



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, July 26, 2016

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. [2016-5020](#) Pflugerville Pfun Campers volunteer and help citywide.

3B. [2016-5040](#) Presentation and discussion about the City's Capital Improvement Program.

4. Public Hearing and Ordinance First Readings

4A. [ORD-0318](#) Conduct a public hearing and consider an ordinance on first and final reading with the caption reading: AMENDED AND RESTATED ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016B; AUTHORIZING THE LEVY OF AN AD VALOREM TAX AND THE PLEDGE OF CERTAIN NET REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND AUTHORIZING OTHER MATTERS RELATED TO THE CERTIFICATES.

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. [2016-5071](#) Approval of the minutes of the July 12, 2016 Regular Meeting.

7. Ordinances First Reading

- 7A. [ORD-0317](#) Approving an ordinance on first 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, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS OF PFENNIG LANE; PROVIDING A VIOLATION OF SECTION 71.05 IS A CLASS C MISDEMEANOR WITH A FINE NOT TO EXCEED \$500.00; 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
- 7B. [ORD-0316](#) Approving an ordinance on first 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, BY AMENDING CHAPTER 72 TITLED TRAFFIC SCHEDULES, BY AMENDING SCHEDULE III TITLED STOP SIGNS ON PUBLIC STREETS BY CHANGING THE LOCATIONS OF THE STOP SIGNS IN THE SETTLERS RIDGE SUBDIVISION AT THE INTERSECTION OF PFLUGER STREET AND 12TH STREET AND; PROVIDING A VIOLATION OF CHAPTER 72 IS A CLASS C MISDEMEANOR PROVIDING FOR A FINE OF NOT LESS THAN \$1.00 OR MORE THAN \$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. Ordinances Second Reading

- 8A. [ORD-0313](#) 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, BY AMENDING CHAPTER 71 ENTITLED PARKING REGULATIONS, BY AMENDING SECTION 71.02 ENTITLED ON-STREET PARKING OF CERTAIN VEHICLES PROHIBITED; EXCEPTIONS, SUBSECTION (C)(2); PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY OF UP TO \$500; AND PROVIDING AN EFFECTIVE DATE

- 8B.** [ORD-0315](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, REPEALING AND REPLACING CHAPTER 96, SECTION 96.01 "OBSTRUCTING STREETS AND SIDEWALKS" OF THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, PROVIDING FOR A PENALTY NOT TO EXCEED \$500; 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

- 8C.** [ORD-0314](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF 1.737 ACRES FOR A PERMANENT WASTEWATER EASEMENT, CONSISTING OF TWO PARCELS, OUT OF THE WILLIAM CALDWELL SURVEY, ABSTRACT 162, TRACT 3 AND 4, TRAVIS COUNTY, TEXAS; AND, 1.075 ACRES FOR A TEMPORARY WORKSPACE EASEMENT CONSISTING OF TWO TRACTS, OUT OF THE WILLIAM CALDWELL SURVEY, ABSTRACT 162, TRACTS 3 AND 4, PFLUGERVILLE, TEXAS, TRAVIS COUNTY OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, REAL DOCUMENT NUMBER 2009205387; PROPERTY OWNED AND CLAIMED BY MELANIE ELAINE SAMUELSON, RUSSELL HENRY KUEMPEL, MARILYN L. SMITH, JULIA HEBBE, NANCY TEMPLE ROBERTSON, ROBERT KUEMPEL AKA ROBERT H. KUEMPEL, RUSSELL H. KUEMPEL, THE ESTATE OF EDMUND KUEMPEL DECEASED, DAVID K. JOHNSON, MARY K. JOHNSON HACKERMAN, DIANE R. JOHNSON; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

9. Other Actions

- 9A.** [2016-5068](#) Appointing Mr. Scott Langer as the alternate to the Parks and Recreation Commission for a term ending December 31, 2016.
- 9B.** [2016-5065](#) Approving budget amendments for the Pflugerville Community Development Corporation (PCDC) for fiscal year 2016.

Action on the Consent Agenda**10. Discuss and consider action**

- 10A.** [RES-0331](#) Discuss and consider action to approve a resolution authorizing the competitive sealed proposal (request for proposal) procurement method for the construction of the Heatherwilde Elevated Storage Tank.
- 10B.** [2016-5066](#) Discuss and consider action to approve a professional services agreement between the Pflugerville Community Development Corporation (PCDC) and Avalanche Consulting, Inc. for a comprehensive economic development strategic plan.
- 10C.** [2016-5009](#) Discuss and consider action to approve an agreement with MWM DesignGroup in the amount of \$207,862.00 for professional design services associated with design, construction documents and construction phase services for the Pflugerville Parks Architecture Project (Bohls House, Gilleland Pool Buildings, Pfluger Restroom and Rec Center Renovations) and authorizing the City Manager to execute the same.
- 10D.** [2016-5041](#) Discuss and consider action to approve the award of a construction contract for the East Pecan Street Widening project to Jordan Foster Construction, LLC, the lowest responsible bidder of seven (7) bids received on July 14, 2016, in the amount of \$1,851,136.09 and authorizing the City Manager to execute same.
- 10E.** [2016-5074](#) Discuss and consider action regarding proposed charter revision propositions to be presented to the voters at a November 8, 2016 special election.
- 10F.** [2016-5072](#) Discuss and consider action regarding future agenda items.
- 10G.** [RES-0338](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code, deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code, and deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the sale of approximately 29.79 acres of land owned by the Pflugerville Community Development Corporation (PCDC) in the One-Thirty Commerce Center described as Renewable Energy Park, Renewable Energy Park Lot 3D and Lot 3E, Final Plat Replat of Lot 3C - Renewable Energy Park as described in Exhibit A to Southern Land, LLC. 2.) Open Session Item: Discuss and consider action to approve a resolution authorizing the sale of approximately 29.79 acres of land owned by the Pflugerville Community Development Corporation (PCDC) in the One-Thirty Commerce Center described as Renewable Energy Park, Renewable Energy Park Lot 3D and Lot 3E, Final Plat Replat of Lot 3C - Renewable Energy Park as described in Exhibit A to Southern Land,

LLC.

11. Discuss only

- 11A.** [2016-5073](#) Discussion regarding the Fiscal Year 2017 budget and associated property tax rate.
- 11B** [2016-5069](#) 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.
- 11C.** [2016-5070](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning economic development negotiations.

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 July 22, 2016, 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 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

.