



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, August 8, 2017

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

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. [2017-6035](#) Pflugerville Community Development Corporation (PCDC) presentation of a video update on Typhoon Texas.

3B. [2017-6036](#) Presentation regarding activities at the Pflugerville Public Library celebrating the Solar Eclipse.

4. **Public Hearing and Resolution**

4A. [RES-0437](#) Conduct the second public hearing and consider adoption of the resolution providing approval of the Community Development Block Grant (CDBG) program proposed 2017 Action Plan.

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. [2017-6059](#) Approval of the minutes of the July 25, 2017 Worksession and Regular Meeting.

## 7. Ordinances First Reading

- 7A. [ORD-0345](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE AMENDING CHAPTER 53 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES, TITLED WATERS AND SEWERS, BY ADOPTING SECTIONS 53.003 THROUGH 53.014 ESTABLISHING A CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; AND PROVIDING AN EFFECTIVE DATE.
- 7B. [ORD-0361](#) Approving an ordinance on first 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 (WOLF PACK DRIVE) 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.
- 7C. [ORD-0362](#) Approving an ordinance on first reading with a caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING TITLE XV, LAND USAGE, OF THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING CHAPTER 154, SIGNS, SECTION 154.112 TITLED CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS; PROVIDING A CUMULATIVE CLAUSE AND REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT WITH THE AMENDED SECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

## 8. Ordinance Second Reading

- 8A. [ORD-0360](#) 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 (SWENSON FARMS 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.

## 9. Other Actions

- 9A. [2017-6022](#) Approving an interlocal agreement between the Capital Area Council of Governments (CAPCOG) and the City of Pflugerville for continuation and support of the CAPCOG Regional Air Quality Program.
- 9B. [2017-6039](#) Approving an interlocal agreement with the City of Austin, City of Round Rock, Williamson County, Travis County and the Housing Authorities of Austin, Georgetown, Round Rock, Taylor and Travis County for the procurement of consulting services for an Assessment of Fair Housing (AFH) and authorizing the City Manager to execute the same.
- 9C. [2017-6053](#) Approving the selection of CP&Y, Inc. for professional engineering services associated with the SH 130 and SH 45 Water and Wastewater Extensions project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

## Action on the Consent Agenda

### 10. Ordinances First Reading

- 10A. [ORD-0357](#) Discuss and consider action to approve an ordinance on first reading with the caption reading: AN ORDINANCE AMENDING CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE III BY REPLACING CHAPTER 35.22 REGARDING TRAVEL AND EXPENSE POLICY; ADOPTING AN ACCOUNTABLE PLAN PURSUANT TO IRC SEC. 162 AND RELEVANT IRS REGULATIONS AND PROCEDURES, REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.
- 10B. [ORD-0363](#) Discuss and consider action to approve an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING RATES, CHARGES AND FEES FOR WATER, WASTEWATER AND SOLID WASTE UTILITY SERVICE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 10C. [ORD-0364](#) Discuss and consider action to approve an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF

PFLUGERVILLE, TEXAS, GRANTING AN EXCLUSIVE FRANCHISE AGREEMENT FOR THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIALS TO PROGRESSIVE WASTE SOLUTIONS OF TX, INC; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

## 11. Discuss and consider action

- 11A. [2017-6052](#) Discuss and consider action to award a construction contract for the East Pflugerville Parkway and SH 130 intersection improvements project to Cox Commercial Construction, LLC, the lowest responsible bidder of six (6) bids received on June 22, 2017, in the amount of \$1,518,110.80 and authorizing the City Manager to execute same.
- 11B. [2017-6056](#) Discuss and consider action to approve budget amendments for the Pflugerville Community Development Corporation (PCDC) fiscal year 2017 budget, 4th quarter.
- 11C. [2017-6057](#) Discuss and consider action to provide direction regarding zoning and land use of property within the State Highway 130 and State Highway 45 Corridors and proposed schedule for updating the Unified Development Code.
- 11D. [2017-6003](#) Discuss and consider action to approve registration and hotel costs for the Texas Municipal League (TML) annual conference in Houston, Texas in October 2017 for Mayor and City Councilmember attendance.
- 11E. [RES-0439](#) Discuss and consider action to approve a resolution requesting the Travis County and Williamson County delegations to the Texas State Legislature assist the City with specific legislative proposals of interest. (Requested by Mayor Victor Gonzales)
- 11F. [2017-6043](#) Discuss and consider action to provide direction to the City Manager regarding the fiscal year 2018 budget and/or strategic plan update.
- 11G. [2017-6061](#) Discuss and consider action to provide direction to the City Manager regarding placement of invocation on City Council agendas.
- 11H. [2017-6047](#) Discuss and consider action regarding future agenda items.

## 12. Discuss only

- 12A. [2017-6060](#) Discussion regarding Sorento lighting and any other street lighting considerations. (Requested by Councilmember Mike Heath)
- 12B. [2017-6044](#) 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 related to:

- A. Cottonwood Basin Wastewater Property
- B. Weiss Lane Roadway Project

- 12C.** [2017-6045](#) 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. Costco
- B. Leonidas

- 12D.** [2017-6063](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code and discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding duties of the Police Chief.

**13. Adjourn**

Executive sessions held during this meeting will take place in Suite 500 or 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 August 4, 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.