



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, November 26, 2013

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. Presentation

3A. [2013-2442](#) Presentation of the 2013 Central Region Conservation Award from the Texas Recreation and Parks Society.

3B. [2013-2512](#) Police Department presentation on the City of Pflugerville Blue Santa program.

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. [2013-2490](#) Approval of the minutes of the November 12, 2013 Worksession and Regular City Council Meeting.

6. Ordinances Second Reading

- 6A.** [ORD-0182](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS GRANTING THE CONVEYANCE OF AN INGRESS AND EGRESS EASEMENT AGREEMENT ON CITY PROPERTY TO MICHAEL AND LOUISE STUBBLEFIELD AT 3508 E. PFLUGERVILLE PARKWAY, PFLUGERVILLE, TEXAS 78660, ON A 23.442 ACRE TRACT OF LAND OUT OF THE E. KIRKLAND SURVEY NO. 7 IN TRAVIS COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE, OF RECORD IN DOCUMENT NO. 2006072986 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
- 6B.** [ORD-0183](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIRST AMENDMENT TO FISCAL YEAR 2013-2014 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

7. Resolutions

- 7A.** [RES-0175](#) Approving a resolution designating Mayor Jeff Coleman as the City of Pflugerville's representative on the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board.
- 7B.** [RES-0170](#) Approving a resolution appointing Mr. Ron Beyer to Position 2 and Mr. Bob Dwyer to Position 4 of the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors for two year terms ending December 31, 2015.
- 7C.** [RES-0171](#) Approving a resolution appointing Mr. Mike Marsh, Position 1, as chairman of Reinvestment Zone No. One (Falcon Pointe TIRZ) for a one-year term beginning January 1, 2014.
- 7D.** [RES-0176](#) Authorizing the City Manager to accept a right-of-way easement and approving a resolution assigning the street name to Impact Way.

8. Other Actions

- 8A.** [2013-2487](#) Authorizing the City Manager to execute a Temporary Drainage and Wastewater Easement Agreement between Terrabrooke Falcon Pointe, LLC, and the City of Pflugerville for the necessary offsite drainage and wastewater improvements proposed to serve the Falcon Pointe Section 13 Phase A project.
- 8B.** [2013-2495](#) Authorizing the City Manager to execute a Drainage Easement Agreement between The Lutheran School Association of the Greater Austin Area and the City of Pflugerville to fulfill the requirements of the

Engineering Design Guidelines for floodplain located on the property associated with the Concordia High School Final Plat.

- 8C. [2013-2502](#) Approving a professional services supplemental agreement with DCS Engineering, LLC to amend the original agreement's scope of services, timeline and fee, for an additional cost of \$7,420.

Action on the Consent Agenda

9. Resolutions

- 9A. [RES-0173](#) Approving a Resolution Directing the Publication of Notice of Intention to Issue City of Pflugerville, Texas, Combination Tax and Revenue Certificates of Obligation, and Other Matters Related Thereto.
- 9B. [RES-0172](#) Approving a Resolution Expressing Official Intent to Reimburse Certain Expenditures.

10. Discuss and consider action

- 10A. [2013-2511](#) Discuss and consider action regarding a reimbursement and refund agreement between the City and the Pflugerville Community Development Corporation (PCDC) for principal and interest payments for debt issued to construct infrastructure related to Impact Way.
- 10B. [2013-2237](#) Discuss and consider action to approve the Pflugerville Community Development Corporation (PCDC) Acceptance of Bid Proposal for Phase 2 Construction in 130 Commerce Center.
- 10C. [2013-2503](#) Approving an agreement with Cobb, Fendley & Associates, Inc. in the amount of \$403,537 for professional engineering services associated with design, bidding, and construction administration of the Sorrento Wastewater Interceptor Phase 1 Project and authorizing the City Manager to execute the agreement.
- 10D. [2013-2506](#) Discuss and consider action regarding Kenneth Bohls House relocation to a parkland location.
- 10E. [2013-2491](#) Discuss and consider action regarding future agenda items.
- 10F. [2013-2515](#) 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.) Open Session Item: Discuss and consider action regarding performance evaluation of the Municipal Judge.
- 10G. [2013-2505](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding advertisement for the position of in house City Attorney. 2.) Open Session Item: Discuss and consider action regarding advertisement for the position of in house City Attorney.

11. Discuss only

- 11A.** [2013-2508](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning economic development negotiations.
- 11B.** [2013-2507](#) 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.
- 11C.** [2013-2492](#) 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.

12. Adjourn

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

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 November 21, 2013, 2013, 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 512-990-6101 for information. Hearing-impaired or speech-disabled persons equipped with telecommunications devices for the deaf may call 512-272-9116 or may utilize the statewide Relay Texas program at 1-800-735-2988.