



City of Pflugerville

Minutes - Final City Council

Tuesday, March 12, 2013

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

(Executive sessions held during this meeting will generally take place in Suite 300, at the discretion of the City Council.)

1. Call to order

Mayor Jeff Coleman called the regular meeting to order at 7:04 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña, Starlet Sattler and Victor Gonzales were in attendance. City employees attending: Brandon Wade, City Manager; Tom Word, Assistant City Manager; Trey Fletcher, Assistant City Manager; Lauri Gillam, Assistant City Manager; James Wills, Public Works Director; Wiley Webb, Utilities Superintendent; Dan Franz, City Engineer; Emily Barron, Planning Director; Karen Thompson, City Secretary; Jim Bowlin, Parks Director; Laura Wilkes, Police Lieutenant; Chuck Hooker, Police Chief. Ross Fischer, Denton, Navarro, Rocha & Bernal Senior Associate, attended in place of George Hyde, City Attorney.

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.

Boys Scouts from Troop 457 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.

Boys Scouts from Troop 457 led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

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

3. Presentations

- 3A. 2013-1718** Introduction of Ms. Rhonda McLendon, the City's new Animal Shelter Manager, and report on Animal Shelter facility improvements and activities.

Ms. McLendon introduced herself and presented information and answered questions of the Council.

- 3B. 2013-1727** Presentation about the Parks and Recreation Department's Spring Pfling event to be held at Heritage Park on Saturday, March 23.
- Mr. Word presented information and answered questions of the Council.**

4. Public Comment

Mr. Word introduced Pam Cosel, the new event coordinator and marketing specialist for the Parks Department. Ms. Cosel provided information on her background and experience.

Lara Baker, Travis County ESD No. 2, provided information on the Fire Department's upcoming Living Safe and Well event on April 13, 2013.

Brent Hurta, 3104 Murrelet Way, did not wish to speak but asked that the Mayor enter for the record his support for skate spots/parks in Pflugerville.

Reading of the Consent Agenda

Item 8B was removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

5. Approval of Minutes

- 5A. 2013-1733** Approval of the minutes of the February 26, 2013 Worksession and Regular Meeting.
- The minutes were approved on the consent agenda.**

6. Ordinances First Reading

- 6A. ORD-0146** Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 150, SECTION 150.20 (ENTITLED "SWIMMING POOLS") OF THE CITY OF PFLUGERVILLE'S CODE OF MUNICIPAL ORDINANCES BY PROVIDING FOR INCORPORATION BY REFERENCE OF THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES "STANDARDS FOR PUBLIC SWIMMING POOLS AND SPAS" AS PRESCRIBED IN TEXAS ADMINISTRATIVE CODE, TITLE 25; PROVIDING FOR PERMITTING AND INSPECTIONS; PROVIDING FOR ADMINISTRATIVE PROCEDURES FOR THE CITY TO CORRECT DEFECTIVE POOL ENCLOSURES; PROVIDING FOR A PENALTY NOT TO EXCEED \$2000 PER OFFENSE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- 6B. ORD-0148** Approving an ordinance on first reading with the caption reading: AN

ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF PFLUGERVILLE, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

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

7. Ordinance Second Reading

- 7A. **ORD-0143** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2012-2013 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

Resolution

- 8A. **RES-0130** Approving a resolution establishing fees for permitting and inspection of public swimming pools.

The resolution was approved on the consent agenda.

9. Other Actions

- 9A. **2013-1688** Authorizing the City Manager to enter into a Facility Use Agreement for the Kayak/Canoe Rental Concession at Lake Pflugerville.

The item was approved on the consent agenda.

- 9B. **2013-1699** Authorizing the City Manager to execute an athletic field operation, maintenance and ground lease agreement with the Pflugerville Independent School District (PISD).

The item was approved on the consent agenda.

- 9C. 2013-1711** Approving the appointment of Mr. Dave Taylor to the Parks and Recreation Commission as a regular member for an unexpired term ending December 31, 2013.
The item was approved on the consent agenda.
- 9D. 2013-1723** Receive report on City Council, Commission, Board and Committee expenditures for February 2013.
The item was approved on the consent agenda.
- 9E. 2013-1729** Approving an interlocal cooperation agreement regarding the creation of "The Highland Lakes Firm Water Customers Cooperative" and authorizing the City Manager to execute same.
The item was approved on the consent agenda.
- 9F. 2013-1736** Approving registration in the amount of \$40 for Mayor Pro Tem Victor Gonzales to attend the Greater Austin Chamber of Commerce Regional Mayor's Summit on April 19, 2013 in Austin, Texas.
The item was approved on the consent agenda.

Action on the Consent Agenda

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

Resolution-Removed from the Consent Agenda

- 8B. RES-0131** Approving a resolution declaring the City of Pflugerville's intent to establish a cooperative water policy with Manville Water Supply Corporation and directing and authorizing the City Manager to negotiate and collaborate with Manville Water Supply Corporation to create a water policy to be jointly adopted.
Mr. Cooper indicated that he had removed from the consent agenda. He stated that the City is working to improve areas serviced by Manville and this is the City's intent to begin negotiations with Manville. Mr. Peña made a motion to approve the resolution. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

10. Discuss and consider action

Mr. Cooper stepped down from the dais to abstain from discussion and action on item 10A. Mr. Cooper is employed with Halff Associates, Inc.

- 10A. 2013-1687** Approving a Supplemental Professional Engineering Services Agreement with Halff Associates, Inc. in the amount of \$40,000 for the preparation of a Master Plan for Lake Pflugerville and authorizing the

City Manager to execute the agreement.

Mr. Word provided information and indicated that staff recommends approval. Mr. Gonzales made a motion to approve. Mr. Peña seconded the motion. All voted in favor. The motion carried.

Mr. Cooper retook his place on the dais.

- 10B. 2013-1735** Discuss and consider Councilmember Wayne Cooper's request for discussion regarding the hiring of consultants and the compiling and reporting of information about their related contracts to include initial contract amounts and amendments.

Mayor Coleman stated that the request is very comprehensive and on a quick timeline to accomplish and that staff may need outside help. Ms. Gillam provided information and a sample spreadsheet. Mr. Cooper stated that he is interested in contracts for professional services, specifically consultants active within the current fiscal year and discussed with Ms. Gillam. Ms. Gillam stated that she could compile the report and have it ready in June. She stated that she would provide a preliminary report either the last meeting in April or the first meeting in May.

11. Discuss only

- 11A. 2013-1719** 1.) Executive Session Item: Discussions regarding deliberations regarding economic development negotiations for the review of economic development agreement with Complete Energy Systems, Inc. pursuant to Chapter 551.087 of the Texas Government Code.

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

- 11B. 2013-1721** 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.

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

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session on items 11C and 11D. He read the items and retired to executive session. The time was 7:52 p.m. Executive session was to be held in Suite 300.

- 11C. 2013-1722** 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.

Discussion on the item was to take place in executive session. No action was taken.

- 11D. 2013-1720** 1.)Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the provision of public utilities within the City of Pflugerville.
- Discussion on the item was to take place in executive session. No action was taken.

Executive Session Closed

Mayor Coleman reconvened in open session at 9:03 p.m.

Discuss and consider action

- 10C. 2013-1730** Discuss and consider action to authorize the City Manager to initiate plans and allocate funding to construct a water line to provide redundant service to City of Pflugerville customers that are supplied by Manville wholesale water.
- it was clarified by Mayor Coleman and Assistant City Manager Tom Word that the City would be constructing its own line and adding to the City of Pflugerville's infrastructure and not providing infrastructure to Manville. Mr. Word recommended to authorize the City Manager to initiate plans and to approve \$300,000 for the construction of a 24" water line from Kingston Lacy to the entrance of the Royal Pointe Subdivision to provide redundant service. Mr. Marshall made a motion to authorize the \$300,000 as recommended by Mr. Word. Mr. Peña seconded the motion. All voted in favor. The motion carried.

12. Adjourn

Mr. Marshall made a motion to adjourn. Mr. Cooper seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on March 26, 2013.