



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, June 25, 2013

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. [2013-2013](#) Presentation on Pflugerville Pfirecracker Pfestival 2013.

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

4A. [ORD-0157](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 53 OF THE CITY CODE; REGARDING THE DROUGHT CONTINGENCY PLAN; ESTABLISHING RATES FOR SURCHARGES; ESTABLISHING ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF THE PLAN; PROVIDING A CRIMINAL PENALTY FOR VIOLATIONS OF THE RATIONING PROVISIONS OF THE PLAN NOT TO EXCEED \$2,000 PER OFFENSE; AND PROVIDING SEVERABILITY AND 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. [2013-2050](#) Approval of the minutes of the June 11, 2013 Worksession and Regular Meeting.

7. Ordinances First Reading

- 7A [ORD-0162](#) Approving an ordinance on first reading with an agenda caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY SORENTO HOLDINGS 2012, LLC FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, A 2.624 ACRE TRACT OF LAND OUT OF THE REMAINING PORTION OF A CALLED 119.023 ACRE TRACT RECORDED IN DOCUMENT NO. 2012164042 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, OUT OF THE JOHN C. BRAY, SURVEY NO. 10, ABSTRACT 73, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS; AND TO BE ZONED AGRICULTURE-CONSERVATION; 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.

8. Ordinance Second Reading

- 8A. [ORD-0159](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES XI BUSINESS REGULATIONS, CHAPTER 112 SEXUALLY ORIENTED BUSINESSES AMENDING GENERAL PROVISIONS SECTION 112.02 DEFINITIONS; AMENDING ADMINISTRATIVE REGULATIONS SECTION 112.10 PROHIBITED LOCATIONS OF ANY TYPE OF SEXUALLY ORIENTED BUSINESS; AMENDING EMPLOYEE LICENSES SECTION 112.43 APPEAL; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES NOT TO EXCEED \$4,000.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

9. Other Actions

- 9A. [2013-2033](#) Authorizing the City Manager to execute a public Wastewater Easement between Sorento Holdings 2012, LLC and the City of Pflugerville for the

property necessary for the construction of a future regional wastewater interceptor main.

- 9B.** [2013-2034](#) Authorizing the City Manager to execute public utility easements between the Cornerstone at Kelly Lane LLC, Larry and Nancy Mellenbruch, Montgomery and Mary Ann Meigs, John Mellenbruch, David Mellenbruch, William Meigs, Matthew Meigs and the City of Pflugerville for the necessary Oncor street light and dry utility construction associated with the Colorado Sand Capital Improvement Project.
- 9C.** [2013-2046](#) Approving the selection of Davcar Engineering for the Design and Construction Project Management for the Lake Pflugerville North Parking Lot expansion and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 9D.** [2013-2060](#) Authorize the City Manager to execute an interlocal agreement for the provision of electricity for the City of Pflugerville with the General Land Office at the most favorable rate to the City within the next 60 days.

Action on the Consent Agenda

10. Discuss and consider action

- 10A.** [2013-2054](#) Discuss and consider action regarding future agenda items.

11. Discuss only

- 11A.** [2013-2055](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- 11B.** [2013-2056](#) 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.** [2013-2059](#) 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.

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 June 19, 2013, 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.