



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, February 14, 2012

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. [2012-1021](#) Proclamation declaring February 2012 as National Teen Dating Violence Awareness and Prevention Month in the City of Pflugerville.

3B. [2012-1047](#) Presentation on the launch of the Pflugerville Pfix-Up program.

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. [2012-1019](#) Approval of the minutes of the January 17, 2012 Worksession; January 19, 2012 Quorum; January 24, 2012 Worksession and Regular Meeting; and February 2, 2012, Quorum.

6. Ordinance First Reading

- 6A. [ORD-0096](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS GRANTING THE CONVEYANCE OF AN EASEMENT OF 0.017 ACRES (APPROX. 754 SQ. FT.) BEING A PORTION OF LOT B, SETTLERS RIDGE COMMERCIAL NO. 4, A SUBDIVISION OF RECORD IN VOLUME 85, PAGE 137B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

7. Resolution

- 7A. [RES-0074](#) Approving a resolution with the caption reading: RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS ("CITY") SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE RATE INCREASE FILING OF ATMOS ENERGY CORPORATION ON OR ABOUT JANUARY 31, 2012; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING 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.

8. Other Actions

- 8A. [2011-0845](#) Approving an engagement letter for Reinvestment Zone No. One of the City of Pflugerville (Falcon Pointe TIRZ) with Denton, Navarro, Rocha & Bernal P.C. for general counsel services and authorizing the City Manager to pay invoices for these legal services in anticipation of reimbursement to the City by Reinvestment Zone No. One (Falcon Pointe TIRZ) in the future.
- 8B. [2012-1020](#) Receive report on City Council, Commission, Board and Committee expenditures for January 2012.
- 8C. [2012-1026](#) Approving registration fees for Mayor Pro Tem Victor Gonzales to attend the Water in Texas Conference in Austin, Texas, from March 1-2, 2012.

- 8D. [2012-1029](#) Approving the acceptance by the Pflugerville Community Development Corporation (PCDC) of the apparent low bidders, Patin Construction Company of Taylor, Texas in the amount of \$803,725.90 for Bid No. 1: Grading, Drainage, & Paving Items, and DNT Construction of Round Rock, Texas in the amount of \$624,844.81 for Bid No. 2: Water & Wastewater Utility Items and execution of said contracts for the Phase I Infrastructure Project for the PCDC Renewable Energy Park.
- 8E. [2012-1038](#) Authorize the City Manager to execute a contract for the purchase of Type D Hot Mix Asphalt, Hot Laid, with RTI Hot Mix, LLC in the amount of \$52.00 per ton.
- 8F. [2012-1041](#) Approving a reimbursement request in the amount of \$112.97 by Mayor Pro Tem Victor Gonzales for business meeting mileage and expenses.

Action on the Consent Agenda

9. Discuss only

- 9A. [2012-1034](#) Discuss the locations for the electric vehicle charging stations proposed to be funded through the general capital reserve fund.

10. Discuss and consider action

- 10A. [2012-1018](#) Discuss and consider action regarding future agenda items.
- 10B. [2012-1036](#) 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. 2.) Open Session Item: Discuss and consider action regarding agreements with Manville Water Supply Corporation.
- 10C. [2012-1037](#) 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. 2.)Open Session Item: Discuss and consider action regarding the provision of public utilities within the City of Pflugerville.
- 10D. [2012-1045](#) 1.)Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding New Sweden development agreements. 2.)Open Session Item: Discuss and consider action regarding New Sweden development agreements.

11. 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 February 8, 2012, 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.