



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, August 23, 2016

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

Mayor Jeff Coleman called the regular meeting to order at 7:03 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; James Wills, Public Works Director; James Hemenes, Parks Director; Emily Barron, Planning Director; Amy Good, Finance Director; Amy Giannini, Development Engineering Director; Jennifer Coffey, Library Director. Amy Madison, Executive Director of the Pflugerville Community Development Corporation 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.**

Members of Boy Scouts Troop 8787 and Troop 685 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 Scouts Troop 8787 and Troop 685 led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

#### 3. Presentations

##### 3A. [2016-5078](#)

Back to school safety reminders presentation.

Cpl Dan Griffith presented a school safety reminders presentation. Chief Hooker announced that Jason Smith is the new Pflugerville Independent School District Police Chief and that William Edwards has returned to the Pflugerville Police Department and has been promoted to Captain.

##### 3B. [2016-5135](#)

Semi-annual report from the City's solid waste and recycling provider, Progressive Waste Solutions, Ltd.

Ms. Gillam provided an introduction and recycling statistics were distributed to Council. Mr. Jimmy Esparza of Progressive reviewed the recycling information

and answered questions of Council. Mr. Steve Shannon of Progressive stated that he is impressed with the city's strong recycling numbers and answered additional questions of Council. Mayor Coleman asked to receive these statistics every couple of years. Ms. Gillam stated that the city is announcing the top recycling neighborhoods in this week's Key to the City. There was continued Council discussion regarding recycling and garbage services with Mr. Esparza.

#### **4. Public Comment**

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

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

Item 8C was removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

#### **5. Approval of Minutes**

- 5A. [2016-5131](#) Approval of the minutes of the August 2, 2016 Special Meeting and August 9, 2016 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

#### **6. Ordinances Second Reading**

- 6A. [ORD-0320](#) 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 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.

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

- 6B. [ORD-0321](#) Approving an ordinance on second reading 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

APPROXIMATELY AN 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.

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

**6C. [ORD-0322](#)**

Approving an ordinance on second 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.

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

**7. Resolution**

**7A. [RES-0341](#)**

Approving a resolution of the City of Pflugerville, Texas, reviewing and approving the Investment Policy of the City of Pflugerville, Texas.

**The resolution was approved on the consent agenda.**

**8. Other Actions**

**8A. [2016-5126](#)**

Review of the Quarterly Investment Report for the quarter ending June 30, 2016.

**The item was approved on the consent agenda.**

**8B. [2016-5011](#)**

Authorizing the City Manager to execute a drainage easement agreement with KB Home Lone Star, Inc. and the City of Pflugerville for a storm channel associated with the Swenson Farms Phase I project.

**The item was approved on the consent agenda.**

**8D. [2016-5112](#)**

Approving the selection of RJN Group, Inc. for professional engineering services associated with the preparation of an Inflow and Infiltration Study and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

**The item was approved on the consent agenda.**

**8E. [2016-5127](#)**

Authorizing the City Manager to execute a Water Pipeline Easement Agreement with Terrabrook Falcon Pointe, LLC, and the City of

Pflugerville for a water easement associated with the Falcon Pointe Section 17, Lot 3 project.

**The item was approved on the consent agenda.**

**8F. [2016-5128](#)**

Authorizing the City Manager to execute a Wastewater Pipeline Easement Agreement with Terrabrook Falcon Pointe, LLC, and the City of Pflugerville for a water easement associated with the Falcon Pointe development.

**The item was approved on the consent agenda.**

**8G. [2016-5143](#)**

Approving a settlement and release agreement for the Irby Max Ford land acquisition.

**The item was approved on the consent agenda.**

**8H. [ORD-0319](#)**

Approving the postponement to the September 27, 2016 City Council meeting of a public hearing and consideration of an ordinance with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 821-06-03-14 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED IN ORDINANCE NO. 999-09-4-28, BY REVISING TABLE SHC2, PERMITTED USES, TO ALLOW FOR A CONVENIENCE STORE WITH GAS PUMPS, MEDICAL FACILITY, HOSPITAL, MEDICAL OFFICE, AND TRADITIONAL OFFICE USES WITHOUT SQUARE FOOTAGE LIMITATIONS, WITHIN NEIGHBORHOOD THREE-WEST AND LOT 2 OF THE FALCON POINTE SECTION 19 FINAL PLAT WITHIN FALCON POINTE ALUR-2 SOUTH PLANNED UNIT DEVELOPMENT (PUD), A 148.55-ACRE TRACT OF LAND OUT OF THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 231, PFLUGERVILLE, TRAVIS COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST CORNER OF SH 130 AND E. PFLUGERVILLE PARKWAY; TO BE KNOWN AS THE SECOND AMENDMENT TO THE FALCON POINTE ALUR-2 SOUTH REZONING (REZ1606-03), AND PROVIDING AN EFFECTIVE DATE.

**The item was approved on the consent agenda.**

### **Approval of the Consent Agenda**

Mr. Cooper made a motion to approve the consent agenda. Mr. Marshall seconded the motion. Mayor Coleman stated that he had one request from Tommy Thompson, 17721 Colorado Sand Dr, to enter into the record his support for tabling of the public hearing and ordinance and opposition to the proposed plan of locating a convenience store with gas pumps near the preschool. All voted in favor. The motion carried.

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

**8C. [2016-5111](#)**

Approving the selection of DCS Engineering Inc. for professional

engineering services associated with the West SH130 Wastewater Interceptor Phase 1 and Phase 2 projects and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

Mr. Heath asked why the city would not be using the larger firm, Freese and Nichols, for this work. Mr. Word stated that staff feels that DCS is appropriate, that the interviews were close, and this broadens the base of firms working for us. There was continued Council discussion on the item with Mr. Word. Mr. Cooper made a motion to approve as presented. Ms. Sattler seconded the motion. The vote was: Mr. Cooper-yes, Mr. Marshall-yes, Mr. Peña-yes, Ms. Sattler-yes, Mr. Heath-no. The motion carried.

## **9. Resolution**

- 9A.** [RES-0349](#) Discuss and consider action to approve a resolution specifying a proposed fiscal year 2017 property tax rate of \$0.5399/\$100 valuation and scheduling the dates for the public hearings.

Ms. Gillam clarified that the resolution specifies a proposed fiscal year 2017 property tax rate of \$0.5399/\$100 valuation. She stated that this is the rollback rate. Mayor Coleman stated that it is a rate reduction but the city would collect more, because the valuations have gone up. Mr. Wade stated that this is setting the maximum tax rate. He noted that there was a typo and the correct rate is \$.5399. Mr. Marshall made a motion to approve. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

## **10. Discuss and consider action**

- 10A.** [2016-5104](#) Discuss and consider action to approve the budget for the Pflugerville Community Development Corporation (PCDC) for fiscal year 2017.

Ms. Madison provided information. Mr. Cooper provided compliments to Ms. Madison for her work. Mr. Cooper made a motion to approve as presented. Mr. Peña seconded the motion. All voted in favor. The motion carried.

- 10B.** [2016-5138](#) Discuss and consider action to designate a City Councilmember to serve as the City of Pflugerville's representative on the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board for the months of October and November 2016.

Ms. Sattler made a motion to designate Mr. Peña to attend the October meeting. Mr. Cooper seconded the motion. The vote was: Mr. Cooper-yes, Mr. Marshall-yes, Mr. Peña-no, Ms. Sattler-yes, Mr. Heath-yes. The motion carried.

- 10C.** [2016-5132](#) Discuss and consider action regarding future agenda items.

Mayor Coleman stated a need for the Council to consider CAMPO and CAPCOG (Capital Area Council of Governments) appointments in November.

## **11. Discuss only**

- 11A.** [2016-5134](#) Discussion regarding the draft strategic plan.

Mr. Wade distributed the draft strategic plan. He noted that he had not yet received any comments. He stated that he would bring forward the final strategic plan for adoption on September 27, 2016.

**11B. [2016-5133](#)**

Discussion regarding the fiscal year 2017 budget and associated property tax rate.

Mr. Wade distributed the proforma, property tax certified valuation information and a budget additions summary. Mr. Wade announced that he would be transitioning Animal Control to a civilian organization to be supervised by Ms. Gillam. Mr. Peña asked for a presentation and discussion on Animal Control.

Mr. Wade provided information regarding the overlay budget and indicated that general capital reserves could be used to provide additional funding. Mr. Heath asked for an estimated cost for not maintaining roads.

Mr. Wade noted that there were questions regarding budgeted overtime for Public Works. Mr. Wills provided information regarding the overtime needed due to their having few experienced workers with specialized knowledge concerning the water membrane plant.

## **Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session on items 11C, 11E and 11F. He read the items and retired to executive session. The time was 8:13 p.m.

**11C. [2016-5129](#)**

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 discussion on the item in executive session.

**11D. [2016-5130](#)**

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 during the worksession. There was no discussion on the item during the regular meeting.

**11E. [2016-5136](#)**

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager.

There was discussion on the item in executive session.

**11F. [2016-5137](#)**

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.

There was discussion on the item in executive session.

### **Executive Session - Closed**

Mayor Coleman reconvened in open session at 9:25 p.m.

## **12. Adjourn**

Mr. Cooper made a motion to adjourn. Mr. Heath seconded the motion. The vote was: Mr. Cooper-yes, Mr. Marshall-yes, Mr. Peña-no, Ms. Sattler-yes, Mr. Heath-yes. The motion carried. The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on September 13, 2016.