



# City of Pflugerville

## Minutes - Final - Draft

### City Council

---

Tuesday, April 24, 2018

7:00 PM

100 East Main Street, Suite 500

---

#### Regular Meeting

The City Council is scheduled to hold a Worksession starting at 5:00 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 meeting to order at 7:00 p.m. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Mike Heath, Rudy Metayer and Jim McDonald were in attendance. City employees attending: Trey Fletcher, Interim City Manager; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Lauri Gillam, Assistant City Manager; Jennifer Coffey, Library Director; James Hemenes, Parks Director; Chad Wood, Senior Transportation Engineer; Emily Barron, Planning Director; Amy Good, Finance Director; Jacquelyn Smith, Capital Improvement Program Manager; Jason Smith, Assistant Police Chief; Jessica Robledo, Police Chief; Terri Toledo, Communications Director; Cindy Pierce, Development Engineering Director; Maggie Holman, Events Coordinator.

#### 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. City Council Announcements

Mr. Heath acknowledged Camp Gladiator. Mr. McDonald announced that a community meeting would be held at the Abundant Life Church this Saturday and invited everyone to attend. Mr. Metayer provided compliments on the Town Hall meeting held last week.

Items were addressed in the order as recorded in the minutes

#### 4. Presentations

- 4A. [2018-6748](#) Proclamation recognizing the participation and achievements of Destination Imagination Teams from Pflugerville.
- Mayor Gonzales read and presented the proclamation to the Destination Imagination participants in attendance.**
- 4B. [2018-6723](#) Proclamation declaring April 30, 2018 to May 4, 2018 Air Quality Awareness week in the City of Pflugerville.
- Mr. Heath, the City's representative on the CAPCOG Clean Air Coalition, read the proclamation and provided comments on how citizens can observe air quality action days.**
- 4C. [2018-6724](#) Presentation by Central Health regarding an overview of Central Health and CommUnityCare Health Centers and information on their health center and preliminary future plans to expand health services in Pflugerville.
- Mike Geeslin, Central Health President & CEO; Larry Wallace, Chief Administrative Officer; Yvonne Camarena, CommUnityCare Health Centers Chief Operating Officer; and Perla Cavazos, Vice President of Government Affairs; were in attendance and presented information on Central Health.**
- 4D. [2018-6732](#) Presentation regarding Earth Day and earth-friendly initiatives.
- Ms. Holman presented on the item.**

#### 5. Public Hearing and Ordinance First Readings

- 5A. [ORD-0401](#) Conduct a public hearing and consider an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING AND RESTATING ORDINANCE 1062-10-11-23 DESIGNATING A CERTAIN AREA AS THE PFLUGERVILLE RENEWABLE ENERGY REINVESTMENT ZONE FOR THE CITY OF PFLUGERVILLE, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; PROVIDING SEVERABILITY AND REPEALER CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.
- Mayor Gonzales read the item to include the caption of the ordinance and opened the public hearing and ordinance for consideration on first reading. Mr. Fletcher provided information. Michael Dennison, development manager with Recurrent Energy, provided information on the solar farm project which would produce enough electricity to power 30,000 homes. He estimated the plant to be online by the end of 2020. He answered questions of the Council. Anthony Nguyen asked regarding the tax abatement. Mr. Dennison stated that they are not entertaining a tax abatement with the city. He stated that they have a tax rebate agreement with Travis County and are applying for limitation on appraisal value with Elgin ISD. He answered additional questions**

of the Council. Mr. Weiss asked regarding the plan for construction to be complete at the end of 2020, stating that the non-annexation agreement with the city requires completion by the end of 2019. Mr. Dennison stated that is their current deadline and circumstances may require them to seek an extension. There was continued discussion. There were no additional requests to speak at the public hearing. Mr. Weiss made a motion to close the public hearing. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. Weiss made a motion to approve the ordinance on first reading. Mayor Gonzales seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-yes, Mr. Metayer-no, Mr. Heath-no, Mr. McDonald-no; Mayor Gonzales-yes. The motion carried.

## **6. Public Comment**

There were no requests to speak under the public comment item.

## **Reading of the Consent Agenda**

Items 8A and 9A were removed from the consent agenda. Ms. Thompson read the items to include the caption of the ordinance under consideration.

## **7. Approval of Minutes**

- 7A. [2018-6721](#) Approval of the minutes of the April 3, 2018 Quorum, April 10, 2018 Worksession and Regular Meeting, and April 12, 2018 Worksession.
- The minutes were approved on the consent agenda.

## **8. Ordinances Second Reading**

- 8B. [ORD-0402](#) 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), CHAPTER 72 (TITLED TRAFFIC SCHEDULES), SCHEDULE III (TITLED STOP SIGNS ON PUBLIC STREETS) BY ESTABLISHING ADDITIONAL STOP SIGN LOCATIONS IN STONE HILL TOWN CENTER; PROVIDING FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$200.00; 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. (Establishing and amending stop signs in Stone Hill Town Center.)
- The ordinance was approved on second and final reading on the consent agenda.

## **Action on the Consent Agenda**

Mayor Gonzales made a motion to approve the consent agenda. Mr. Marsh

seconded the motion. Mr. McDonald was absent from the dais. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-yes, Mr. Metayer-yes, Mr. Heath-no, Mr. McDonald-absent; Mayor Gonzales-yes. The motion carried.

## **8. Ordinances Second Reading**

- 8A. [ORD-0400](#) 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 2018 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE (budget amendment for police in-car and motorcycle camera systems and video storage).

Mayor Gonzales read the item to include the caption of the ordinance under consideration. Mr. Marsh stated that he wanted to recognize staff for finding a viable option for this funding. He made a motion to approve the ordinance on second reading. Mr. Heath seconded the motion. All voted in favor. The motion carried.

## **9. Other Actions - Removed from the Consent Agenda**

- 9A. [2018-6653](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Luxury Auto-Works Development, located northeast of the intersection of Rowe Lane and FM 685, and authorizing the City Manager to execute the agreement.

Mr. Metayer stated that he had researched the business and was impressed. He stated that he wanted to give kudos on the type of businesses being recruited. Mr. Metayer made a motion to approve the item. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

## **10. Discuss only**

- 10A. [2018-6718](#) Presentation and discussion about the Kelly Lane Traffic Analysis between Vilamoura Street and Weiss Lane.

Mr. Wood provided information on his analysis of Kelly Lane traffic counts between Vilamoura and Weiss Lane and discussed with the Council. He reviewed and discussed his recommendations as follows:  
For Vilamoura/Falcon Pointe to construct the Phase 2 Kelly Lane widening project; and to construct northbound and southbound right turn lanes with the widening.

For Jakes Hill/Hidden Lake: to work with Travis County to repurpose the northbound and southbound approaches and to plan for a signal with the Phase 3 Kelly Lane widening.

For Weiss Lane, to plan for a signal with the Phase 3 Kelly Lane widening.

- [2018-6749](#) Discussion regarding regional transportation improvements as identified within the Costco traffic impact analysis (TIA).

Ms. Pierce provided information regarding recommended Costco traffic mitigation projects and costs and Costco contributions to the City and TXDot and discussed with council.

- 10B. [2018-6735](#) Discussion regarding the Athletic Field Use Policy development process.

Mr. Hemenes provided information on the process to develop an athletic field use policy and discussed considerations with the Council. He recommended that City of Pflugerville residents receive priority over non-residents, that recreational teams receive priority over select teams within the resident category and/or to have a different fee schedule and that resident youth programs receive priority over adult programs. Mayor Pro Tem Peña suggested to keep the cost structure simple. Mr. Marsh asked that Pflugerville youth and cost recovery receive priority. Mr. Hemenes indicated he would meet with the teams and he was asked to bring forward a proposed policy to Council in June.

## 11. Discuss and consider action

- 11A. [2018-6719](#) Discuss and consider action to award a construction contract for the East Pflugerville Parkway Widening Project to Jordan Foster Construction, LLC the lowest responsible bidder of seven (7) bids received on April 16, 2018, in the amount of \$2,500,014.80 and authorizing the City Manager to execute same.

Mr. Wood presented information and answered questions of the Council. Mr. Heath made a motion to approve as presented. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

- 11B. [2018-6730](#) Discuss and consider action regarding the role of the City of Pflugerville regarding the historical Colored Addition Subdivision / St. Mary's Cemetery ownership, maintenance, and operations located on Caldwell's Lane, at the western terminus of Taylor Lane.

Mr. Fletcher provided information on the city's ability to acquire the property through a process and stated that the cost of mowing would be \$300 per mow and that would not include restoring the cemetery. Mr. James Ware, Black Pflugerville, stated that they would like the city to adopt and maintain this historical landmark. He stated that they have been holding cleanups with volunteers but it would be more efficient if it were to be maintained by a few people on a regular basis. Mr. Heath recommended facilitating another group to take ownership. There was continued discussion. Mr. Marsh stated that they do not have enough information to take action this evening. Mr. Metayer stated a desire to look at all of the options. Mr. McDonald stated that he would like staff to continue to pursue to take over the maintenance and ownership and he would like a list of things that the City would be required to do and a list of things that the City could do. Mr. Weiss stated that he would like to see more community involvement. He asked if they have approached the genealogy group. Ms. Coffey stated that Austin Genealogy as well as Findagrave have done much research on the cemetery and the death certificates are available on the findagrave.com website. There was continued discussion. No action was taken.

**11C. [2018-6740](#)**

Discuss and consider action regarding the allocation of long term planning services identified in the Administration FY 18 budget.

Mr. Fletcher provided information, stating that the Fiscal Year 2018 budget has \$500,000 for long-range planning. He stated that \$250,000 is being used for the master transportation plan and he is recommending to use the other \$250,000 for a Public Works master plan, a Recreation Center/Senior Center needs assessment and feasibility study, and aquatics needs assessment and master plan. Mr. Hemenes provided information on the proposed needs assessments and answered questions of Council. Mr. Heath indicated concerns for the aquatics needs assessment, stating that he thinks that could wait. Mr. McDonald stated that he has heard that our pool is behind capacity, and that he thinks that not doing the needs assessment might be short-sighted. Mr. Heath suggested waiting until after the strategic planning priorities are set. Mr. Marsh spoke on budget constraints and indicated agreement that the aquatics needs assessment could wait. Mr. Weiss stated that he thinks that the aquatics study could be an area that the city could partner with the school district. Mr. Marsh suggested partnering with developers concerning pools. Mr. Hemenes explained that the study was not to study a natatorium but was in lieu of making improvements to the Gilleland Creek Pool. Mr. Heath suggested using the funds for a drainage plan. Mr. Fletcher stated that was one of his alternative suggestions. Discussion followed. Mr. Fletcher summarized that he would move forward with the public works master plan, rec center/senior study and begin a drainage master plan. Mr. Weiss stated so moved. Mr. Heath seconded the motion. All voted in favor. The motion carried.

**11F. [2018-6746](#)**

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the search and selection of a Municipal Judge and the interim process. 2.) Open Session Item: Discuss and consider action to appoint a Municipal Judge.

Discussion on the item took place in executive session during the earlier worksession. There was no discussion in executive session during the regular meeting. Mr. McDonald read the charter language regarding municipal judge. He made a motion to appoint Farren Sheehan as municipal judge with an annual salary of \$38,701 for a term of 2 years. Mr. Heath requested that the associate judge report to the municipal judge. Mr. McDonald stated that the charter specifies that the associate judge reports to the council. Mr. Weiss seconded the motion. All voted in favor. The motion carried. Mr. McDonald asked staff to schedule an oath of office ceremony.

**11D. [2018-6736](#)**

Discuss and consider action regarding future agenda items.

Mayor Pro Tem Peña requested an item to discuss the RRE Solar non-annexation development agreement. Mayor Gonzales requested an item to discuss structure of the Municipal Court. Mr. McDonald commented that he would like the PfISD to work with the city concerning projected traffic generation with changes to school boundaries. Mr. Heath stated regarding safety and security that he would like a report on crime statistics and action items that the city can take to convey we are a safe community. Mr. Marsh asked for update on the CAD RMS system. Mr. Heath asked that the City of Pflugerville integrate mapping into the City of Austin's online system to show the City of Pflugerville's boundaries. Mr. Metayer asked that the City pursue Homeland Security resources for emergency preparedness. Mr. Weiss asked

for a debrief on the Town Hall meeting and to make plans to schedule the next one. Mr. Heath asked for an item to consider hiring a consultant to assist with transportation planning.

## **Executive Session**

Mayor Gonzales announced that the City Council was retiring to executive session for discussion on items 11E and 1B. He read the items and retired to executive session. The time was 9:51 p.m.

## **Discuss and consider action**

- 11E.** [2018-6720](#) 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 related to the SH 45 Water and Wastewater Line Extensions Project. 2.) Open Session Item: Discuss and consider action regarding the purchase, exchange, lease, transfer and/or sale of real property related to the SH 45 Water and Wastewater Line Extensions Project.

Discussion on the item took place in executive session during the regular meeting. Action on the item took place later in the regular meeting in open session.

## **Supp Discuss only from Supplemental Agenda**

**1.**

- Supp** [2018-6750](#) 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. 2.) Discussion related to the performance of the City Attorney.
- 1B.**

Discussion on the item took place in executive session during the regular meeting. There was no discussion in open session. No action was taken.

## **12. Discuss only**

- 12A.** [2018-6725](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the search and selection of a City Manager. 2.) Open Session Item: Discussion regarding the search and selection of a City Manager.

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

## **Executive Session - Closed**

Mayor Gonzales reconvened in open session at 10:09 p.m.

- 11E. [2018-6720](#) 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 related to the SH 45 Water and Wastewater Line Extensions Project. 2.) Open Session Item: Discuss and consider action regarding the purchase, exchange, lease, transfer and/or sale of real property related to the SH 45 Water and Wastewater Line Extensions Project.

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

### 13. Adjourn

Mr. Heath made a motion to adjourn. Mr. Marsh seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 10:10 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on May 8, 2018.