



City of Pflugerville

Minutes - Final City Council

Tuesday, July 26, 2011

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Jeff Coleman called the meeting to order at 7:01 p.m. Councilmembers Wayne Cooper, Brad Marshall, 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; Trey Fletcher, Managing Director of Operations; Karen Thompson, City Secretary; Amy Atkins, Parks Director; LeAnn Resendez, Recreation Center Supervisor; Chuck Hooker, Police Chief; Beth Davis, Finance Director; Amy Good, Assistant Finance Director; Jennifer Coffey, Interim Library Director; Terri Waggoner, Public Information Officer; Blake Overmyer, Building Official; Darren Strozewski, Interim City Engineer; Bill Anderson, Police Lieutenant; Patricia Davis, Engineer.

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. Presentation

- 3A. 2011-0737** Presentation by George Rash of Linc Service Company regarding preliminary analysis of the City's electrical load, service provider rates and all department facilities as they pertain to gas, electric, water, and operational schedules.

The presentation was postponed until August 9, 2011.

4. Public Comment

David Rogers, attorney representing the Highland Park North Homeowners Association, requested that the Council place an item on the next agenda to discuss an issue with a special warranty deed with HPN (John Lloyd, developer). He explained that the deed had transferred eight parcels of land of which six already belonged to the City. He stated that he contends that this is a void conveyance. He stated that it has caused confusion and may cause trouble in the future. He stated that he thinks that Mr. Lloyd has made commitments and not followed through by not building hike and bike trails and not transferring easements to the City. He stated that the Homeowners Association is currently in negotiations with Mr. Lloyd and is not yet in litigation. Mr. Akers stated that he has reviewed the deed and concurs with Mr. Rogers. Mayor Coleman instructed staff to place an item on the next agenda.

Brent Hurta, 3104 Murrelet Way, stated that he is here to show support for a skate spot in Pflugerville. He stated that there are rainy day funds that could possibly be used and that the Pflugerville Community Development Corporation (PCDC) has indicated willingness to provide matching funds up to \$20,000. He stated that he would like to come back to the Council with additional statistics and information.

Reading of the Consent Agenda

Ms. Thompson read the items along with the captions of the ordinances under consideration.

5. Approval of Minutes

- 5A. 2011-0670 Approval of the minutes of the July 5, 2011, Special Meeting; July 12, 2011, Quorum, Worksession and Regular Meeting; and July 13, 2011, Special Meeting.

The minutes were approved on the consent agenda.

6. Ordinance First Reading

- 6A. ORD-0067 Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FOURTH 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.

7. Ordinances Second Reading

- 7A. **ORD-0066** Approving an ordinance on second reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
ADOPTING THE THIRD AMENDMENT TO THE FISCAL YEAR 2011
BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN
EFFECTIVE DATE.

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

8. **Resolutions**

- 8A. **RES-0050** Approving a resolution appointing Mr. Trey Fletcher, Managing
Director of Operations, as Acting City Manager.

The resolution was approved on the consent agenda.

- 8B. **RES-0048** Approving a resolution nominating Mr. Rico Reyes as a candidate for
the Board of Directors of the Travis Central Appraisal District (TCAD).

The resolution was approved on the consent agenda.

9. **Other Action**

- 9A. **2011-0573** Approving a revised financial summary document for the 5-year
Capital Improvement Plan (CIP) for FY 2012-2016.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

10. **Resolution**

- 10A. RES-0051 Approving a resolution appointing the board of directors of Reinvestment Zone No. One, City of Pflugerville, Texas, known as the Falcon Pointe TIRZ.

Mayor Coleman indicated that a resolution was provided on the dais providing his five recommendations for appointment to the TIRZ board: Mike Marsh, Ron Beyer, Scott Johnson, Bob Dwyer and Scott Williams. Mr. White indicated that he was not familiar with Mr. Johnson, Mr. Dwyer or Mr. Williams. He asked for some additional information. Mayor Coleman stated that Mr. Williams is an engineer and is in attendance tonight. He stated that Mr. Johnson is an electrical engineer and is familiar with city government and Bob Dwyer is an IT professional, experienced in project management, and very fiscally conservative. Discussion followed. Mr. White made a motion to approve the recommendations of the mayor as presented. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

11. **Discuss only**

- 11A. 2011-0596 Discussion regarding the Fiscal Year 2011-2012 Proposed Budget.

Discussion on the item took place in the earlier worksession. There was no discussion or action on the item during the regular meeting.

12. **Discuss and consider action**

- 12A. 2011-0704 Discuss and consider action to approve two Change Orders, payment of the City's pro-rata share of an interlocal agreement, and one additional engineering fee associated with closing out the West Pflugerville Parkway CIP construction project and authorize the City Manager to sign the Change Orders and Additional Costs in a total amount of \$525,229.90.

Mr. Fletcher introduced Darren Strozewski, Interim City Engineer, for presentation on the item. Mr. Strozewski provided information and discussed with the Council. Mr. Cooper made a motion to approve two Change Orders, payment of the City's pro-rata share of an interlocal agreement, and one additional engineering fee associated with closing out the West Pflugerville Parkway CIP construction project and authorize the City Manager to sign the Change Orders and Additional Costs in a total amount of \$525,229.90. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

- 12B. 2011-0448 1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding economic development agreements for the Stone Hill Town Center in Pflugerville, Texas. 2.) Open Session Item: Discuss and consider action regarding economic development agreements for the Stone Hill Town Center in Pflugerville, Texas.

There was no discussion or action on the item.

- 12C. 2011-0414 1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 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.

There was no discussion or action on the item.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session on item 12D for deliberations regarding economic development negotiations, item 12E for discussion of personnel matters regarding the City Attorney, and item 12F for discussion of personnel matters regarding the City Manager. The time was 7:28 p.m.

- 12D. 2011-0739 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.

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

- 12E. 2011-0730 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.

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

- 12F. 2011-0729 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the City Manager. 2.) Open Session Item: Discuss and consider action regarding the City Manager.

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

Executive Session Closed

Mayor Coleman reconvened in open session at 9:29 p.m. No action was taken.

13. Adjourn

Mr. Gonzales made a motion to adjourn. Mr. Cooper seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:29 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on August 9, 2011.