



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, July 12, 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. [2016-5000](#) Knights of Columbus presentation of appreciation to the City of Pflugerville Police Department and Parks and Recreation Department for assistance with the Christmas Parade.
- 3B. [2016-5007](#) Presentation of Texas Economic Development Council (TEDC) 2015 Economic Development Excellence Award to the Pflugerville Community Development Corporation (PCDC).
- 3C. [2016-4999](#) Introducing you to Pflugerville Pfocus, the City of Pflugerville video news magazine, and some of the city's new communications efforts.
- 3D. [2016-5021](#) Introducing a new Pflugerville Animal Shelter program called Pawsitive Reinforcement.

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. [2016-5008](#) Approval of the minutes of the June 28, 2016 Worksession and Regular Meeting.

6. Ordinances First Reading

- 6A. [ORD-0313](#) 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 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
- 6B. [ORD-0315](#) Approving an ordinance on first 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
- 6C. [ORD-0314](#) Approving an ordinance on first 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.

7. Ordinances Second Reading

- 7A.** [ORD-0302](#) Approving an ordinance on second reading with the 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 APPROXIMATELY 0.538 ACRES OF LOT 40, BLOCK "I", SPRINGBROOK CENTRE, PHASE A, LOCATED IN THE JOHN VAN WINKLE SURVEY NO. 14, ABSTRACT NO. 786, LOCALLY ADDRESSED AS 208 GRAND AVENUE PARKWAY, FROM AGRICULTURE/CONSERVATION (A) TO NEIGHBORHOOD SERVICES (NS) DISTRICT; TO BE KNOWN AS THE 208 GRAND AVENUE PARKWAY REZONING (REZ1605-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 7B.** [ORD-0303](#) Approving an ordinance on second reading with the 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 APPROXIMATELY 4.642 ACRES OF LAND IN THE E. BEBEE SURVEY NO. 5, LOCATED ALONG THE SOUTH SIDE OF BLACK LOCUST, GENERALLY NORTHWEST OF THE BLACK LOCUST AND PFENNIG LANE INTERSECTION, FROM NEIGHBORHOOD SERVICES (NS) DISTRICT TO SINGLE FAMILY MIXED USE (SF-MU) DISTRICT; TO BE KNOWN AS THE KP BROTHERS HOME REZONING (REZ1605-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 7C.** [ORD-0307](#) 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, CHAPTER 150, REGARDING THE ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2015 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, THE INTERNATIONAL PLUMBING CODE 2015 EDITION, INTERNATIONAL MECHANICAL CODE, 2015 EDITION, INTERNATIONAL CODE COUNCIL ELECTRICAL CODE, 2015 EDITION, INTERNATIONAL FUEL GAS CODE, 2015 EDITION, INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, INTERNATIONAL FIRE

CODE, 2015 EDITION, INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION, INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION, AND THE NATIONAL ELECTRICAL CODE, 2014 EDITION, WITH AMENDMENTS TO MEET LOCAL CONDITIONS, AND THE PENALTY PROVISION; ESTABLISHING PENALTIES NOT TO EXCEED \$2000.00 PER OFFENSE; 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.

- 7D. [ORD-0312](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2016 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

8. Resolutions

- 8A. [RES-0334](#) Approving a resolution of the City of Pflugerville approving the Community Development Block Grant (CDBG) Amended Annual Action Plan for Program Year 2015.
- 8B. [RES-0335](#) Approving a resolution of the City of Pflugerville approving the Community Development Block Grant (CDBG) Action Plan for Program Year 2016.
- 8C. [RES-0332](#) Approving a resolution authorizing the City Manager to execute non-annexation development agreements with eligible owners of land appraised for ad valorem tax purposes as land for agricultural use under Chapter 23.
- 8D. [RES-0333](#) Approving a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE CITY MANAGER TO EXTEND THE CONTRACT FOR BANKING SERVICES.

9. Other Actions

- 9A. [2016-5001](#) Receive report on City Council, Commission, Board and Committee expenditures for June 2016.
- 9B. [2016-5002](#) Approving an interlocal cooperation agreement with the City of Austin for installation, configuration, maintenance and repair of public safety equipment and systems and authorizing the City Manager to execute same.
- 9C. [2016-5013](#) Approving an agreement with the Wallace Group (TWG), a CP&Y, Inc. company, in the amount of \$80,820.00 associated with civil improvements for the Field Operations and Maintenance Facility Project and authorizing the City Manager to execute the agreement.

- 9D. [2016-5014](#) Authorizing the City Manager to execute an agreement with Paul Hornsby & Company in the amount of \$63,400 for appraisal services associated with the Weiss Lane Roadway Project.
- 9E. [2016-5015](#) Approving an agreement with Stantec Consulting Services, Inc. in the amount of \$134,810 for professional services associated with the design of four (4) traffic signals for the Heatherwilde Boulevard and Grand Avenue Parkway Traffic Signals Project and authorizing the City Manager to execute the agreement.

Action on the Consent Agenda

10. Discuss and consider action

- 10A. [2016-5006](#) Conduct interviews and discuss and consider appointing up to two members to the Planning and Zoning Commission for unexpired terms ending December 31, 2017.
- 10B. [2016-4781](#) Discuss and consider action to approve supplemental agreement #1 with Studio 16:19 in the amount of \$202,624 for professional services associated with the design and construction administration for the Highland Park/Highland Park North Park Development (Wilbarger Park) project and authorizing the City Manager to execute the agreement.
- 10C. [2016-5018](#) Discuss and consider action regarding future agenda items.

11. Discuss only

- 11A. [2016-5005](#) Discussion regarding the Fiscal Year 2017 budget and associated property tax rate.
- 11B. [2016-5010](#) Discussion regarding the 2015/2016 Charter Review Commission Report.
- 11C. [2016-4997](#) Discuss downtown initiatives and sense of place opportunities throughout Pflugerville.
- 11D. [2016-5003](#) 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.
- 11E. [2016-5004](#) 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.
- 11F. [2016-5030](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding Texas Local

Government Code Chapter 232 and Chapter 573 regarding regulatory authority concerning the location of municipally owned utility infrastructure installation in city easements on private property within the city's ETJ.

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 8, 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.