



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, July 10, 2018

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Special Meeting starting at 5:00 p.m. Please see the Special Meeting Agenda for a list of items for discussion and consideration at the Special Meeting.

1. Call to order

Mayor Victor Gonzales called the regular meeting to order 7:13 p.m. Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. Mayor Pro Tem Omar Peña was absent. City employees attending: Trey Fletcher, Interim City Manager; Charlie Zech, City Attorney; Lauri Gillam, Assistant City Manager; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Amy Giannini, City Engineer; Amy Good, Finance Director; Terri Toledo, Communications Director; Jacquelyn Smith, Capital Improvement Program Manager; Chad Wood, Senior Transportation Engineer; Patricia Davis, Engineer; Emily Barron, Planning Director; James Hemenes, Parks Director; Cindy Pierce, Development Engineering Director; Jessica Robledo, Police Chief; Leann Resendez, Recreation Center Superintendent; Maggie Holman, Events Coordinator; Erin Seller, Senior Planner; Jennifer Coffey, Library Director; Robert Polanco, 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 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.

Mayor Gonzales observed a moment of silence.

3. City Council Announcements

Mr. Heath acknowledged city staff and thanked HEB for their sponsorship of the July 4th Pfireworks Pfestival. Mr. Metayer extended appreciation to the food trucks and vendors that participated. Mayor Gonzales stated that he has been on the City Council for 10.5 years and therefore, so has his wife. He stated that he would like to acknowledge the Mayor and First Lady of Pflugerville's 35th wedding anniversary upcoming this Saturday.

Mayor Gonzales announced that the rezoning item for Townhomes of Old Town East had been postponed and new notification would be provided when the applicant is ready to move forward.

4. Presentations

- 4A. [2018-6890](#) Proclamation celebrating the 50th anniversary of the Creation of Special Olympics, Inc. and declaring July 21, 2018 as "Day of Inclusion" in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to the Special Olympians in attendance.

- 4B. [2018-6889](#) Invitation to all Pflugerville citizens to come to the grand opening of the Stone Hill Dog Park on Saturday, July 21, 2018.

Ms. Holman provided information on the item.

5. Public Hearing and Ordinance First Readings

- 5A. [ORD-0411](#) 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 APPROVING A SPECIFIC USE PERMIT FOR A PROPOSED BAR/TAVERN ON AN APPROXIMATE 1-ACRE TRACT OF LAND ZONED GENERAL BUSINESS 1 DISTRICT (GB1) AND DOWNTOWN DISTRICT OVERLAY (DD) LOCATED GENERALLY NORTHEAST OF THE N. RAILROAD AVE. AND E. PECAN ST. INTERSECTION, LOCALLY ADDRESSED AS 200 E. PECAN ST, UNIT 5 TO BE KNOWN AS THE THREE LEGGED GOAT SPECIFIC USE PERMIT (SUP1805-01); PROVIDING A CUMULATIVE AND REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. McDonald stepped down from the dais due to a conflict of interest on the item in that he is a business owner and applicant on the request for rezoning. He did not participate in the discussion or vote on the item.

Mayor Gonzales opened the public hearing and read the item to include the caption of the ordinance under consideration. Ms. Barron provided information

on the item.

Ms. Chelsea Robertson, 1014 Duke Cove, applicant, provided information on the request for rezoning to allow for a Texas wine bar. She answered questions of the Council.

Ms. Barron answered further questions from the Council.

Mr. Marsh made a motion to close the public hearing. Mayor Gonzales seconded the motion. Council confirmed that there were no requests to speak. All present voted in favor. Mr. McDonald was not present and did not vote on the item. The motion carried.

Mr. Marsh made a motion to approve 5A as read. Mr. Weiss seconded the motion. All present voted in favor. Mr. McDonald was not present and did not vote on the item. The motion carried.

5B. [ORD-0413](#)

Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING TITLE XV, LAND USAGE, OF THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING CHAPTER 154, TITLED SIGNS; PROVIDING A CUMULATIVE CLAUSE AND REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT WITH THE AMENDED SECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. McDonald returned to the dais.

Mayor Gonzales opened the public hearing and read the item to include the caption of the ordinance under consideration.

Mr. Fletcher provided information on the item and answered questions of the Council. There was discussion on the item. Mr. Zech provided information on the item.

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

Mr. Weiss made a motion to approve. Mr. Marsh seconded the motion. Mayor Gonzales confirmed with Mr. Zech that the city cannot regulate the number of political signs. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Gonzales-no. The motion carried.

6. Public Hearing and Resolution

6A. [RES-0520](#)

Conduct a second public hearing and consider approval by resolution of the Community Development Block Grant (CDBG) program proposed 2018 Action Plan.

Mayor Gonzales opened the public hearing and the resolution item under consideration.

Ms. Barron provided information on the item and answered questions of the Council. Discussion followed.

There were no requests to speak at the public hearing. Mayor Gonzales made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

Mr. McDonald made a motion to approve. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

7. Public Comment

Sheldon Lamey, 621 Busleigh Castle Way, stated that he is the President of Pflugerville Black Business Builders and he is in favor of easing restrictions of food trucks. He stated that he would like to see food trucks here; that it would assist local businesses and commerce. He stated that he would like to have a food trailer park in Pflugerville.

Patricia Bedford, 413 Swenson Farms Blvd, owner of Suga's Cakery, stated that she would like food trucks to be allowed outside of special events, especially in the downtown area to allow for economic growth.

W.C. Kolinek, 18108 Monarch Butterfly Way, stated his subject is taxes. He stated that a Community Impact article showed that Councilmember Jim McDonald is supporting the Austin Community College annexation election. Mr. Kolinek stated that he believes that it will be on the November ballot and if it passes, Mr. McDonald has wiped out all of the work that the city has done to reduce taxes.

Meme Styles, 4536 Dennis Lane, stated that she wants food trucks here. She stated that two weeks ago the police chief challenged Black Pflugerville to show up and be heard. She stated that today she is asking for a few things to be considered for the budget: 1.) equity and inclusion office at the city; 2.) cultural arts fund; 3.) maintenance of the historic Colored Addition cemetery; 4.) better mobility and transportation; 5.) collaborative education programs.

Justin LeBlanc spoke regarding the city's agreement with the Pflugerville Independent School District for the Pflugerville Little League fields. He stated that he would like the city to work with the PfISD to come up with a solution so the city would feel more comfortable in making investment in the Pflugerville Little League fields. He stated that they are running out of space and improvements are needed to the fields.

Amanda Maedgen, 404 12th Street, stated that she would love to see food trucks. She stated regarding strategic planning that she would like to thank the city for the parks and trails system. She asked that the Council continue to provide resources for parks. She thanked the Council for funding the study of the Historic Colored Addition area last week and asked that they take the next step by providing improvement funds in the budget.

Ernest Tomes, 16701 Heatherwilde, spoke in support of public transportation for himself as someone who is blind, for his father who has limited vision and for others.

Serita LaCasse, Executive Director of Senior Access, provided information on

transportation issues in Pflugerville for seniors. She reported that there are few options and much demand.

Mayor Gonzales stepped down from the dais. Mr. Heath presided.

Gregory Pope, owner of Mr. Pfranks, stated that he is in favor of food trucks but does not want without some restrictions. He stated that he wants Pflugerville businesses to be the priority. He stated that a park is a great idea and it needs to be affordable for the food trucks. He also provided comments on the need for the Weiss Lane project to be completed.

Chuck Tsoke Adjavon stated that his issue is with the municipal court. He stated that they only have one day a month for court. He stated that court hours need to be expanded, so people do not have to take off of work to go to court.

Reading of the Consent Agenda

Item 8A was removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration. Mayor Gonzales returned to the dais during the reading of the consent agenda.

9. Ordinance First Reading

- 9A. [ORD-0414](#) Approving an ordinance on first reading with caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, CHANGING THE NAME OF WARNER RANCH DRIVE LOCATED IN THE MEADOWS AT CAMBRIDGE HEIGHTS, PH 1 SUBDIVISION TO TREEHORN RANCH ROAD; 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 first reading on the consent agenda.

10. Ordinances Second Reading

- 10A. [ORD-0409](#) Approving an annexation ordinance on second and final reading with the caption reading: 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)

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

10B. [ORD-0407](#)

Approving an ordinance on second and final 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.

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

11. Resolution

11A. [RES-0524](#)

Approving a resolution with the caption reading, RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS SELECTING PATTILLO, BROWN, AND HILL, LLP TO PERFORM THE INDEPENDENT AUDIT OF THE CITY OF PFLUGERVILLE FOR FISCAL YEAR 2018.

The resolution was approved on the consent agenda.

12. Other Actions

12A. [2018-6722](#)

Receive third quarter report of City Councilmember expenditures for fiscal year 2018.

The item was approved on the consent agenda.

12B. [2018-6882](#)

Authorizing the Interim City Manager to execute a Post-Annexation Provision of Services Agreement providing that upon annexation the City will provide standard City services to two (2) tracts of land totaling approximately 229.99 acres situated in the Alexander Walters Survey No. 67, Abstract No. 791, Travis County, Texas, generally located at the northeast corner of Wells Branch Parkway and Immanuel Road.

The item was approved on the consent agenda.

12C. [2018-6886](#)

Approving the selection of Kimley-Horn and Associates, Inc. for professional engineering services associated with the preparation of a

Transportation Master Plan and authorizing the Interim City Manager to enter into negotiations regarding a scope of work and fee proposal.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

8. Approval of Minutes - Removed from the Consent Agenda

- 8A. [2018-6891](#) Approval of the minutes of the June 26, 2018 Worksession and Regular Meeting.

Mr. Metayer asked for clarification on the action recorded in the minutes. Mr. Zech provided information. It was determined that no correction to the minutes was needed. Mr. Weiss made a motion to approve item 8A. Mr. Heath seconded the motion. All voted in favor. The motion carried.

13. Discuss only

- 13A. [2018-6909](#) Discussion regarding the Fiscal Year 2019 budget.

Mr. Fletcher provided an overview of the proposed Fiscal Year 2019 budget and answered questions of the Council. Mr. Fletcher thanked city staff for their assistance in preparing this year's budget. Mr. Marsh stated that we are taking every cent we have and are stretching it. He commended city staff for their work.

- 13B. [2018-6894](#) Discuss strategic planning, mission, vision, and development of a multi-year strategic plan.

Mr. Fletcher stated that they had a strategic planning worksession June 8 and June 9 and the resulting product is attached to the item. He welcomed any direction they would like to provide. He stated that they could continue to refine while they review the budget and with the new City Manager starting in August. Mr. McDonald stated that he thinks this is something that they should revisit every six months. Mr. Heath stated that they should extend their worksession at the next meeting to further discuss. Mr. Marsh stated that he thought the workshop with SGR was helpful. He recommended that Council consider doing something similar each January and then discuss the budget with staff in April to review priorities. He stated that the SGR exercise was a foundation and they need to build on it. Mr. McDonald stated a need to have a strategic north for staff and to allow for refocusing. Mr. Heath stated that he is not sure they have the strategic north at this time. He stated a need to articulate a strategic plan. There was continued council discussion. Mr. Metayer indicated agreement with the January and April meeting schedule. Mr. McDonald stated he would like to set the dates well in advance.

- 13C. [2018-6900](#) Discussion regarding Transit Development Plan (TDP) concepts, outcomes and opportunities.

Mr. Fletcher stated that there is a potential for a pilot program. He stated that it is not currently included in the Fiscal Year 2019 budget. Michelle Meaux, Capital Metro, presented proposals for a fixed route service, an SH 130 express service, and a demand response service and answered questions of the Council. She provided information on their new "Pickup by Metro" service. She stated that they are recommending a one-year pilot program for this service to a portion of the City of Pflugerville. She stated to move forward they would need adoption of a Pflugerville TDP and Addendum and then they could negotiate an interlocal agreement for service. There was continued discussion. Mr. Fletcher stated that they would work to bring an item for consideration to the first meeting in August.

14. Discuss and consider action

14A. [2018-6896](#)

Discuss and consider action related to the City's Capital Improvement Program and direct the Interim City Manager to begin preparation for related item(s) for a November 6, 2018 Special Election ballot and/or issuance of Certificates of Obligation (CO's).

Ms. Giannini presented and discussed three options for moving forward with the Council and Mr. Fletcher:

Option 1.) \$27.8 million in general obligation bonds for design and construction of projects listed.

Option 2.) \$12.4 million in certificates of obligation for design of all projects and projects identified earlier for construction with certificates of obligation. (low hanging fruit)

Option 3.) \$21.1 million in general obligation bonds for the design and construction of Colorado Sand Drive, Kelly Lane Phase 2, Old Austin-Hutto Road, and E. Pflugerville Parkway Extension/Realignment of Weiss Lane and \$10 million in certificates of obligation for design only projects and projects identified earlier for construction with certificates of obligation. (referred to as low hanging fruit)

Projects as discussed:

1. Colorado Sand Drive
2. Pfluger Farm Lane North- design
3. Kelly Lane Phase 2
4. Kelly Lane Phase 3 - design
5. Kenny Fort Extension - removed
6. Old Austin-Hutto Road
7. Picadilly Drive - design (apply for CAMPO funds)
8. Central Commerce Drive - design (apply for CAMPO funds)
9. Royston Lane- design (apply for CAMPO funds)
10. E. Pflugerville Parkway Extension/Realignment East of Weiss Lane
11. Melber Lane-design
12. Immanuel - design and right of way
13. Schultz Lane- design and right of way
14. Wilke Ridge- design and right of way
15. West Black Locust - design
16. E. Pflugerville Parkway (Colorado Sand to Weiss Lane) - preliminary and final design

Projects for Certificates of Obligation (referred to low hanging fruit):

1. FM 685/Copper Mine Drive Overpass Improvements
2. Northbound FM 685 and Kelly Lane Intersection Improvements
3. Southbound FM 685 and Kelly Lane Intersection Improvements
4. Town Center Drive Improvements
5. E. Pecan Street at Biltmore Avenue Intersection Improvements
6. E. Pecan Street Turn Lane Improvements at FM 685
7. Pecan Street at Heatherwilde Boulevard Intersection Improvements
8. Rowe Lane at SH 130 Northbound Frontage Road

Mr. Heath suggested doing #2, the certificates of obligation for all the design projects and postponing the general obligation bonds until design is complete, to allow for assistance with funding and regional partnerships. Mr. Weiss indicated concerns for being behind when it is time to build the roads. Mr. McDonald stated that when they reviewed the list, they concluded that they need construction of the projects identified for general obligation bonds (Colorado Sands, Kelly Lane Phase 2, Old Austin-Hutto Road, and E. Pflugerville Parkway Extension/Realignment of Weiss Lane). Mr. Fletcher stated if they are going to defer general obligation bonds, they do not need to make a decision tonight, but if they wish to hold a general bond election on November 6, 2018, they would need to take specific action this evening to identify the projects and amounts. Mr. Marsh recommended #3. There was continued discussion.

Mr. Weiss made a motion to move forward with Option 1. The motion died for lack of a second.

Mr. Metayer made a motion to move forward with Option 3, specifically for the preparation of a general bond election and that they would deal with the certificates of obligation at a later date. Mr. Marsh seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mr. Metayer-yes, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

14B. [2018-6883](#)

Discuss and consider approval of land use assumptions and growth projections prepared for the Water and Wastewater Master Plans.

Ms. Giannini provided information on the item, followed by a presentation by Jessica Vassar of Freese and Nichols. Mr. Fletcher and Ms. Giannini provided input. Ms. Vassar answered questions of the Council. Ms. Giannini requested action on the item to allow them to move forward with the plans. There was continued Council discussion with Ms. Giannini, Ms. Vassar and Mr. Fletcher.

Mr. Weiss motion to approve. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

14C. [2018-6892](#)

Discuss and consider action regarding future agenda items.

Mr. Metayer requested a future agenda item to discuss the water service area. Mr. Weiss requested a future agenda item regarding the Pflugerville Little League. Mr. Metayer requested an item to discuss homeland security resources.

15. Discuss only - Executive Session

15A. [2018-6917](#)

1.) Executive Session Item: Consult, receive and discuss legal advice

under Chapter 551.071 of the Texas Government Code regarding a Pflugerville Community Development Corporation (PCDC) performance agreement.

Mayor Gonzales announced that the Council was retiring to executive session for discussion on the item. He read the item and retired to executive session. The time was 11:07 p.m. Discussion on the item took place in executive session. Mayor Gonzales reconvened in open session at 11:39 p.m. Mr. Metayer was absent from the dais. No action was taken.

16. Adjourn

Mr. Weiss made a motion to adjourn. Mr. Heath seconded the motion. Mr. Metayer was absent from the dais and did not vote on the item. All present voted in favor. The motion carried. The meeting was adjourned at 11:39 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on July 24, 2018.