



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, May 14, 2013

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. [2013-1945](#) Proclamation declaring May 2013 as Motorcycle Safety and Awareness Month in the City of Pflugerville.

3B. [2013-1946](#) Proclamation declaring May 19 to May 25, 2013 as National Public Works Week in the City of Pflugerville.

3C. [2013-1886](#) Presentation of Public Works Conservation Award.

3D. [2013-1926](#) Presentation on Stormwater Awareness and Water Quality.

4. Public Hearing and Ordinance First Reading

4A. [ORD-0151](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE AMENDING SUBCHAPTER 4 ESTABLISHMENT OF DISTRICTS AND BOUNDARIES, SECTION B(2) AND B(3) BY ADDING ALTERNATIVE FINANCIAL SERVICES, BAIL BOND, AND PAWN SHOP USES AND CONDITIONS; AND AMENDING SUBCHAPTER 20 DEFINITIONS SECTION B AND C, ADDING ALTERNATIVE FINANCIAL SERVICES, BAIL BOND, PAWN SHOP AND RELATED DEFINITIONS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES NOT TO EXCEED \$2,000.00 PER

OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (CA1304-01).

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. [2013-1950](#) Approval of the minutes of the April 23, 2013 Worksession and Regular Meeting; and April 27, 2013 Worksession.

7. Ordinances First Reading

- 7A. [ORD-0152](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2012-2013 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.
- 7B. [ORD-0156](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE CONFIRMING THE CITY'S CONSENT TO THE ANNEXATION OF 16.24 ACRES OF LAND INTO KELLY LANE WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

8. Resolution

- 8A. [RES-0140](#) Resolution supporting the determination of the Highland Lakes Firm Water Customers Cooperative regarding the proceedings related to the Lower Colorado River Authority (LCRA) Water Management Plan application No. 5838A currently pending before the Texas Commission on Environmental Quality (TCEQ).

9. Other Actions

- 9A. [2013-1813](#) Approving an agreement with the Williamson County YMCA for Summer 2013 Facility Usage and authorizing the City Manager to execute same.

- 9B.** [2013-1831](#) Authorizing the City Manager to execute a license agreement granting the Falcon Pointe Homeowners Association Inc. permission to install landscaping improvements and provide private parkland maintenance for the public parks within the Falcon Pointe Subdivisions for a minimum term of 10 years.
- 9C.** [2013-1832](#) Authorizing the City Manager to execute a license agreement granting the Falcon Pointe Homeowners Association, Inc. permission to install and maintain landscaping improvements within the street rights-of-way (R-O-W) in the Falcon Pointe Subdivisions.
- 9D.** [2013-1833](#) Authorizing the City Manager to execute a license agreement granting the Falcon Pointe Homeowners Association Inc. permission to install and maintain landscaping improvements within the street rights-of-way (R-O-W) within East Pflugerville Parkway and Kelly Lane adjacent to the Falcon Pointe Subdivisions.
- 9E.** [2013-1847](#) Award the construction contract for the Colorado Sand Drive project (between Kelly Lane and the intersection of FM 685 with SH 130) to Patin Construction, LLC of Taylor Texas, the lowest responsive bidder of 7 bids received on April 4, 2013, in the amount of \$2,485,603.97 and authorize the City Manager to execute documents to include a funding agreement with Cornerstone at Kelly Lane, LLC for funding of construction of Bid Alternates 1&2.
- 9F.** [2013-1909](#) Awarding the construction contract for the Pfluger Farm Lane project to Chasco Constructors of Round Rock, Texas in the amount of \$2,277,732.72 and authorizing City Manager to execute the contract agreement and authorizing the City Engineer to execute the Notice of Award and Notice to Proceed.
- 9G.** [2013-1943](#) Review of the Quarterly Investment Reports for the quarters ending December 31, 2012 and March 31, 2013.
- 9H.** [2013-1947](#) Receive report on City Council, Commission, Board and Committee expenditures for April 2013.
- 9I.** [2013-1948](#) Approving Mayor Pro Tem Victor Gonzales attendance of the Texas Municipal League (TML) Board of Directors meeting in Mesquite from June 27 to June 28, 2013.
- 9J.** [2013-1949](#) Approving Mayor Pro Tem Victor Gonzales registration in the amount of \$225.00 for the Texas Municipal League seminar "From Chaos to Collaboration: Effective Ways to Engage the Public" in Austin from June 6 to June 7, 2013.

Action on the Consent Agenda

10. Discuss and consider action

- 10A.** [2013-1951](#) Discuss and consider action regarding future agenda items and City

Manager significant activities report.

- 10B.** [2013-1955](#) 1.) Executive Session Item: Deliberations regarding real property pursuant to Chapter 551.072 of the Texas Government Code, deliberations regarding 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 regarding a Pflugerville Community Development Corporation (PCDC) Drainage Facility Maintenance Agreement, Performance Agreement with and Sale of approximately one acre in the 130 Commerce Park to Project Thin. 2.) Open Session Item: Discuss and consider action regarding a PCDC Drainage Facility Maintenance Agreement, Performance Agreement with and Sale of approximately one acre in the 130 Commerce Park to Project Thin.
- 11. Discuss only**
- 11A.** [2013-1952](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- 11B.** [2013-1953](#) 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.
- 11C.** [2013-1954](#) 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.
- 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 May 8, 2013, 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.