



City of Pflugerville

Minutes - Final - Draft

City Council

Tuesday, June 13, 2017

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:02 p.m. Councilmembers Doug Weiss, Jeff Marsh, Omar Peña and Mike Heath were in attendance. Councilmember Starlet Sattler was absent. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Lauri Gillam, Assistant City Manager; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Trey Fletcher, Assistant City Manager; Rhonda McLendon, Animal Shelter Manager; Jessica Robledo, Police Chief; Jason Smith, Police Commander; Amy Good, Finance Director; Emily Barron, Planning Director; Jennifer Coffey, Library Director; Amy Giannini, City Engineer; Cindy Pierce, Development Engineering Director; Chad Wood, Senior Transportation Engineer; David Bunch, Chief Information Officer.

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

3B. [2017-5929](#)

Presentation of a donation from the Pfirst Lady's Guild and Pfun Ladies of Pflugerville to the Pflugerville Animal Welfare Services.

Ms. Carla Gonzales provided information on the garage sale fundraiser and thanked the participants and sponsors. Ms. Dorothy Lee, Ms. Shamrock Holak, Ms. Norma Jean Wise, and Ms. Gonzales presented a check in the amount of

\$2864.10 to Teri Dail, Friends of the Pflugerville Animal Shelter.

3C. [2017-5858](#)

Presentation on the Summer Music in the Park Concert Series.

Ms. Toledo provided information and a video on this year's Summer Music in the Park Series.

3A. [2017-5917](#)

Appreciation presentation to Mr. Sahaj Shah for service to the City as the student member of the City of Pflugerville Parks and Recreation Commission from June 2016 to May 2017.

Mayor Gonzales thanked Mr. Shah for his service and presented a certificate of appreciation and small gift to Mr. Shah.

4. Public Comment

Members of the public are expected to provide comment regarding the sale of the Blackhawk Golf Course.

Mayor Gonzales read names of people that did not wish to speak but wished to indicate their support or opposition to the City assisting in saving the Blackhawk Golf Course or purchasing the Blackhawk Golf Course.

The following people spoke in support of the City assisting in saving the Blackhawk Golf Course or purchasing the Blackhawk Golf Course:

Fred Strelzolf, 19712 Diablo Dr., stated they had an opportunity to differentiate Pflugerville by adding the golf course and that it's a great opportunity with a small investment.

Christie Smith, 19609 Vilamoura St., stated that she is in support of preserving the golf course and that it offers a lot to the community to all levels of golfers, a health benefit, and benefit to Pflugerville schools.

Donna McKay, 19105 Sotogrande Dr., stated that we should preserve the golf course because it is a piece of history and a treasure to many.

Kathy Tomasino, 2516 Amen Corner Rd., stated that she specifically moved here for the golf course and that one person's amenity should not diminish another person's amenity.

Rob Tomasino, 2516 Amen Corner Rd., stated that the golf course is too much of a working feature of our community to let it go.

Michelle Sheehan, 2625 Amen Corner, stated the removal golf course will have effects in the real estate business.

Matt Rueter, 2517 Amen Corner, stated that Blackhawk golf course could be something Pflugerville residents could be proud of and that golf is something that can be enjoyed for a lifetime.

Casey Hollan, 2421 Amen Corner Rd., stated that this is a working man's golf course and that this golf course is an affordable amenity.

Dale McKay, 19105 Sotogrande, stated that the Blackhawk golf course is a central part of the character of Pflugerville and losing it would have an impact on the quality of life.

Barbara H. Masi, 19220 Sea Island Dr., stated that her concern is flooding and it will get worse if more homes are added and that the golf course is used by her kids' golf high school team also.

Steve Dyer, 2504 Amen Corner, stated that there will be a decrease in the quality of people if the golf course is removed.

Gay Holub, 5101 Gate Dancer, stated that Hendrickson's home field is the Blackhawk golf course and that practice times are after school and traveling to another course would take more time.

Chris Masi, 2106 Bethesda Court, stated that property values will decline and that the golf course is the anchor that propelled the growth in Pflugerville.

Daryl Krause, 19408 Vilamoura St., stated that the Council should consider the golf course for a municipal course or a public-private venture.

Andrew T. Crain, 19016 Wandering Vine Cove, stated that the Council should consider the course evaluation by the action committee, purchasing the land, the cost of improvements, and locating a buyer/management company.

Lee Janicer, 2301 Dunes Dr., stated that Blackhawk golf course is an important part of our neighborhood and has been for 30 years and that builders advertise Blackhawk as an amenity.

Tony Marshall, 2624 Amen Corner, stated that Blackhawk was where he and his wife kept coming back when looking for a home because of the golf course.

Mayor Gonzales read additional names of people that did not wish to speak but wished to indicate their support or opposition to the City assisting in saving the Blackhawk Golf Course or purchasing the Blackhawk Golf Course.

Mayor Gonzales stated that the item is only under the public comment this evening, but that he thinks an upcoming item is possible. Mr. Heath stated that it may not be included on the next Council meeting, as staff will need time to research. Mr. Weiss stated that comments were made by several speakers regarding the importance of the golf course to the high school golf team. He stated that the Council Chambers has not been this full in years. He asked the group to fill the school board meeting.

James Van Bibber, 19608 Vilamoura St., stated that he believes that the City's purchase of the golf course could assist the City with road expansion efforts. He asked Council to allow the citizens to buy it back or to have a say.

Mayor Pro Tem Peña stated that the item needs a bigger discussion and they should wait until the future agenda item.

Daryl Krause, 19408 Vilamoura St., stated that he thinks the urgency would dictate that the item be on next month's agenda.

The following people did not wish to speak but asked that the Mayor indicate their support for the City assisting in saving the Blackhawk Golf Course or purchasing the Blackhawk Golf Course.:

Abel Acosta, 2932 Cajuales
Jennifer Acosta, 2932 Cajuales
Thomas Ankor, 2725 Butler National Dr.
Tony Asante, 19408 Sea Island Dr.
Zanderland Asante, 19408 Sea Island Dr.
Thomas Barker, 19908 Kennemer Dr.
Harold Biesemeier, 2405 Amen Corner Rd.
Mary Biesemeier, 2405 Amen Corner Rd.
Jean-Jacques Bouillet, 19540 Vilamoura St.
Carston Buehler, 19505 Sea Island Dr.
Anthony Burnam, 2304 Amen Corner Rd.
Tonette Burnam, 2304 Amen Corner Rd.
Alan Caswell, 19544 Diablo Dr.
Tammy Cheps, 2617 Butler National Dr.
Thomas Citeski, 2520 Amen Corner Rd.
Larissa Clark, 19711 Kennemer Dr.
Robert Corwin, 2521 Amen Corner Rd
Jeff Cox, 19217 Sea Island Dr.
Travis Jeffrey Davis, 2616 Amen Corner
Alexandria Dias, 2716 Amen Corner Rd.
Edward Diaz, 2912 Cajuales Dr
Jan Endahl, 2501 Butler National Dr.
Anita Evans, 19108 Sotogrande
Linda Ewan, 19809 Diablo Dr.
Robert Ewan, 19809 Diablo Dr.
Robert Gaston, 19212 Sea Island
Donn German, 19417 Sea Island Dr.
Dortha German, 19417 Sea Island Dr.
Alex Gerstenhaber, 2713 Amen Corner Rd
Gary Gerstenhaber, 2713 Amen Corner Rd
William Gilbert, 19532 Sea Island Dr.
April Griffin, 2800 Summit Heights
Priscilla Hammer, 2501 Butler National
Ted Haracz, 19820 Vilamoura
Dan Ivicio, 19404 Diablo Dr.
Maria Ivicio, 19404 Diablo Dr.
Jean Jones, 19408 Diablo Dr.
James Jorgensen, 3012 Cajuales Dr.
Joyce Jorgensen, 3012 Cajuales Dr.
Javier Juarez, 19400 Vilamoura Street
Javier Juarez, 1402 Petunia Lane
Shannon Juarez, 19400 Vilamoura St.
Thelma Juarez, 1402 Petunia Lane
Eddie Jungman, 2701 Dunes
Darlene Jungman, 2701 Dunes
Shvet Kapoor, 21308 Hines Ln,
Ambres Kearney, 19205 Sotogrande Dr.
Catherine Kearney, 19205 Sotogrande Dr.
Rex King, 2313 Amen Corner
Doug Klentzman, 19413 Sea Island Dr.
Pat Klentzman, 19413 Sea Island Dr.

Mark Klonower, 19217 Luedtke Ln.
Glenn Krager, 19209 Sotogrande Dr.
Sue Krager, 19209 Sotogrande Dr.
Gunar Lanzasch, 19836 Vilamoura Street
Michael Lasch, 19313 Kennemer Dr.
Chia-Hui Lin, 19505 Sea Island Dr.
Xiu Liu, 19836 Vilamoura St.
Kathryn Lott, 19305 Sotogrande Dr.
Suzanne Marek, 2401 Butler National Dr.
Donald Marshall, 19208 Sea Island Dr.
Marildeva Marshall, 2624 Amen Corner
James Mayes, 19504 Sea Island Dr.
Tanya Mayes, 19504 Sea Island Dr.
John Messer, 19517 Sea Island Dr.
James Mickelson, 20005 Crane Creek Loop
Harriet Mikus, 19205 Ganton Crt.
Jerry J. Mikus Jr., 19205 Ganton Court
Erin Moran, 2111 Terradyne Dr.
Jeff Moran, 2111 Terradyne Dr.
Hilson Mota, 19204 Sea Island
Bernard Moulton, 2513 Amen Corner Rd
Idolina Munoz-Brashu, 19824 Moorlyneh
Holly Nance, 19208 Sotogrande
Larry Nance, 19208 Sotogrande
Jeff Nelson, 3109 Honey Peach Way
Dennis Pellegrini, 19101 Sotogrande Dr.
Jennifer Pellegrini, 19101 Sotogrande Dr.
Jo Pennington, 2616 Amen Corner
Barbara Petite, 19221 Sotogrande Dr.
David A. Pettit, 20508 Raptor Roost Road
Robin Pettit, 20508 Raptor Roost Rd.
David Plaisance, 2800 Diablo Ct.
Mary Plaisance, 2800 Diablo Ct.
T. Max Pols, 2501 Amen Corner Rd.
Susan Pruett, 2617 Butler National Dr.
Gwendolyn Pyle, 21020 Abigail Way
Walter Pyle, 21020 Abigail Way
Christien A. Rawlins, 19404 Sea Island Dr.
Paget Rawlins, 19404 Sea Island Dr.
Karen Reyna, 2404 Linville Ridge Ln
Michael Reyna, 2404 Linville Ridge Ln
Lina Rivas, 19709 Diablo Drive
Henry Scott, 2708 Dunes Drive
Brenda Seidenberger, 2613 Amen Corner Rd
Mark A. Seidenberger, 2613 Amen Corner
Bob Sheehan
Trisha Slack, 2205 Bethesda Ct.
David Smith, 2936 Cajuales Dr.
David Smith, 19433 Sea Island Dr.
Vellie Smith, 2936 Cajuales Dr.
Richard Tarbox, 2601 Amen Corner
Terri Tarbox, 2601 Amen Corner Rd.
Buddy Tune, 19424 Sea Island Dr.
Debbie Tune, 19424 Sea Island Dr.

Rich Runner, 19209 Sea Island Dr.
Peter Tweed, 2509 Amen Corner Rd.
Diane Watson, 19600 Vilamoura St.
Bobbie Westfield, 2520 Dunes Dr.
Flanniqar Westfield, 2520 Dunes Dr.
Chris Wood, 20204 Grand Banks Ln.
Kevin Word, 2417 Amen Corner Rd.
Jue Yi, 19612 Diablo Dr.
June Zivley, 19113 Sotogrande Dr.

The following people did not wish to speak but asked that the Mayor indicate their opposition to the City assisting in saving the Blackhawk Golf Course/purchasing the Blackhawk Golf Course.
Christopher Falco, Canyon Sage Ln.

Mayor Gonzales called for a break at 8:11 p.m. He resumed the meeting at 8:21 p.m.

Mayor Gonzales stated the following two people had provided written public comment regarding downtown development:
Johnathan Leistiko, 300 Milton Cove, noted that economic vs. entertainment development is a false dichotomy and it could be possible to do both.

Desiree Lynne Ward, 300 Milton Cove, stated that she is in favor of a downtown that fosters community and that she would like to see community theater, arts and locally-owned businesses.

Reading of the Consent Agenda

Items 7A, 7B and 8A were removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

5. Approval of Minutes

- 5A. [2017-5892](#) Approval of the minutes of the May 23, 2017 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

6. Ordinances Second Reading

- 6A. [ORD-0353](#) Approving an ordinance on second reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF
PFLUGERVILLE, TEXAS, AS AMENDED, BY REZONING
APPROXIMATELY A 1.79-ACRE LOT, LEGALLY DESCRIBED AS
LOT 40A BLOCK P CAMBRIDGE HEIGHTS COMMERCIAL
SUBDIVISION REVISED PLAT LOT 40 BLOCK P IN
PFLUGERVILLE, TRAVIS COUNTY, TEXAS, GENERALLY
LOCATED AT THE SOUTHWEST CORNER OF WEST
PFLUGERVILLE PARKWAY AND GRAND AVENUE PARKWAY
FROM AGRICULTURE/CONSERVATION (A) TO GENERAL

BUSINESS 1 (GB1) ZONING DISTRICT; TO BE KNOWN AS THE CVS AT GRAND AVENUE REZONING (REZ1703-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

6B. [ORD-0355](#)

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 ADOPTING A CITY COUNCIL CITY CHARTER REMOVAL HEARING PROCESS AS TITLE I, CHAPTER 12, SECTION 12.01 THROUGH 12.04 TITLED CITY CHARTER REMOVAL HEARING PROCESS; PROVIDING A CUMULATIVE CLAUSE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT WITH THE AMENDED SECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

6C. [ORD-0356](#)

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 III ENTITLED ADMINISTRATION, BY AMENDING CHAPTER 30 ENTITLED CITY OFFICIALS, BY ADDING SECTION 30.20, ET. SEQ. ENTITLED ACTING CITY MANAGER; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING NO PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

8. Other Actions

8B. [2017-5911](#)

Authorizing the City Manager to execute a Special Warranty Deed accepting the conveyance of real property from Kelly Lane Water Control and Improvement District No. 2 to the City of Pflugerville, to be dedicated as public right of way, legally described as 0.1775 of one acre or 7,731 square feet of land more or less, out of the Edward Flint Survey No. 11, Abstract No. 277, and the James P. Kempe Survey No. 12, Abstract No. 462, Travis County, Texas, and being out of that tract described as a portion of 190.47 acres in a deed to KM Avalon LTD of Record in Document No. 2005118418, Official Public Records, Travis County, Texas, and Being Described as that 29.76 Acre Save and Except (Exhibit A-1), of Record in Document No. 2011109413, Official

Public Records, Travis County, Texas.

The item was approved on the consent agenda.

- 8C.** [2017-5914](#) Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Diaper Full of Love, LLC 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.

- 8D.** [2017-5916](#) Approving a Private Lift Station and Force Main Maintenance, Restrictive Covenant and Easement Agreement regarding Living Spaces Subdivision and authorizing the City Manager to execute the agreement.

The item was approved on the consent agenda.

- 8E.** [2017-5924](#) Approving the Mayor's appointment of Mr. Larry Douglas to the Personnel Appeal Board for a term ending December 31, 2019.

The item was approved on the consent agenda.

- 8F.** [2017-5925](#) Approving the appointment of Ms. Jayden Alexis Black as student member of the Parks and Recreation Commission for a term ending May 31, 2018.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

7. Resolutions - Removed from the Consent Agenda

- 7A.** [RES-0426](#) Approving a resolution with the caption reading: a RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS ("CITY"), APPROVING A CHANGE IN THE RATES OF ATMOS ENERGY CORPORATION, MID-TEX DIVISION ("ATMOS") AS A RESULT OF A SETTLEMENT BETWEEN ATMOS AND THE ATMOS TEXAS MUNICIPALITIES ("ATM") UNDER THE RATE REVIEW MECHANISM; FINDING THE RATES SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THE RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

Ms. Gillam provided information and answered questions of the Council. Mr. Hyde answered questions and provided additional information on the rate making process. Ms. Gillam explained that it is the coalition's goal to lower

Atmos' rate of equity for upcoming rate proceedings. She stated that the group will be beginning to work on that immediately. Council inquired if they could table the item to get the coalition attorney to attend and provide information. There was continued discussion.

Mr. Randy Hartford, Atmos Energy Manager of Public Affairs, provided information, stating that Atmos' main focus is safety and state and federal guidelines require replacement of aged pipelines and infrastructure. He spoke to their investment in the replacement program and provided information on the process and negotiated settlement with the Atmos Cities. Ms. Gillam noted that in this negotiation process, there is no cost to the citizens, but if the settlement is denied and goes to the Railroad Commission, the cost of the proceedings is passed on to the ratepayers. There was continued discussion. It was noted that if not adopted, the rates initially requested would go into effect until the appeal is complete at the Railroad Commission and that the rates could end up higher than the negotiated rate. Mr. Marsh made a motion to approve the resolution as presented. Mayor Gonzales seconded the motion. The vote was: Mr. Weiss-no, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Heath-yes; Mayor Gonzales-yes. The motion carried.

7B. [RES-0430](#)

Approving a resolution amending the composition of the Finance and Budget Committee by adding a citizen member and appointing Ms. Meredith Quick as a citizen member for a term ending December 31, 2018. (Requested by Councilmember Jeff Marsh)

Mr. Marsh recommended approval. Mr. Heath made a motion to approve the resolution as presented. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

Other Actions - Removed from the Consent Agenda

8A. [2017-5910](#)

Approving an Interlocal Cooperation Agreement between the City of Pflugerville, Texas and Travis County Emergency Services District (ESD) No. 2.

Mr. Wade provided information, stating that this agreement would allow him to provide an economic development update in the ESD's executive session and to see if they are interested in participation. Mr. Heath stated that he appreciates the assistance and cooperation of the ESD. Mr. Heath made a motion to approve the item as presented. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

9. Discuss and consider action

9A. [2017-5912](#)

Discuss and consider action to award a construction contract for the Traffic Signals and Intersection Improvements at Grand Avenue Parkway and Black Locust and Heatherwilde Blvd. and Cheyenne Valley Dr. project to Austin Traffic Signal Construction Company, Inc., the lowest responsible bidder of two (2) bids received on June 2, 2017, in the amount of \$452,106.25 and authorizing the City Manager to execute same.

Ms. Giannini provided information and recommended approval of the item. She answered Council questions. Mr. Heath stated that the cost seems high. Mr. Wood provided information, stating that the costs are right down the middle when comparing to other similar bids in the region recently. Mr. Wood and Ms. Giannini answered additional questions. Mr. Weiss made a motion to approve the item as presented. Mr. Heath seconded the motion. All voted in favor. The motion carried.

9B. [RES-0427](#)

Discuss annexation (Requested by Mayor Pro Tem Omar Peña) and discuss and consider action to approve a resolution adopting the 3-Year Annexation Plan.

Mayor Gonzales opened items 9B and 9C to be considered simulataneously. Mayor Pro Tem Peña explained that he requested the item to discuss annexation in case there was the opportunity to take immediate action to look at annexations prior to the September timeframe to get ahead of any legislation. Mr. Hyde provided information stating that the Legislature has identified annexation for the special session. Mr. Wade stated that staff also has an annexation plan for consideration as well as MUD consent policies. Ms. Barron provided information on the annexation plan and MUD policies.

Rob Tiemann, Blackhawk Developer, stated his son Matt Tiemann is also in attendance. Mr. Tiemann provided information on his vision to make Pflugerville the greatest city and for Blackhawk to be the best area in the city. He stated that he thinks that he has raised the development standards in Pflugerville and explained that he needed the districts in order to discount the lots in order to address the affordability issue. He spoke regarding his contributions to the City's purchase of the Kelly Lane wastewater system, the redevelopment of the defunct mobile home park, and to Hidden Lakes and Lake Pflugerville. He stated that he is currently working on the "S" curve at Hodde Lane with the school district. He stated going forward Pflugerville has a transportation problem and he has come up with a plan that the districts could provide 10 cents property tax revenue to the funding. He stated that there is also a need for executive housing and he is a pioneer in trying to get the standards up. He asked that the resolution be tabled to get more input. He stated that he would like to leave the tools on the table to work toward solutions. He stated that he will get the other developers to try to put the 10 cents in for transportation planning.

Mr. Weiss stated that he appreciates what Mr. Tiemann has done for Pflugerville, but that the Council is not trying to take the tools off of the table. Mr. Hyde noted that the resolution allows the Council to make any considerations. Mr. Wade provided information regarding the City's ETJ and concerns for sprawl. There was continued Council discussion with Ms. Barron. Ms. Giannini provided information on the City's wastewater master plan. She stated that they would be starting update of the water and wastewater master plans in the upcoming fiscal year. Mr. Heath asked to include a transportation plan update. Ms. Giannini stated that it would need funding, but could be done.

Separate action was taken on the resolutions under items 9B and 9C. Mayor Pro Tem made a motion to approve the resolution adopting the 3-year annexation plan. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-no, Mayor Pro Tem Peña-yes, Mr. Heath-no, Mayor

Gonzales-yes. The motion carried.

Mr. Marsh made a motion to table item 9C to discuss further with the developers and to evaluate the pros and cons and provide additional information. Mr. Weiss seconded the motion. All voted in favor. The motion carried. Mr. Weiss and Mr. Heath indicated that they would like to participate in the discussions with the developers. Mr. Heath stated that he would like to discuss the 10 cent transportation fee suggested by Mr. Tiemann.

9C. [RES-0429](#)

Discuss and consider action to approve a resolution adopting municipal utility district creation consent policies.

Mayor Gonzales opened items 9B and 9C to be considered simultaneously. Mayor Pro Tem Peña explained that he requested the item to discuss annexation in case there was the opportunity to take immediate action to look at annexations prior to the September timeframe to get ahead of any legislation. Mr. Hyde provided information stating that the Legislature has identified annexation for the special session. Mr. Wade stated that staff also has an annexation plan for consideration as well as MUD consent policies. Ms. Barron provided information on the annexation plan and MUD policies.

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Separate action was taken on the resolutions under items 9B and 9C. Mayor Pro Tem made a motion to approve the resolution adopting the 3-year annexation plan. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-no, Mayor Pro Tem Peña-yes, Mr. Heath-no, Mayor Gonzales-yes. The motion carried.

Mr. Marsh made a motion to table item 9C to discuss further with the developers and to evaluate the pros and cons and provide additional information. Mr. Weiss seconded the motion. All voted in favor. The motion carried. Mr. Weiss and Mr. Heath indicated that they would like to participate in the discussions with the developers. Mr. Heath stated that he would like to discuss the 10 cent transportation fee suggested by Mr. Tiemann.

9D. [2017-5923](#)

Discuss and consider action regarding future agenda items.

Mayor Pro Tem Peña stated that he would like to hear from Mike Ussery, owner of the Blackhawk Golf Course.

Mr. Marsh stated that he has heard from people that would like to be included on the downtown subcommittee.

Mr. Marsh stated he would like to discuss the curfew ordinance and crime statistics.

Mr. Heath stated he would like to discuss update of the transportation plan and traffic impact fees.

10. Discuss only

10A. [2017-5778](#)

Discuss animal shelter update. (Requested by: Mayor Pro Tem Omar Peña)

The item was addressed at the earlier worksession. There was no discussion on the item at the regular meeting.

10B. [2017-5918](#)

Discuss a curfew ordinance. (Requested by Mayor Pro Tem Omar Peña)

The item was addressed at the earlier worksession. There was no discussion on the item at the regular meeting.

10C. [2017-5919](#)

Discuss a distracted driving ordinance. (Requested by Mayor Pro Tem Omar Peña)

The item was addressed at the earlier worksession. There was no discussion on the item at the regular meeting.

10D. [2017-5921](#)

Discuss the Police Department Budget. (Requested by Mayor Pro Tem Omar Peña)

The item was addressed at the earlier worksession. There was no discussion on the item at the regular meeting.

Executive Session

Mayor Gonzales announced that the City Council was retiring to executive session for discussion on items 10E, 10F, 10G and 10H. He read the items and retired to executive session. The time was 9:39 p.m.

- 10E.** [2017-5926](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Local Government Code regarding the preparation of executive session minutes in accordance with the Texas Open Meetings Act and to seek advice regarding interpreting existing terms and development of possible amendment(s) to the City Manager's contract. 2.) Open Session Item: Discuss roles, responsibilities and performance of the City Manager. (Requested by Councilmember Mike Heath)
- Discussion on the item took place in executive session. Additional discussion took place in open session later in the meeting.**
- 10F.** [2017-5928](#) 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 described as a 0.2629 AC of LOT 1 BLK C FAIRWAYS OF BLACKHAWK PHS V-A & ABS 328 SUR 17 GOLDEN P and ABS 55 SUR 16 BECKHAM J ACR 157.6241.
- Discussion on the item took place in executive session.**
- 10G.** [2017-5876](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding public improvement districts.
- Discussion on the item took place in executive session.**
- 10H.** [2017-5922](#) 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 regarding:
1. Project Sydney.
- Discussion on the item took place in executive session.**

Executive Session - Closed

Mayor Gonzales reconvened in open session at 11:42 p.m. No action was taken.

- 10F.** [2017-5926](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Local Government Code regarding the preparation of executive session minutes in accordance with the Texas Open Meetings Act and to seek advice regarding interpreting existing terms and development of possible amendment(s) to the City Manager's contract. 2.) Open Session Item: Discuss roles, responsibilities and performance of the City Manager. (Requested by Councilmember Mike Heath)

The Council and Mr. Wade discussed the provision in his employment contract concerning the city vehicle. Mayor Gonzales asked Mr. Wade to place an item on a future agenda if he would like to further discuss.

11. Adjourn

Mayor Gonzales made a motion to adjourn. Mr. Heath seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 11:52 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on June 27, 2017.