



# City of Pflugerville

## Minutes - Final - Draft

### City Council

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Tuesday, May 22, 2018

7:00 PM

100 East Main Street, Suite 500

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#### 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 7:07 p.m. Mayor Pro Tem Omar Peña and Councilmembers Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. Councilmember Doug Weiss was absent. City employees attending: Trey Fletcher, Interim City Manager; Charlie Zech, City Attorney; Scott Osburn, Assistant City Attorney; Lauri Gillam, Assistant City Manager; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Jennifer Coffey, Library Director; Terri Toledo, Communications Director; James Hemenes, Parks Director; Amy Giannini, City Engineer, Chad Wood, Senior Transportation Engineer; Jacquelyn Smith, CIP Program Manager; Elizabeth Taplin, Human Resources Manager; Emily Barron, Planning Director; Amy Good, Finance Director; Robert Polanco, Building Official; Jessica Robledo, Police Chief; Jason Smith, Assistant Police Chief; Patricia Rinehart, Conservation Education Specialist; Matt Woodard, Utility Superintendent; Darrell Winslett, Water Conservation Manager.

#### 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.

C. Moment of Silence.

Mr. Heath recommended dedicating the moment of silence to the lives lost at Santa Fe High School. Mayor Gonzales observed the moment of silence.

#### 3. City Council Announcements

Mr. Heath commented on the outstanding Deutschen Pfest this past weekend. Mr. Metayer complimented the band Spazmatics. Mr. McDonald provided a shout out to the Pflugerville Pflag for highlighting the Rotary Club's awarding of scholarships and its tree planting at the 1849 Park.

#### **4. Presentations**

- 4A.**     [2018-6804](#)     Presentation of the Texas Section of the American Water Works Association (AWWA) Watermark Award for Communications Excellence in Water Conservation Education and Community Relations for small utilities.

Mr. Wills announced that the award was presented to the City's water conservation team Patricia Rinehart and Darrell Winslett for production of a water conservation calendar last year.

- 4B.**     [2018-6783](#)     Proclamation declaring May 20 to May 26, 2018 as National Public Works Week in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to Mr. Wills. Mr. Wills invited everyone to attend the public works open house.

#### **5. Public Hearings**

- 5A.**     [RES-0516](#)     Conduct the first public hearing for the proposed Community Development Block Grant (CDBG) program 2015 Action Plan - Third Amendment.

Mayor Gonzales opened the public hearings under item 5A and 5B. Ms. Barron provided information on the items. There were no requests to speak at the public hearings. Mr. Heath made a motion to close the public hearings. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

- 5B.**     [RES-0517](#)     Conduct the first public hearing for the proposed Community Development Block Grant (CDBG) program 2016 Action Plan - Third Amendment.

Mayor Gonzales opened the public hearings under item 5A and 5B. Ms. Barron provided information on the items. There were no requests to speak at the public hearings. Mr. Heath made a motion to close the public hearings. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

#### **6. Public Comment**

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

#### **Reading of the Consent Agenda**

Ms. Thompson read the items to include the captions of the ordinances under consideration.

## 7. Approval of Minutes

- 7A. [2018-6799](#) Approval of the minutes of the May 8, 2018 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 8. Ordinances Second Reading

- 8A. [ORD-0404](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE READOPTING CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

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

- 8B. [ORD-0405](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2018 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE (second quarter amendments).

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. All voted in favor. The motion carried.

## 9. Discuss and consider action

- 9A. [2018-6798](#) Discuss and consider action to award a construction contract for the 2018 Community Development Block Grant (CDBG) Pavement Rehabilitation Project on Mill Creek Rd. and Green Meadows St. to Smith Contracting Company, the lowest responsible bidder of six (6) bids received on May 10, 2018, in the amount of \$545,038.00 and authorizing the City Manager to execute same.

Ms. Barron provided information on the item and answered questions of the Council. Ms. Giannini and Mr. Wood provided input. Mayor Pro Tem Peña moved to approve. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

- 9B. [2018-6800](#) Discuss and consider action regarding future agenda items.

Council discussed a future agenda item to look at CIP roadway costs. Mr. Fletcher indicated that he plans to bring an item forward on June 12, 2018 to discuss Capital Improvement Projects. Mr. Heath stated that he would like an update on the absorption study. Mr. Fletcher stated that is planned for discussion in June. Mr. Heath stated that he would also like to discuss how that can relate to the corridor overlay. Mr. McDonald requested an item to discuss how the city can leverage strategic partnership agreements when annexing. Mr. Heath requested an item to discuss development transportation planning in the ETJ.

## **10. Discuss only**

- 10A.** [2018-6778](#) Discuss professional services opportunities for enhanced transportation funding opportunities, strategies and resources utilizing local and non-local funding sources.

Discussion on the item took place in the earlier worksession.

- 10B.** [2018-6781](#) Discussion regarding proposed amendments to the Unified Development Code (UDC) to include new and amended zoning districts, donation containers, airport overlay and mobile food vendors (food trucks).

Discussion on the item took place in the earlier worksession.

## **Executive Session**

Mayor Gonzales announced that the City Council was retiring to executive session on items 10C and 10D. He read the items to be discussed and retired to executive session. The time was 7:32 p.m.

- 10C.** [2018-6802](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding existing and future legal obligations relating to providing water and wastewater services, including legal issues related to water and wastewater Certificates of Convenience and Necessity (CCN) in the City's extraterritorial jurisdiction. 2.) Open Session Item: Discussion regarding water and wastewater services in the City's extraterritorial jurisdiction and existing Certificates of Convenience and Necessity (CCN).

Discussion on the item took place in executive session.

- 10D.** [2018-6805](#) 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.

## **Executive Session Closed**

Mayor Gonzales reconvened in open session at 8:51 p.m.

2018-6802

1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding existing and future legal obligations relating to providing water and wastewater services, including legal issues related to water and wastewater Certificates of Convenience and Necessity (CCN) in the City's extraterritorial jurisdiction. 2.) Open Session Item: Discussion regarding water and wastewater services in the City's extraterritorial jurisdiction and existing Certificates of Convenience and Necessity (CCN).

There was discussion in open session on the item. Ms. Giannini provided information on the city's past plans to provide wastewater service in the ETJ and to annex in the future. She explained that with Senate Bill 6, annexation in Tier 2 cities, like the City of Pflugerville, requires petition of the individual landowner, petition of an area with less than 200 population or election of an area with 200 or more population. She explained that the city is currently evaluating current wastewater obligations in the ETJ, evaluating the cost of infrastructure to serve the Cottonwood Basin in the ETJ, and the sustainability of wastewater rates and impact fees in the Cottonwood Basin as well as the current and proposed CCN boundaries and implications to build out population projections. She explained that the city does not have current infrastructure on the ground in the Cottonwood Basin. Mr. Heath asked if they could have a vote of the entire Cottonwood Basin to see if they would like to be annexed. He asked how they can strategically define a rational annexation area that allows the city to provide wastewater and capture economic development without obtaining unnecessary obligations. Mr. Marsh asked what they would have to spend to fully service this area. Mr. Heath recommended annexing strategically. Mr. Marsh stated that he thinks the developability is years away and costs will be placed on the current payers. Ms. Giannini indicated that they would need to look at police and road costs in addition to water and wastewater. Discussion followed. Ms. Giannini noted that water CCN considerations would also to be affected by Senate Bill 6.

## 11. Adjourn

Mr. Heath made a motion to adjourn. Mr. Marsh seconded the motion. All voted in favor. The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on June 12, 2018.