



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, September 22, 2015

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.** [2015-4205](#) Presentation of a Mayor's proclamation declaring Pflugerville Pink Pfridays during October 2015 in observation of Breast Cancer Awareness Month.
- 3B.** [2015-4268](#) Proclamation declaring October 6, 2015 as National Night Out in the City of Pflugerville.
- 3C.** [2015-4270](#) Presentation of the City-County Communications and Marketing Association (3CMA) National Savvy Awards.
- 3D.** [2015-4186](#) Presentation on the partnership between City of Pflugerville water conservation staff and the Girl Scouts of Central Texas to encourage water conservation.

4. Public Hearing

- 4A.** [2015-4256](#) Conduct the second of two public hearings on an ordinance with the caption reading: TAX LEVY ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS.

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. [2015-4248](#) Approval of the minutes of the September 1, 2015 Worksession and September 8, 2015 Worksession and Regular Meeting.

7. Ordinances First Reading

- 7A. [ORD-0265](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS (GRAND AVENUE PKWY, PFENNIG LN, AND PICADILLY DR), SUBJECT TO THE MISDEMEANOR OF SPEEDING AND THE IMPOSITION OF PENALTIES OF UP TO \$200, ESTABLISH PRIMA FACIE MAXIMUM SPEEDS, AND PROVIDING AN EFFECTIVE DATE.

8. Other Actions

- 8A. [2015-4222](#) Authorizing the City Manager to execute a warranty deed, as an executory interest holder, accepting the conveyance of real property to the City of Pflugerville dedicated as public parkland legally described as Lot 31, Block F; Lot 1, Block G; Lot 1, Block H Penley Park Phase 1 Subdivision.
- 8B. [2015-4239](#) Authorizing the City Manager to execute a conditional purchase agreement, special warranty deed and easement purchase agreement between HPN Development Inc. and the City of Pflugerville for utility and roadway construction associated with the Heatherwilde Widening Project.
- 8C. [2015-4238](#) Approving and authorizing the City Manager to execute a Third Amendment to NPWIS Construction and Participation Agreement associated with the payment of wastewater impact fees for the Avalon Subdivision.
- 8D. [2015-4265](#) Approving and authorizing the City Manager to execute Amendment No. 1 to Professional Services Agreement between Kelly Lane Water Control and Improvement District (WCID) No. 1 (Avalon) and the City of

Pflugerville concerning the operation, maintenance and management of water and wastewater facilities and municipal solid waste services within Kelly Lane WCID No. 1 related to the collection of wastewater impact fees and concurrence with the district's stormwater management program.

- 8E. [2015-4266](#) Approving and authorizing the City Manager to execute Amendment No. 1 to Professional and Utility Services Agreement for Kelly Lane Water Control and Improvement District (WCID) No. 2 related to the collection of wastewater impact fees.
- 8F. [2015-4269](#) Appointing Ms. Lisa Ely as a regular member of the Parks and Recreation Commission for an unexpired term ending December 31, 2016.

Action on the Consent Agenda

9. Discuss only

- 9A. [2015-4273](#) Discussion regarding the composition and appointment of a Sports Complex Advisory Committee.
- 9B. [2015-4244](#) Annual update regarding the status of Reinvestment Zone Number One, also known as the Falcon Pointe TIRZ.
- 9C. [2015-4250](#) Discussion regarding the Fiscal Year 2016 budget and City Council Fiscal Year 2016 goals.

10. Discuss and consider action

- 10A. [2015-4247](#) Discuss and consider action regarding future agenda items.
- 10B. [2015-4255](#) 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 regarding Amendment, Partial Termination and Release Agreement between DPS Megacenter 2000, Ltd and the City of Pflugerville, Texas.
2.) Open Session Item: Discuss and consider action to approve Amendment, Partial Termination and Release Agreement between DPS Megacenter 2000, Ltd and the City of Pflugerville, Texas.

11. Discuss only - Executive Session

- 11A. [2015-4272](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager for discussion regarding performance goals.
- 11B. [2015-4245](#) 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.

- 11C.** [2015-4246](#) 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.
- 11D.** [2015-4275](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning the status of the Wildflower / Carmel Development Agreement.

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 September 18, 2015, 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.