



City of Pflugerville

Minutes - Final

City Council

Tuesday, March 28, 2017

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:01 p.m. Councilmembers Jeff Marsh, Omar Peña and Mike Heath were in attendance. Councilmembers Doug Weiss and Starlet Sattler were 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; Amy Good, Finance Director; Amy Giannini, City Engineer; Jennifer Coffey, Library Director; Emily Barron, Planning Director; Wayne Granger, Field Operations Superintendent; Cynthia Pierce, Development Engineering Director; Rose Cobb, Marketing Specialist; Daniel Berra, Assistant Library Director; Patricia Davis, Engineer; Jessica Robledo, Police Chief; Jim McLean, Assistant Police Chief. 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.

Mayor Gonzales 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 Gonzales led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

3. Presentations

3A. [2017-5702](#)

Presentation of the Texas Municipal Library Director Association Library of Excellence Award and an award from the National Wildlife Federation for Certified Wildlife Habitat to the Pflugerville Public Library.

Mayor Gonzales provided information on the awards and presented the awards to Library Board member Debbie Bronson and Library employees Jennifer Coffey, Peter Shugart, Kim Vo, Daniel Berra and Bette McDowell.

- 3B. [2017-5687](#) Presentation encouraging participation in the Pflugerville Citizens Police Academy.
- The item was postponed. There was no presentation or discussion on the item.
- 3C. [2017-5703](#) Presentation of the new Pflugerville Police Department badge, mission and vision.
- Chief Robledo presented on the item. Mr. Wade and Mayor Pro Tem Peña provided comments on the satisfaction of the officers with the current mission, vision and leadership. Mr. Gonzales provided comments on last week's police awards ceremony.
4. **Public Comment**
- There were no requests to speak under public comment.

Reading of the Consent Agenda

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

5. Approval of Minutes

- 5A. [2017-5694](#) Approval of the minutes of the March 11, 2017 Worksession; and March 14, 2017 Worksession and Regular Meeting.
- The minutes were approved on the consent agenda.

6. Ordinances Second Reading

- 6A. [ORD-0342](#) Approving an ordinance on second reading with the caption: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, FIVE TRACTS OF LAND TOTALING 170.63 ACRES SITUATED IN THE E. KIRKLAND SURVEY NO. 7, ABSTRACT NO. 458, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; GENERALLY LOCATED ALONG E. PFLUGERVILLE PARKWAY SOUTH OF LAKE PFLUGERVILLE, EAST OF N. SH 130, WEST OF WEISS LANE, AND NORTH OF E. PECAN STREET; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION (A); BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (ANX1701-01)
- The ordinance was approved on second and final reading on the consent agenda.

- 6B. [ORD-0344](#) Approving an ordinance on second reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2017
BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN
EFFECTIVE DATE.

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

7. Other Actions

- 7A. [2017-5677](#) Authorizing the City Manager to Execute a Public Drainage Easement Agreement with Bastrop Investment Group, LP and the City of Pflugerville for a public drainage easement associated with the Paradise Cove project.

The item was approved on the consent agenda.

- 7B. [2017-5707](#) Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Norman Weiss and Virginia Weiss 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.

- 7C. [2017-5711](#) Authorize the City Manager to execute a contract for contractual mowing services for drainage ways with De Angelo Brothers LLC, the lowest responsive bidder of two (2) bids received on February 16, 2017, in the amount of \$55,051.92.

The item was approved on the consent agenda.

Action on the Consent Agenda

Mayor Gonzales made a motion to approve the consent agenda. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

8. Discuss and consider action

- 8A. [2017-5690](#) Discuss and consider approval of an agreement with Freese and Nichols, Inc. for phase 1 professional engineering services associated with pre-design development, TPDES permitting assistance and topographical surveying in the amount of \$375,806 for the expansion at the Central Wastewater Treatment Plant Upgrade Project.

Mr. Word provided information on the need to prepare for expansion of the current wastewater treatment plant. He stated that the City would need to complete the construction in the next few years. He stated that this is for the first phase of professional services for preliminary design development and permitting. He stated that staff recommends approval. Mr. Word explained that this expansion would take the wastewater treatment plant from 5.3 MGD to

9.0 MGD. He stated that this is anticipated to provide enough service for the city for another 15 years, when an additional plant will need to be established. He stated that the plant expansion cost is estimated at \$30 million. Mr. Word answered questions and discussion followed. Mayor Pro Tem Peña made a motion to approve item 8A as presented. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

8B. [2017-5691](#)

Discuss and consider action to award a construction contract for the Sorento Wastewater Interceptor project to Whitestone Civil Construction, LLC, the lowest responsible bidder of nine (9) bids received on March 16, 2017, in the amount of \$1,880,999.50 and authorizing the City Manager to execute same.

Ms. Giannini provided information. She stated that staff recommends awarding the construction contract for the Sorento Wastewater Interceptor project to the lowest responsible bidder, Whitestone Civil Construction, LLC, in the amount of \$1,880,999.50 to include the base bid and bid alternate No. 1. **Ms. Giannini answered questions of Council.** Mr. Heath made a motion to approve item 8B as presented. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

8C. [2017-5701](#)

Discuss and consider action to award a construction contract for the Rowe Lane Safety Improvement Project to Cox Commercial Construction, LLC, the lowest responsible bidder of seven (7) bids received on March 9, 2017, in the amount of \$1,896,891.30 and authorizing the City Manager to execute same.

Ms. Giannini provided information. She stated that staff recommends awarding the construction contract for the Rowe Lane Safety Improvement project to the lowest responsible bidder, Cox Commercial Construction, LLC, in the amount of \$1,896,891.30. **Ms. Giannini answered questions of the Council.** Mayor Pro Tem Peña made a motion to approve item 8C as presented. Mr. Heath seconded the motion. All voted in favor. The motion carried.

8D. [2017-5697](#)

Discuss and consider authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Robert F. Prater and Janet Prater and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Roadway Project.

Ms. Giannini provided information. She recommended approval. **Mr. Marsh made a motion to approve item 8D as presented.** Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

8E. [2017-5710](#)

Discuss and consider action regarding future agenda items.

Mr. Heath stated he would like to have this item on all future agendas. Mr. Heath asked for future items for a couple of ordinances for council policies. **Mr. Marsh asked for an item regarding the council reimbursement policy.** Mr. Heath stated he would like an item regarding the corridor overlay for SH130 and SH45. **Mr. Heath asked for a brief update on the progress of the Finance and Budget Committee.** Mr. Marsh, Finance and Budget Committee member, was in agreement with the request for the item.

Executive Session

Mayor Gonzales announced that the City Council was retiring to executive session for discussion on items 8F and 8G. He read the items and retired to executive session.

- 8F.** [2017-5698](#) 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 related to a performance agreement with Project Edesia and the Pflugerville Community Development Corporation (PCDC). 2.) Open Session Item: Discuss and consider action to approve a performance agreement with Project Edesia and the Pflugerville Community Development Corporation (PCDC).

Discussion on the item took place in executive session.

- 8G.** [2017-5700](#) 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 related to a performance agreement with Project Casa and the Pflugerville Community Development Corporation (PCDC). 2.) Open Session Item: Discuss and consider action to approve a performance agreement with Project Casa and the Pflugerville Community Development Corporation (PCDC).

Discussion on the item took place in executive session.

Executive Session

Mayor Gonzales reconvened in open session at 8:05 p.m.

- 8F.** [2017-5698](#) 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 related to a performance agreement with Project Edesia and the Pflugerville Community Development Corporation (PCDC). 2.) Open Session Item: Discuss and consider action to approve a performance agreement with Project Edesia and the Pflugerville Community Development Corporation (PCDC).

Mayor Gonzales stated that they reviewed information in executive session.

Mr. Marsh made a motion to approve 8F as read. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

8G. [2017-5700](#)

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 related to a performance agreement with Project Casa and the Pflugerville Community Development Corporation (PCDC). 2.) Open Session Item: Discuss and consider action to approve a performance agreement with Project Casa and the Pflugerville Community Development Corporation (PCDC).

Mayor Gonzales made a motion to approve 8G as read. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

9. Discuss only

9A. [2017-5670](#)

Discussion regarding update on progress of the downtown plan.
(Requested by: Councilmember Jeff Marsh)

There was no discussion on the item at the regular meeting. Discussion on the item took place during the earlier worksession. The item was to be discussed again at the April 22, 2017 worksession.

9B. [2017-5695](#)

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.

There was no discussion on the item at the regular meeting. Discussion on the item took place in executive session during the earlier worksession.

9C. [2017-5696](#)

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 at the regular meeting. Discussion on the item took place in executive session during the earlier worksession.

10. Adjourn

Mayor Gonzales made a motion to adjourn. Mr. Heath left the dais and then returned to the dais and seconded the motion. There was confusion among the Councilmembers concerning whether or not the meeting was adjourned. No vote was taken. Councilmembers left the dais and a quorum was lost. The meeting was therefore adjourned at 8:09 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on April 11, 2017.