



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, November 13, 2012

7:00 PM

100 East Main Street, Suite 500

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### Regular Meeting

#### 1. Call to order

Mayor Jeff Coleman called the regular meeting to order 7:05 p.m. Councilmembers Wayne Cooper, Brad Marshall and Starlet Sattler were in attendance. Councilmembers Darelle White and Victor Gonzales were absent. City employees Brandon Wade, City Manager; George Hyde, City Attorney; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Tom Word, Assistant City Manager; Karen Thompson, City Secretary; Chuck Hooker, Police Chief; Emily Barron, Planning Director; Dan Franz, City Engineer; Terri Waggoner, Public Information Officer; Beth Davis, Finance Director; Amy Good, Assistant Finance Director; Blake Overmyer, 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 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. Presentations

**3A.** [2012-1332](#) Pflugerville Pfarmer's Market Wrapup.

Mr. Word presented on the item.

**3B.** [2012-1511](#) Information about the annual Pfall Pfest that will be held at the Pflugerville Recreation Center on November 17, 2012.

Mr. Word presented on the item.

#### 4. 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.

### 5. Approval of Minutes

- 5A. [2012-1485](#) Approval of the minutes of the October 15, 2012 Quorum; and October 23, 2012 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

### 6. Ordinances First Reading

- 6A. [ORD-0119](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TWO SEPARATE TRACTS OF LAND CONSISTING OF APPROXIMATELY 8.9 ACRES OF LAND OUT OF THE GENE M. MARTIN SURVEY NO. 9, ABSTRACT 529 IN TRAVIS COUNTY, TEXAS TO BE KNOWN AS THE 2012 VOHL/CITY OF PFLUGERVILLE LAND ANNEXATION (ANX1208-02); EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; 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 first reading on the consent agenda.

- 6B. [ORD-0120](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING FOR FULL PURPOSES APPROXIMATELY 20.2 ACRES OF LAND OUT OF THE S. EISELIN SURVEY NO. 4, ABSTRACT 265 AND T.S. BARNES SURVEY NO. 46, ABSTRACT 67 IN TRAVIS COUNTY, TEXAS, CONSISTING OF THE E. PECAN ST. RIGHT-OF-WAY, TO BE KNOWN AS THE EAST PECAN STREET ANNEXATION (ANX1208-01); EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; 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 first reading on the consent agenda.

- 6C. [ORD-0124](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE TERMS OF THE DIRECTORS AND CHAIRMAN OF THE REINVESTMENT ZONE NO. ONE, CITY OF PFLUGERVILLE,

TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.

The ordinance was approved on first reading on the consent agenda.

- 6D. [ORD-0125](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 95; SECTIONS 95.41, 95.42 AND 95.43 BY DESIGNATING MEMBERS OF THE PARKS AND RECREATION COMMISSION AS THE MEMBERSHIP OF THE TREE CARE ADVISORY BOARD AND DESIGNATION OF THE PARKS AND RECREATION DIRECTOR AS THE CITY STAFF PERSON OVERSEEING THE CARE OF PUBLIC TREES; PROVIDING FOR A CUMULATIVE & CONFLICTS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The ordinance was approved on first reading on the consent agenda.

## 7. Ordinance Second Reading

- 7A. [ORD-0122](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 150, REGARDING THE ADOPTION OF THE INTERNATIONAL BUILDING CODES, 2012 EDITION; PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES NOT TO EXCEED \$2000.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

- 7B. [ORD-0121](#) Approving an ordinance on second reading with a 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 CHANGING THE ZONING DESIGNATION OF 229.86 ACRES OUT OF THE J. DAVIS SURVEY NO. 13, ABSTRACT NO. 231 AND S. EISLIN SURVEY NO. 4, ABSTRACT NO. 265, LOCATED GENERALLY SOUTHEAST OF THE FM 685 AND E. PFLUGERVILLE PKWY INTERSECTION; FROM URBAN LEVEL 4 (CL4) TO GENERAL BUSINESS 1 (GB1) FOR 180.11 ACRES AND FROM URBAN LEVEL 4 (CL4) TO MULTI-FAMILY URBAN (MF-U) DISTRICT FOR 49.75 ACRES; TO BE KNOWN AS THE TOWN CENTER REZONING (REZ1208-02), AND PROVIDING AN EFFECTIVE DATE.

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

## 8. Resolutions

- 8A.**     [RES-0109](#)     Approving the 2013 development review schedules, fees, and structure of the Supplemental Schedule to be known as the Development Services Center Development Handbook.  
**The resolution was approved on the consent agenda.**
- 8B.**     [RES-0112](#)     Approving a Resolution Directing the Publication of Notice of Intention to Issue City of Pflugerville, Texas, Combination Tax and Revenue Certificates of Obligation, and Other Matters Related Thereto.  
**The resolution was approved on the consent agenda.**
- 8C.**     [RES-0113](#)     Approving a Resolution Expressing Official Intent to Reimburse Certain Expenditures.  
**The resolution was approved on the consent agenda.**
- 8D.**     [RES-0117](#)     Approving a resolution supporting the application from the Lower Colorado River Authority (LCRA) for an emergency order from the Texas Commission on Environmental Quality regarding water releases for agriculture in 2013.  
**The resolution was approved on the consent agenda.**
- 9.        Other Actions**
- 9A.**     [2012-1479](#)     Authorizing the City Manager to execute a Temporary Drainage Easement and permanent Slope Easement between Bancroft Austin 45 L.P. and the City of Pflugerville for the necessary design and construction associated with the Heatherwilde Blvd. North Widening project respectively.  
**The item was approved on the consent agenda.**
- 9B.**     [2012-1488](#)     Authorizing the City Manager to execute a Public Wastewater Easement between KM Avalon, Ltd., the Pflugerville Independent School District and the City of Pflugerville associated with proposed wastewater infrastructure necessary to serve Pflugerville Independent School District Middle School No. 6 project situated on 135.231 acres of the James P. Kempe survey No. 12, abstract No. 462 located in Travis County, Texas.  
**The item was approved on the consent agenda.**
- 9C.**     [2012-1489](#)     Authorizing the City Manager to execute an agreement with LJA Engineering, Inc. for Design & Construction Phase Services for the Pfluger Farm Lane Roadway, Drainage and Utility Improvements CIP project (from Town Center Drive to Pflugerville Parkway) in an amount not to exceed \$1,014,011.86.

The item was approved on the consent agenda.

- 9D. [2012-1497](#) Receive report on City Council, Commission, Board and Committee expenditures for October 2012.

The item was approved on the consent agenda.

- 9E. [2012-1505](#) Approving an Interlocal Contract for licensing SCPDC Software (MyPermitNow) to be used for permit applications filed with the Development Services Center.

The item was approved on the consent agenda.

- 9F. [2012-1510](#) Approving a Pflugerville Community Development Corporation (PCDC) loan in the amount of \$4,800,000 from Citizens National Bank for the refinancing of debt associated with the purchase and development of the property at the corner of State Highway 130 and Pecan Street (130 Commerce Center).

The item was approved on the consent agenda.

- 9G. [2012-1509](#) Review of the Quarterly Investment Report for the quarter ending September 30, 2012.

The item was approved on the consent agenda.

### Action on the Consent Agenda

Mr. Marshall 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. [2012-1504](#) Discuss and consider action approving a Supplemental Contract of \$54,000 with H.R. Gray for Owner's Project Representative Services associated with the Pflugerville Community Library Expansion and Renovation Project and authorizing the City Manager to execute the same.

Mr. Fletcher provided information. Mr. Cooper made a motion to approve the supplemental contract with H.R. Gray. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 10B. [2012-1484](#) Discuss and consider action regarding future agenda items.

Mayor Coleman requested an item on the next agenda to discuss and consider participation in the Community Action Network.

### 11. Discuss only

- 11A. [2012-1486](#) 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.

The item was discussed in executive session during the earlier worksession. There was no discussion on the item during the regular meeting.

### **Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session on items 11B and 11C. He read the items to be discussed and retired to executive session at 7:21 p..m.

**11B.**     [2012-1487](#)     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.

**11C.**     [2012-1515](#)     1.)Executive Session Item: Consultation with legal counsel regarding Texas Local Government Code Chapters 141-143 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.

### **12.     Adjourn**

Mayor Coleman reconvened in open session at 9:12 p.m. Mr. Marshall made a motion to adjourn. Ms. Sattler seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on November 27, 2012.