



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, June 9, 2015

7:00 PM

100 East Main Street, Suite 500

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#### 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. [2015-3987](#)** Proclamation declaring June 15, 2015 as Ride to Work Day in the City of Pflugerville.
- 3B. [2015-3959](#)** Presentation of the 2015 Capital Improvement Bond Committee recommendations in consideration of a proposed November 3, 2015 bond election.
- 3C. [2015-3951](#)** Presentation regarding the status of water supplies in the region.

**4. Public Hearing and Ordinance First Reading**

- 4A. [ORD-0255](#)** Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF TWO SEPARATE TRACTS CONSISTING OF APPROXIMATELY 38.465 ACRES OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, AND APPROXIMATELY 6.279 ACRES OF LAND OUT OF THE ALEXANDER WALTERS SURVEY NO. 67, ABSTRACT 791, FROM GENERAL BUSINESS 1 (GB1) AND AGRICULTURE/CONSERVATION (A) DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD); TO BE KNOWN AS THE COMMONS AT HEATHERWILDE AND PECAN PLANNED UNIT DEVELOPMENT (REZ1503-03); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR

SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

## **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. [2015-3945](#) Approval of the minutes of the May 26, 2015 Worksession and Regular Meeting.

## **7. Ordinance Second Reading**

- 7A. [ORD-0249](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF TWO SEPARATE TRACTS CONSISTING OF APPROXIMATELY 3.321 ACRES OF LAND LOCATED BETWEEN FM 685 AND OLD AUSTIN-HUTTO RD., GENERALLY EAST OF THE APPLEWOOD DR. AND FM 685 INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1); TO BE KNOWN AS THE BURRELL BUSINESS PARK REZONING (REZ1503-02), AND PROVIDING AN EFFECTIVE DATE.

## **8. Resolution**

- 8A. [RES-0253](#) Approving a resolution ratifying the Memorial Day 2015 Disaster Declaration and approving payment for emergency expenditures for street, bridge, storm sewer, drainage and building repairs.

## **9. Other Actions**

- 9A. [2015-3953](#) Approving the selection of Davcar Engineering for the Design and Construction Project Management for the Pfennig Lane parking lot and restroom facility project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

- 9B. [2015-3956](#) Approving an agreement with MWM Design Group in the amount of \$150,100.00 for professional engineering services associated with preliminary engineering, final design, and construction phase services for the 2014 City of Pflugerville General Obligation Trail Development Gap project and authorizing the City Manager to execute the agreement.
- 9C. [2015-3957](#) Approving an agreement with MWM Design Group in the amount of \$30,653.94 for professional engineering services associated with preliminary engineering and public involvement for the 2014 General Obligation Mansions at Stone Hill Park Development Project and authorizing the City Manager to execute the agreement.
- 9D. [2015-3960](#) Authorizing the City Manager to execute a Slope Easement Agreement between Highland Park Residential Community, Inc. and the City of Pflugerville for the necessary roadway and drainage construction associated with the Heatherwilde Boulevard Capital Improvement Project.
- 9E. [2015-3943](#) Receive report on City Council, Commission, Board and Committee expenditures for May 2015.

### Action on the Consent Agenda

#### 10. Discuss and consider action

- 10A. [2015-3942](#) Conduct interviews and discuss and consider action to appoint a student member of the Parks and Recreation Commission for a term ending May 31, 2016.
- 10B. [2015-3944](#) Discuss and consider action regarding future agenda items.
- 10C. [2015-3966](#) 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 Pflugerville Community Development Corporation's (PCDC's) proposed sale of approximately 30 acres in the 130 Commerce Center. 2.) Open Session Item: Discuss and consider action to approve Pflugerville Community Development Corporation's (PCDC's) sale of approximately 30 acres in the 130 Commerce Center.
- 10D. [2015-3870](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning a development agreement with the Pflugerville Independent School District.. 2.) Open Session Item: Discuss and consider action to approve a development agreement with the Pflugerville Independent School District.

#### 11. Discuss only

- 11A. [2015-3946](#) 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.** [2015-3988](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the City Council's statutory authority pursuant to Texas Local Government Code Section 501.401.
- 11C.** [2015-3947](#) 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.** [2015-3948](#) 1.) Executive Session Item: Consultation with legal counsel regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.
- 11E.** [2015-3986](#) 1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code for discussion related to the purchase of real property.

**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 June 5, 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.