



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, December 11, 2018

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

**1. Call to order**

**2. Opening**

A. Pledge of Allegiance to the Flag of the United States of America

B. Pledge of Allegiance to the Texas State Flag

C. Moment of Silence

**3. Items of Community Interest**

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 salutary 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 salutary 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 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. [2018-7224](#) Approval of the minutes of the November 16, 2018 Worksession and November 20, 2018 Special Meeting and November 27, 2018 Regular Meeting.

### 6. Ordinances First Reading

- 6A. [ORD-0440](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FOURTH AMENDMENT TO THE FISCAL YEAR 2018 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE (4th quarter amendments).

### 7. Ordinances Second Reading

- 7A. [ORD-0436](#) Approving an ordinance on second reading 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 LOTS 1 AND 2, CONSISTING OF 2 ACRES OUT OF THE 685 BUSINESS CENTRE SUBDIVISION AND BEING LAND SITUATED IN THE HENRY BLESSING SURVEY NO. 3, ABSTRACT NO. 99, AND THE SEFRIN EISELIN SURVEY NO. 1, ABSTRACT 265, TRAVIS COUNTY, TEXAS, LOCATED GENERALLY WEST OF F.M. 685 AND DIRECTLY NORTH OF JUSTICE CENTER DRIVE; TO BE KNOWN AS JUSTICE CENTER REZONING (REZ1809-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 7B. [ORD-0429](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY INCORPORATING AN APPENDIX A. FEE SCHEDULE, RELATING TO THE PROCESSING OF PERMIT APPLICATIONS AND OTHER SERVICES; REPLACING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; AND DECLARING AN EFFECTIVE DATE. (CA1810-01)

- 7C. [ORD-0430](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY INCORPORATING AN APPENDIX B. APPLICATION SUBMITTAL AND CONTENT REQUIREMENTS RELATING TO THE PROCESSING OF PERMIT APPLICATIONS AND OTHER SERVICES; REPLACING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; AND DECLARING AN EFFECTIVE DATE.  
(CA1810-02)
- 7D. [ORD-0431](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY AMENDING SUBCHAPTER 1, GENERAL PROVISIONS, BY REMOVING THE SEQUENCE OF PERMITS SECTION, REPLACING THE VIOLATIONS AND PENALTY SECTIONS, AND MAKING OTHER ADMINISTRATIVE REVISIONS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 157, SUBCHAPTER 1 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$2,000.00; AND DECLARING AN EFFECTIVE DATE. (CA1810-03)
- 7E. [ORD-0432](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY AMENDING SUBCHAPTER 2, ADMINISTRATION, BY UPDATING ROLES AND RESPONSIBILITIES; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; AND DECLARING AN EFFECTIVE DATE. (CA1810-04)
- 7F. [ORD-0433](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY AMENDING SUBCHAPTER 3, PROCEDURES, BY PROVIDING FOR CONSISTENT PROVISIONS RELATING TO THE EXPIRATION OF APPLICATIONS AND MODIFIED PROVISIONS FOR THE APPEAL PROCESS; AND AMENDING SUBCHAPTER 20, DEFINITIONS, BY ADDING CORRESPONDING DEFINITIONS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 157, SUBCHAPTER 3 AS A CLASS C

MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$2,000.00; AND DECLARING AN EFFECTIVE DATE. (CA1810-05)

- 7G.** [ORD-0434](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY AMENDING SUBCHAPTER 8, NONCONFORMITIES, BY UPDATING PROVISIONS RELATING TO NEWLY ANNEXED TERRITORY, VESTING RIGHTS, AND THE CONTINUATION OF LEGAL NONCONFORMING SITES; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 157, SUBCHAPTER 8 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$2,000.00; AND DECLARING AN EFFECTIVE DATE. (CA1810-06)

## **8. Resolutions**

- 8A.** [RES-0584](#) Approving a resolution rejecting all bids received for the Justice Center Sewer and Drainage Improvements Project.
- 8B.** [RES-0512](#) Approving a resolution of the City Council of the City of Pflugerville, Texas authorizing amendment of the non-annexation development agreement by and between the City of Pflugerville and RRE Austin Solar LLC, its successors and assigns, to extend deadlines.
- 8C.** [RES-0581](#) Approving a resolution approving the Mayor's nomination and appointment of Jeffrey Thompson to Position 1, Chuck Lesniak to Position 3 and Scott Williams to Position 5 of the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors for two-year terms beginning January 1, 2019.
- 8D.** [RES-0582](#) Approving a resolution approving the Mayor's nomination and appointing Jeffrey Thompson, Position 1, as chairman of Reinvestment Zone No. One (Falcon Pointe TIRZ) for a one-year term beginning January 1, 2019.

## **9. Other Actions**

- 9A.** [2018-7229](#) Approving the Mayor's appointment of Bruce Tabor to the Personnel Appeal Board for a three-year term beginning January 1, 2019.
- 9B.** [2018-7226](#) Approving the selection of DCS Engineering, LLC, CP&Y, Inc., and Freese and Nichols, Inc. to provide services associated with the Weiss Lane Lift Station and Force Main Analysis and System Upgrades Projects and authorizing the City Manager to enter into negotiations as needed regarding scopes of work and fee proposals.
- 9C.** [2018-7227](#) Approving a supplemental agreement with Halff Associates, Inc. in the

amount of \$120,934.00 for professional engineering services associated with the Black Locust Drive Pavement Rehabilitation Project included in the 2019 Pavement Maintenance Program.

## **Action on the Consent Agenda**

### **10. Ordinances Second Reading**

- 10A.** [ORD-0439](#) Discuss and consider action to approve an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING REINVESTMENT ZONE NO. ONE TO INCLUDE ADDITIONAL PROPERTY WITHIN THE CITY OF PFLUGERVILLE, TEXAS; ESTABLISHING THE NEW BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO, INCLUDING ESTABLISHING THE DURATIONAL TERM, APPROVING THE FIRST AMENDED PROJECT PLAN AND REINVESTMENT ZONE FINANCE PLAN AND ADJUSTING THE TAX INCREMENT BASE THEREOF; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

### **11. 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.

**Sereniah Breland, 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 December 7, 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](mailto: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.

