



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, November 27, 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. [2012-1400](#) Announcing Pflugerville as the winner of the Healthy at H-E-B Community Challenge.

3B. [2012-1330](#) Pflugerville Community Library construction update.

4. Public Hearing and Ordinance First Readings

4A. [ORD-0123](#) Conduct a public hearing and approve an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING ORDINANCE NO. 874-07-04-10 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY APPROVING A SPECIAL DISTRICT FOR LOT 3 OF THE RENEWABLE ENERGY PARK SUBDIVISION, AND APPROXIMATELY 4.797 ACRES IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS, KNOWN AS THE EIEIO SPECIAL DISTRICT (SD1210-01) 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.

6. Discuss and consider action

- 6A. [2012-1525](#) Conduct introductions and take action to appoint up to two citizen members and one City Councilmember to the Finance and Budget Committee.
- 6B. [2012-1522](#) Conduct introductions and take action to appoint up to four regular members and one alternate member to the Library Board.
- 6C. [2012-1523](#) Conduct introductions and take action to appoint up to three regular members and one alternate member to the Parks and Recreation Commission.
- 6D. [2012-1501](#) Conduct introductions and take action to appoint up to three regular members to the Planning and Zoning Commission.
- 6E. [2012-1524](#) Conduct introductions and take action to appoint up to two regular members and four alternate members to the Board of Adjustment.
- 6F. [2012-1499](#) Conduct introductions and consider taking action regarding appointments to Place 2, Place 4, Place 6, and Place 7 of the Pflugerville Community Development Corporation (PCDC) Board of Directors.

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.

7. Approval of Minutes

- 7A. [2012-1526](#) Approval of the minutes of the November 13, 2012 Worksession and Regular Meeting.

8. Ordinance First Reading

- 8A. [ORD-0128](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 110, (ENTITLED "FOOD ESTABLISHMENTS") OF THE CITY OF PFLUGERVILLE'S CODE OF MUNICIPAL ORDINANCES BY DESIGNATING THE CITY OF PFLUGERVILLE TO BE THE REGULATORY AGENCY ADMINISTERING THE CHAPTER; PROVIDING A CUMULATIVE

CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

9. Ordinances Second Reading

- 9A.** [ORD-0119](#) Approving an ordinance on second 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.
- 9B.** [ORD-0120](#) Approving an ordinance on second 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.
- 9C.** [ORD-0124](#) Approving an ordinance on second 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.
- 9D.** [ORD-0125](#) Approving an ordinance on second 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.

10. Other Actions

- 10A.** [2012-1521](#) Cancelling the City Council Worksession and Regular Meeting on December 25, 2012.
- 10B.** [2012-1538](#) Authorize the City Manager to execute an agreement with Cornerstone at Kelly Lane LLC for the design and development of a bid alternate for the Colorado Sand CIP project in an amount not to exceed \$10,619.
- 10C.** [2012-1539](#) Approving a reimbursement request in the amount of \$428.37 by Mayor Pro Tem Victor Gonzales for business meeting mileage and expenses.

Action on the Consent Agenda**11. Discuss and consider action**

- 11A.** [2012-1507](#) Discuss and consider action to approve a change order with Ford AV in the amount of \$55,783.75 to provide audio visual improvements for the Pflugerville Community Library Expansion and Renovation Project and authorizing the City Manager to execute the same.
- 11B.** [2012-1500](#) Discuss and consider action to elect a Mayor Pro Tem per City Charter Section 3.06.
- 11C.** [2012-1498](#) Discuss and consider action regarding City Council representation on City Council Committees and City Council liaisons with other organizations.
- 11D.** [2012-1528](#) Discuss and consider action regarding possible City of Pflugerville participation on the Community Action Network Board of Directors.
- 11E.** [2012-1527](#) Discuss and consider action regarding future agenda items.

12. Discuss only

- 12A.** [2012-1529](#) Discuss report on the Circuit of Americas Formula 1 United States Grand Prix held November 16-18, 2012 in Austin, Texas.

13. Discuss and consider action (with Executive Session)

- 13A.** [2012-1541](#) 1.)Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding a request for approval of Assignment and Consent of the City of Pflugerville, Texas to the Assumption of the New Sweden Development Agreement. 2.)Open Session Item: Discuss and consider action regarding Assignment and Consent of the City of Pflugerville, Texas to the Assumption of the New Sweden Development Agreement.

14. Discuss only (Executive Session)

- 14A. [2012-1535](#) 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.
- 14B. [2012-1536](#) 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.
15. **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 20, 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.