



City of Pflugerville

Minutes - Final City Council

Tuesday, May 28, 2013

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, Brad Marshall, Starlet Sattler and Victor Gonzales were in attendance. Councilmember Omar Peña was absent. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Tom Word, Assistant City Manager; Terri Waggoner, Public Information Officer; Dan Franz, City Engineer; Pam Cosel, Marketing and Event Coordinator; Emily Barron, Planning Director; Lisa Charbonnet, Library Director; Chuck Hooker, Police Chief; Karen Thompson, City Secretary.

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.

3. Presentation

- 3A. [2013-1892](#) Presentation on the Pflugerville Public Library Grand Opening and Summer Reading Program Kickoff Saturday, June 8, from 11:00 am to 4:00 pm.

Ms. Charbonnet presented on the item.

4. Public Hearing and Ordinance First Readings

- 4A. [ORD-0137](#) Conduct a public hearing and consider approving an ordinance on first 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.

Mayor Coleman opened the public hearing and read the caption of the ordinance to be considered. Ms. Gillam provided information and answered questions of the City Council. Mr. Cooper made a motion to close the public hearing. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

Mr. Gonzales made a motion to approve the ordinance on first reading. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

4B. [ORD-0153](#)

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. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE TEXAS, AS AMENDED BY APPROVING A SPECIAL DISTRICT FOR A RESEARCH AND DEVELOPMENT CENTER ON A 21.83 ACRE PORTION OF LOT 3 OF THE RENEWABLE ENERGY PARK, TO BE FURTHER SUBDIVIDED AS LOT 3D, GENERALLY LOCATED IN PFLUGERVILLE, TX, TO BE KNOWN AS THE PROJECT ORION SPECIAL DISTRICT (SD1304-01), PROVIDING FOR SITE LAYOUT AND CONDITIONS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A NON-SEVERABILITY CLAUSE: AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Coleman opened the public hearing and read the caption of the ordinance to be considered. Ms. Barron and Floyd Akers, Director of the Pflugerville Community Development Corporation, provided information and answered questions of the City Council. Mayor Coleman questioned the need to limit the hours on the weekend. Mr. Marshall made a motion to close the public hearing. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

Mr. Marshall made a motion to approve the ordinance on first reading as written. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

5. Public Comment

Ms. Ronda Gindin, 17504 Kessler, provided information on the Pflugerville Garden Society and upcoming Flag Day celebration on June 14 at Lake Pflugerville.

Mr. J. Linnen, 16911 Copperhead Drive, stated that he was told that there would be a SouthWest Water item on the agenda tonight. He indicated that he had discussed with Gary Rose on a number of items and that Mr. Rose was taking those to headquarters but that he had not yet heard back. Mr. Wade asked Mr. J. what subject he was wanting on the agenda. Mr. J. stated that residents are concerned because they were annexed into the city, so they should pay the same rates. Mr. Wade stated that due to state law that is not easy to do and it

is because they were annexed that the city is able to negotiate, as they are doing.

Reading of the Consent Agenda

Item 7A was removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

6. Approval of Minutes

- 6A. [2013-1983](#) Approval of the minutes of the May 14, 2013 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

7. Ordinances Second Reading

- 7B. [ORD-0152](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2012-2013 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

- 7C. [ORD-0156](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE CONFIRMING THE CITY'S CONSENT TO THE ANNEXATION OF 16.24 ACRES OF LAND INTO KELLY LANE WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

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

8. Resolution

- 8A. [RES-0141](#) Approving a resolution adopting an annual annexation plan.

The resolution was approved on the consent agenda.

9. Other Actions

- 9A. [2013-1894](#) Approving an Agreement Regarding Wholesale Wastewater Service (2013) for the proposed Pfairway Park Subdivision.

The item was approved on the consent agenda.

- 9B. [2013-1962](#) Authorizing the City Manager, for a period not to exceed six months, to

allocate \$25,000 and execute documents to contribute to the acquisition of 10 acres of real property (Randig Tract) by Sorento Holdings 2012 LLC of which approximately 4.2 acres will be provided to the City for park and open space use.

The item was approved on the consent agenda.

- 9C. [2013-1969](#) Authorize the City Manager to execute a contract with Polydyne Inc. for the purchase of Clarifloc C-6232 Polymer in the amount of \$81,972.00 for wastewater treatment.

The item was approved on the consent agenda.

- 9D. [2013-1974](#) Approving and authorizing the City Manager to execute a Professional Services Agreement with Brown and Gay Engineers Inc. for the City of Pflugerville Master Transportation Plan (in an amount not to exceed \$206,000 per General Capital Reserve FY13) and including additional services for wayfinding development (in an amount not to exceed \$7,200) for a total of \$213,200.

The item was approved on the consent agenda.

- 9E. [2013-1976](#) Discussion and Action regarding Accepting bid from Temple Aday for Construction of the Waste Water Line for One Thirty Commerce Center (Renewable Energy Park Subdivision) in the amount of \$62,043.87.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

- 7A. [ORD-0151](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE AMENDING SUBCHAPTER 4 ESTABLISHMENT OF DISTRICTS AND BOUNDARIES, SECTION B(2) AND B(3) BY ADDING ALTERNATIVE FINANCIAL SERVICES, BAIL BOND, AND PAWN SHOP USES AND CONDITIONS; AND AMENDING SUBCHAPTER 20 DEFINITIONS SECTION B AND C, ADDING ALTERNATIVE FINANCIAL SERVICES, BAIL BOND, PAWN SHOP AND RELATED DEFINITIONS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES NOT TO EXCEED \$2,000.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (CA1304-01).

Mayor Coleman indicated that he had pulled the ordinance to see how it would affect a new business, Pflugerville Jewelry and Coins, in the Pflugerville Office

Park. Ms. Barron indicated that she would have to look into it to see if the ordinance pertains to their business. Mr. Hyde stated that if they have a certificate of occupancy prior to the ordinance's approval, then they would have vested rights and it would be a non-conforming use. He stated that it could apply if they had not yet applied for a certificate of occupancy. Ms. Sattler made a motion to approve the ordinance on second reading. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

10. Discuss and consider action

- 10A. [2013-1982](#) Discuss and consider action regarding the City of Pflugerville's participation in the Austin Chamber of Commerce Intercity visit to Boston, Massachusetts from September 15 to September 17, 2013.

Mr. Cooper was to attend if his work schedule allowed.

- 10B. [2013-1984](#) 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, 11B and 11C. He read the items to be discussed and retired to executive session. The time was 7:42 p.m.

- 11A. [2013-1985](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.

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

- 11B. [2013-1986](#) 1.) Executive Session Item: Consultation with legal counsel regarding agreements with Manville Water Supply Corporation pursuant to Chapter 551.071 of the Texas Government Code.

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

- 11C. [2013-1987](#) 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 was to take place in executive session. No action was taken.

Executive Session Closed

Mayor Coleman reconvened in open session at 8:34 p.m.

12. Adjourn

Mr. Gonzales made motion to adjourn. Mr. Marshall seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on June 11, 2013.