



City of Pflugerville

Minutes - Final

City Council

Tuesday, August 9, 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 7:06 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña, Starlet Sattler and Mike Heath were in attendance. 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; Terri Toledo, Public Information Officer; James Hemenes, Parks Director; James Wills, Public Works Director; Amy Good, Finance Director; Amy Giannini, Development Engineering Director; Blake Overmyer, Building Official; Jennifer Coffey, Library Director; Emily Barron, Planning Director; Chuck Hooker, Police Chief; Rose Cobb, Marketing Specialist.

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.

Members of Boy Scouts Troop 191 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.

Members of Boy Scout Troop 191 led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

3. Presentation

- 3A.** [2016-5077](#) Highlights of the success of the Pflugerville Library Summer Reading Program and Comic Con event.

Ms. Cobb provided information and presented a video.

- 3B.** [2016-5096](#) Presentations by Ashby Johnson, Executive Director of the Capital Area Metropolitan Planning Organization (CAMPO) and Todd Hemingson, Vice President of Strategic Planning & Development with Capital Metropolitan Transportation Authority (Cap Metro) regarding regional multi-modal transportation planning and implementation

efforts.

Mr. Kelly Porter provided background information on CAMPO. Mr. Heath provided comments on these being good regional partners. Mayor Coleman spoke on the importance of strong leadership in CAMPO and stated that they should be considering who will take his place on the CAMPO Transportation Policy Board. Mr. Todd Hemingson provided information on the service extension policy that allows cities like Pflugerville to gain access to funding to plan and implement transit. He provided information on regional efforts and opportunities and answered questions.

4. Public Hearing and Ordinance First Readings

4A. [ORD-0320](#)

Conduct a public hearing and consider approving the first reading of an ordinance with a 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 CHANGING THE ZONING DESIGNATION OF TWO SEPARATE TRACTS CONSISTING OF APPROXIMATELY 38.465 ACRES OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, AND APPROXIMATELY 7.279 ACRES OF LAND OUT OF THE ALEXANDER WALTERS SURVEY NO. 67, ABSTRACT 791, FROM GENERAL BUSINESS 1 (GB1) AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD); TO CONTINUE TO BE KNOWN AS THE COMMONS AT HEATHERWILDE AND PECAN PLANNED UNIT DEVELOPMENT (PUD) (REZ1606-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman opened the public hearing and read the item to include the caption of the ordinance to be considered on first reading. Ms. Barron provided information. Mr. Cid Galindo, applicant, and Ms. Rebecca Leonard, Design Workshop, answered questions regarding the project. It was stated that Hebbe Lane will not directly connect, but will have a little jog in Austin's development to the south and they believe that people will mostly take Wells Branch Parkway to Heatherwilde instead. Ms. Barron stated that the TIA (traffic impact analysis) has been submitted to staff and is currently being reviewed. Ms. Barron answered questions. Mr. Galindo answered questions and provided information on his vision for the project with retail on the main gateway. Ms. Leonard provided information on the retail corridor and plaza space.

Janie Zbranek, 15100 Delahunty Lane, spoke regarding her concerns for the connection of Hebbe Lane, Delahunty Lane, Horborne Lane, and Spring Hill Lane by the City of Austin to the south, which are currently dead end streets. She spoke regarding traffic and safety concerns for traffic from the Commons and Heatherwilde cutting through their neighborhood which has narrow county roads without sidewalks.

Frances Petter, 15604 Hebbe Lane, spoke regarding her concerns for the effect the Commons will have on the Spring Hill Village neighborhood, which is a low density subdivision with narrow asphalt roads with bar ditches for drainage. She spoke regarding concerns regarding the number of units in the Commons

and for the effect it will have on traffic at Pecan Street back to Old Pflugerville Road past Hebbe Lane. She asked that they consider realigning the streets in the Commons to not include Hebbe Lane as an intersection.

Arlene Moody, 15101 Delahunty Lane, was signed up to speak, but declined when called upon. She indicated that she has the same concerns as Ms. Zbranek and Ms. Petter.

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

Ms. Leonard answered additional questions and discussion regarding traffic concerns followed. Mayor Coleman suggested that the concerned Spring Hill residents in attendance talk with their Travis County Commissioner candidates. Mr. Marshall made a motion to approve on first reading as read. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

Mr. Peña exited the meeting at 8:25 p.m.

Resolution

[RES-0339](#)

Resolution ordering a General Election for November 8, 2016 for the election of a Mayor and Councilmember for Place 1.

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

[RES-0340](#)

Resolution ordering a November 8, 2016, Special Election for consideration of amendments to the City's Charter.

Mr. Hyde provided information. He reviewed the language of Measure/Proposition 4 and Measure/Proposition 11. Mr. Marshall made a motion to approve Measure/Proposition 11. Mr. Heath seconded the motion. The vote was: Mr. Cooper-no, Mr. Marshall-yes, Ms. Sattler-yes, Mr. Heath-yes. The motion carried.

It was noted that the ordering of Measure/Proposition 3 needs to be corrected and be placed ahead of Measure/Proposition 2.

Mayor Coleman called for a break. The time was 8:40 p.m. He resumed the meeting at 8:45 p.m.

Ms. Sattler made a motion to approve the charter election resolution ordering the election as shown with measure 3 being shown as measure 2 and measure 2 being shown as measure 3, with all of the propositions. Mr. Marshall seconded the motion. Mr. Cooper provided comments on the need to change the Charter Review Commission process. Ms. Sattler noted that they did add a proposition to allow for the City Council to meet with the Charter Review Commission. Mr. Marshall stated that he does not believe that the Council should override the Charter Review Commission. There was continued discussion. The vote was Mr. Cooper-no, Mr. Marshall-yes, Ms. Sattler-yes, Mr. Heath-yes. The motion carried.

- 4B.** [ORD-0321](#) Conduct a public hearing and consider approving the first reading of an ordinance with a 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 AN APPROXIMATELY 8.62 ACRE PORTION OF A 52.32 ACRE TRACT OF LAND OUT OF THE J.C. CUNNINGHAM SURVEY, ABSTRACT NO. 163 IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1) DISTRICT; TO BE KNOWN AS THE BALLANTYNE RETAIL REZONING (REZ1606-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman opened the public hearing and read the item to include the caption of the ordinance to be considered on first reading. Ms. Barron provided information. There were no 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.

Mr. Cooper made a motion to approve the ordinance as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

5. Public Comment

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

Reading of the Consent Agenda

Item 8A was removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

6. Approval of Minutes

- 6A.** [2016-5087](#) Approval of the minutes of the July 19, 2016 Special Meeting and July 26, 2016 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

7. Ordinances Second Reading

- 7A.** [ORD-0305](#) Approving an ordinance on second reading with the caption: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, A 40-ACRE TRACT OF LAND SITUATED IN THE J. ZAMBRANO SURVEY NO. 38, ABSTRACT NO. 844, AND A 131.73-ACRE TRACT OF LAND SITUATED IN THE J.P. KEMPE SURVEY NO. 12, ABSTRACT NO. 462, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; 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. (ANX1604-01)

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

7B. [ORD-0306](#)

Approving an ordinance on second reading with the caption: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, AN APPROXIMATELY 97.5-ACRE TRACT OF LAND SITUATED IN THE ANDREW AUSTIN 960 ACRE SURVEY NO. 19, ABSTRACT NO. 38 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; 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. (ANX1604-02)

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

7C. [ORD-0317](#)

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, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS OF PFENNIG LANE; PROVIDING A VIOLATION OF SECTION 71.05 IS A CLASS C MISDEMEANOR WITH A FINE NOT TO EXCEED \$500.00; 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

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

7D. [ORD-0316](#)

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, BY AMENDING CHAPTER 72 TITLED TRAFFIC SCHEDULES, BY AMENDING SCHEDULE III TITLED STOP SIGNS ON PUBLIC STREETS BY CHANGING THE LOCATIONS OF THE STOP SIGNS IN THE SETTLERS RIDGE SUBDIVISION AT THE INTERSECTION OF PFLUGER STREET AND 12TH STREET AND; PROVIDING A VIOLATION OF CHAPTER 72 IS A CLASS C MISDEMEANOR PROVIDING FOR A FINE OF NOT LESS THAN \$1.00 OR MORE

THAN \$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.

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

9. Other Actions

- 9A. [2016-5089](#) Receive report on City Council, Commission, Board and Committee expenditures for July 2016.

The item was approved on the consent agenda.

- 9B. [2016-5090](#) Approving a TIRZ (Tax Increment Reinvestment Zone) Debt Administration Agreement between the City of Pflugerville and Reinvestment Zone Number One, City of Pflugerville, Texas.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

8. Resolution - Removed from the Consent Agenda

- 8A. [RES-0342](#) Approving a resolution of the City of Pflugerville, Texas to authorize submittal of the Regional Transportation Plan and Transportation Improvement Plan Amendments to the Capital Area Metropolitan Planning Organization (CAMPO).

Mr. Fletcher provided information and there was discussion on the item. Mr. Heath stated that they are doing a great job and he wanted the opportunity to let the public know. Mayor Coleman comments on how CAMPO funds caused delay with the Pflugerville Parkway project and cost the city more, but stated maybe it is time to consider it for certain projects. Mr. Fletcher suggested Pecan Street over SH 130 and the widening of the bridge. Mr. Heath suggested looking at future improvements to 973 and 685. Mr. Heath made a motion to approve. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

10. Ordinances First Reading

- 10A. [ORD-0322](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE THIRD AMENDMENT TO THE FISCAL YEAR 2016 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman read the item along with the caption of the ordinance under consideration. Ms. Gillam indicated that this is a budget amendment to provide for the purchase of body cameras. Chief Hooker provided information. Mr. Marshall made a motion to approve. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

11. Discuss and consider action

11A. [2016-4904](#)

Discuss and consider action regarding active transit planning contracts and associated activities.

Mr. Barry Goodman of the Goodman Corporation provided an update. He stated that their three goals were: 1.) taking control of funds by becoming your own federal grantee, of which Goodman Corporation has developed the paperwork. 2.) participating in the development of the Cap Metro transit development program. He noted that they have been participating and providing input and many, not all, recommendations have been included. He stated that the deficit not identified is how to help those most in need. 3.) completing a demand analysis for a park and ride facility in the City of Pflugerville. He reported that the demand analysis provides four different locations in the City and provided information.

Mr. Goodman stated that federal funding is available that is not in Cap Metro's paradigm and this is another area that they are looking at. He stated that becoming a FTA grantee is critical as well as having projects ready to go.

Discussion followed regarding the park and ride locations selected in the demand analysis. Stephanie Kirschner, Goodman Corporation, provided information on the demand analysis.

Mr. Cooper indicated a need for transit services for the elderly. Mr. Goodman stated that Conroe is providing services with a private company very successfully and with the least amount of cost. Mr. Heath stated he thinks that they have other resources that would be more cost effective. Mr. Cooper stated that he thinks they should let Goodman flesh out the alternatives and then they can decide how to fund it. Mr. Heath stated that he would like to limit the scope to the elderly and disabled. Mr. Goodman stated that they have been waiting to see what Cap Metro is developing. He stated that the plan has not addressed seniors and disabled. He stated that they are going to concentrate on that.

Mr. Heath stated that he does not think that they need to look at park and rides. Mr. Goodman stated that he agrees that it is in the future. Mayor Coleman stated that he does not think it is five years away and he thinks that they need to look out even further. Mr. Cooper stated that they wanted to have control of the money and if they rely on Cap Metro, then that will not happen. Mr. Goodman stated that they can become a federal grantee, and what they use it for is up to them. Mayor Coleman stated that they will be able to focus the dollars and make decisions at the local level. Mr. Heath cautioned them, that he does not think the contract is focused enough. Mr. Goodman stated that they are trying to get the service to those who need it most into the Cap Metro plan. There were no motions on the item.

11B. [2016-5088](#)

Discuss and consider action regarding future agenda items.

Mayor Coleman provided a reminder for the August 15, 2016 special meeting to canvass the August 6, 2016 special election and to call the runoff election.

12. Discuss only

- 12A.** [2016-5075](#) Discussion regarding the draft strategic plan.

Discussion on the item took place at the earlier worksession.

- 12B.** [2016-5095](#) Discussion regarding the fiscal year 2017 budget and associated property tax rate.

Ms. Gillam and Mr. Wade provided property tax rate and pro forma information and discussed with the Council.

- 12C.** [2016-5085](#) 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 discussion on item 12D. He read the item and retired to executive session. The time was 10:07 p.m.

- 12D.** [2016-5086](#) 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. No action was taken.

Executive Session - Closed

Mayor Coleman reconvened in open session at 10:32 p.m.

13. Adjourn

Mr. Heath made a motion to adjourn. Ms. Sattler seconded the motion. All voted in favor. The meeting was adjourned at 10:32 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on August 23, 2016.