



City of Pflugerville

Minutes - Final City Council

Tuesday, February 5, 2013

6:00 PM

100 East Main Street, Suite 500

Special Meeting

1. Call to order

Mayor Coleman called the special meeting to order at 6:02 p.m. Councilmembers Brad Marshall, Omar Peña, Starlet Sattler and Victor Gonzales were in attendance. Councilmember Wayne Cooper 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; Christa Deamer, Deputy City Secretary; Beth Davis, Finance Director; Amy Good, Assistant Finance Director; Emily Barron, Planning Director; Terri Wagonner, Public Information Officer; Chuck Hooker, Police Chief.

2. Public Hearing and Ordinance First Readings

- 2A. **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.

Mayor Coleman opened the public hearing on item 2A. He read the item along with the caption of the ordinance under consideration. Mr. Fletcher provided information and answered questions from the City Council.

There were no requests to speak at the public hearings on item 2A. Mr. Marshall made a motion to close the public hearings. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

Mr. Gonzales made a motion to approve the Data Park Center Special District. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

3. Discuss and consider action

- 3A. **2013-1648** Discuss and consider action regarding the location of the 2013 Lake

Pflugerville Beach Project.

Mr. Word provided information on the item and answered questions from City Council. Mr. Peña made a motion to move forward with the beach extension on the North Shore. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for discussion on items 3B, 3C, and 3D. He read the items to be discussed and retired to executive session. The time was 6:15 p.m.

- 3B. 2013-1650** Executive Session Item: 1) Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code, 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 for discussion regarding the sale of real property owned by the Pflugerville Community Development Corporation (PCDC); being the proposed sale of 30 acres located in the One Thirty Commerce Center to 130 Commerce Center, LLC; and the proposed sale of 33 acres located in the One Thirty Commerce Center to "Project Pandora." Open Session Item: 2) Discuss and consider action to approve the sale of PCDC real property: being 30 acres located in the One Thirty Commerce Center to 130 Commerce Center, LLC; and 33 acres located in the One Thirty Commerce Center to "Project Pandora."

Discussion on the item was to take place in executive session.

- 3C. 2013-1651** Discuss and consider action to approve a Pflugerville Community Development Corporation (PCDC) Professional Services Agreement for Engineering Services with DCS Engineering for SH 130 Commerce Center Phase II, Four Lane Roadway Section in the amount of \$582,671.00.

Discussion on the item was to take place in executive session.

- 3D. 2013-1595** 1.) Executive Session Item: Consultation with legal counsel regarding Texas law and procedure related to Council action on a petition for the creation of the proposed Travis County Emergency Services District No. 2A pursuant to Chapter 551.071 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding petition for the creation of the proposed Travis County Emergency Services District No. 2A.

Discussion on the item was to take place in executive session.

Executive Session Closed

Mayor Coleman reconvened in open session at 7:12 p.m.

- 3B. 2013-1650** Executive Session Item: 1) Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code, 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 for discussion regarding the sale of real property owned by the Pflugerville Community Development Corporation (PCDC); being the proposed sale of 30 acres located in the One Thirty Commerce Center to 130 Commerce Center, LLC; and the proposed sale of 33 acres located in the One Thirty Commerce Center to "Project Pandora." Open Session Item: 2) Discuss and consider action to approve the sale of PCDC real property: being 30 acres located in the One Thirty Commerce Center to 130 Commerce Center, LLC; and 33 acres located in the One Thirty Commerce Center to "Project Pandora."

Items 3B and 3C were considered simultaneously. Floyd Akers, PCDC Executive Director, gave information on the items. Mr. Peña made a motion to approve Items 3B and 3C as presented. Mr. Gonzales seconded the motion. Mr. Akers answered questions from Council. All voted in favor. The motion carried.

- 3C. 2013-1651** Discuss and consider action to approve a Pflugerville Community Development Corporation (PCDC) Professional Services Agreement for Engineering Services with DCS Engineering for SH 130 Commerce Center Phase II, Four Lane Roadway Section in the amount of \$582,671.00.

Item 3C was addressed simultaneously with Item 3B.

- 3D. 2013-1595** 1.) Executive Session Item: Consultation with legal counsel regarding Texas law and procedure related to Council action on a petition for the creation of the proposed Travis County Emergency Services District No. 2A pursuant to Chapter 551.071 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding petition for the creation of the proposed Travis County Emergency Services District No. 2A.

Attorney John Carlton presented on behalf of the petitioners and the Travis County Emergency Services District No. 2 (ESD #2) and answered questions from Council. Fire Chief Ron Moellenberg also spoke and answered questions from Council. Monica Reed of ESD #2 gave information. There was discussion on the item.

Tom Lemieux, 505 Pleasant Valley Dr., did not wish to speak, but asked that the Mayor announce for the record his opposition to the creation of an Emergency Services District 2A.

Nick Perkins, 18920 Chrichton Castle Bend, did not wish to speak, but asked that the Mayor announce for the record his support for the fire department.

W.C. Kolinek, 18520 Carlisle Castle Court, spoke in opposition to the creation of an Emergency Services District 2A and cited concerns over rising taxes and

the management of tax dollars by the ESD #2 board.

Rodney Blackburn, 803 Creekbend Dr., spoke in opposition to the creation of an Emergency Services District 2A, citing concerns over taxes and stating that the City of Pflugerville should create its own fire department.

Melody Ryan, 1012 Ripley Castle Cove, spoke in opposition to the creation of an Emergency Services District 2A and offered suggestions and alternatives based on the findings of her independent research.

Mr. Marshall made a motion to not consent to the inclusion of the territory within the city limits of the City of Pflugerville in a proposed election for the creation of an Emergency Services District 2A, to consent to the inclusion of the territory within the extra territorial jurisdiction of the City of Pflugerville, and to direct city staff to investigate and report to Council exploratory options for integrating and providing first responder services and other emergency services within the City of Pflugerville. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

4. Adjourn

Mr. Marshall made a motion to adjourn. Mr. Peña seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Christa Deamer
Deputy City Secretary

Approved as _____ on February 12, 2013.