



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, September 11, 2012

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

3A. [2012-1401](#) Proclamation declaring September 11, 2012 "A Day of Service and Remembrance" in the City of Pflugerville

3B. [2012-1397](#) Proclamation declaring September 19, 2012 as "Texting & Driving- It Can Wait Day" in the City of Pflugerville.

3C. [2012-1400](#) Proclamation for the Healthy at H-E-B Community Challenge.

3D. [2012-1371](#) Video presentation on 2012 Pfun Camp.

4. Public Hearing and Ordinance First Reading

4A. [ORD-0117](#) Hold a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FISCAL YEAR 2013 BUDGET FOR THE CITY OF PFLUGERVILLE, TEXAS.

5. Ordinance First Reading

5A. [ORD-0118](#) Approving an ordinance on first reading with the caption reading: TAX LEVY ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS.

6. 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.

7. Approval of Minutes

- 7A. [2012-1380](#) Approval of the minutes of the August 21, 2012 Worksession and August 28, 2012 Worksession and Regular Meeting.

8. Ordinance Second Reading

- 8A. [ORD-0115](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2011-2012 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

9. Other Actions

- 9A. [2012-1377](#) Approving a request for a variance to Section DG8.1C of the Engineering Design Guidelines to allow the installation of pole mounted transformers to serve proposed street lights along Swenson Farms Blvd and Pfennig Lane.
- 9B. [2012-1396](#) Receive report on City Council, Commission, Board and Committee expenditures for August 2012.
- 9C. [2012-1398](#) Approving Association of Hispanic Municipal Officials (AHMO) membership dues in the amount of \$50.00 for Mayor Pro Tem Victor Gonzales.
- 9D. [2012-1399](#) Approving a reimbursement request in the amount of \$123.23 by Mayor Pro Tem Victor Gonzales for business meeting mileage and expenses.
- 9E. [2012-1360](#) Authorize the City Manager to execute a contract for a five year extension with Progressive Waste Solutions (formerly IESI TX Corporation) to the exclusive franchise agreement for the collection, hauling, recycling and disposal of municipal solid waste and recyclable materials for the City of Pflugerville.

Action on the Consent Agenda

10. Ordinance Second Reading

- 10A.** [ORD-0112](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY APPROVING A SPECIFIC USE PERMIT FOR A BAR/TAVERN IN THE CENTRAL BUSINESS DISTRICT ON LOTS 14 & 15, BLOCK 1 OF THE PFLUGERVILLE SUBDIVISION, LOCALLY ADDRESSED AS 111 E. MAIN ST.; TO BE KNOWN AS THE STEIN & STEM SPECIFIC USE PERMIT (SUP1207-01), AND PROVIDING AN EFFECTIVE DATE.

11. Discuss and consider action

- 11A.** [2012-1402](#) Discuss and consider action regarding voting in the election for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees.
- 11B.** [2012-1381](#) Discuss and consider action regarding future agenda items.

12. Discuss only

- 12A.** [2012-1394](#) 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.
- 12B.** [2012-1395](#) 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.

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.

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 September 5, 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.