



# City of Pflugerville

## Meeting Agenda - Final City Council

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Tuesday, August 23, 2011

7:00 PM

100 East Main Street, Suite 500

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### 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. [2011-0738](#) Proclamation to declare a day of remembrance on September 11 as Pflugerville Remembers 9/11.

**4. Public Hearing**

- 4A. [ORD-0070](#) Conduct a Public Hearing on the annexation, for full purposes, of two separate tracts of land consisting of approximately 84 acres within the SH 45 right of way, out of the Peter Conrad Survey No. 71, Abstract No. 200 in Travis and Williamson County, Texas to be known as the SH 45 Right of Way Annexation (ANX1106-01)

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

5A. [ORD-0071](#) 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 GENERAL BUSINESS 1 (GB1) TO LIGHT INDUSTRIAL (LI) FOR LOT 2, BLOCK A, PFAIRWAY OFFICE PARK, A 5.773 ACRE LOT OUT OF THE WILLIAM BARKER SURVEY NO. 74 IN PFLUGERVILLE, TEXAS, LOCATED AT 2911 A.W. GRIMES BLVD; TO BE KNOWN AS THE 2911 A.W. GRIMES REZONING. (REZ1106-01), AND PROVIDING AN EFFECTIVE DATE.

5B. [ORD-0072](#) 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 GENERAL BUSINESS 2 (GB2) TO LIGHT INDUSTRIAL (LI) FOR LOT 17, BLOCK I NORTH PARK SECTION FIVE, A 2.317 ACRE LOT OUT OF THE ELIAS MCMILLAN SURVEY NO. 110 IN PFLUGERVILLE, TEXAS, LOCATED AT 1409 ROYSTON LANE; TO BE KNOWN AS THE EAGLE 2000 REZONING. (REZ1106-02), AND PROVIDING AN EFFECTIVE DATE.

## 6. Public Hearing and Ordinance Second Reading

6A. [ORD-0068](#) Conduct a public hearing and consider approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DESIGNATING A CERTAIN AREA AS THE PFLUGERVILLE RENEWABLE ENERGY REINVESTMENT ZONE #2 FOR THE CITY OF PFLUGERVILLE, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

## 7. 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.

## 8. Approval of Minutes

- 8A. [2011-0671](#) Approval of the minutes of the August 9, 2011, Worksession and Regular Meeting.

## 9. Ordinance Second Reading

- 9A. [ORD-0069](#) 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 157 UNIFIED DEVELOPMENT CODE AMENDING SUBCHAPTER 4 ESTABLISHMENT OF DISTRICTS AND BOUNDARIES TO ADD CLARIFICATION TO THE UNIT MIX REQUIREMENT IN THE MULTI-FAMILY SUBURBAN RESIDENTIAL DISTRICT (MF-S) AND MULTI-FAMILY URBAN RESIDENTIAL DISTRICT (MF-U); AND SUBCHAPTER 5 ESTABLISHMENT OF OVERLAYS AND SPECIAL DISTRICTS TO ADD UNIT MIX REQUIREMENTS FOR MULTI-FAMILY DEVELOPMENTS IN THE SUBURBAN LEVEL 3 (CL3), URBAN LEVEL 4 (CL4) AND URBAN CENTER LEVEL 5 (CL5) DISTRICTS (CA1106-01); REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

## 10. Resolutions

- 10A. [RES-0052](#) Resolution approving a settlement agreement between ATM Cities and Atmos Energy.

## 11. Other Actions

- 11A. [2011-0772](#) Authorizing Mayor Coleman to cast a ballot voting for Mr. Rico Reyes for the Board of Directors of the Travis Central Appraisal District (TCAD).
- 11B. [2011-0771](#) Approving Economic Development Agreements for Mr. Franklin D. Gaddy and Ms. Delores Lefner.
- 11C. [2011-0679](#) Authorize the city manager to execute an agreement with Striker Communications for sponsorship recruitment for city special events and sponsorships.

- 11D. [2011-0769](#) Review of Quarterly Investment Report for the quarter ending June 30, 2011.
- 11E. [2011-0782](#) Authorizing the City Manager to execute a letter of intent with Travis County ESD#2 regarding a five-year lease of the first floor of the Conference and Education Center located at 201B East Pecan Street.

## Action on the Consent Agenda

### 12. Resolution

- 12A. [RES-0055](#) Approving a resolution with the following caption: A RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF MONARCH UTILITIES I, LP, A WHOLLY OWNED SUBSIDIARY OF SOUTHWEST WATER COMPANY, TO INCREASE WATER AND SEWER RATES AND TO CONSOLIDATE RATES OF SEVERAL DIFFERENT UTILITIES INTO ONE SET OF TARIFFS; SUSPENDING THE EFFECTIVE DATE OF THIS RATE INCREASE FOR NINETY DAYS; AUTHORIZING THE CITY TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "COALITION OF CITIES"; AUTHORIZING THE HIRING OF COUNSEL AND EXPERTS THROUGH THE COALITION; REQUIRING THE REIMBURSEMENT OF COSTS; AUTHORIZING THE CITY'S INTERVENTION IN CONJUNCTION WITH THE COALITION OF CITIES AT THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND AT STATE OFFICE OF ADMINISTRATIVE HEARINGS WITH REGARD TO ANY APPLICATIONS FILED ON BEHALF OF MONARCH UTILITIES I, LP TO INCREASE RATES OR TO TRANSFER OR CANCEL CERTIFICATES OF CONVENIENCE AND NECESSITY; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

### 13. Discuss only

- 13A. [2011-0596](#) Discussion regarding the Fiscal Year 2011-2012 Proposed Budget.
- 13B. [2011-0780](#) Discussion regarding water conservation and restrictions.

### 14. Discuss and consider action

- 14A. [2011-0774](#) Discuss and consider action to approve a Professional Services Agreement for Pflugerville Community Development Corporation (PCDC) Project Management Services for Solar Sail Grid Tied Electric Car Charging Station in an amount not to exceed \$200,000.
- 14B. [2011-0753](#) Discuss and consider proposed electric vehicle charging station locations in conjunction with the ChargePoint America Program.
- 14C. [2011-0779](#) Discuss and consider action regarding future agenda items.
- 14D. [2011-0678](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for discussion concerning request for approval of Sixth Amendment of Comprehensive Development Agreement concerning Lakeside Water Control Improvement Districts Nos. 1, 2A, 2B, 2C, and 2D; request for approval of Second Amendment of Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5; request for consent for creation of Lakeside Municipal Utility District No. 6 and request for consent for creation of a proposed new municipal utility district in the New Sweden area. 2.) Open Session Item: Discuss and consider action concerning request for approval of Sixth Amendment of Comprehensive Development Agreement concerning Lakeside Water Control Improvement Districts Nos. 1, 2A, 2B, 2C, and 2D; request for approval of Second Amendment of Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5; request for consent for creation of Lakeside Municipal Utility District No. 6 and request for consent for creation of a proposed new municipal utility district in the New Sweden area.
- 14E. [2011-0777](#) 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.
- 14F. [2011-0783](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the City Attorney. 2.) Open Session Item: Discuss and consider action regarding the City Attorney.

## 15. Adjourn

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; 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/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

**Jeff Coleman, Mayor**

This is to certify that a copy of this agenda for this meeting was posted on the bulletin board located at the City Municipal Building on August 17, 2011, at 5:00 PM pursuant to Section 551.041, Government Code.

**Karen Thompson, City Secretary**

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