



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, August 22, 2017

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

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. [2017-6110](#) Presentation of invocation by Councilmember Mike Heath. (Requested by Councilmember Mike Heath and Mayor Victor Gonzales)

3B. [2017-6027](#) Special Olympics presentation to the Pflugerville Police Department.

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. [2017-6083](#) Approval of the minutes of the August 5, 2017 Special Meeting and August 8, 2017 Worksession and Regular Meeting.

6 Ordinances Second Reading

- 6A. [ORD-0357](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE III BY REPLACING CHAPTER 35.22 REGARDING TRAVEL AND EXPENSE POLICY; ADOPTING AN ACCOUNTABLE PLAN PURSUANT TO IRC SEC. 162 AND RELEVANT IRS REGULATIONS AND PROCEDURES, REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.
- 6B. [ORD-0345](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING CHAPTER 53 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES, TITLED WATERS AND SEWERS, BY ADOPTING SECTIONS 53.003 THROUGH 53.014 ESTABLISHING A CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; AND PROVIDING AN EFFECTIVE DATE.
- 6C. [ORD-0363](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING RATES, CHARGES AND FEES FOR WATER, WASTEWATER AND SOLID WASTE UTILITY SERVICE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 6D. [ORD-0361](#) Approving an ordinance on second 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 (WOLF PACK DRIVE) TO ESTABLISH PRIMA FACIE MAXIMUM SPEEDS; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$200.00; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 6E. [ORD-0362](#) Approving an ordinance on second reading with a caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING TITLE XV, LAND USAGE, OF THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING CHAPTER 154, SIGNS, SECTION 154.112 TITLED CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS; PROVIDING A CUMULATIVE CLAUSE AND REPEALING ALL

ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT WITH THE AMENDED SECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- 6F. [ORD-0364](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING AN EXCLUSIVE FRANCHISE AGREEMENT FOR THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIALS TO PROGRESSIVE WASTE SOLUTIONS OF TX, INC; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

7. Resolutions

- 7A. [RES-0440](#) Approving a resolution terminating an economic development agreement between the City of Pflugerville and Titus Systems L.P. d/b/a Co Com Cabling.

8. Other Actions

- 8A. [2017-6109](#) Approving the Pflugerville Community Development Corporation (PCDC) fiscal year 2018 budget.
- 8B. [2017-6095](#) Authorizing the City Manager to enter into an agreement with Texas Longhorn Aquatics (TXLA) for rental of the Gilleland Creek and Windermere Pools.
- 8C. [2017-6096](#) Authorizing the City Manager to execute a conditional purchase agreement and associated conveyance documents between Franklin Stiba and Ruby M. Stiba and the City of Pflugerville as necessary to acquire real property interests for the Pfennig Lane Roadway Improvements Project.
- 8D. [2017-6097](#) Authorizing the City Manager to execute conditional purchase agreements and associated conveyance documents between Guy G. Mathews and Barbara P. Mathews and the City of Pflugerville as necessary to acquire real property interests for the Pfennig Lane Roadway Improvements Project.
- 8E. [2017-5951](#) Approving an agreement with Freese and Nichols, Inc. in the amount of \$150,103.00 for professional engineering services associated with the development of flow projections and siting study for the New Sweden Wastewater Treatment Plant Project and authorizing the City Manager to execute the agreement.

Action on the Consent Agenda

9. Discuss and consider action

- 9A.** [2017-6090](#) Discuss and consider action to provide direction to the City Manager regarding the fiscal year 2018 budget and/or strategic plan update.
- 9B.** [RES-0443](#) Discuss and consider action to approve a resolution specifying a proposed fiscal year 2018 property tax rate of \$0.5399/\$100 valuation and scheduling the dates for the public hearings.
- 9C.** [RES-0445](#) Discuss and consider action to approve a resolution authorizing a 203-day extension for the resolution approved on September 27, 2016 and extended on March 21, 2017 directing the City Attorney to prepare an economic development agreement in support of the proposed Costco project (formerly known as Project Hastur) to include certain terms to incentivize and promote the commercial economic development on property located within City of Pflugerville Reinvestment Zone Number One (Falcon Pointe TIRZ) boundaries and authorizing the City Manager to execute the agreement, approved as to form by the City Attorney.
- 9D.** [2017-6107](#) Discuss and consider action to expand the downtown subcommittee and to define a project scope for public infrastructure improvements downtown in order to receive cost estimates. (Requested by Councilmember Jeff Marsh)
- 9E.** [2017-6061](#) Discuss and consider action to provide direction to the City Manager regarding placement of invocation on City Council agendas.
- 9F.** [2017-6088](#) Discuss and consider action regarding future agenda items.

10. Discuss only

- 10A.** [2017-6060](#) Discussion regarding Sorento lighting and any other street lighting considerations. (Requested by Councilmember Mike Heath)

11. Discuss and consider action

- 11A.** [RES-0444](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding Master Services and Purchasing Agreement with Taser International, Inc. 2.) Open Session Item: Discuss and consider action to approve a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS ON THE NON-APPROPRIATION OF FUNDS FOR THE MASTER SERVICES AND PURCHASING AGREEMENT WITH TASER INTERNATIONAL, INC.

12. Discuss only

- 12A.** [2017-6091](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to

Chapter 551.071 of the Texas Government Code and deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the purchase, exchange, lease, transfer and/or sale of real property related to:

- A. Cottonwood Basin Wastewater Property
- B. Weiss Lane Roadway Project
- C. Project Unicorn

12B. [2017-6092](#)

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 regarding:

- A. Project Link

13. Adjourn

Executive sessions held during this meeting will take place in Suite 500 or 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.

Brandon Wade, City Manager

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 August 18, 2017 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 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.