



City of Pflugerville

Minutes - Final City Council

Tuesday, May 26, 2015

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 7:02 p.m. Councilmembers Wayne Cooper, Omar Peña, Starlet Sattler and Victor Gonzales were in attendance. Councilmember Brad Marshall was 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; Dan Franz, City Engineer; Emily Barron, Planning Director; Amy Giannini, Interim Development Engineering Director; James Hemenes, Parks Director; Jennifer Coffey, Interim Library Director; Amy Good, Finance Director; Chuck Hooker, Police Chief. Also attending: Doug Weiss, Board President; and Amy Madison, Assistant Executive Director; of the Pflugerville Community Development Corporation (PCDC).

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 Coleman 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 Coleman led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

Item of Public Interest

Mr. Wade, Chief Hooker, Mr. Fletcher and Mr. Hemenes reported on the May 25, 2015 flooding event and the status of roads and parks. Citizens were asked to avoid affected areas due to damage and debris.

3. Presentation

- 3A.** [2015-3936](#) Presentation regarding 2015 summer reading club and activities at the Pflugerville Public Library.

Ms. Coffey presented on the item.

4. Public Hearing and Ordinance First Reading

- 4A. [ORD-0249](#)** 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 CHANGING THE ZONING DESIGNATION OF TWO SEPARATE TRACTS CONSISTING OF APPROXIMATELY 3.321 ACRES OF LAND LOCATED BETWEEN FM 685 AND OLD AUSTIN-HUTTO RD, GENERALLY EAST OF THE APPLEWOOD DR. AND FM 685 INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1); TO BE KNOWN AS THE BURRELL BUSINESS PARK REZONING (REZ1503-02), AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman 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. Ms. Sattler made a motion to close the public hearing. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

Ms. Sattler made a motion to approve the ordinance on first reading. Mr. Peña 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

Ms. Thompson read the items along with the captions of the ordinances under consideration.

6. Approval of Minutes

- 6A. [2015-3929](#)** Approval of the minutes of the May 6, 2015 Quorum and May 12, 2015 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

7. Ordinances Second Reading

- 7A. [ORD-0252](#)** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE READOPTING CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT;

CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

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

7B. [ORD-0254](#)

Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY TACK DEVELOPMENT LTD. FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, A 75.3-ACRE TRACT OF LAND DESIGNATED IN VOLUME 12792 PAGE 1028 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY EXCLUDING THE LAND DESIGNATED FOR RIGHT OF WAY IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS; 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.

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

8. Resolutions

8A. [RES-0249](#)

Approving a resolution adopting an annual annexation plan.

The resolution was approved on the consent agenda.

8B. [RES-0251](#)

Approving a resolution with the caption reading: a RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS ("CITY"), APPROVING A CHANGE IN THE RATES OF ATMOS ENERGY CORPORATION, MID-TEX DIVISION ("ATMOS") AS A RESULT OF A SETTLEMENT BETWEEN ATMOS AND THE ATMOS TEXAS MUNICIPALITIES ("ATM") UNDER THE RATE REVIEW MECHANISM; FINDING THE RATES SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THE RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

The resolution was approved on the consent agenda.

9. Other Actions

9A. [2015-3915](#)

Authorizing the City Manager to execute a conditional donation and conveyance agreement with John S. Lloyd, First United Corporation, Richard Z. Rady and Agatha O. Rady, Realtron Inc. and the City of Pflugerville for acquisition and release of property associated with

roadway construction for the Heatherwilde Widening Capital Improvement Project.

The item was approved on the consent agenda.

9B. [2015-3922](#)

Authorizing the City Manager to execute a conditional purchase agreement, by Special Warranty Deed, and a Slope Easement agreement between Bruce Cash and the City of Pflugerville for the utility and roadway construction associated with the Heatherwilde widening and MUD5 water main capital improvement projects.

The item was approved on the consent agenda.

9C. [2015-3916](#)

Authorizing the City Manager to execute an Easement Purchase Agreement and Public Water Easement Agreement with the Pflugerville Independent School District (PISD) and the City of Pflugerville for the utility construction associated with the E. Pflugerville Parkway and Pfennig Lane Water Main Capital Improvement Project.

The item was approved on the consent agenda.

9D. [2015-3935](#)

Review of the Quarterly Investment Report for the quarter ending March 31, 2015.

The item was approved on the consent agenda.

Approval of the Consent Agenda

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

10. Discuss and consider action

10A. [2015-3937](#)

Discuss and consider action to approve a supplemental agreement #1 with Freese and Nichols, Inc. in the amount of \$59,782 for professional engineering services associated with the design of the Old Austin-Hutto Road project and authorizing the City Manager to execute the agreement. In addition, approve substitution of Gorrondona & Associates as subconsultant to Freese and Nichols to provide survey services.

Mr. Franz provided information on the item stating that this supplemental agreement would provide the addition of curbing and underground storm sewer to the plans. He answered questions of the Council. Mr. Peña made a motion to approve the item. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

10B. [2015-3928](#)

Discuss and consider action regarding future agenda items.

No items were noted.

11. Discuss only

Mayor Coleman announced that the City Council was retiring to executive session on items 11A and 11E. He read the items and retired to executive session at 7:39 p.m.

11A. [2015-3930](#)

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 was to take place in executive session. No action was taken.

11B. [2015-3931](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the provision of public utilities within the City of Pflugerville.

Discussion on the item took place in executive session during the earlier worksession. There was no discussion on the item during the regular meeting.

11C. [2015-3932](#)

1.) Executive Session Item: Consultation with legal counsel regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.

Discussion on the item took place in executive session during the earlier worksession. There was no discussion on the item during the regular meeting.

11D. [2015-3933](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning a development agreement with the Pflugerville Independent School District.

Discussion on the item took place in executive session during the earlier worksession. There was no discussion on the item during the regular meeting.

11E. [2015-3939](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the City Council's statutory authority pursuant to Texas Local Government Code Section 501.401.

Discussion on the item was to take place in executive session. No action was taken.

12. Adjourn

Mayor Coleman reconvened in open session at 8:38 p.m. Mr. Cooper made a motion to adjourn. Mr. Peña seconded the motion. All were in favor. The motion carried. The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on June 9, 2015.