



# City of Pflugerville

## Meeting Agenda - Final City Council

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Tuesday, April 23, 2013

7:00 PM

100 East Main Street, Suite 500

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### 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. [2013-1812](#) Mayor's proclamation declaring April 26, 2013 as Arbor Day in the City of Pflugerville.

3B. [2013-1849](#) Mayor's proclamation declaring the week of May 6 to May 12, 2013 as Celebration of Texas STEM (Science, Technology, Engineering, and Math) Education Week in the City of Pflugerville.

3C. [2013-1797](#) Presentation on "bicycle watch for drivers" and the bicycle rodeo event on April 27, 2013.

#### 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. [2013-1860](#) Approval of the minutes of the April 2, 2013, Quorum; and April 9, 2013 Worksession and Regular Meeting.

**6. Other Actions**

- 6A. [2013-1830](#) Authorizing the City Manager to execute a Public Access Easement between Property Owners of Spring Trails Pflugerville Association, Inc. and the City of Pflugerville for the proposed public trail being constructed with the Spring Trails 10' Sidewalk project.
- 6B. [2013-1834](#) Authorizing the City Manager to execute a public drainage easement within the Picadilly Business Park Subdivision.
- 6C. [2013-1844](#) Authorizing the City Manager to execute Temporary Drainage 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 roadway and drainage construction associated with the Colorado Sand Capital Improvement Project.
- 6D. [2013-1874](#) Authorizing the City Manager to execute Drainage Easements between Terrell Timmermann; the Grading Easement between Western Rim Investors 2011-1.L.P.; the Temporary Grading Easement between AS-93 SH 130-45, L.P., the Wastewater Easement between Terrell Timmermann, the Drainage Easement between Dimension-RCP Stone Hill, L.P., the Public Utility Easement between Terrell Timmermann, the Temporary Construction Easement between Terrell Timmermann and the City of Pflugerville for the necessary roadway, drainage and utility construction associated with the Pfluger Farm Lane Capital Improvement Project respectively.
- 6E. [2013-1840](#) Authorize the City Manager to execute a contract with Altivia Corporation for the purchase of aluminum sulfate, a chemical used for treating wastewater in the amount of \$.5508/gallon; citric acid which is used at the water treatment plant in the amount of \$.7.1967/gallon; liquid ammonium sulfate which is used at the water treatment plant in the amount of \$.0985/pound; salt for the water treatment plant in the amount of \$188.00/ton; and, caustic soda used in water treatment in the amount of \$2.9612/gallon.
- 6F. [2013-1841](#) Authorize the City Manager to execute a contract for the purchase of sodium bisulfite for the water and wastewater treatment plants, with Poolsure in the amount of \$2.09 per gallon.
- 6G. [2013-1842](#) Authorize the City Manager to execute a contract with General Chemical for the purchase of liquid ammonium sulfate for use in water wells in the

amount of \$172.788/drum; and aluminum chlorhydrate solution for use at the water treatment plant in the amount of \$.244/ liquid pound.

- 6H. [2013-1891](#) Authorize the City Manager to execute a contract with Lonestar Maintenance and Service for the purchase of chlorine for the water treatment plant in the amount of \$90.00/cylinder; muratric acid used in water treatment in the amount of \$120.00/drum; and, sodium hyperchlorite used in water treatment in the amount of \$97.00/drum.
- 6I. [2013-1895](#) Authorize the City Manager to execute a contract with DPC Industries, Inc. for the purchase of chlorine, a chemical used for treating wastewater, in the amount of \$509.00/ton.
- 6J. [2013-1843](#) Approving a reimbursement request in the amount of \$30.19 by City Councilmember Wayne Cooper for business meeting expenses.
- 6K. [2013-1879](#) Approving an "Agreement Relating to the Decertification of Property (Sorento)" and authorizing the City Manager to execute the same.

### Action on the Consent Agenda

#### 7. Discuss and consider action

- 7A. [2013-1850](#) Discuss and consider action to approve Change Order Number Three for the Pflugerville Community Library Expansion and Renovation Project in the amount of \$22,018.65 and authorizing the City Manager to execute the same.
- 7B. [2013-1791](#) Discuss and consider action to approve a Pflugerville Community Development Corporation (PCDC) performance agreement, PCDC sublease agreement and PCDC land lease agreement with Tracking Point, Inc.
- 7C. [2013-1887](#) Discuss and consider action regarding future agenda items.

#### 8. Discuss only

- 8A. [2013-1888](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- 8B. [2013-1889](#) 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.
- 8C. [2013-1890](#) 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.
- 8D. [2013-1896](#) 1.)Executive Session Item: Consultation with legal counsel regarding

land use regulations related to sexually oriented businesses in the City of Pflugerville and application of regulations provided by the City of Pflugerville's Sexually Oriented Business Ordinance, Chapter 112, pursuant to Chapter 551.071 of the Texas Government Code.

**9. 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 April 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 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.