



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, May 9, 2017

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. [2017-5827](#) Proclamation recognizing the Hendrickson Hawks girls soccer team state champions.
- 3B. [2017-5814](#) Proclamation declaring May 2017 as Motorcycle Safety and Awareness Month in the City of Pflugerville.
- 3C. [2017-5838](#) Proclamation declaring May 12 to May 16, 2017 as National Police Week in the City of Pflugerville.
- 3D. [2017-5844](#) Presentation on Deutschen Pfest to be held May 19, 2017 to May 21, 2017.
- 3E. [2017-5828](#) Proclamation declaring May 21 to May 27, 2017 as National Public Works Week in the City of Pflugerville.
- 3F. [ORD-0345](#) Presentation and discussion about the implementation of a required Cross Connection Control and Prevention 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.

Ms. Vernagene Mott, Pflugerville Independent School District Board of Trustees President, is expected to provide comments regarding the progress of road construction on East Pecan Street and Weiss Lane.

Brian Allen, Commander, American Legion Post 154, is expected to provide comments with appreciation to the City for providing active military and veterans with additional parks and recreation benefits.

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. [2017-5813](#) Approval of the minutes of the April 22, 2017 Worksession; and April 25, 2017 Worksession and Regular Meeting.

6. Ordinance First Reading

- 6A. [ORD-0354](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2017 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

7. Ordinances Second Reading

- 7A. [ORD-0346](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE READOPTING CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.
- 7B. [ORD-0348](#) Approving an ordinance on second reading with a 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 AN APPROXIMATE 5.964 ACRE TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, LOCATED GENERALLY SOUTHEAST OF THE BLACK LOCUST DR. AND GRAND AVE. PKWY INTERSECTION FROM AGRICULTURE/CONSERVATION (A) TO MULTI-FAMILY 10 (MF-10) DISTRICT; TO BE KNOWN AS THE WINDERMERE PARK GARDEN VILLAS SECTION TWO REZONING

(REZ1701-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

8. Resolution

- 8A. [RES-0422](#) Approving a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, REJECTING ALL BIDS RECEIVED FOR THE PFLUGERVILLE ANIMAL WELFARE SERVICES (PAWS) INTAKE BUILDING.

9. Other Actions

- 9A. [2017-5609](#) Authorizing the City Manager to execute an easement purchase agreement and associated conveyance documents between between Allen Vorwerk and the City of Pflugerville for wastewater and temporary construction easements for the Sorento Wastewater Interceptor Project.
- 9B. [2017-5821](#) Authorizing the City Manager to Execute a Wastewater Pipeline Easement Agreement with Kelly Lane Water Control and Improvement District No. 2 and the City of Pflugerville for a Wastewater Pipeline Easement associated with the Vine Creek project.
- 9C. [2017-5822](#) Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Keith Weiss and Durenda Weiss and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Transmission Main Phase 1B Project.
- 9D. [2017-5823](#) Authorizing the City Manager to execute a Public Utility Easement Agreement to dedicate City property as a public utility and right of way easement located at the southeast corner of Swenson Farms and Pfennig Lane.
- 9E. [2017-5829](#) Authorizing the City Manager to execute a Water Meter Easement Agreement with Sorento Holdings, 2012 LLC and the City of Pflugerville for a water meter associated with the Sorento 9 Subdivision generally located at the northwest side of Sorento Phase 9 and east of Weiss Lane.
- 9F. [2017-5831](#) Approving budget amendments for the Pflugerville Community Development Corporation fiscal year 2017, 2nd quarter.
- 9G. [2017-5811](#) Authorizing the City Manager to approve the purchase of playground equipment and installation of the same for the Stone Hill Park Project from We Build Fun, Inc in the amount of \$154,159.80 utilizing the Texas Association of School Boards (TASB) cooperative purchasing contract (BuyBoard).
- 9H. [2017-5820](#) Approving an agreement with HVJ Associates, Inc. in the amount of

\$78,065 for professional engineering services associated with the design, bidding, construction administration, and material testing for the Grand Avenue Parkway Pavement Maintenance Project and authorizing the City Manager to execute the agreement.

Action on the Consent Agenda

10. Discuss and consider action

- 10A.** [2017-5819](#) Discuss and consider action to award a construction contract for the Gilleland Creek Trail project to Boretex, LLC, the lowest responsible bidder of ten (10) bids received on April 20, 2017, in the amount of \$289,777.10 and authorizing the City Manager to execute same.
- 10B.** [RES-0411](#) Discuss and consider action to approve a resolution amending rules of order and procedure for City Council meetings. (Requested by City Council)
- 10C.** [RES-0416](#) Discuss and consider action to approve a resolution with the caption reading: RESOLUTION AMENDING RESOLUTION 1473-16-01-16-0289 MODIFYING THE RESOLUTION TO CANCEL THE PROHIBITION OF CONCEALED HANDGUNS AT MEETINGS GOVERNED BY THE TEXAS OPEN MEETINGS ACT. (Requested by Councilmember Doug Weiss)
- 10D.** [2017-5840](#) Discuss and consider action regarding residential and commercial solid waste and recycling services.
- 10E.** [2017-5847](#) Discuss and consider action to no longer require city council approval for the acquisition, modification or release of easements with a related cost not to exceed \$50,000, thereby allowing for administrative approval by the City Manager.
- 10F.** [2017-5812](#) Discuss and consider action regarding future agenda items.
- 10G.** [2017-5832](#) 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 regarding a First Amendment to the Chapter 380 Economic Development Agreement between the City of Pflugerville, Texas and Living Spaces Furniture, LLC. 2.) Open Session Item: Discuss and consider action to approve a First Amendment to the Chapter 380 Economic Development Agreement between the City of Pflugerville, Texas and Living Spaces Furniture, LLC.
- 10H.** [2017-5846](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the duties of the City Attorney related to long-term legal services needs for the city. 2.) Open session item: Discuss and consider action regarding the duties

of the City Attorney related to long-term legal services needs for the city.
(Requested by Mayor Victor Gonzales)

11. Discuss only

- 11A. [2017-5644](#) Discussion regarding Council reimbursement policy. (Requested by Councilmember Jeff Marsh)
- 11B. [2017-5824](#) 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.
- 11C. [2017-5825](#) 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.
- 11D. [2017-5857](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding development of the city's municipal utility district consent policies.
- 11E. [2017-5845](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the duties of the City Manager.

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 May 5, 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.