



# City of Pflugerville

## Minutes - Final - Final

### City Council

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Tuesday, June 26, 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 Pro Tem Omar Peña called the regular meeting to order at 7:04 p.m. Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. Mayor Gonzales was absent. City employees attending: Trey Fletcher, Interim City Manager; Lauri Gillam, Assistant City Manager; Charlie Zech, City Attorney; Jennifer Stubbs, Deputy City Secretary; Amy Giannini, City Engineer; James Hemenes, Parks Director; Aileen Dryden, Park Development Manager; Maggie Holman, Special Events Coordinator; Terri Toledo, Communications Director; Emily Barron, Planning Director; Jeremy Frazzell, Assistant Planning Director; Erin Sellers, Senior Planner; Jennifer Coffey, Library Director; Cindy Pierce, Development Engineering Director; Jessica Robledo, Police Chief; Mayo Neyland, Police Commander; Helena Wright, Police PIO; Amy Good, Finance Director; Robert Polanco, Building Official; Rhonda McLendon, Animal Welfare Services Director.

#### 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.

**C. Moment of Silence.**

Mayor Pro Tem Peña observed a moment of silence.

#### 3. City Council Announcements

Mr. Heath thanked staff and PCDC for the study and stated that he looks forward to tying it back to the strategic retreat. Mr. Metayer congratulated the last unified class of Pflugerville ISD. Pflugerville High School had their 20th reunion and stated that it was a great time by all.

#### **4. Presentations**

- 4A.**    [2018-6844](#)    Invitation to all Pflugerville citizens to come to the Pfirecracker Pfestival Wednesday, July 4, 2018.

**Ms. Holman invited the public to the July 4th Pfestival at the Pfield. She provided a video presentation.**

- 4B.**    [2018-6832](#)    Proclamation designating July 2018 as Parks and Recreation Month in the City of Pflugerville.

**Ms. Holman provided some comments about Parks and Recreation Month. Mayor Pro Tem Peña read and presented the proclamation to Parks and Recreation staff members in attendance.**

#### **5. Public Hearing**

- 5A.**    [RES-0520](#)    Conduct the first public hearing regarding the Community Development Block Grant (CDBG) program proposed 2018 Action Plan.

**Ms. Barron provided information over the Community Development Block Grant program. No one from the public wished to speak. Mr. Heath made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. Motion carried.**

#### **6. Public Hearing and Ordinance First Reading**

- 6A.**    [ORD-0409](#)    Conduct the second public hearing and consider approving an annexation ordinance on first reading with the caption: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, 6.798 ACRES OF LAND SITUATED IN THE THOMAS G. STUART SURVEY, ABSTRACT NO. 689, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; GENERALLY LOCATED NORTH OF E. PFLUGERVILLE PARKWAY, EAST OF PFLUGER FARM LANE, AND WEST OF F.M. 685; 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. (ANX1801-01)

**Ms. Barron provided information and answered questions of the council. No one from the public wished to speak under the item. Mr. Weiss made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. Motion carried.**

Mr. Marsh made a motion to approve the ordinance as read. Mr. Metayer seconded the motion. All voted in favor. Motion carried.

**6B. [ORD-0407](#)**

Conduct a public hearing and consider approving an ordinance on first reading with the caption: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE, AMENDING SUBCHAPTER 4, ESTABLISHMENT OF DISTRICTS AND BOUNDARIES, BY MODIFYING THE NAME, PURPOSE, AND LIST OF PERMITTED USES OF THE AGRICULTURE / CONSERVATION (A) ZONING DISTRICT, AND ADDING TWO NEW ZONING DISTRICTS IDENTIFIED AS THE PUBLIC FACILITIES AND OPEN SPACE DISTRICT AND THE AUSTIN EXECUTIVE AIRPORT HAZARD OVERLAY DISTRICT; AMENDING SUBCHAPTER 20, DEFINITIONS, BY ADDING CORRESPONDING DEFINITIONS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; AND DECLARING AN EFFECTIVE DATE.

Ms. Barron provided information and answered questions of the council. No one from the public wished to speak under the item. Mr. McDonald made a motion to close the public hearing. Mr. Marsh seconded the motion. All voted in favor. Motion carried.

Mr. Marsh made a motion to approve the ordinance as read. Mr. Weiss seconded the motion. All voted in favor. Motion carried.

**7. Public Comment**

Mary Albright, 602 Oak Ridge Drive, stated she does not like the restriping of Railroad. Mr. Fletcher stated the council cannot deliberate and referred her to speak with Ms. Giannini.

Ms. Meme Styles, 4536 Dennis Lane, was signed up to speak, but was not in attendance when called forward to speak.

Mr. Ernest Tomes, 16701 Heatherwilde, stated that he wanted public transportation for people who are blind. He stated this is important because transportation is huge for people like him who cannot drive. He stated that only so many times could he rely on friends. He stated that we have to have transportation for the blind and that CARTS stopped coming.

Mr. James Ware stated that there should also be public transportation. He stated that it is more than people like Mr. Tomes but also for people with economic reasons. He stated that we should not throw this by the wayside and look at this in terms of cost.

**Reading of the Consent Agenda**

Items 10A, 11A, 11B, and 11C were removed from the consent agenda. Ms. Stubbs read the items along with the captions of the ordinances under consideration.

**8. Approval of Minutes**

- 8A. [2018-6873](#) Approval of the minutes of the June 8, 2018 Worksession, June 9, 2018 Worksession, and June 12, 2018 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

**9. Ordinances Second Reading**

- 9A. [ORD-0410](#) Approving an ordinance on second and final 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 APPROXIMATELY 0.78 ACRES OF LOT 1, BLOCK A GREENRIDGE PHASE 8 SUBDIVISION FROM AGRICULTURE/CONSERVATION (A) TO OFFICE (O) DISTRICT AND APPROXIMATELY 1.80 ACRES OF LOT 1, BLOCK A GREENRIDGE PHASE 8 SUBDIVISION FROM AGRICULTURE/CONSERVATION (A) TO RETAIL (R) DISTRICT; TO BE KNOWN AS THE 19501 CHEYENNE VALLEY DRIVE REZONING (REZ1712-03); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was approved on the consent agenda.

**10. Resolutions**

- 10B. [RES-0522](#) Approving a resolution authorizing the City Manager to execute a Termination of Restrictive Covenant Instrument to terminate an existing drainage easement within the Carmen subdivision.

The resolution was approved on the consent agenda.

- 10C. [RES-0523](#) Approving a resolution with the caption reading: A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS, SUPPORTING BASTROP COUNTY'S APPLICATION FOR FLOOD PROTECTION PLANNING GRANT ASSISTANCE FILED WITH THE TEXAS WATER DEVELOPMENT BOARD.

The resolution was approved on the consent agenda.

**Action on the Consent Agenda**

Mr. Weiss made a motion to approve the consent agenda. Mr. Marsh seconded the motion. Mr. Heath and Mr. Metayer were away from the dais and did not vote on the consent agenda. All present voted in favor. Motion carried.

**10. Resolutions - Removed from the Consent Agenda**

- 10A.** [RES-0521](#) Approving a resolution with the caption reading: RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS ("CITY") SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE RATE INCREASE FILING MADE ON OR ABOUT JUNE 1, 2018 BY ATMOS ENERGY FOR ITS MIDTEX DIVISION; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

**Ms. Gillam provided information on the item. She stated this postpones the rate increase 90 days so staff may take a look at what Atmos is doing. She stated staff will be coming back with a possible settlement. Ms. Gillam answered questions of the council. Mr. Weiss made a motion to approve the resolution. Mr. Marsh seconded the motion. All voted in favor. Motion carried.**

## **11. Other Actions**

- 11A.** [2018-6739](#) Authorizing the Interim City Manager to terminate the Financial Advisory Agreement with First Southwest Company, LLC (now Hilltop Securities, Inc).

**Mayor Pro Tem Peña opened 11A and 11B at the same time. Ms. Gillam stated this is a continuation of the city's relationship with Terrell Palmer who formerly was with Hilltop Securities and is now with Post Oak Municipal Advisors. Discussion with council followed. Mr. Palmer answered questions of the council. Mr. Weiss made a motion to approve items 11A and 11B with amendments to not have a waiver jury trial and a venue in Travis County. Mr. Marsh seconded the motion. All voted in favor. Motion carried.**

- 11B.** [2018-6755](#) Authorizing the Interim City Manager to execute a professional services agreement with Post Oak Municipal Advisors, LLC.

**Mayor Pro Tem Peña opened 11A and 11B at the same time. Ms. Gillam stated this is a continuation of the city's relationship with Terrell Palmer who formerly was with Hilltop Securities and is now with Post Oak Municipal Advisors. Discussion with council followed. Mr. Palmer answered questions of the council. Mr. Weiss made a motion to approve items 11A and 11B with amendments to not have a waiver jury trial and a venue in Travis County. Mr. Marsh seconded the motion. All voted in favor. Motion carried.**

- 11C.** [2018-6871](#) Approving an Education Affiliation Agreement between the City of Pflugerville and the Austin Community College District and authorizing the Interim City Manager to execute same.

**Ms. Gillam stated this is an agreement with Pflugerville Animal Welfare Services and the Austin Community College. Mr. McDonald stated that this is an excellent program of outreach. Mr. McDonald made a motion to approve the item. Mr. Metayer seconded the motion. All voted in favor. Motion carried.**

## **12. Discuss and consider action**

- 12A.** [2018-6858](#) Discuss and consider action to approve an agreement with Halff Associates, Inc. in the amount of \$65,985 for professional engineering services associated with the historic Colored Addition Subdivision Area Study and Infrastructure Evaluation.

Ms. Giannini provided a presentation over the item and answered questions of the council. Mr. Matt Bushak with Halff Associates answered questions of the council. Mr. Metayer indicated he wanted an amendment change regarding ownership licenses for this contract and for future contracts. Mr. Heath stated that he wants FAR and audited overhead rates in the future. Mr. Marsh made a motion to approve 12A as read. Mr. Metayer seconded the motion. All voted in favor. Motion carried.

- 12B.** [2018-6860](#) Discuss and consider action about prioritization and funding for projects in the City's Five-Year Capital Improvement Plan.

Ms. Giannini provided a report on the city's Capital Improvement Project plan and discussed the proposed added projects. Discussion followed.

Justin LeBlanc, 905 Point Run Drive, spoke on the Athletic Complex and Randig Feasibility Study and its recommendations for four baseball fields, four new softball fields and converting the Little League Complex to a practice facility. He discussed the city's current plans at the 1849 park, providing for soccer and football. He provided information on the city's contract with the school district with responsibility of the city to maintain and provide improvement to the Pflugerville Little League fields. He asked the council to prioritize the Pflugerville Little League fields to make improvements.

There was a consensus to hold a two hour worksession at the next council meeting.

- 12C.** [2018-6857](#) Discuss and consider action regarding participation in the Pflugerville Community Development Corporation (PCDC) tour of fast growth communities in the Dallas Metroplex during the fall of 2018. (Requested by Councilmember Doug Weiss)

Mr. Weiss provided some opening comments. He addressed the invitation for councilmembers and PCDC members to visit communities in the Dallas Metroplex. He stated this is up for discussion. Mr. Weiss stated he would count as one member of council and one member of PCDC. Mr. McDonald stated his interest in going. Mr. Weiss made a motion that councilmembers McDonald, Metayer, and Mayor Gonzales attend the tour. Mr. Heath seconded the motion. All voted in favor. Motion carried.

- 12D.** [2018-6874](#) Discuss and consider action regarding future agenda items.

Mr. Metayer stated he wanted to discuss the partnership with the school district and the use of little league fields. Mr. Metayer also requested a 90 day report from the Municipal Court Judge. Mr. McDonald stated he wanted a discuss and consider item for the next strategic planning session. Mr. Fletcher stated that he was planning on putting it on the next agenda.

**Executive Session**

**Mayor Pro Tem Peña announced that the City Council was retiring to executive session for discussion on items 12E, 12F, 13A and 13B. He read the executive session items. The time was 9:25 p.m.**

**12E. [2018-6875](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code regarding provisions of the Interlocal Cooperation Agreement Between the City of Pflugerville and the Pflugerville Independent School District related to the provision of police services to the Pflugerville Independent School District. 2.) Open Session Item: Discuss and consider action regarding the Interlocal Cooperation Agreement Between the City of Pflugerville and the Pflugerville Independent School District related to the provision of police services to the Pflugerville Independent School District.

**Discussion on the item took place in executive session. Action on the item was taken later in the meeting in open session.**

**12F. [2018-6840](#)**

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: Discuss and consider action regarding the search and selection of a City Manager including possible appointment.

**Discussion on the item took place in executive session. Action on the item was taken later in the meeting in open session.**

**13. Discuss only****13A. [2018-6855](#)**

1.) Executive Session Item: 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. 2.) Open Session Item: Discussion regarding the purchase, exchange, lease, transfer and/or sale of real property. (Requested by Mayor Pro Tem Omar Peña and Councilmember Mike Heath)

**Discussion on the item took place in executive session. No action was taken on the item.**

**13B. [2018-6879](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding contractual issues relating to the Weiss Lane Roadway Project. 2.) Open Session Item: Discussion regarding the Weiss Lane Roadway Project.

**Discussion on the item took place in executive session. No action was taken on the item.**

**Executive Session**

**Mayor Pro Tem Peña reconvened in open session at 10:57 p.m. No action was taken.**

**12E. [2018-6875](#)**

1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code regarding provisions of the Interlocal Cooperation Agreement Between the City of Pflugerville and the Pflugerville Independent School District related to the provision of police services to the Pflugerville Independent School District. 2.) Open Session Item: Discuss and consider action regarding the Interlocal Cooperation Agreement Between the City of Pflugerville and the Pflugerville Independent School District related to the provision of police services to the Pflugerville Independent School District.

**There was discussion in open session on the item. Mr. Weiss stated our commitment to continuing to work with the school district on the agreements we have in place and make sure that all our police officers know that they have our full support. Mr. Metayer stated there was a suggestion that we might reach out to the school district to form a committee and to elect 3 members from council and same with the ISD. Council discussion followed. Mr. Weiss stated his interest in being a part of a committee for this item. Mr. McDonald stated his interest as well. Mr. Heath stated he would be happy to help. Mr. Weiss made a motion to appoint himself, Mr. McDonald, and Mr. Heath as the formation of the committee if they reciprocate. Mr. Marsh seconded the motion. All voted in favor. Motion carried.**

**12F. [2018-6840](#)**

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: Discuss and consider action regarding the search and selection of a City Manager including possible appointment.

**Mayor Pro Tem Peña announced that subject to this action, we will formally be extending a contract and the offer of the City Manager position to Sereniah Breland. Mr. Weiss made a motion to extend an offer of employment and appointment to Sereniah Breland as the City Manager of the City of Pflugerville. Mr. Metayer seconded the motion. Councilmember McDonald pointed out Mayor Gonzales would have voted on the item but could not attend tonight's meeting. All voted in favor. Motion carried.**

**14. Adjourn**

**Mr. Weiss made a motion to adjourn the regular meeting. Mr. Marsh seconded the motion. The vote was: Mr. Weiss-yes; Mr. Marsh-yes; Mayor Pro Tem Peña-no, Mr. Metayer-yes; Mr. Heath-yes; Mr. McDonald-yes. Motion carried. The meeting was adjourned at 11:05 p.m.**



Respectfully submitted,

Jennifer Stubbs  
Deputy City Secretary

Approved as presented on July 10, 2018.