



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, November 10, 2015

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.** [2015-4399](#) Presentation recognizing Mr. Victor Gonzales for service as a City of Pflugerville Councilmember from May 2006 to November 2015.
- 3B.** [2015-4398](#) Proclamation declaring November 13, 2015 as World Pancreatic Cancer Awareness Day in the City of Pflugerville.
- 3C.** [2015-4379](#) Presentation recognizing the Austin Texans Soccer Club 99 Girls North Team as the Southern Regional Premier League Champions.
- 3D.** [2015-4408](#) Blue Santa presentation.

4. Public Hearing and Ordinance First Readings

- 4A.** [ORD-0271](#) 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 TWO SEPARATE TRACTS CONSISTING OF APPROXIMATELY 31.439 ACRES OF LAND LOCATED GENERALLY SOUTHWEST OF THE WEISS LN AND KELLY LN INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO RETAIL (R); TO BE KNOWN AS THE KELLY LANE SENIOR LIVING REZONING (REZ1509-03); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- 4B. [ORD-0272](#) Approving a postponement until January 26, 2016 for conducting a public hearing and considering approval of the ordinance on first 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 CHANGING THE ZONING DESIGNATION OF THE SINGLE FAMILY PORTION OF THE VERONA SUBDIVISION CONSISTING OF APPROXIMATELY 87.991 ACRES FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY RESIDENTIAL (SF-R); AND THE NON-RESIDENTIAL LOT CONSISTING OF APPROXIMATELY 2.49 ACRES FROM AGRICULTURE/CONSERVATION (A) TO RETAIL (R), TO BE KNOWN AS THE VERONA SUBDIVISION REZONING (REZ1510-01); 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. [2015-4391](#) Approval of the minutes of the October 27, 2015 Worksession and Regular Meeting; and November 5, 2015 Quorum.

7. Ordinances Second Reading

- 7A. [ORD-0269](#) 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 CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 127.203 ACRES OF LAND LOCATED GENERALLY NORTHWEST OF THE CELE RD AND MELBER LN INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY RESIDENTIAL (SF-R); TO BE KNOWN AS THE 127.203 ACRES NW CORNER OF MELBER AND CELE REZONING

(REZ1509-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

7B. [ORD-0270](#) 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 CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 19.95 ACRES OF LAND LOCATED GENERALLY NORTHWEST OF THE CELE RD AND MELBER LN INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY MIXED USE (SF-MU); TO BE KNOWN AS THE 19.95 ACRES NW CORNER OF MELBER AND CELE REZONING (REZ1509-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

7C. [ORD-0273](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE ELECTING FOR THE CITY TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE BENEFIT ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION.

8. Resolutions

8A. [RES-0274](#) Approving a resolution changing the name of Pinyon Pine Lane to Papershell Street in the Falcon Pointe Section 13, Phase C subdivision.

9. Other Actions

9A. [2015-4378](#) Authorizing the City Manager to execute two separate dedication deeds for two platted, public parkland lots within the Spring Trails Phase 1B final plat.

9B. [2015-4388](#) Authorizing the City Manager to execute a Public Wastewater Easement Agreement with Bruce Cash and the City of Pflugerville for a wastewater line associated with the Cash Construction site development project generally located southeast of the intersection of Heatherwilde Blvd and Kingston Lacy Blvd.

9C. [2015-4400](#) Authorizing the City Manager to execute a Sidewalk Easement Agreement with Eloy A. Saenz/ Platimex Inc. and the City of Pflugerville for a sidewalk associated with the El Taquito site development project generally located along FM 685 approximately 330' north of Dalshank Street.

9D. [2015-4405](#) Approving the selection of Schrickel, Rollins and Associates to develop a Community Park Master Plan and provide professional services for the design, bidding and construction administration for the first phases of

the Sports Complex Construction project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

- 9E. [2015-4397](#) Receive report on City Council, Commission, Board and Committee expenditures for October 2015.
- 9F. [2015-4386](#) Approving a Second Amendment to the New Cele Development Agreement between Verona Development, Inc. and the City of Pflugerville, Texas and authorizing the City Manager to execute the same.

Action on the Consent Agenda

10. Resolutions

- 10A. [RES-0273](#) Discuss and consider action to approve a resolution creating and making appointments to a Charter Review Commission.
- 10B. [RES-0275](#) Discuss and consider action to approve a resolution authorizing the competitive sealed proposal (request for proposal) procurement method for the construction of the renovations to the Pflugerville Public Library.

11. Discuss and consider action

- 11A. [2015-4402](#) Discuss and consider action to award a construction contract for the Weiss Lane Transmission Main Phase 1A project to JKB Construction Company, LLC, the lowest responsible bidder of thirteen (13) bids received on October 29, 2015, in the amount of \$527,932.50.
- 11B. [2015-4403](#) Discuss and consider action to award a construction contract for the Sorento/Carmel Lift Station project to Aaron Concrete Contractors, LP, the lowest responsible bidder of six (6) bids received on October 28, 2015, in the amount of \$2,407,994.00.
- 11C. [2015-4404](#) Discuss and consider action to approve a supplemental agreement #4 with Freese and Nichols, Inc. in the amount of \$715,871 for professional engineering services (phase B of the project) associated with the design, bidding and construction administration for the Heatherwilde Elevated Storage Tank project and authorizing the City Manager to execute the agreement.
- 11D. [2015-4376](#) Discuss and consider an Implementation Plan related to the Pflugerville Senior Advisory Task Force Report and Recommendations.
- 11E. [2015-4392](#) Discuss and consider action regarding future agenda items.
- 11F. [2015-4385](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the development agreement between the City of Pflugerville

and the Pflugerville Independent School District related to High School 4 property. 2.) Open Session Item: Discuss and consider action to authorize the City Manager to execute easements related to Pflugerville Independent School District High School 4 property related to access, public utilities and infrastructure as outlined within the development agreement between the City of Pflugerville and the Pflugerville Independent School District.

- 11G.** [2015-4410](#) 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 regarding assignment of a 380 economic development agreement with SRH Hospitality Pflugerville Investments, LLC, f/k/a Village Pflugerville Holdings, LLC. (Project Morpheus). 2.) Open Session Item: Discuss and consider action to approve assignment of a 380 economic development agreement with SRH Hospitality Pflugerville Investments, LLC, f/k/a Village Pflugerville Holdings, LLC. (Project Morpheus).

- 11H.** [2015-4390](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the City Manager.

12. Discuss only

- 12A.** [2015-4393](#) 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.
- 12B.** [2015-4395](#) 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.
- 12C.** [2015-4396](#) 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.
- 12D.** [2015-4411](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the enforcement of the City's graffiti ordinance, Section 130.08 of the City of Pflugerville's Code of Ordinances.

13. 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 November 6, 2015, 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 512-272-9116 or may utilize the statewide Relay Texas program at 1-800-735-2988.