



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, March 12, 2013

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

(Executive sessions held during this meeting will generally take place in Suite 300, at the discretion of the City Council.)

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. [2013-1718](#) Introduction of Ms. Rhonda McLendon, the City's new Animal Shelter Manager, and report on Animal Shelter facility improvements and activities.

3B. [2013-1727](#) Presentation about the Parks and Recreation Department's Spring Pfling event to be held at Heritage Park on Saturday, March 23.

4. **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.

5. **Approval of Minutes**

5A. [2013-1733](#) Approval of the minutes of the February 26, 2013 Worksession and

Regular Meeting.

6. Ordinances First Reading

- 6A. [ORD-0146](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 150, SECTION 150.20 (ENTITLED "SWIMMING POOLS") OF THE CITY OF PFLUGERVILLE'S CODE OF MUNICIPAL ORDINANCES BY PROVIDING FOR INCORPORATION BY REFERENCE OF THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES "STANDARDS FOR PUBLIC SWIMMING POOLS AND SPAS" AS PRESCRIBED IN TEXAS ADMINISTRATIVE CODE, TITLE 25; PROVIDING FOR PERMITTING AND INSPECTIONS; PROVIDING FOR ADMINISTRATIVE PROCEDURES FOR THE CITY TO CORRECT DEFECTIVE POOL ENCLOSURES; PROVIDING FOR A PENALTY NOT TO EXCEED \$2000 PER OFFENSE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6B. [ORD-0148](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF PFLUGERVILLE, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

7. Ordinance Second Reading

- 7A. [ORD-0143](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2012-2013 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

8. Resolution

- 8A. [RES-0130](#) Approving a resolution establishing fees for permitting and inspection of public swimming pools.

- 8B.** [RES-0131](#) Approving a resolution declaring the City of Pflugerville's intent to establish a cooperative water policy with Manville Water Supply Corporation and directing and authorizing the City Manager to negotiate and collaborate with Manville Water Supply Corporation to create a water policy to be jointly adopted.

9. Other Actions

- 9A.** [2013-1688](#) Authorizing the City Manager to enter into a Facility Use Agreement for the Kayak/Canoe Rental Concession at Lake Pflugerville.
- 9B.** [2013-1699](#) Authorizing the City Manager to execute an athletic field operation, maintenance and ground lease agreement with the Pflugerville Independent School District (PISD).
- 9C.** [2013-1711](#) Approving the appointment of Mr. Dave Taylor to the Parks and Recreation Commission as a regular member for an unexpired term ending December 31, 2013.
- 9D.** [2013-1723](#) Receive report on City Council, Commission, Board and Committee expenditures for February 2013.
- 9E.** [2013-1729](#) Approving an interlocal cooperation agreement regarding the creation of "The Highland Lakes Firm Water Customers Cooperative" and authorizing the City Manager to execute same.
- 9F.** [2013-1736](#) Approving registration in the amount of \$40 for Mayor Pro Tem Victor Gonzales to attend the Greater Austin Chamber of Commerce Regional Mayor's Summit on April 19, 2013 in Austin, Texas.

Action on the Consent Agenda

10. Discuss and consider action

- 10A.** [2013-1687](#) Approving a Supplemental Professional Engineering Services Agreement with Halff Associates, Inc. in the amount of \$40,000 for the preparation of a Master Plan for Lake Pflugerville and authorizing the City Manager to execute the agreement.
- 10B.** [2013-1735](#) Discuss and consider Councilmember Wayne Cooper's request for discussion regarding the hiring of consultants and the compiling and reporting of information about their related contracts to include initial contract amounts and amendments.
- 10C.** [2013-1730](#) Discuss and consider action to authorize the City Manager to initiate plans and allocate funding to construct a water line to provide redundant service to City of Pflugerville customers that are supplied by Manville wholesale water.

11. Discuss only

- 11A.** [2013-1719](#) 1.) Executive Session Item: Discussions regarding deliberations regarding economic development negotiations for the review of economic development agreement with Complete Energy Systems, Inc. pursuant to Chapter 551.087 of the Texas Government Code.
- 11B.** [2013-1721](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- 11C.** [2013-1722](#) 1.) Executive Session Item: Consultation with legal counsel regarding agreements with Manville Water Supply Corporation pursuant to Chapter 551.071 of the Texas Government Code.
- 11D.** [2013-1720](#) 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.

12. Adjourn

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 March 6, 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 990-6101 for information. Hearing-impaired or speech-disabled persons equipped with telecommunications devices for the deaf may call 272-9116 or may utilize the statewide Relay Texas program at 1-800-735-2988.