



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, February 27, 2018

7:00 PM

100 East Main Street, Suite 500

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.

C. Moment of Silence.

3. **City Council Announcements**

Pursuant to Texas Government Code Sec. 551.0415. a member of the governing body may make an announcement about items of community interest during a meeting of the governing body without having given notice of the subject of the announcement. "Items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

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

- 4A. [ORD-0390](#) Conduct a public hearing and consider approving the first reading of an ordinance with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY REZONING TWO (2) SEPARATE PARCELS WITHIN THE 7.96-ACRE WELLSPOINT ONE, SECTION TWO SUBDIVISION GENERALLY LOCATED NORTH OF THE SOUTH HEATHERWILDE BOULEVARD AND EAST WELLS BRANCH PARKWAY INTERSECTION WITH PARCEL ONE (1), CONSISTING OF 3.710 ACRES, BEING REZONED FROM LIGHT INDUSTRIAL (LI) TO GENERAL BUSINESS 1 (GB1) DISTRICT, AND PARCEL TWO (2), CONSISTING OF 4.249 ACRES, BEING REZONED FROM LIGHT INDUSTRIAL (LI) TO GENERAL BUSINESS 1 (GB1), AND COLLECTIVELY TO BE KNOWN AS THE BISON BUILDING RETROFIT REZONING (REZ1712-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 4B. [ORD-0394](#) Conduct a public hearing and consider approving the first reading of an ordinance with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF A TRACT OF LAND CONSISTING OF APPROXIMATELY 19.851 ACRES OF LAND OUT OF THE ELNATHAN BEBEE SURVEY NO. 03 ABSTRACT NO. 53, AND BEING GENERALLY LOCATED BETWEEN E. PFLUGERVILLE PKWY AND BLACK LOCUST DRIVE, AND EAST OF HEATHERWILDE BLVD AND E. PFLUGERVILLE PKWY INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY MIXED USE (SF-MU), COLLECTIVELY TO BE KNOWN AS BLACK LOCUST TOWNHOMES REZONING (REZ1712-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING 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.** [2018-6575](#) Approval of the minutes of the February 13, 2018 Worksession and Regular Meeting.

7. Ordinances Second Reading

- 7A.** [ORD-0395](#) 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, BY AMENDING TITLE VII (TITLED TRAFFIC CODE), CHAPTER 72 (TITLED TRAFFIC SCHEDULES), SCHEDULE III (TITLED STOP SIGNS ON PUBLIC STREETS) BY ESTABLISHING ADDITIONAL STOP SIGNS LOCATIONS IN THE WINDERMERE SUBDIVISION; PROVIDING FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$200.00; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Establishing an all-way stop at the intersection of Edgemere Drive and Knottingham Drive.)

- 7B.** [ORD-0398](#) 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, BY AMENDING TITLE VII (TITLED TRAFFIC CODE), CHAPTER 72 (TITLED TRAFFIC SCHEDULES), SCHEDULE III (TITLED STOP SIGNS ON PUBLIC STREETS) BY ESTABLISHING ADDITIONAL STOP SIGNS LOCATIONS IN STONE HILL TOWN CENTER; PROVIDING FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$200.00; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

8. Resolutions

- 8A.** [RES-0498](#) Approving a resolution rescinding resolution 1268-10-10-12-0012 and requiring quarterly City Councilmember expense reports.

9. Other Actions

- 9A.** [2018-6573](#) Submission of the 2017 Racial Profiling Data Report to the City Council as required by Texas Statute Code of Criminal Procedure, Chapter 2 General Duties of Officers, Art. 2.132 Law Enforcement on Racial Profiling.
- 9B.** [2018-6565](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Costco development, located southeast of the intersection of SH 130 and Kelly Lane, and authorizing the City Manager to execute the agreement.
- 9C.** [2018-6577](#) Approving a reimbursement request from Mayor Victor Gonzales for

business meeting mileage expenses in the amount of \$32.16 for attendance at an EOC management program meeting on January 11, 2018, the Capital Alamo Connection Study on January 31, 2018, and the TML Policy Committee Meeting on February 2, 2018.

Action on the Consent Agenda

10. Discuss only

- 10A. [2018-6574](#) Report from Councilmember Jim McDonald regarding the Texas Economic Development Council Economic Development Sales Tax Workshop held in Austin, Texas on December 8, 2017 and Texas Municipal League Newly Elected City Officials Workshop held in San Antonio, Texas on January 19, 2018.
- 10B. [2018-6569](#) Presentation and discussion about the East Pflugerville Parkway Reconstruction Project.
- 10C. [2018-6568](#) Presentation and discussion about the central wastewater treatment plant expansion project land use assumptions and future demand projections.

11. Discuss and consider action

- 11A. [2018-6485](#) Discuss and consider action to approve a Supplemental Agreement #1 with Freese and Nichols, Inc. in the amount of \$3,442,165 for professional engineering services associated with the plant expansion final design and bid phase services for the Central Wastewater Treatment Plant.
- 11B. [RES-0499](#) Discuss and consider action to approve a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING THE NORTH POINTE ECONOMIC DEVELOPMENT PROJECT RESOLUTION 1539-17-01-24-0384 TO EXTEND PROPERTY ACQUISITION DEADLINE TO MARCH 31, 2018.
- 11C. [2018-6564](#) Discuss and consider action to authorize the City Manager to approve the purchase and installation of athletic field lighting equipment, and the purchase of parking lot lighting equipment for the 1849 Park Project from Musco Sports Lighting, LLC in the amount of \$1,421,633.00 utilizing the Texas Association of School Boards (TASB) cooperative purchasing contract (BuyBoard).
- 11D. [2018-6514](#) Discuss and consider action to provide direction regarding changes to the ordinance regarding travel and expense policy.
- 11E. [RES-0496](#) Discuss and consider action to approve a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING ACCEPTANCE OF THE SPECIAL COMMISSIONERS' AWARD AND DIRECTING THE CITY MANAGER AND CITY ATTORNEY, OR THEIR RESPECTIVE

DESIGNEES, TO TAKE ALL NECESSARY ACTIONS TO COMPLETE EMINENT DOMAIN PROCEEDINGS, INCLUDING AUTHORIZING THE ISSUANCE OF A CHECK IN THE AMOUNT OF THE AWARD AND DEPOSITING THE SAME WITH THE TRAVIS COUNTY COURT CLERK FOR THE ACQUISITION OF 0.7272 OF ONE ACRE OF LAND IN FEE-SIMPLE FOR RIGHT OF WAY PURPOSES AND 0.1139 ACRES OF LAND FOR A PERMANENT DRAINAGE EASEMENT OUT OF THE EDWARD FLINT SURVEY NO. 11, ABSTRACT NO. 277, TRAVIS COUNTY, TEXAS AND BEING OUT OF THAT TRACT OF LAND DESCRIBED AS 16.6069 ACRES IN DEED TO HENNA 735 LLC, OF RECORD IN DOCUMENT NO. 2013195014, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; BEING PROPERTY OWNED AND CLAIMED BY HENNA 735 LLC; AND PROVIDING AN EFFECTIVE DATE.

- 11F.** [RES-0497](#) Discuss and consider action to approve a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING ACCEPTANCE OF THE SPECIAL COMMISSIONERS' AWARD AND DIRECTING THE CITY MANAGER AND CITY ATTORNEY, OR THEIR RESPECTIVE DESIGNEES, TO TAKE ALL NECESSARY ACTIONS TO COMPLETE EMINENT DOMAIN PROCEEDINGS, INCLUDING RATIFYING THE ISSUANCE OF A CHECK IN THE AMOUNT OF THE AWARD AND DEPOSITING THE SAME WITH THE TRAVIS COUNTY COURT CLERK FOR THE ACQUISITION OF 0.4431 OF ONE ACRE OF LAND IN FEE-SIMPLE FOR RIGHT OF WAY PURPOSES AND 0.0634 OF ONE ACRE OF LAND FOR A PERMANENT DRAINAGE EASEMENT OUT OF THE EDWARD FLINT SURVEY NO. 11, ABSTRACT NO. 277, TRAVIS COUNTY, TEXAS AND BEING OUT OF THAT TRACT OF LAND DESCRIBED AS 2.026 ACRES IN DEED TO KELLYWEISS LLC, OF RECORD DOCUMENT NO. 2017072497, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; BEING PROPERTY OWNED AND CLAIMED BY KELLYWEISS LLC; AND PROVIDING AN EFFECTIVE DATE.
- 11G.** [2018-6576](#) Discuss and consider action regarding future agenda items.
- 11H.** [2018-6584](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding the search and selection of a Municipal Judge and the interim process to include interview of potential Municipal Judge candidate(s). 2.) Open Session Item: Discuss and consider action to appoint a Municipal Judge.
- 12. Discuss only**
- 12A.** [2018-6578](#) 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 the Weiss Lane Roadway Project. 2.)
Open Session Item: Discussion regarding the purchase, exchange, lease, transfer and/or sale of real property related to the Weiss Lane Roadway Project.

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.

Trey Fletcher, Interim 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 February 23, 2018 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 contact Amy Giannini, Americans with Disabilities Act (ADA) Coordinator, at amymg@pflugervilletx.gov or 512-990-6400 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.

