



# City of Pflugerville

## Meeting Agenda - Final City Council

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Tuesday, November 9, 2010

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. Presentations**

[2010-0286](#) Proclamation declaring November 11, 2010, as Veterans Day in the City of Pflugerville.

[2010-0311](#) Jose Riojas Elementary School Choir performance honoring Veterans Day.

[2010-0287](#) Presentation of the Association of Hispanic Municipal Officials Alex Briseno Excellence and Leadership Award to Councilmember Victor Gonzales.

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

- [ORD-0025](#) Conduct a public hearing and consider approving an ordinance on first 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 5 ESTABLISHMENT OF OVERLAYS AND SPECIAL DISTRICTS, SECTION A. CENTRAL BUSINESS DISTRICT (CBD), SUBSECTION 3, AND AMENDING SUBCHAPTER 4 ESTABLISHMENTS OF DISTRICTS AND BOUNDARIES, SECTION B. OFFICE, RETAIL AND COMMERCIAL ZONING DISTRICTS, SUBSECTION 3, PROVISION 12, TO ALLOW FOR A BODY ART STUDIO BY SPECIFIC USE PERMIT; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.
- [ORD-0026](#) Conduct a public hearing and consider approving an ordinance on first reading with caption reading: ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS LIMITED TAX REFUNDING BONDS, SERIES 2010; AUTHORIZING THE LEVY OF AN AD VALOREM TAX IN SUPPORT OF THE BONDS; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT, AN ESCROW AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; CALLING CERTAIN OBLIGATIONS FOR REDEMPTION; AND AUTHORIZING OTHER MATTERS RELATED TO THE BONDS.
- [ORD-0028](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2010; AUTHORIZING THE LEVY OF AN AD VALOREM TAX AND THE PLEDGE OF CERTAIN NET REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND AUTHORIZING OTHER MATTERS RELATED TO THE CERTIFICATES.
- [ORD-0027](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS LIMITED TAX BONDS, SERIES 2010; AUTHORIZING THE LEVY OF AN AD VALOREM TAX IN SUPPORT OF THE BONDS; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND AUTHORIZING OTHER MATTERS RELATED TO THE BONDS.

[ORD-0024](#) Conduct a public hearing and consider approving an ordinance on first 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 FOR THE CITY OF PFLUGERVILLE, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

## 5. 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.

## 6. Approval of Minutes

[2010-0308](#) Approval of the minutes of the October 26, 2010, Worksession and Regular Meeting.

## 7. Ordinance First Reading

[ORD-0021](#) Approving an ordinance on first 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 ALLOW ATHLETIC FIELD LIGHTING BY SPECIFIC USE PERMIT, AND AMENDING SUBCHAPTER 13. LIGHTING STANDARDS TO ADD SECTION 13. ATHLETIC FIELD LIGHTING REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE.

## 8. Ordinance Second Reading

[ORD-0023](#) Approving an ordinance on second reading with a caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE AMENDING SUBCHAPTER 4 ESTABLISHMENTS OF DISTRICTS AND BOUNDARIES, SECTION A. RESIDENTIAL ZONING DISTRICTS, SUBSECTION FIVE THROUGH SEVEN, TO ADD REQUIREMENTS ADDRESSING SETBACKS FOR STORAGE SHEDS UNDER AND OVER 200 SQ. FT. (CA1009-01); REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

## 9. Resolution

[RES-0016](#) Approving a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS (CITY) AUTHORIZING THE INTERVENTION AT THE RAILROAD COMMISSION OF TEXAS CONCERNING THE FILING FOR AN INCREASE IN RATES BY ATMOS PIPELINE - TEXAS; REQUIRING ATMOS PIPELINE TO REIMBURSE REASONABLE RATE CASE EXPENSES; AUTHORIZING THE RETENTION OF COUNSEL AND RATE CONSULTANTS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

## 10. Other Actions

[2010-0310](#) Cancelling the City Council's December 28, 2010, Worksession and Regular Meeting.

[2010-0309](#) Approving an agreement with Williamson County, City of Round Rock and the City of Georgetown to create a Central Texas Deferred Compensation Plan to replace the current voluntary participation Deferred Compensation Plan. This new plan is a voluntary participation plan with no fiscal impact to the City. All costs related to set up and administration will be borne by the employee participants in the plan.

[2010-0295](#) Adopting the Filming in Pflugerville Policy as required by the Texas Film Commission to gain Film Friendly Designation and status.

[2010-0290](#) Receive report on Council, Commission, Board and Committee expenditures for October 2010.

- [2010-0304](#) Approving a reimbursement in the amount of \$262.50 for mileage reimbursement and \$171.35 for hotel reimbursement made payable to Mr. Victor Gonzales for attendance of the Texas Municipal League Annual Conference in Corpus Christi, Texas from October 26, 2010 to October 29, 2010.
- [2010-0301](#) Authorizing the City Manager to execute a contract with H.R. Gray for a total amount of \$248,094.00 for owner's representative services associated with the expansion of the Pflugerville Community Library. Funding for the expansion and these services is through General Obligation Bonds approved by voters in 2008.
- [2010-0265](#) Approve action to ratify the appointment of Trey Fletcher as Managing Director of Operations effective June 13, 2010.
- [2010-0264](#) Approve action to ratify the appointment of James Wills as Public Works Director effective June 13, 2010.

## Action on the Consent Agenda

### 11. Resolution

- [2010-0281](#) Discuss and consider approving a resolution creating and making appointments to a Charter Review Commission.

### 12. Discuss and consider action

- [2010-0241](#) Discuss and consider action regarding a proposed fee and application process for business and special event use of City parks and Lake Pflugerville.
- [2010-0277](#) Discuss and consider action regarding the rescheduling of the City Council's winter retreat worksession.
- [2010-0305](#) Discuss and consider action regarding future agenda items.
- [2010-0243](#) 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) with Newland Communities. 2.) Open Session Item: Discuss and consider action regarding the creation of a Tax Increment Reinvestment Zone (TIRZ) with Newland Communities.

- [2010-0313](#) 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.
- [2010-0249](#) 1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding a Chapter 380 economic development agreement and use of 4B funds with Pecan Street Plaza, LLC or its affiliates for the Pacana ALUR Development. 2.) Open Session Item: Discussion regarding a Chapter 380 economic development agreement and use of 4B funds with Pecan Street Plaza, LLC or its affiliates for the Pacana ALUR Development.
- [2010-0314](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code to discuss procedures related to the evaluation of the City Manager and City Attorney. 2.) Open Session Item: Discuss and consider action regarding procedures related to the evaluation of the City Manager and City Attorney.

### 13. 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 November 3, 2010, at 5:00 PM pursuant to Section 551.041, Government Code.

**Karen Thompson, City Secretary**

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An agenda with links to the supporting documents for this meeting is available for review on the City of Pflugerville website:<http://www.cityofpflugerville.com>. For assistance, please contact the City Secretary's Office at 512-990-6101.