



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, October 25, 2016

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

Mayor Pro Tem Omar Peña called the regular meeting to order at 7:02 p.m. Councilmembers Wayne Cooper, Jeff Marsh and Mike Heath were in attendance. Mayor Jeff Coleman and Councilmember Starlet Sattler were absent. 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; Emily Barron, Planning Director; Jennifer Coffey, Library Director; Amy Giannini, City Engineer; Cindy Pierce, Development Engineering Director; Jim McLean, Assistant Police Chief; Sheila Wiora, Assistant Parks Director; Amy Good, Finance Director; Pam Cosel, Marketing and Events; Blake Overmyer, Building Official.

#### 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 Pro Tem Peña 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 Pro Tem Peña led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

#### 3. Presentations

##### 3A. [2016-5280](#)

Presentation of the Texas Historical Commission Award of Merit to the Heritage House Museum Partners for efforts to preserve Pflugerville history.

Mayor Pro Tem Peña provided comments on the Heritage House Museum Partners. Ms. Gillam introduced Jennifer Coffey, Library Director. Ms. Coffey and Mr. Daniel Berra, Assistant Library Director; read the names of the Heritage House Partners in attendance to receive the award: Gloria Wuthrich, President; Gloria Kuempel, Vice President; Gladys Weiss, Treasurer; Janelle Hebbe, Secretary; Jenny Bankston, Hildegard Gebert, David Gebert, Gail

Grebak, Vernagene Mott. Mayor Pro Tem Peña recognized the contributions of the group to preserving the history of Pflugerville and presented the award.

- 3B. [2016-5146](#) The American Veterans Traveling Tribute Organization (AVTT) Traveling Vietnam Wall is coming to Pflugerville.

Ms. Cosel provided information regarding the Traveling Vietnam Wall's visit to Pflugerville November 10-13, 2016.

- 3C. [2016-5288](#) StoryWalk® launches at Heritage Park on October 25, 2016.

Amanda Cawthon, Youth Librarian, presented information and a video on the item.

- 3D. [2016-5254](#) Mayor's proclamation declaring Friday, November 4, 2016 as Arbor Day in the City of Pflugerville.

Ms. Wiora provided information on the tree planting event on November 4, 2016. Mayor Pro Tem Peña declared November 4, 2016 as Arbor Day in the City of Pflugerville and presented the proclamation to Ms. Wiora.

- 3E. [2016-5283](#) Presentation and discussion about the City's Capital Improvement Program.

Mr. Word provided an update and answered questions of the Council.

#### 4. Public Hearing and Ordinance First Reading

- 4A. [ORD-0329](#) Conduct a public hearing and consider approving an ordinance on first 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 25.764 ACRES, BEING TWO TRACTS OF LAND SITUATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200, AND IN THE WILLIAM BARKER SURVEY NO. 74, ABSTRACT NO. 107 IN PFLUGERVILLE, TRAVIS AND WILLIAMSON COUNTIES, TEXAS, GENERALLY LOCATED ALONG MEISTER LANE, NORTH OF NEW MEISTER LANE, AND SOUTH OF LOUIS HENNA BOULEVARD, FROM AGRICULTURE/CONSERVATION (A) AND CORRIDOR URBAN (CL4) TO CAMPUS INDUSTRIAL (CI) ZONING DISTRICT; TO BE KNOWN AS THE CAPITAL COMMERCIAL LOUIS HENNA REZONING (REZ1608-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Peña opened the public hearing and read the item to include the caption of the ordinance under consideration. Ms. Barron provided information. There were no requests to speak at the public hearing. Mr. Cooper made a motion to close the public hearing. Mr. Heath seconded the motion. All voted in favor. The motion carried.

Mr. Cooper made a motion to approve Item 4A on first reading as presented.  
Mr. Heath seconded the motion. All voted in favor. The motion carried.

## 5. Public Comment

William Pat McCord, 603 Rolling Meadow Drive, expressed concerns regarding new development with lighting that does not comply with the city's ordinances. He stated that Sorento has open lighted globes which are very bright and not in compliance. He noted that the lights along Colorado Sand Drive are in compliance. He stated concerns for continued light intrusion which make it difficult for stargazing and astronomy.

## Reading of the Consent Agenda

Ms. Thompson read the items for consideration to include the caption of the ordinance under consideration.

## 6. Approval of Minutes

- 6A. [2016-5277](#) Approval of the minutes of the October 11, 2016 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 7. Ordinance Second Reading

- 7A. [ORD-0324](#) 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 TRACTS CONSISTING OF APPROXIMATELY 3.218 ACRES OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT NO. 877, LOCATED GENERALLY NORTHWEST OF THE W. PFLUGERVILLE PKWY AND PICADILLY DR. INTERSECTION FROM AGRICULTURE/CONSERVATION (A) TO NEIGHBORHOOD SERVICES (NS); TO BE KNOWN AS THE ISLAMIC CENTER OF PFLUGERVILLE REZONING (REZ1608-01); 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.

## 8. Other Actions

- 8A. [2016-5248](#) Authorizing the City Manager to execute a Sidewalk Easement Agreement with Waypoint Austin Falcon Owner, LLC, and the City of Pflugerville for a sidewalk easement associated with the Falcon Pointe multi-family project.

The item was approved on the consent agenda.

## Action on the Consent Agenda

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

## 9. Ordinances First Reading

- 9A. [ORD-0331](#) 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 AMENDING TITLE XV TITLED LAND USAGE, BY AMENDING CHAPTER 154, TITLED SIGNS, SECTION 154.002 TITLED APPLICABILITY; EFFECT, SECTION 154.003 TITLED DEFINITIONS AND INTERPRETATIONS, SECTION 154.103 TITLED SIGNS EXEMPT FROM REGULATION UNDER THIS CHAPTER AND SECTION 154.108 TITLED SIGNS IN THE PUBLIC RIGHT-OF-WAY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR A PENALTY OF UP TO \$500; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT WITH THE AMENDED SECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Pro Tem Peña read the item under consideration to include the caption of the ordinance under consideration. Mr. Hyde provided information and answered questions of the Council. Mr. Hyde noted a correction needed to the ordinance to correct "Department of Transportation" to "Texas Manual on Uniform Traffic Control Devices" in Section 154.103 and to correct the numbering of the section. Mr. Cooper made a motion to approve Item 9A on first reading as presented. Mr. Heath seconded the motion. All voted in favor. The motion carried.

## 10. Ordinance Third Reading

- 10A. [ORD-0319](#) Discuss and consider action to approve an ordinance on third reading 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. 999-09-04-28, 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 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.

Mr. Heath recused himself from discussion and consideration on the item due to his company, Alliance Transportation Group, Inc., having done work for the applicant and perhaps doing additional work in the future. He stepped down from the dais. The time was 8:00 p.m.

Mr. Cooper made a motion to approve item 10A as presented. Mr. Marsh seconded the motion. All voted in favor. The motion carried. The ordinance was approved on third and final reading.

Mr. Heath returned to the dais. The time was 8:03 p.m.

## **11. Discuss and consider action**

- 11A.** [2016-5284](#) Discuss and consider action to award a construction contract for the 1849 Park to Patin Construction Company, Inc., the lowest responsible bidder of six (6) bids received on October 13, 2016, in the amount of \$3,028,911.45 and authorizing the City Manager to execute same.
- Mr. Word provided information. Mr. Cooper made a motion to approve item 11A as presented. Mr. Marsh seconded the motion. All voted in favor. The motion carried.
- 11B.** [2016-5246](#) Discuss and consider action to award a construction contract for the Helios and Sun Light Near Way Project to Cash Construction Company, Inc., the lowest responsible bidder of six (6) bids received on September 15, 2016, in the amount of \$2,941,541.42 and authorizing the City Manager to execute same.
- Mr. Word provided information and answered questions of the Council. There was discussion on the item. Mr. Heath made a motion to approve the item. Mr. Cooper seconded the motion. All voted in favor. The motion carried.
- 11C.** [2016-5245](#) Discuss and consider action to approve an agreement with DCS Engineering Inc. in the amount of \$1,576,559 for professional engineering services associated with the design, bidding and construction administration for the West SH130 Wastewater Interceptor Phase 1 and Phase 2 projects and authorizing the City Manager to execute the agreement.
- Mr. Word provided information and answered questions of the Council. Mr. Wade provided information. There was discussion on the item. Mr. Cooper made a motion to approve the item 11C as presented. Mr. Marsh seconded the motion. The vote was: Mr. Cooper-yes, Mr. Marsh-yes, Mr. Heath-no. The motion carried.
- 11D.** [2016-5278](#) Discuss and consider action regarding future agenda items.

Mr. Marsh requested an item to discuss the downtown plan. Mr. Heath requested a presentation on roads, water, wastewater and drainage prioritization.

## **Executive Session**

Mayor Pro Tem Peña announced that the Council was retiring to executive session for possible discussion on items 12A, 12B, and 12C. He read the items and retired to executive session. The time was 8:30 p.m.

### **12. Discuss only**

- 12A.** [2016-5276](#) 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.
- 12B.** [2016-5279](#) 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.
- Discussion on the item took place in executive session.
- 12C.** [2016-5290](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the duties of the City Manager.
- Discussion on the item took place in executive session.

## **Executive Session - Closed**

Mayor Pro Tem Peña reconvened in open session at 9:41 p.m.

### **13. Adjourn**

Mr. Cooper made a motion to adjourn. Mr. Marsh seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:41 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on November 8, 2016.