



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, November 12, 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. Presentations

- 3A.** [2013-2471](#) Proclamation recognizing the formation of the Pflugerville Chapter, American Legion Post 154.
- 3B.** [2013-2464](#) Presentation of the book, "Images of Pflugerville," by co-authors Pam Stephenson, Audrey Dearing and Vernagene Mott.
- 3C.** [2013-2442](#) Presentation of the 2013 Central Region Conservation Award from the Texas Recreation and Parks Society.
- 3D.** [2013-2473](#) Presentation on the Pfall Pfest holiday shopping event and the pfestive Pfarmers Market days.

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. [2013-2440](#) Approval of the minutes of the October 29, 2013 Special City Council Meeting.

6. Ordinances First Reading

- 6A. [ORD-0182](#) Approving an ordinance on first 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 first 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. Ordinances Second Reading

- 7A. [ORD-0177](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING ORDINANCE NO. 974-07-04-10 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY APPROVING A SPECIAL DISTRICT FOR AN OUTDOOR COMMERCIAL AMUSEMENT USE FOR APPROXIMATELY 25 ACRES OUT OF THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 23, PFLUGERVILLE, TEXAS, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF FM 685 AND TOWN CENTER DRIVE, TO BE KNOWN AS THE HAWAIIAN FALLS WATER PARK SPECIAL DISTRICT (SD1308-01), AND PROVIDING AN EFFECTIVE DATE.
- 7B. [ORD-0181](#) 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 CHANGING THE ZONING DESIGNATION OF AN 18.938 ACRE TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, ABSTRACT 786 IN PFLUGERVILLE, TEXAS FROM MULTI-FAMILY URBAN (MF-U) TO ALTERNATIVE LAND USE REGULATION (ALUR) DISTRICT; TO BE KNOWN AS THE CARRINGTON COURT ALUR REZONING (REZ1307-01), AND

PROVIDING AN EFFECTIVE DATE.

8. Resolution

- 8A.** [RES-0169](#) Approving a resolution to adopt a City standard Warranty Bond form for use in all public infrastructure projects within the jurisdiction of the City of Pflugerville.

9. Other Actions

- 9A.** [2013-2430](#) Authorizing the City Manager to approve the striping project for restriping portions of the Stone Hill Town Center from D.I.J. Construction, Inc. in the amount of \$53,269.55.
- 9B.** [2013-2435](#) Approving Special Warranty Deed by and between Continental Homes of Texas, L.P. and the City of Pflugerville, and authorizing the City Manager to execute the same.
- 9C.** [2013-2453](#) Receive report on City Council, Commission, Board and Committee expenditures for October 2013.
- 9D.** [2013-2455](#) Cancelling the December 24, 2013 City Council Worksession and Regular Meeting.
- 9E.** [2013-2472](#) Appointing Anna Swenson and Aaron Dvorak to the Finance and Budget Committee as citizen members for two-year terms beginning January 1, 2014.

Action on the Consent Agenda

10. Discuss and consider action

- 10A.** [2013-2479](#) Discuss and consider action regarding street naming.
- 10B.** [2013-2474](#) Discuss and consider action to approve a professional services supplemental agreement with the Thornhill Group, Inc. to amend the original agreement's timeline, scope of services and cost.
- 10C.** [2013-2469](#) Discuss and consider action to award the construction contract for the Kelly Lane Phase 1 Widening project (Base Bid A, B and Alternate B) to Cash Construction Company, Inc. , the lowest responsive bidder of 5 bids received on October 30, 2013, in the amount of \$5,180,303. This project is being funded through existing bond funds, the utility fund and through existing escrow funds.
- 10D.** [2013-2387](#) Discuss and consider action to approve an agreement with Lockwood, Andrews & Newnam, Inc. (LAN) in the amount of \$311,980 for professional engineering services associated with design, bidding and construction administration of the former North Travis County Municipal Utility District (MUD) Service Projects and the 24-inch Heatherwilde

Transmission Main Project and authorizing the City Manager to execute the agreement.

- 10E.** [2013-2253](#) Discuss and consider action to elect a Mayor Pro Tem per City Charter Section 3.06.
- 10F.** [2013-2454](#) Discuss and consider action regarding City Council representation on City Council Committees and City Council liaisons with other organizations.
- 10G.** [2013-2480](#) Discuss and consider action regarding the significant activities report.
- 10H.** [2013-2462](#) Discuss and consider action regarding future agenda items.
- 11. Discuss only**
- 11A.** [2013-2451](#) 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.** [2013-2478](#) 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.** [2013-2476](#) 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.
- 11D.** [2013-2468](#) 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 6, 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.