



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, April 11, 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. [2017-5740](#) Proclamation declaring the week of April 9 to April 15, 2017 as National Public Safety Telecommunicators Week.

3B. [2017-5712](#) Black Pflugerville presentation and discussion regarding Colored Addition Cemetery and family reunion planning.

4. Public Hearings

4A. [RES-0405](#) Conduct the first public hearing regarding the Community Development Block Grant (CDBG) program proposed amendment to the 2016 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.** [2017-5726](#) Approval of the minutes of the March 21, 2017 Special Meeting; March 23, 2017 Quorum; and March 28, 2017 Worksession and Regular Meeting.

7. Resolutions

- 7A.** [RES-0408](#) Approving a resolution with the caption reading: RESOLUTION BY THE CITY OF PFLUGERVILLE ("CITY") IN CONNECTION WITH THE APPLICATION TO INCREASE RATES SUBMITTED BY ONCOR ELECTRIC DELIVERY COMPANY LLC ON OR ABOUT MARCH 17, 2017; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.
- 7B.** [RES-0406](#) Approving a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS, CONSENTING TO THE ANNEXATION OF APPROXIMATELY 4.99 ACRES OF LAND INTO TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 17; IMPOSING CERTAIN CONDITIONS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

8. Other Actions

- 8A.** [2017-5608](#) Authorizing the City Manager to execute an easement purchase agreement and associated conveyance documents between Melanie Elaine Samuelson, Russell Henry Kuempel, Marilyn L. Smith, Julia Hebbe, Nancy Temple Robertson, Robert Kuempel aka Robert H. Kuempel, Russell H. Kuempel, the Estate of Edmund Kuempel deceased, David K. Johnson, Mary K. Johnson Hackerman, Diane R. Johnson and the City of Pflugerville for wastewater and temporary construction easements for the Carmel Phase 1 Wastewater Interceptor Project.
- 8B.** [2017-5689](#) Authorizing the City Manager to execute a conditional purchase agreement and associated conveyance documents between Sivaramakrishnan Venkatraman and Durga Sethuraman and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Roadway Project.

- 8C. [2017-5692](#) Authorizing the City Manager to execute a Utility Joint Access Agreement between Manville Water Supply Corporation and the City of Pflugerville to relocate and consolidate Manville Water Supply Corporation facilities, along or across, and within or over such limits of the roadway right of way for the Weiss Lane Roadway Project.
- 8D. [2017-5720](#) Approving the selection of HVJ Associates, Inc. for professional engineering services associated with the Grand Avenue Parkway Pavement Maintenance Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 8E. [2017-5731](#) Authorizing the City Manager to execute a Water Pipeline Easement Agreement with O'Reilly Auto Enterprises, LLC and the City of Pflugerville for a water pipeline associated with the Replat of H.E.B./ Pflugerville Subdivision No. 2 generally located at the northwest corner of Pecan Street East and Old Austin-Hutto Road.
- 8F. [2017-5738](#) Authorizing the City Manager to execute a Partial Assignment of Electrical and Right-Of-Way Easement with ONCOR Electric Delivery Company, LLC and the City of Pflugerville for electric power and communication lines on the south side of East Pflugerville Parkway near 2615 East Pflugerville Parkway.
- 8G. [2017-5736](#) Authorizing the City Manager to execute a Partial Assignment of Electrical and Right-Of-Way Easement with ONCOR Electric Delivery Company, LLC and the City of Pflugerville for electric power and communication lines on the south side of East Pflugerville Parkway near 3508 East Pflugerville Parkway.
- 8H. [2017-5739](#) Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Tony Friesen and Dena Friesen and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Roadway Project.

Action on the Consent Agenda

9. Resolutions

- 9A. [RES-0398](#) Discuss and consider action to approve a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF 0.8442 ACRES OF LAND IN FEE-SIMPLE FOR RIGHT OF WAY PURPOSES AND 0.1688 ACRES OF LAND FOR A PERMANENT PUBLIC UTILITY EASEMENT, CONSISTING OF FOUR PARCELS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS AND BEING OUT OF

THOSE TRACTS OF LAND DESCRIBED IN DOCUMENTS NOS. 2008040026 AND 2008040028 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; PROPERTY OWNED AND CLAIMED BY JACK AND JACKIE PAYNE; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

- 9B.** [RES-0412](#) Discuss and consider action to approve a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF 0.0268 ACRES OF LAND IN FEE-SIMPLE FOR RIGHT OF WAY PURPOSES AND 0.0092 ACRES OF LAND FOR A PERMANENT PUBLIC UTILITY EASEMENT, CONSISTING OF TWO PARCELS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS AND BEING OUT OF THAT TRACT OF LAND DESCRIBED AS 12.104 ACRES IN A DEED TO DIAPER FULL OF LOVE, LLC, OF RECORD IN DOCUMENT NO. 2015179720 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; PROPERTY OWNED AND CLAIMED BY DIAPER FULL OF LOVE, LLC; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

10. Discuss and consider action

- 10A.** [2017-5721](#) Discuss and consider action to approve supplemental agreement #1 with RPS Klotz Associates, Inc. in the amount of \$107,875.50 for professional services associated with construction management and material testing for the Rowe Lane Safety Improvement Project and authorizing the City Manager to execute the agreement.
- 10B.** [2017-5749](#) Discuss and consider action to reschedule or cancel the May 23, 2017 Worksession and Regular Meeting.
- 10C.** [2017-5729](#) Discuss and consider action regarding future agenda items.

11. Discuss only - Executive Session

- 11A.** [2017-5727](#) 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.** [2017-5728](#) 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.

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 April 7, 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.