



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, July 24, 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. **Presentation**

3A. [2012-1129](#) Water Conservation - how are we doing? How can we further conserve?

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. [2012-1311](#) Approval of the minutes of the July 10, 2012 Worksession and Regular Meeting.

6. **Resolutions**

6A. [RES-0095](#) Approving a resolution to release the development agreement for Laserwash of Georgetown to allow for uses consistent with the current

zoning of the property, located at 685 Business Park, Block A, Lot 1B, immediately north of the Dolphin Laserwash at 903 FM 685.

- 6B.** [RES-0096](#) Approving a resolution for an interlocal agreement for joint and cooperative purchasing by and between the cities of Pflugerville, Round Rock, Cedar Park, Hutto, Leander, Georgetown, Taylor and the Brushy Creek Regional Utility Authority, Inc. and other eligible governmental entities and authorizing the City Manager to execute same.
- 6C.** [RES-0097](#) Approving a resolution authorizing the City Manager to execute a contract for banking services with First Texas Bank.
- 6D.** [RES-0098](#) Approving a resolution providing for the update of the Pflugerville Community Library policies.
- 6E.** [RES-0090](#) Approving a resolution concerning standardized, high stakes testing of Texas public school students.

7. Other Actions

- 7A.** [2012-1273](#) Approving a Right-of-Way Easement Agreement and a Special Warranty Deed by and between A-S 93 SH 130-SH 45, L.P. (NewQuest) and the City of Pflugerville, and authorizing the City Manager to execute the same.
- 7B.** [2012-1281](#) Approving a Professional Services Agreement with Lockwood, Andrews and Newnam (LAN) in the amount of \$274,628 for the preparation of a Wastewater Master Plan update and authorizing the City Manager to execute the agreement.
- 7C.** [2012-1295](#) Approving the selection of Davcar Engineering for the Design and Construction Project Management of two (2) new Skate Spots and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 7D.** [2012-1316](#) Approving Mayor Pro Tem Victor Gonzales' attendance of the Texas Municipal League Annual Conference in Grapevine, Texas from November 13, 2012 to November 16, 2012 and related hotel expenses.
- 7E.** [2012-1317](#) Review of the Quarterly Investment Report for the quarter ending March 31, 2012.
- 7F.** [2012-1320](#) Approving Change Order Number One for the Pflugerville Community Library Expansion and Renovation Project in the amount of \$236,695.91.
- 7G.** [2012-1323](#) Authorizing the City Manager to Issue a One Year Notice of Intent to Terminate Agreement for all existing youth sports agreements, and authorizing staff to begin developing a youth sports policy for consideration by the City Council.

Action on the Consent Agenda**8. Discuss and consider action**

- 8A.** [2012-1310](#) Discuss and consider action regarding future agenda items.
- 8B.** [2012-1308](#) 1.)Executive Session Item: Deliberations regarding 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 regarding a proposed First Addendum to the Economic Development Agreement by and between the City of Pflugerville and Terrell Timmermann. 2.) Open Session Item: Discuss and consider action regarding a proposed First Addendum to the Economic Development Agreement by and between the City of Pflugerville and Terrell Timmermann.
- 8C.** [2012-1309](#) 1.)Executive Session Item: Deliberations regarding 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 regarding approving and restating the Economic Development Agreement for Arista Data Centers, LLC with the City of Pflugerville. 2.) Open Session Item: Discuss and consider action regarding approving and restating the Economic Development Agreement for Arista Data Centers, LLC with the City of Pflugerville.

9. Discuss only

- 9A.** [2012-1312](#) 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.
- 9B.** [2012-1313](#) 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.

10. 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 July 18, 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.