



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, April 10, 2012

7:00 PM

First Baptist Church, 801 W. Pecan Street,
Pflugerville, TX

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. Discuss and consider action

- 3A. [2012-1148](#)** Discuss and consider action regarding an Agreement Between the City of Pflugerville and Monarch Utilities I, L.P. Dismissing All Administrative Proceedings Between Them and Committing to Collaborate to Establish Regionalized Long Term Water Solutions for the Pflugerville, Texas Area.

4. 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.

5. Approval of Minutes

- 5A. [2012-1137](#) Approval of the minutes of the March 24, 2012 Worksession; March 25, 2012 Quorum; and March 27, 2012 Worksession and Regular Meeting.

6. Ordinances First Reading

- 6A. [ORD-0103](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS REPEALING ORDINANCE NO. 1096-12-01-10, GRANTING THE CONVEYANCE OF A 10' PRIVATE WASTEWATER EASEMENT ON CITY PROPERTY JOINTLY TO HW CARMEN INVESTMENTS AND DPS MEGACENTER 2000, LTD. ON A 10.51-ACRE TRACT OF LAND OUT OF THE L.C. CUNNINGHAM SURVEY, NO. 63, ABSTRACT NO. 163; AND MORE SPECIFICALLY DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE, OF RECORD IN DOCUMENT NO. 2003293775 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

7. Ordinances Second Reading

- 7A. [ORD-0099](#) 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 FOR PURPOSES OF ADDING REFERENCE TO CHAPTER 158 STORM WATER POLLUTION CONTROL ORDINANCE: AMENDING SUBCHAPTER 3 TO ADD SUBMITTAL REQUIREMENTS FOR SITE DEVELOPMENT; AMENDING SUBCHAPTERS 5, 6 AND 16 TO ADD REFERENCE TO CHAPTER 158; AND AMENDING SUBCHAPTER 15 TO ADD SUBMITTAL REQUIREMENTS FOR PRELIMINARY PLAT AND CONSTRUCTION PLANS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE. (CA1201-01)

8. Other Actions

- 8A. [2012-1146](#) Approving and authorizing the City Manager to enter into a Wastewater Easement Agreement by and between DPS Megacenter 2000, Ltd. and the City of Pflugerville generally located at the northeast corner of the intersection of E. Wells Branch Parkway and S. Heatherwilde Boulevard on Lot 1, Block A of the Carmen Subdivision.
- 8B. [2012-1145](#) Approving the selection of K-Friese and Associates, Inc. of Austin, Texas for engineering design services in conjunction with the Colorado Sand Drive Street, Drainage, and Utility Improvement project and authorizing the City Manager to enter into negotiation for professional engineering services and execute same.

- 8C. [2012-1136](#) Receive report on City Council, Commission, Board and Committee expenditures for March 2012.
- 8D. [2012-1149](#) Awarding the contract for the Mountain Creek Trail project to the lowest responsive bidder, Westar Construction, Inc., in the amount of \$101,153.16 and authorizing the City Manager to execute same. This project is being funded through a grant from the Texas Recreational Trails Fund administered by the Texas Parks and Wildlife Department, a grant from the Pflugerville Community Development Corporation, City of Pflugerville Parks Escrow, City of Pflugerville In-Kind Labor, and the 2012 General Capital Reserve.

Action on the Consent Agenda

9. Discuss and consider action

- 9A. [2012-1143](#) Discuss and consider action regarding future agenda items.
- 9B. [2012-1139](#) 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 and consider action regarding agreements with Manville Water Supply Corporation.
- 9C. [2012-1138](#) 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. 2.) Open Session Item: Discuss and consider action regarding the provision of public utilities within the City of Pflugerville.
- 9D. [2012-1155](#) 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.
- 9E. [2012-1156](#) 1.) Executive Session Item: Deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding an economic development agreement with North Forest Office Space, LLC. 2.) Open Session Item: Discuss and consider action regarding an economic development agreement with North Forest Office Space, LLC.

10. 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.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

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 April 6, 2012, 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 the City Secretary's Office 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.