



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, December 11, 2012

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. **Call to order**

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.

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.

3. **Presentation**

- 3A. [2012-1520](#) Appreciation presentation to outgoing City Councilmember David Darelle White III for service to the City as Councilmember Place 3 from November 2006 to November 2012.

4. **Public Hearing and Ordinance First Readings**

- 4A. [ORD-0127](#) 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 SPECIFIC USE PERMIT FOR A BODY ART STUDIO IN THE CENTRAL BUSINESS DISTRICT ON LOT 18 BLOCK 1 OF THE PFLUGERVILLE SUBDIVISION, LOCALLY ADDRESSED AS 117 E. MAIN ST; TO BE KNOWN AS THE FREEDOM MACHINE TATTOO SPECIFIC USE PERMIT (SUP1210-01), AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Staff Report](#)
[Ordinance](#)

Legislative History

12/3/12	Planning and Zoning Commission	Recommended for Adoption
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- 4B. [ORD-0130](#) 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 RESCINDING AN EXISTING SPECIFIC USE PERMIT APPROVED THROUGH ORDINANCE NO. 1068-11-02-08 FOR A BODY ART STUDIO ON LOTS 10-12, BLOCK A PFLUGERVILLE SUBDIVISION, LOCALLY ADDRESSED AS 101 E. PECAN ST; AS RELATED TO A CONDITION OF APPROVAL FOR THE FREEDOM MACHINE TATTOO SPECIFIC USE PERMIT APPLICATION FOR 117 E. MAIN ST (SUP1210-01), AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Staff Report](#)
[Ordinance](#)

Legislative History

12/3/12	Planning and Zoning Commission	Recommended for Adoption
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- 4C.** [ORD-0131](#) 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 AN AMENDMENT TO THE SPECIAL DISTRICT ORDINANCE NO. 1091-11-10-25 FOR A LIGHT INDUSTRIAL USE IN CORRIDOR URBAN CENTER LEVEL 5 (CL5) FOR LOT 4 OF THE RENEWABLE ENERGY PARK SUBDIVISION, APPROXIMATELY 15 ACRES OUT OF THE W. CALDWELL SURVEY NO. 66, ABSTRACT 162, PFLUGERVILLE, TX, GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF SH 130 AND E. PECAN STREET, TO BE KNOWN AS THE PROJECT JERSEY SPECIAL DISTRICT. (SD1211-01), AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Staff Report](#)
[Exhibit A - Proposed Building Elevations](#)
[Exhibit B - Site Plan](#)
[Exhibit C - ORD 1091-11-10-25](#)
[Ordinance](#)

Legislative History

12/3/12	Planning and Zoning Commission	Recommended for Adoption
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- 4D.** [ORD-0132](#) 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 LIGHT INDUSTRIAL USE IN CORRIDOR URBAN LEVEL 4 (CL4) ON APPROXIMATELY 40.36 ACRES OUT OF THE T.G. STEWART SURVEY NO. 6 AND THE H. BLESSING SURVEY NO. 3, IN TRAVIS COUNTY, TX, GENERALLY LOCATED NEAR THE INTERSECTION OF W. PFLUGERVILLE

PARKWAY AND F.M. 685, TO BE KNOWN AS THE DATA CENTER PARK SPECIAL DISTRICT. (SD1210-02), AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Staff Report](#)
[Application](#)
[Exhibit A - Conceptual Site Plan](#)
[Exhibit B - Proposed Building Elevations](#)
[Exhibit C - Utility Substation Screening](#)
[Ordinance](#)

Legislative History

12/3/12	Planning and Zoning Commission	Recommended for Adoption
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5. Public Comment

In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the City Council. No formal action, discussion, deliberation, or comment will be made by the City Council. Each person providing public comment will be limited to 3 minutes.

Reading of the Consent Agenda

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless requested by a member of the City Council. Public comment on consent agenda items may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

6. Approval of Minutes

- 6A. [2012-1557](#) Approval of the minutes of the November 19, 2012 Special Meeting and November 27, 2012 Worksession and Regular Meeting.

Attachments: [November 19, 2012 Special Meeting Minutes](#)
[November 27, 2012 Worksession Minutes](#)
[November 27, 2012 Regular Meeting Minutes](#)

7. Ordinances Second Reading

- 7A. [ORD-0123](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING ORDINANCE NO. 874-07-04-10 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY APPROVING A SPECIAL DISTRICT FOR LOT 3 OF THE RENEWABLE ENERGY PARK SUBDIVISION, AND APPROXIMATELY 4.797 ACRES IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS, KNOWN AS THE EIEIO SPECIAL DISTRICT (SD1210-01) AND PROVIDING AN EFFECTIVE DATE.

Attachments: [EIEIO Special District CC staff report](#)

[Ordinance](#)

[Application Packet](#)

[Letter - Building Materials-update 10.31.12](#)

Legislative History

11/5/12	Planning and Zoning Commission	Recommended for Adoption
11/27/12	City Council	Action taken to close the Public Hearing
11/27/12	City Council	Approved on First Reading

- 7B.** [ORD-0128](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 110, (ENTITLED "FOOD ESTABLISHMENTS") OF THE CITY OF PFLUGERVILLE'S CODE OF MUNICIPAL ORDINANCES BY DESIGNATING THE CITY OF PFLUGERVILLE TO BE THE REGULATORY AGENCY ADMINISTERING THE CHAPTER; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Ordinance](#)

[Ordinance \(comment version\)](#)

Legislative History

11/27/12	City Council	Approved on First Reading
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8. Resolutions

- 8A.** [RES-0121](#) Resolution approving the fee schedule for permits under the Food Establishment Ordinance.
- Attachments:** [Resolution](#)
- 8B.** [RES-0108](#) Approving a resolution appointing Mr. Mike Marsh to Position 1, Mr. Scott Johnson to Position 3, and Mr. Scott Williams to Position 5 of the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors for two year terms ending December 31, 2014.
- Attachments:** [Resolution](#)
- 8C.** [RES-0123](#) Approving a resolution appointing Mr. Mike Marsh, Position 1, as chairman of Reinvestment Zone No. One (Falcon Pointe TIRZ) for a one-year term beginning January 1, 2013.
- Attachments:** [Resolution](#)
- 8D.** [RES-0119](#) Approving a resolution amending the Personnel Appeal Board policy and procedures to be consistent with the City Charter.
- Attachments:** [Resolution](#)
- [Exhibit A](#)

- 8E. [RES-0120](#) Approving a resolution with a caption reading: RESOLUTION APPROVING PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING DISTRIBUTION OF SUCH PRELIMINARY OFFICIAL STATEMENT RELATING TO THE CITY'S COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013, AND LIMITED TAX BONDS, SERIES 2013.
Attachments: [POS Resolution.pdf](#)
- 8F. [RES-0122](#) Approving a resolution supporting the nomination and appointment of Mr. Brandon Wade, City Manager, as a voting member of Region K , also known as the Lower Colorado Regional Water Planning Group (LCRWPG).
Attachments: [Nomination Public Notice](#)
[Resolution](#)
- 8G. [RES-0124](#) Approving a resolution authorizing the City Manager to enter into agreements with the Texas Water Development Board for the recovery of study costs in connection with the regional water supply planning study for the Pflugerville Service Area and including, for feasibility study purposes, areas adjacent to the Pflugerville service area.
Attachments: [Water Planning Area Map](#)
[Resolution](#)
9. **Other Actions**
- 9A. [2012-1552](#) Approving the appointment of Mr. Dave Taylor to the Parks and Recreation Commission as the alternate member for a term beginning January 1, 2013 and ending December 31, 2013.
- 9B. [2012-1564](#) Authorizing the City Manager to execute a master professional services agreement with Bureau Veritas North America, Inc. for the inspection of food establishments under the City of Pflugerville Food Establishment Ordinance.
Attachments: [Agreement](#)
- 9C. [2012-1567](#) Approving travel and training expenses in the amount of \$999.03 for Mayor Pro Tem Victor Gonzales for attendance of the 2012 Texas Municipal League Annual Conference.
Attachments: [Receipt](#)
- 9D. [2012-1566](#) Receive report on City Council, Commission, Board and Committee expenditures for November 2012.
Attachments: [FY 2011 Expense Report](#)
[FY 2012 Expense Report](#)
[FY 2013 \(November\) Expense Report](#)
- 9E. [2012-1561](#) Authorizing the City Manager to accept the donation of 9.82 acres of

land currently owned by Mr. Jerry Reed and Mr. John Bundy.

Attachments: [Property Exhibit](#)

- 9F. [2012-1570](#) Approving the Mayor's appointment of Loretty Doty to the Personnel Appeal Board for a three-year term beginning January 1, 2013.

Attachments: [2009 Doty Application](#)

Action on the Consent Agenda

10. Discuss and consider action

- 10A. [2012-1532](#) Discuss and consider action to approve RFP: 033 regarding Existing Roof Maintenance in the amount of \$68,940 and Change Order Number Two for the Pflugerville Community Library Expansion and Renovation Project in the amount of \$157,562.20 and authorizing the City Manager to execute the same.

Attachments: [Change Order #2.pdf](#)

[Change Order #2 Descriptions](#)

[Contingency Log Summary](#)

- 10B. [2012-1558](#) Discuss and consider action regarding future agenda items.

11. Discuss only

- 11A. [2012-1529](#) Discuss report on the Circuit of Americas Formula 1 United States Grand Prix held November 16-18, 2012 in Austin, Texas.

Legislative History

11/27/12 City Council No action

- 11B. [2012-1559](#) 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.

- 11C. [2012-1560](#) 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.

12. Adjourn

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on January 8, 2013.

