real property to the City of Pflugerville, to be dedicated as public right of way, legally described as a 4.814 acre tract of land in the Joseph Wiehl Survey, Abstract 802, Travis County, Texas and being out of the remainder of a called 66-3/16 acre tract described in a deed to Timmerman Farms.
- The item was approved on the consent agenda.
- 7C. [2016-5161](#) Receive report on City Council, Commission, Board and Committee expenditures for August 2016.
- The item was approved on the consent agenda.
- 7D. [2016-5162](#) Authorizing the City Manager to enter into an agreement with Texas Longhorn Aquatics (TXLA) for rental of the Gilleland Creek and Windermere Pools.
- The item was approved on the consent agenda.
- 7E. [2016-5172](#) Authorizing the City Manager to execute public utility and drainage easements between Tack Development, Ltd. and the City of Pflugerville for 0.0542, 0.0871, 0.0812, and 0.6035 acre drainage easements, and 0.1583, 0.3503, and 0.4669 acre public utility easements over, across, and through a 75.30 acre tract of land located in the Taylor S. Barnes Survey, Abstract No. 67 and the William Caldwell Survey, Abstract No. 162, Pflugerville, Travis County, Texas (generally located at the southwest corner of Pecan Street and Sun Light Near Way) for the Helios Way Project.
- The item was approved on the consent agenda.
- 7F. [2016-5173](#) Approving supplemental agreement #2 with Cobb, Fendley & Associates Inc. in the amount of \$118,053 for professional services associated with design, bidding and construction administration for the Weiss Lane Water Transmission Main Phase 1 project and authorizing the City Manager to execute the agreement.
- The item was approved on the consent agenda.

## Action on the Consent Agenda

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

### 8. Discuss and consider action

- 8A.** [RES-0351](#) Discuss and consider action to approve a resolution authorizing the competitive sealed proposal (request for proposal) procurement method for the construction of the Stone Hill Park & Pfluger Park Restroom Project.
- Mr. Hemenes provided information on the item and answered questions of the Council. There was discussion on the item. Mr. Peña made a motion to approve the resolution. Mr. Cooper seconded the motion. All voted in favor. The motion carried.
- 8B.** [2016-5165](#) Discuss and consider action regarding appointing members to the Capital Area Council of Governments (CAPCOG) General Assembly.
- Mayor Coleman recommended the appointment of Mr. Marshall and provided information. Mr. Cooper made a motion to approve the appointment of Brad Marshall. Mr. Peña seconded the motion. All voted in favor. The motion carried.
- 8C.** [2016-5152](#) Discuss and consider action regarding voting in the election for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees.
- There was discussion on the item. No action was taken.
- 8D.** [2016-5156](#) Discuss and consider action regarding future agenda items.
- Mr. Peña requested an item to discuss senior citizen tax exemptions.
- 8E.** [2016-5166](#) 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 an economic development agreement for Project California. 2.) Open Session Item: Discuss and consider action regarding an economic development agreement for Project California.
- Mayor Coleman announced that this economic development agreement with the furniture retailer, Living Spaces would provide their first fulfillment center with retail in Texas. Mr. Fletcher provided information, stating that it would be located at the southwest corner of SH45 and Heatherwilde Boulevard. Mr. Hyde provided information on the terms of the economic development agreement, stating that this would be a sales tax sharing agreement that would provide 50% of the sales tax to Living Spaces for a period of ten years or a total of \$3 million. He stated that Living Spaces would provide a \$40,000,000 investment with a 500,000 square foot fulfillment center and 150,000 square

foot retail store. Mr. Peña made a motion to approve the chapter 380 economic development agreement terms with Living Spaces Furniture L.L.C. and authorize the City Manager to execute the agreement in a form approved by the City Attorney. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

**8F. [RES-0355](#)**

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 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 Project Hastur and any and all agreements concerning the project. 2.) Open Session Item: Discuss and consider action on a Resolution directing the City Attorney to prepare an economic development agreement for Project Hastur to include certain terms to incentivize and promote the commercial economic development on property located within City of Pflugerville Reinvestment Zone Number One (Falcon Pointe TIRZ) boundaries and authorizing the City Manager to execute the agreement, subject to the approval of the agreement as to form by the City Attorney.

There was no discussion on the item.

**9. Discuss only**

**9A. [2016-5157](#)**

Discussion regarding the fiscal year 2017 budget and associated property tax rate.

Discussion on the item took place at the worksession.

**9B. [2016-5158](#)**

Discussion regarding the draft strategic plan.

There was no discussion on the item.

**9C. [2016-5153](#)**

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.

**Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session for possible discussion on items 9D, 9E and 9F. He read the items and retired to executive session. The time was 7:48 p.m.

- 9D.**    [2016-5154](#)    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.**
- 9E.**    [2016-5159](#)    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.**
- 9F.**    [2016-5160](#)    1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Attorney.
- Discussion on the item took place in executive session.**

### **Executive Session- Closed**

Mayor Coleman reconvened in open session at 10:13 p.m.

### **10. Adjourn**

Mr. Cooper made a motion to adjourn. Ms. Sattler seconded the motion. The vote was: Mr. Cooper-no; Mr. Marshall-yes; Mr. Peña- no; Ms. Sattler-yes. Mayor Coleman voted to break the tie. He voted yes. The motion carried. The meeting was adjourned at 10:13 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on September 27, 2016.