



# City of Pflugerville

## Meeting Agenda - Final

### City Council

---

Tuesday, October 28, 2014

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.** [2014-3402](#) Mayor's proclamation declaring November 2014 as American Diabetes Month in the City of Pflugerville.
- 3B.** [2014-3413](#) Mayor's proclamation declaring November 7, 2014 as Arbor Day in the City of Pflugerville.
- 3C.** [2014-3357](#) Presentation regarding American Planning Association's National Community Planning Month and the 2014 Planning Excellence Award for the City of Pflugerville.
- 3D.** [2014-3416](#) Presentation regarding the Pflugerville Community Development Corporation (PCDC) Leadership Pflugerville Program and introduction of the 2014 Class Members.

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

- 4A.** [ORD-0215](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE ADOPTING THE PARKS DEVELOPMENT MANUAL, A SUPPLEMENT TO SUBCHAPTER 14 PUBLIC PARKLAND STANDARDS OF THE UNIFIED DEVELOPMENT CODE, BY PROVIDING TECHNICAL STANDARDS AND PARKLAND SECTORS; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.
- 4B.** [ORD-0216](#) Conduct a public hearing and consider approving an ordinance on first

reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, BY AMENDING THE EXISTING CHAPTER 154 SIGNS; REMOVING REFERENCE TO CHAPTER 157.542 WITHIN SECTION 154.002; REPLACING SECTION 154.904 IN ITS ENTIRETY TO INCLUDE NEW AND MODIFIED ZONING DISTRICT NAMES; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000; AND DECLARING AN EFFECTIVE DATE.

- 4C. [ORD-0217](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE ADOPTING THE 2014 ENGINEERING DESIGN MANUAL AND CONSTRUCTION STANDARDS, REPLACING ALL ENGINEERING AND CONSTRUCTION STANDARDS IN CONFLICT; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

- 4D. [ORD-0218](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, BY REPEALING THE EXISTING CHAPTER 157 (UNIFIED DEVELOPMENT CODE); CREATING A NEW CHAPTER 157; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000 AND DECLARING 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. [2014-3401](#) Approval of the minutes of the October 14, 2014 City Council Worksession and Regular Meeting.

## 7. Resolution

- 7A. [RES-0221](#) Approving a resolution authorizing the City Manager and/or City Attorney

to negotiate terms and conditions within the City Council approved professional services agreement for the City of Pflugerville, Texas.

## 8. Other Actions

- 8A. [2014-3394](#) Approving a First Amendment to the Penley Park Development Agreement between Penley Park Development Company, Inc. and the City of Pflugerville, Texas and authorizing the City Manager to execute the same.
- 8B. [2014-3396](#) Authorizing the City Manager to execute a Right of Way License Agreement between the City of Pflugerville and the Penley Park Homeowners Association (HOA) applicable to all City streets and public parkland within the subdivision.
- 8C. [2014-3397](#) Authorizing the City Manager to execute a Right of Way License Agreement between the City of Pflugerville and the Spring Trails Homeowners Association (HOA) applicable to City public parkland within the subdivision identified as Lot 80 Block M of the Spring Trails Phase 1-B subdivision plat Document No. 200700171.
- 8D. [2014-3414](#) Authorizing the City Manager to execute a Public Water Easement Agreement with St. Elizabeth Catholic Church and the City of Pflugerville for associated construction for the St. Elizabeth religious education building expansion project.
- 8E. [2014-3395](#) Authorizing the City Manager to execute a Public Wastewater Easement Agreement with Mark and Kimberly Donnell and the City of Pflugerville for the utility construction associated with the Rowe Loop Wastewater Capital Improvement Project.
- 8F. [2014-3417](#) Authorizing the City Manager to execute a Public Wastewater Easement Agreement with Lawrence M. Koch and Beverly Ann Darilek and the City of Pflugerville for the utility construction associated with the Rowe Loop Wastewater Capital Improvement Project.
- 8G. [2014-3408](#) Approving a reimbursement request in the amount of \$299.94 by City Councilmember Victor Gonzales for business meeting mileage and expenses.

## Action on the Consent Agenda

### 9. Discuss only

- 9A. [2014-3348](#) Report from Councilmember Victor Gonzales on the 2014 Austin Chamber of Commerce InterCity visit to San Francisco, California.
- 9B. [2014-3415](#) Report and discussion regarding short-term and long-term solutions for the animal shelter.

**10. Discuss and consider action**

- 10A.** [2014-3398](#) Discuss and consider action to authorize the City Manager to approve the purchase of water treatment plant membranes for the City's water treatment plant from General Electric in the amount of \$1,350,160.
- 10B.** [2014-3368](#) Discuss and consider action regarding improvements to the Windermere Park Pool.
- 10C.** [2014-3400](#) Discuss and consider action regarding future agenda items.
- 10D.** [2014-3405](#) 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 regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project BBQ. 2.) Open Session Item: Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project BBQ.
- 10E.** [2014-3406](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; deliberations regarding real property pursuant to Chapter 551.072 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 and negotiations concerning real property regarding a Pflugerville Community Development Corporation (PCDC) Lease Agreement with Project BearKat. 2.) Open Session Item: Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) Lease agreement with Project BearKat.

**11. Discuss only - Executive Session**

- 11A.** [2014-3399](#) 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.** [2014-3422](#) 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.
- 11C.** [2014-3403](#) 1.) Executive Session Item: Deliberations with legal counsel regarding what steps are necessary to preserve, protect and pursue the City's legal options related to the Lake Pflugerville Pump Station failure pursuant to Chapter 551.071 of the Texas Government Code.
- 11D.** [2014-3404](#) 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.** [2014-3421](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Attorney.

**11F.** [2014-3420](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation 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.

**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 October 22, 2014, 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.