



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, May 28, 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. [2013-1892](#) Presentation on the Pflugerville Public Library Grand Opening and Summer Reading Program Kickoff Saturday, June 8, from 11:00 am to 4:00 pm.

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

- 4A. [ORD-0137](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE READOPTING CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.
- 4B. [ORD-0153](#) 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. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE TEXAS, AS AMENDED BY APPROVING A SPECIAL DISTRICT FOR A RESEARCH AND DEVELOPMENT CENTER ON A 21.83 ACRE PORTION OF LOT 3 OF THE RENEWABLE ENERGY PARK, TO BE FURTHER SUBDIVIDED AS LOT 3D, GENERALLY LOCATED IN PFLUGERVILLE, TX, TO BE KNOWN AS THE PROJECT ORION SPECIAL DISTRICT (SD1304-01), PROVIDING FOR SITE LAYOUT AND CONDITIONS; PROVIDING

FOR A CUMULATIVE CLAUSE; PROVIDING FOR A NON-SEVERABILITY CLAUSE: 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

- 6A. [2013-1983](#) Approval of the minutes of the May 14, 2013 Worksession and Regular Meeting.

7. Ordinances Second Reading

- 7A. [ORD-0151](#) 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 AMENDING SUBCHAPTER 4 ESTABLISHMENT OF DISTRICTS AND BOUNDARIES, SECTION B(2) AND B(3) BY ADDING ALTERNATIVE FINANCIAL SERVICES, BAIL BOND, AND PAWN SHOP USES AND CONDITIONS; AND AMENDING SUBCHAPTER 20 DEFINITIONS SECTION B AND C, ADDING ALTERNATIVE FINANCIAL SERVICES, BAIL BOND, PAWN SHOP AND RELATED DEFINITIONS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES NOT TO EXCEED \$2,000.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (CA1304-01).
- 7B. [ORD-0152](#) 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 2012-2013 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.
- 7C. [ORD-0156](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE CONFIRMING THE CITY'S CONSENT TO THE ANNEXATION OF 16.24 ACRES OF LAND INTO KELLY LANE WATER

CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND CONTAINING
FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

8. Resolution

- 8A. [RES-0141](#) Approving a resolution adopting an annual annexation plan.

9. Other Actions

- 9A. [2013-1894](#) Approving an Agreement Regarding Wholesale Wastewater Service (2013) for the proposed Pfairway Park Subdivision.
- 9B. [2013-1962](#) Authorizing the City Manager, for a period not to exceed six months, to allocate \$25,000 and execute documents to contribute to the acquisition of 10 acres of real property (Randig Tract) by Sorento Holdings 2012 LLC of which approximately 4.2 acres will be provided to the City for park and open space use.
- 9C. [2013-1969](#) Authorize the City Manager to execute a contract with Polydyne Inc. for the purchase of Clarifloc C-6232 Polymer in the amount of \$81,972.00 for wastewater treatment.
- 9D. [2013-1974](#) Approving and authorizing the City Manager to execute a Professional Services Agreement with Brown and Gay Engineers Inc. for the City of Pflugerville Master Transportation Plan (in an amount not to exceed \$206,000 per General Capital Reserve FY13) and including additional services for wayfinding development (in an amount not to exceed \$7,200) for a total of \$213,200.
- 9E. [2013-1976](#) Discussion and Action regarding Accepting bid from Temple Aday for Construction of the Waste Water Line for One Thirty Commerce Center (Renewable Energy Park Subdivision) in the amount of \$62,043.87.

Action on the Consent Agenda

10. Discuss and consider action

- 10A. [2013-1982](#) Discuss and consider action regarding the City of Pflugerville's participation in the Austin Chamber of Commerce Intercity visit to Boston, Massachusetts from September 15 to September 17, 2013.
- 10B. [2013-1984](#) Discuss and consider action regarding future agenda items.

11. Discuss only

- 11A. [2013-1985](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- 11B. [2013-1986](#) 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.

- 11C.** [2013-1987](#) 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.

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 May 22, 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 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.