



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, November 13, 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. Presentations

3A. [2012-1332](#) Pflugerville Pfarmer's Market Wrapup.

3B. [2012-1511](#) Information about the annual Pfall Pfest that will be held at the Pflugerville Recreation Center on November 17, 2012.

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. [2012-1485](#) Approval of the minutes of the October 15, 2012 Quorum; and October 23, 2012 Worksession and Regular Meeting.

6. Ordinances First Reading

- 6A. [ORD-0119](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TWO SEPARATE TRACTS OF LAND CONSISTING OF APPROXIMATELY 8.9 ACRES OF LAND OUT OF THE GENE M. MARTIN SURVEY NO. 9, ABSTRACT 529 IN TRAVIS COUNTY, TEXAS TO BE KNOWN AS THE 2012 VOHL/CITY OF PFLUGERVILLE LAND ANNEXATION (ANX1208-02); EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.
- 6B. [ORD-0120](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING FOR FULL PURPOSES APPROXIMATELY 20.2 ACRES OF LAND OUT OF THE S. EISELIN SURVEY NO. 4, ABSTRACT 265 AND T.S. BARNES SURVEY NO. 46, ABSTRACT 67 IN TRAVIS COUNTY, TEXAS, CONSISTING OF THE E. PECAN ST. RIGHT-OF-WAY, TO BE KNOWN AS THE EAST PECAN STREET ANNEXATION (ANX1208-01); EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.
- 6C. [ORD-0124](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE TERMS OF THE DIRECTORS AND CHAIRMAN OF THE REINVESTMENT ZONE NO. ONE, CITY OF PFLUGERVILLE, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6D. [ORD-0125](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 95; SECTIONS 95.41, 95.42 AND 95.43 BY DESIGNATING MEMBERS OF THE PARKS AND RECREATION COMMISSION AS THE MEMBERSHIP OF THE TREE CARE ADVISORY BOARD AND DESIGNATION OF THE PARKS AND RECREATION DIRECTOR AS THE CITY STAFF PERSON OVERSEEING THE CARE OF PUBLIC TREES; PROVIDING FOR A CUMULATIVE & CONFLICTS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.
7. **Ordinance Second Reading**
- 7A. [ORD-0122](#) 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 150, REGARDING THE ADOPTION OF THE INTERNATIONAL BUILDING CODES, 2012 EDITION; PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES NOT TO EXCEED \$2000.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

- 7B.** [ORD-0121](#) Approving an ordinance on second reading with a 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 229.86 ACRES OUT OF THE J. DAVIS SURVEY NO. 13, ABSTRACT NO. 231 AND S. EISLIN SURVEY NO. 4, ABSTRACT NO. 265, LOCATED GENERALLY SOUTHEAST OF THE FM 685 AND E. PFLUGERVILLE PKWY INTERSECTION; FROM URBAN LEVEL 4 (CL4) TO GENERAL BUSINESS 1 (GB1) FOR 180.11 ACRES AND FROM URBAN LEVEL 4 (CL4) TO MULTI-FAMILY URBAN (MF-U) DISTRICT FOR 49.75 ACRES; TO BE KNOWN AS THE TOWN CENTER REZONING (REZ1208-02), AND PROVIDING AN EFFECTIVE DATE.

8. Resolutions

- 8A.** [RES-0109](#) Approving the 2013 development review schedules, fees, and structure of the Supplemental Schedule to be known as the Development Services Center Development Handbook.
- 8B.** [RES-0112](#) Approving a Resolution Directing the Publication of Notice of Intention to Issue City of Pflugerville, Texas, Combination Tax and Revenue Certificates of Obligation, and Other Matters Related Thereto.
- 8C.** [RES-0113](#) Approving a Resolution Expressing Official Intent to Reimburse Certain Expenditures.
- 8D.** [RES-0117](#) Approving a resolution supporting the application from the Lower Colorado River Authority (LCRA) for an emergency order from the Texas Commission on Environmental Quality regarding water releases for agriculture in 2013.

9. Other Actions

- 9A.** [2012-1479](#) Authorizing the City Manager to execute a Temporary Drainage Easement and permanent Slope Easement between Bancroft Austin 45 L.P. and the City of Pflugerville for the necessary design and construction associated with the Heatherwilde Blvd. North Widening project respectively.
- 9B.** [2012-1488](#) Authorizing the City Manager to execute a Public Wastewater Easement between KM Avalon, Ltd., the Pflugerville Independent School District and the City of Pflugerville associated with proposed wastewater infrastructure necessary to serve Pflugerville Independent School District Middle School No. 6 project situated on 135.231 acres of the

James P. Kempe survey No. 12, abstract No. 462 located in Travis County, Texas.

- 9C. [2012-1489](#) Authorizing the City Manager to execute an agreement with LJA Engineering, Inc. for Design & Construction Phase Services for the Pfluger Farm Lane Roadway, Drainage and Utility Improvements CIP project (from Town Center Drive to Pflugerville Parkway) in an amount not to exceed \$1,014,011.86.
- 9D. [2012-1497](#) Receive report on City Council, Commission, Board and Committee expenditures for October 2012.
- 9E. [2012-1505](#) Approving an Interlocal Contract for licensing SCPDC Software (MyPermitNow) to be used for permit applications filed with the Development Services Center.
- 9F. [2012-1510](#) Approving a Pflugerville Community Development Corporation (PCDC) loan in the amount of \$4,800,000 from Citizens National Bank for the refinancing of debt associated with the purchase and development of the property at the corner of State Highway 130 and Pecan Street (130 Commerce Center).
- 9G. [2012-1509](#) Review of the Quarterly Investment Report for the quarter ending September 30, 2012.

Action on the Consent Agenda

10. Discuss and consider action

- 10A. [2012-1504](#) Discuss and consider action approving a Supplemental Contract of \$54,000 with H.R. Gray for Owner's Project Representative Services associated with the Pflugerville Community Library Expansion and Renovation Project and authorizing the City Manager to execute the same.
- 10B. [2012-1484](#) Discuss and consider action regarding future agenda items.

11. Discuss only

- 11A. [2012-1486](#) 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.
- 11B. [2012-1487](#) 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. [2012-1515](#) 1.)Executive Session Item: Consultation with legal counsel regarding Texas Local Government Code Chapters 141-143 pursuant to Chapter 551.071 of the Texas Government Code.

12. 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 November 8, 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.