

MINUTES
City Council
Regular Meeting
100 East Main Street, Suite 500
Tuesday, September 28, 2010
7:00 PM

1. Call to Order. Mayor Jeff Coleman called the meeting to order at 7:06 P.M. Councilmembers Wayne Cooper, Mike Marsh, Darelle White, Starlet Sattler, and Victor Gonzales were in attendance. City employees attending: Brandon Wade, City Manager; Floyd Akers, City Attorney; Lauri Gillam, Assistant City Manager; Autumn Speer, Planning Director; Trey Fletcher, Managing Director of Operations; Beth Davis, Finance Director; Tracy Hibbs, Utility Business Operations Manager; Terri Waggoner, Public Information Officer; Laura Wilkes, Police Lieutenant; Bill Anderson, Police Lieutenant; Mike Clowdus, Police Corporal; Chuck Hooker, Police Chief; James Willis, Public Works Director; William Edwards, Pflugerville ISD Police Chief.

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.

Mayor Coleman led those in attendance in reciting the Pledge of Allegiance to the flag of the United States and of Texas.

Items were addressed in the order as recorded in the minutes.

3. Presentations.

A. Proclamation declaring September 2010 as National Childhood Cancer Awareness Month in the City of Pflugerville. Mayor Coleman read the proclamation and presented it to Anne Maschka and son Ian, childhood cancer survivor.

B. Proclamation declaring October 5, 2010 as National Night Out in the City of Pflugerville. Mayor Coleman read the proclamation and presented it to Cpl. Clowdus. Cpl. Clowdus provided information on the upcoming event and presented Mayor Coleman with a NNO t-shirt.

C. Proclamation declaring October 4 - 8, 2010 as Lawsuit Abuse Awareness Week in the City of Pflugerville. Mayor Coleman read the proclamation and presented it to Stephanie Gibson of Citizens Against Law Suit Abuse of Central Texas. Ms. Gibson provided comments.

D. Proclamation declaring October 2010 as International Walk to School Month in the City of Pflugerville. Mayor Coleman read the proclamation and presented it to PISD representatives Jo Moss, William Edwards, and Bill Clayton. Ms. Moss provided comments.

4. Public Comment.

Brent Hurta, 3104 Murrelet Way, asked for Council consideration for a skate spot in Pflugerville. He spoke regarding the cost and benefit of a skate park/spot. He stated that he has heard a possibility of an upcoming parks bond issue. He asked that the skate park/spot be included in the bond proposal. Mr. Wade stated to Mr. Hurta that he needs to start with the Parks and Recreation Commission.

Lee Goldstein, 1002 Pleasant Valley Drive, stated that approximately two weeks ago, his daughter was walking her dog when a pit bull launched off someone's porch and attacked her dog. He stated that he has found that the City can only write tickets and give the pit bull's owner the option of surrendering her dog, nothing mandatory. He stated that he has researched and Texas leads the nation in dog attacks. He stated that about 30% of dog attacks on humans originate as attacks on other dogs. He stated that dog attacks are the fifth-leading cause of kids going to the emergency room. He stated that he is proposing two ordinances and provided information. He stated that he would like to see the ordinances placed on the agenda next week and passed in the next 30-45 days.

8. Resolution.

A. 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 in a maximum principal amount not to exceed \$4,250,000. Ms. Davis provided information. She stated that they are going to look at refunding more bonds this year and that at this time, it looks favorable. She stated that tonight the resolution is for \$4.25 million, which is for the payment to NewQuest for infrastructure reimbursements. She stated that the Preliminary Official Statement (POS) would be prepared and provided to Council for consideration on October 26 with bonds being issued on November 9. She stated that Richard Donoghue, bond counsel, and Bill Harrison, financial advisor, were in attendance. Mr. Harrison provided information regarding the favorable market for refunding bonds. Mr. Gonzales made a motion to approve item 8A. Mr. White seconded the motion. All voted in favor. The motion carried.

Reading of the Consent Agenda. Item 8A was removed from the consent agenda and addressed prior to the reading of the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

5. Approval of Minutes.

A. Approval of the minutes of the September 14, 2010, Worksession and Regular Meeting.

Karen Thompson, City Secretary

6. Ordinance First Reading.

A. Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING RATES, CHARGES AND FEES FOR WATER, WASTEWATER AND SOLID WASTE UTILITY SERVICE AND PROVIDING AN EFFECTIVE DATE.

Lauri Gillam, Assistant City Manager

B. Approving an ordinance on first reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2010
BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING
AN EFFECTIVE DATE.

Beth C. Davis, Finance Director

7. Ordinance Second Reading.

A. 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 153 PLANNING BY
REPEALING AND REPLACING SUBCHAPTER 153.01 COMPREHENSIVE
PLAN WITH THE YOUR VOICE YOUR CHOICE PFLUGERVILLE 2030
COMPREHENSIVE PLAN; REPLACING ALL ORDINANCES IN
CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN
EFFECTIVE DATE.

Autumn Speer, Planning Director

9. Other Actions.

A. Approving the Travis County Emergency Operations Plan and authorizing the
Mayor to execute the required five-year recertification for the City of Pflugerville.

Chuck Hooker, Police Chief

B. Approving Assignment and Amendment of Cambridge Heights Landscape
License Agreement by and among Travis County, Texas, the City of Pflugerville,
Texas, and the Cambridge Heights Owners Association, Inc.

Trey Fletcher, Managing Director of Operations

Action on the Consent Agenda. Mr. Cooper made a motion to approve the consent
agenda. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

10. Discuss only.

**A. Discuss a resolution regarding the approval of reasonable expenses incurred by
members of the City Council, City Commissions, City Boards and City Committees
including procedures for requesting and approving any such expenditure and
making such information readily available to the public.** Mr. Marsh stated that during
budget reviews he thought about Council expenditures and reimbursement. He stated
that he thought it was hypocritical not to provide oversight of these expenditures. He
stated that he thinks they should set up a procedure to provide oversight and hold Council
and Boards and Commissions accountable. He explained that they could insert the
expense approval on the consent agenda and that he thinks it would be more efficient for
staff for everyone to turn the reimbursements in on a scheduled basis and to be approved
at one time. He stated that he believes it is just a housekeeping item and that it is a good
time to put a process in place. He stated that it is the Council's responsibility to review
and approve these. Mr. Gonzales stated that this falls in line with the City Charter.
Council discussion followed with input from Mr. Wade.

11. Discuss and consider action.

A. Discuss and consider action regarding content and scheduling of a City Council winter worksession retreat. Mr. Wade provided his recommendations on the scheduling and content of the worksession. Council scheduled the worksession on December 4, 2010 at 9:00 a.m.

B. Discuss and consider action regarding future agenda items. The Pflugerville ISD development agreement ordinance and street tree discussion were noted as future agenda items.

Mayor Coleman announced that the City Council was retiring to executive session on items 11C, 11D, and 11E and read the items. The time was 8:09 p.m.

C.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. 2.) Open Session Item: Discuss and consider action regarding agreements with Manville Water Supply Corporation. Discussion on the item was to take place in executive session.

D.1.) Executive Session Item: Deliberation regarding 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 concerning development agreements between Terrell Timmermann and the City of Pflugerville for the Greenview and Pfluger Crossing developments. 2.) Open Session Item: Discuss and consider action concerning development agreements between Terrell Timmermann and the City of Pflugerville for the Greenview and Pfluger Crossing developments. Discussion on the item was to take place in executive session.

E.1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding the creation of a Tax Increment Reinvestment Zone (TIRZ) and Chapter 380 economic development agreement with Newland Communities. 2.) Open Session Item: Discuss and consider action regarding the creation of a Tax Increment Reinvestment Zone (TIRZ) and Chapter 380 economic development agreement with Newland Communities. Discussion on the item was to take place in executive session.

Mayor Coleman reconvened in open session at 9:58 p.m. No action was taken.

12. Adjourn. Mr. Gonzales made a motion to adjourn. Ms. Sattler seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on October 12, 2010.