



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, December 8, 2015

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. Presentation

- 3A. [2015-4449](#)** Presentations and discussion regarding the Mansions at Stone Hill Park Project and the Highland Park/Highland Park North Park Project.

4. Public Hearing

- 4A. [2015-4452](#)** Conduct a Public Hearing to receive public input on the Preliminary Design Reports (PDR) for the Mansions at Stone Hill Park Project and the Highland Park/Highland Park North Park Project.

5. Public Hearing and Resolution

- 5A. [RES-0278](#)** Conduct a public hearing and consider a resolution approving the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2014.

6. 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.

7. Approval of Minutes

- 7A. [2015-4479](#) Approval of the minutes of the November 24, 2015 Worksession and Regular Meeting.

8. Ordinances First Reading

- 8A. [ORD-0280](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE TEXAS AMENDING PROVISIONS OF CHAPTER 130 ENTITLED OFFENSES AGAINST CITY REGULATIONS; SECTION 130.08 ENTITLED GRAFFITI; REVISING NOTICE REQUIREMENTS; PROVIDING FOR EXCEPTIONS FROM ENFORCEMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

- 8B. [ORD-0281](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE CONVEYANCE AND EXCHANGE OF A PORTION OF LOT 4 FOR A PORTION OF LOT 3 WITHIN THE SUBDIVISION PLAT RECORDED IN DOCUMENT NO. 200800320 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS TITLED PFLUGERVILLE INDUSTRIAL PARK PERMITTING THE RECONFIGURATION OF LOT 3 AND LOT 4 OF THE FINAL PLAT OF PFLUGERVILLE INDUSTRIAL PARK INTO LOTS 3A AND 4A; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

9. Ordinances Second Reading

- 9A. [ORD-0274](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIFTH AMENDMENT TO THE FISCAL YEAR 2015 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

- 9B. [ORD-0275](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO CENTRAL WASTE & RECYCLING, 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.

10. Resolutions

- 10A. [RES-0282](#) Approving a resolution of the city of Pflugerville amending food and health inspection fees to incorporate late payment penalties.
- 10B. [RES-0280](#) Approving a resolution appointing Mr. Ron Beyer to Position 2 and Mr. Bob Dwyer to Position 4 of the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors for two year terms ending December 31, 2017.
- 10C. [RES-0281](#) Approving a resolution appointing Mr. Mike Marsh, Position 1, as chairman of Reinvestment Zone No. One (Falcon Pointe TIRZ) for a one-year term beginning January 1, 2016.
- 10D. [RES-0284](#) Approving a resolution to adopt a schedule for annexation for tracts of land consisting of 443.692 acres known as Carmel West Annexation, located in the J. Leisse Survey, Abstract No. 496, J. Wiehl Survey, Abstract No. 802 and the W. Caldwell Survey, Abstract No. 162 in Travis County, Texas. (ANX1511-01)
- 10E. [RES-0285](#) Approving a resolution to adopt a schedule for annexation of land consisting of approximately 177.004 acres known as Pflugerville Athletic Complex, located on Cameron Road as described as the first and second tracts in Volume 10761, Page 199 of the Real Property Records in Travis County, Texas. (ANX1511-02)

11. Other Actions

- 11A. [2015-4454](#) Approving a supplemental agreement #1 with MWM Design Group in the amount of \$204,081.35 for professional engineering services associated with the design and construction administration for the Mansions at Stone Hill Park Development project and authorizing the City Manager to execute the agreement.
- 11B. [2015-4464](#) Authorizing the City Manager to execute a Public Wastewater Easement Agreement with Geraldine Timmermann and the City of Pflugerville for a wastewater line associated with the Walden Square site development project generally located on Pfennig Lane east of Rocky Creek Drive.
- 11C. [2015-4477](#) Authorizing the City Manager to execute Utility Conveyance and Security Agreements between Sorento Holdings 2012 LLC and the City of Pflugerville for water and sanitary sewer improvements to serve Travis County Municipal Utility District No. 17 (MUD 17) for Phases 2 and 3 of the Sorento subdivision.
- 11D. [2015-4468](#) Authorizing the City Manager to execute Change Order #2 for the North

Travis County MUD#5 Phase 1 Water Improvement Project with Prota Construction Inc. & Prota Inc, JV in the amount of \$84,420.

- 11E. [2015-4478](#) Receive report on City Council, Commission, Board and Committee expenditures for November 2015.
- 11F. [2015-4485](#) Approving the Mayor's appointment of Ms. Linda Atkins to the Personnel Appeal Board for a three-year term beginning January 1, 2016.

Action on the Consent Agenda

12. Resolution

- 12A. [RES-0286](#) Discuss and consider action to approve a resolution approving a real estate sales contract entered into by the Pflugerville Community Development Corporation (PCDC) and CI Way L.L.C. to sell Lots 2E.1 and 2E.2 of the Renewable Energy Park, totaling approximately 4.42 Acres of land from the One-Thirty Commerce Center Project.

13. Discuss and consider action

- 13A. [2015-4470](#) Discuss and consider action to award a construction contract for the Well No.7 Rehabilitation project to Advanced Water Well Technologies, LLC, the lowest responsible bidder of three (3) bids received on November 30, 2015, in the amount of \$331,245.84.
- 13B. [2015-4471](#) Discuss and consider action to award a construction contract for Water Supply Interconnect and Improvements at the Water Treatment Plant to JKB Construction Company, LLC, the lowest responsible bidder of five (5) bids received on November 19, 2015, in the amount of \$478,917.25.
- 13C. [2015-4473](#) Discuss and consider action to award a construction contract for the Heatherwilde Boulevard Widening project to Cash Construction Company, the lowest responsible bidder of three (3) bids received on November 24, 2015, in the amount of \$6,729,591.80.
- 13D. [2015-4480](#) Discuss and consider action regarding future agenda items.
- 13E. [2015-4517](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding a possible development agreement with the Pflugerville Independent School District (PfISD) for the the PfISD stadium project/Timmerman Elementary School project. 2.) Open Session Item: Discuss and consider action to authorize the City Manager to execute a development agreement with the Pflugerville Independent School District (PfISD) for the the PfISD stadium project/Timmerman Elementary School project.

- 13F.** [2015-4498](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the Municipal Judge. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the Municipal Judge.

14. Discuss only

- 14A.** [2015-4423](#) Discussion regarding plans for improvements to the current animal shelter.
- 14B.** [2015-4481](#) 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.
- 14C.** [2015-4482](#) 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.
- 14D.** [2015-4483](#) 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.
- 14E.** [2015-4484](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice related to the city's regulatory powers and enforcement authority of land use regulations involving assisted living/group homes located within areas zoned only for single family use.

15. 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 December 4, 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 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.