



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, January 24, 2017

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. [2017-5486](#) Introduction of the City of Pflugerville Interim Police Chief, Jessica Robledo.
- 3B. [2017-5473](#) Presentation of Employee Service Awards.
- 3C. [2017-5521](#) Pflugerville Animal Welfare Services (PAWS) hosts Pfat Cat Pfest on Saturday, January 28, 2017.
- 3D. [2017-5513](#) Presentation and discussion about the City's Capital Improvement Program.

#### 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. [2017-5516](#) Approval of the minutes of the January 3, 2017 Special Meeting; January 6, 2017 Quorum; and January 10, 2017 Worksession and Regular Meeting..

**6. Ordinances Second Reading**

6A. [ORD-0340](#) 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 (EAST PECAN STREET) 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.

6B. [ORD-0339](#) 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 (HEATHERWILDE BOULEVARD) 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.

6C. [ORD-0341](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO DUMP IT, LLC FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

**7. Ordinances Third Reading**

7A. [ORD-0334](#) Approving an ordinance on third reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO TEXAS DISPOSAL SYSTEMS, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN

## EFFECTIVE DATE.

7B. [ORD-0335](#) Approving an ordinance on third reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO PROGRESSIVE WASTE SOLUTIONS FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

7C. [ORD-0336](#) Approving an ordinance on third reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO CENTRAL TEXAS REFUSE, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

7D. [ORD-0337](#) Approving an ordinance on third reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT OF TEXAS, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

7E. [ORD-0338](#) Approving an ordinance on third reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO REPUBLIC SERVICES, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

**8. Resolutions**

8A. [RES-0382](#) Approving a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE USE OF THE FUNDS DRAWN FROM THE \$3,000,000 IRREVOCABLE LETTER OF CREDIT (ILOC) RELATED TO THE ARISTA PROJECT AS AN ADVANCE OF THE PFLUGERVILLE COMMUNITY DEVELOPMENT CORPORATION'S DEBT REIMBURSEMENT PAYMENTS TO THE CITY.

**9. Other Actions**

**9A. [2017-5509](#)** Approving budget amendments for the Pflugerville Community Development Corporation (PCDC) for FY17 and providing an effective date.

**9B. [2017-5532](#)** Authorizing the City Manager to execute a General Warranty Deed accepting the conveyance of real property from Travis County Municipal Utility District No. 15 to the City of Pflugerville, on which the Falcon Pointe Lift Station No. 4 is located, legally described as Lot 16, Block BB, Falcon Pointe - Section Twelve Final Plat, a subdivision located in Travis County, Texas, according to the map and plat thereof recorded under Document Number 201100163, in the Official Public Records of Travis County, Texas.

**9C. [2017-5547](#)** Approving the appointment of Mr. Kenneth Kidd as a regular member of the Board of Adjustment for a term ending December 31, 2018.

**9D. [2017-5519](#)** Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Don Lee Weiss and Gladys O. Weiss and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Roadway Project.

**9E. [2017-5520](#)** Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Joe Weiss and Mary Emily Weiss and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Roadway Project.

### **Action on the Consent Agenda**

#### **10. Discuss and consider action**

**10A. [2017-5515](#)** Discuss and consider action to award a construction contract for the Weiss Lane Roadway project to Cash Construction, the lowest responsible bidder of five (5) bids received on January 12, 2017, in the amount of \$18,076,985.00 and authorizing the City Manager to execute same.

**10B. [2016-5417](#)** Presentation and discuss and consider action to provide direction to the City Manager regarding the City's Pavement Maintenance Projects for 2017.

**10C. [2017-5537](#)** Discuss and consider action to provide direction to the City Manager regarding Pflugerville's role in regional transportation planning.

**10D. [RES-0384](#)** 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 concerning the "North Pointe" Development by Green Island Investments Group, LLC. 2.) Open Session Item: Discuss and consider action to approve a resolution in support of economic development of the "North Pointe" Development by Green Island Investments Group, LLC.

**11. Discuss only**

**11A. [2017-5533](#)** Discussion regarding signs/sign ordinance provisions.

**11B. [2017-5517](#)** 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.

**11C. [2017-5518](#)** 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.

**11D. [2017-5539](#)** 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding fair housing regulations and policy.

**11E. [2017-5546](#)** 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding compliance with the Texas Open Meetings Act.

**11F. [2017-5542](#)** 1.) Executive Session Item: Discussion of personnel matters regarding the duties of the Chief of Police, pursuant to Chapter 551.074 of the Texas Government Code and to consult with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding Police Department operations.

**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.

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 January 20, 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.