



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, May 24, 2011

7:00 PM

100 East Main Street, Suite 500

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### Regular Meeting

#### 1. Call to order

Mayor Jeff Coleman called the meeting to order at 7:05 p.m. Councilmembers Wayne Cooper, Mike Marsh, Darelle White, Starlet Sattler and Victor Gonzales were in attendance. City staff attending: Brandon Wade, City Manager; Lauri Gillam, Assistant City Manager; Trey Fletcher, Managing Director of Operations; Beth Davis, Finance Director; Amy Atkins, Parks and Recreation Director; LeAnn Resendez, Recreation Center Supervisor; James Wills, Public Works Director, Darrell Winslett, Water Superintendent; Wiley Webb, Wastewater Superintendent; Wayne Granger, Streets Superintendent; Kathy Freiheit, Library Director; Blake Overmyer, Building Official; Karen Thompson, City Secretary; Shawn Brown, Police Lieutenant.

#### 2. Opening

**2A. 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.

**2B. 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. Public Hearing

3A. 2011-0573 To discuss and consider a recommendation by the Planning and Zoning Commission on the 5-year Capital Improvement Plan for FY 2012-2016.

Mr. Fletcher provided information on the item. He stated that they discussed the CIP in the worksession and staff will be bringing information in two weeks on the alternatives. He stated that they did not discuss the Utility CIP in the worksession. He reported that the City is able to defer the new wastewater treatment facility and are currently renewing the Gilleland Creek permit (Central Wastewater Plant) for an additional 550,000 gallons and going through the design for that. He reported that the permit approval is expected in the next six months.

Brent Hurta, 3104 Murrelet Way, stated that he is happy that a skate spot/skate park is in the top ten priorities. He stated that if the other projects are not feasible, he hopes that the skate spot/skate park will move up the priority list. He stated that skate spot/skate park should remain on the priority list and be done this year or the following year. He stated that they have a design and are waiting for the final design.

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

#### **4. Public Hearing and Ordinance First Reading**

4A. ORD-0058 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. 874-07-04-10 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION FROM LIGHT INDUSTRIAL (LI) TO GENERAL BUSINESS 2 (GB2) FOR LOT 1, PFLUGERVILLE INDUSTRIAL PARK, A 2.509-ACRE LOT LOCATED SOUTHEAST OF THE WEISS LANE AND KELLY LANE INTERSECTION IN PFLUGERVILLE, TEXAS, TO BE KNOWN AS THE WEISS LANE C-STORE REZONING (REZ1103-01), AND PROVIDING AN EFFECTIVE DATE.

Mr. Fletcher provided information and stated that the Planning and Zoning Commission had unanimously recommended approval and that staff recommends approval. Mr. Fletcher answered questions of the Council and it was discussed that the property owner previously did not want this property zoned GB2 as recommended, but instead requested LI. Mr. Fletcher explained that the person holding a letter of intent to purchase the property for development of a convenience store is the applicant in this request for rezoning. Mayor Coleman provided comments regarding the standard being set with the development of the Timewise on Kelly Lane. There were no requests to speak at the public hearing. Mr. Gonzales made a motion to close the public hearing. Mr. White seconded the motion. All voted in favor. The motion carried.

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

### **Reading of the Consent Agenda**

Ms. Thompson read the items along with the captions of the ordinances to be considered.

#### **6. Approval of Minutes**

6A. 2011-0600 Approval of the minutes of the May 10, 2011, Worksession and Regular Meeting.

**The minutes were approved on the consent agenda.**

#### **7. Ordinance First Reading**

7A. ORD-0062 Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2010-2011 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

#### **8. Ordinance Third Reading**

8A. ORD-0057 Approving an ordinance on third reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING TO THE CITY OF AUSTIN A FRANCHISE TO CONSTRUCT, MAINTAIN, OPERATE, AND USE A TRANSMISSION AND DISTRIBUTION SYSTEM IN THE CITY OF PFLUGERVILLE TO PROVIDE ELECTRIC UTILITY SERVICE.

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

#### **9. Resolutions**

9A. RES-0035 Approving a resolution canvassing the votes of the May 14, 2011 General Election.

**The resolution was approved on the consent agenda.**

9B. RES-0036 Approving a settlement agreement between the Alliance of Oncor Cities (AOC) and Oncor Electric Delivery Company LLC regarding Oncor's Statement of Intent to change electric rates in all cities exercising original jurisdiction.

**The resolution was approved on the consent agenda.**

9C. RES-0037 Approving a resolution adopting the 2011 Parks, Recreation, and Open Space Master Plan.

**The resolution was approved on the consent agenda.**

## 10. Other Actions

10A. 2011-0609 Authorizing the City Manager to enter into a Reciprocal Access and Parking Easement Agreement located in the Settlers Ridge Commercial No. 3 Final Plat area, generally associated with the Pflugerville Community Library Expansion.

**The item was approved on the consent agenda.**

10B. 2011-0608 Authorizing the City Manager to acquire and enter into a stormwater easement necessary for the Pflugerville Community Library expansion project, and approving a revised warranty deed removing prohibited uses associated with the acquisition of the library property in 2006.

**The item was approved on the consent agenda.**

10C. 2011-0612 Approving an Interlocal Cooperation Agreement between City of Pflugerville and Travis County for improvements to Becker Farm Road.

**The item was approved on the consent agenda.**

10D. 2011-0601 Approving registration fees for Mayor Pro Tem Victor Gonzales to attend the June 17, 2011 Texas Municipal League Public Officials Liability Workshop and the June 27, 2011 Texas Municipal League Legislative Wrap Up in Austin and to attend the Texas Municipal League Board of Directors meeting in Arlington from June 23 to June 24, 2011.

**The item was approved on the consent agenda.**

10E. 2011-0588 Review of Quarterly Investment Report for the quarter ending March 31, 2011.

**The item was approved on the consent agenda.**

10F. 2011-0613 Approving a professional services agreement between the Pflugerville Community Development Corporation (PCDC) and DCS Engineering, LLC for Engineering Services for the Renewable Energy Park lift station and force main.

**The item was approved on the consent agenda.**

## Action on the Consent Agenda

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

### 5. Public Comment

There were no requests to speak under the Public Comment item.

### 11. Discuss and consider action

11A. 2011-0619     Discuss and consider action to approve the use of Competitive Sealed Proposals (CSP) as the procurement method and associated evaluation criteria for the selection of a general contractor for the construction of the Pflugerville Community Library expansion.

Mr. Fletcher provided information and answered questions of the City Council. Mr. Cooper recommended that they weight the cost at 50-55% and place less weight on the other items. Alex Gonzales of HR Gray stated regarding the criteria that he has seen a wide range of how parts are assessed and can adjust according to the City's desires. Mr. Cooper suggested that the methodology be described so they can understand it and that they aim for the best price. He asked that the architect's plans go through a quality assurance review to keep from having a lot of change orders. Mr. Alex Gonzales indicated that they are currently reviewing the plans, so they will be good.

Mr. Cooper made a motion to approve the use of Competitive Sealed Proposals as the procurement method and associated evaluation criteria for the selection of a general contractor for the construction of the Pflugerville Community Library expansion project. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

11B. 2011-0611     Discuss and consider bedroom unit mix requirements for multi-family development.

Mr. Fletcher indicated that Mr. Cooper had requested an item on the topic. He explained that multi-family design guidelines were incorporated into the Unified Development Code in September 2009 but were not established in the corridor. He indicated intent to bring forward a text amendment ordinance to apply the design guidelines in the corridor if so directed. Council discussion with Mr. Fletcher followed. Mr. Cooper made a motion to direct staff to move forward with the amendments per the discussion. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

11C. 2011-0606     Discuss and consider action regarding future agenda items.

Mr. Cooper requested a future agenda item to receive a school zone safety update.

11D. 2011-0616

1.) Executive Session Item: Deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding economic development negotiations.

**Mayor Coleman announced that the City Council was retiring to executive session for deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code. The time was 7:39 p.m. Discussion on the item was to take place in executive session.**

### **Roll Call**

**Mayor Coleman exited the meeting during executive session at 7:53 p.m.  
Mayor Pro Tem Victor Gonzales was presiding.**

### **Executive Session Closed**

**Mayor Pro Tem Gonzales reconvened in open session at 8:27 p.m. No action was taken.**

### **12. Adjourn**

**Mr. Cooper made a motion to adjourn. Ms. Sattler seconded the motion. All voted in favor. The meeting was adjourned at 8:27 p.m.**

**Respectfully submitted,**

**Karen Thompson  
City Secretary**

**Approved as \_\_\_\_\_ on June 14, 2011.**