



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, January 25, 2011

7:00 PM

100 East Main Street, Suite 500

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

- A. [2010-0390](#) Proclamation recognizing the Hendrickson Hawk Band as Grand National Champions.
- B. [2010-0418](#) Presentation of Employee Service Awards.
- C. [2010-0417](#) Presentation by Mr. Tony Ellis, President of the Pflugerville Citizens Police Academy Alumni Association on recent efforts to grow membership through outreach efforts to all Citizens Police Academy graduates.
- D. [2010-0419](#) 2010 Racial Profiling Data Report as required by Texas Statute Code of Criminal Procedure, Chapter 2 General Duties of Officers, Art. 2.132 Law Enforcement on Racial Profiling.

4. Public Hearing and Ordinance First Readings

- A. [ORD-0040](#) 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 APPROVING A SPECIFIC USE PERMIT FOR A BODY ART STUDIO AT THE EXISTING MULTI-TENANT BUILDING LOCATED ON LOTS 10-12 BLOCK A OF THE PFLUGERVILLE SUBDIVISION, LOCALLY KNOWN AS 101 E. PECAN STREET; TO BE KNOWN AS THE FREEDOM MACHINE TATTOO SPECIFIC USE PERMIT, (SUP1011-01), AND PROVIDING AN EFFECTIVE DATE.
- B. [ORD-0041](#) 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, CHANGING THE ZONING DESIGNATION FOR A 5-ACRE TRACT OF LAND OUT OF THE J. DAVIS SURVEY NO. 13, ABSTRACT NO. 231, WITHIN THE CITY OF PFLUGERVILLE, TEXAS, LOCALLY KNOWN AS 2711 KELLY LANE, FROM AGRICULTURE / CONSERVATION (A) TO RETAIL (R) DISTRICT; TO BE KNOWN AS THE BLACKHAWK COMMERCIAL REZONING, (REZ1011-03), AND PROVIDING AN EFFECTIVE DATE.
- C. [ORD-0042](#) 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 2, SUBSECTION (A)(B) AND (D) BY REASSIGNING THE AUTHORITY OF THE ARCHITECTURAL REVIEW BOARD TO THE PLANNING AND ZONING COMMISSION AND REMOVING ANY REFERENCES OF THE ARCHITECTURAL REVIEW BOARD; AMENDING SUBCHAPTER 9, SUBSECTION (F)(5) AND (G)(5) BY REASSIGNING THE RESPONSIBILITIES OF THE ARCHITECTURAL REVIEW BOARD TO THE PLANNING AND ZONING COMMISSION; AND AMENDING SUBCHAPTER 20, SUBSECTION (C) TO REMOVE THE DEFINITION OF PRELIMINARY ARCHITECTURAL PLAN; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

- D. [ORD-0043](#) 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 155 SITE DEVELOPMENT CODE, SUBCHAPTER B CENTRAL BUSINESS DISTRICT, AMENDING SUBSECTIONS 155.1202 SITE ACCESS AND CIRCULATION (E)(3), 155.1206 LANDSCAPING AND SCREENING (C)(1)(F), 155.1207 (D)(3)(D), 155.1305 SIGNS (O)(2)(J) BY REASSIGNING THE RESPONSIBILITIES OF THE ARCHITECTURAL REVIEW BOARD TO THE ADMINISTRATOR; AMENDING SUBSECTION 155.1306 PUBLIC ART BY REASSIGNING THE RESPONSIBILITIES OF THE ARCHITECTURAL REVIEW BOARD TO THE PLANNING AND ZONING COMMISSION; AMENDING SUBSECTIONS 155.1501 REVIEW BODIES, 155.1502 GENERAL REVIEW PROVISIONS, 155.1504 MAJOR PERMIT REVIEW, 155.1505 CRITERIA FOR APPROVAL, AND 155.1507 MODIFICATIONS TO APPROVED PERMITS BY REESTABLISHING GENERAL PROCESSES AND PROCEDURES FOR PLAN APPROVAL; AND AMENDING SUBSECTION 155.1601 DEFINED TERMS, PRELIMINARY ARCHITECTURAL PLAN; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING 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

- A. [2010-0408](#) Approval of the minutes of the January 11, 2011, Worksession and Regular Meeting.

7. Resolution

- A. [RES-0018](#) Approving a resolution with the caption reading: RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS ("CITY") SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE RATE INCREASE FILING OF ONCOR ELECTRIC DELIVERY COMPANY LLC ON JANUARY 7, 2011; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKINIG OTHER FINDINGS AND PROVISIONS RELATED TO THE SUGJECT; AND DECLARING AN EFFECTIVE DATE

8. Other Actions

- A. [2010-0412](#) Approval of the use of 4B funds for a Bankshot basketball court, Recreation Center exercise equipment and Pfluger Heights Pocket Park for the City of Pflugerville Park and Recreation Department.
- B. [2010-0411](#) Appointing Ms. Marta Gregory as a regular member of the Library Board for an unexpired term ending December 31, 2011 and Ms. Kaye Jividen as an alternate member of the Library Board for a term ending December 31, 2011.

Action on the Consent Agenda

9. Discuss only

- A. [2010-0185](#) Discussion regarding MY-35 Segment 3 Recommendations.

10. Discuss and consider action

- A. [2010-0416](#) Discuss and consider action regarding future agenda items.
- B. [2010-0392](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the Municipal Judge. 2.) Discuss and consider action regarding performance evaluation of the Municipal Judge.
- C. [2010-0288](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Attorney. 2.) Open Session Item: Discuss and consider action regarding the performance evaluation of the City Attorney.
- D. [2010-0356](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Manager. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the City Manager.

11. Discuss only

- A. [2010-0413](#) 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: Discussion regarding agreements with Manville Water Supply Corporation.
- B. [2010-0414](#) 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: Discussion concerning development agreements between Terrell Timmermann and the City of Pflugerville for the Greenview and Pfluger Crossing developments.
- C. [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.

12. 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 January 19, 2011 at 5:00 PM pursuant to Section 551.041, Government Code.

Karen Thompson, City Secretary

The City of Pflugerville is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call Karen Thompson, City Secretary, at 990-6101 for information. Hearing-impaired or speech-disabled persons equipped with telecommunications devices for the deaf may call 272-9116 or may utilize the statewide Relay Texas program at 1-800-735-2988.

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