



City of Pflugerville

Meeting Agenda - Final City Council

Tuesday, May 22, 2012

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. [2012-1211](#) Proclamation declaring May 20 to May 26, 2012 as National Public Works Week in the City of Pflugerville.

3B. [2012-1222](#) Presentation regarding Project Connect as a regional high-capacity transit implementation effort and Project Connect North to include an alternatives analysis of the north corridor that includes potential future service through Pflugerville via the MoKan corridor.

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. [2012-1213](#) Approval of the minutes of the May 8, 2012 Quorum, Worksession and

Regular Meeting.

6. Ordinances First Reading

- 6A. [ORD-0098](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DECLARING DONATION CONTAINERS TO BE A NUISANCE; PROVIDING FOR ABATEMENT; PROVIDING FOR CRIMINAL PENALTIES; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

7. Ordinances Second Reading

- 7A. [ORD-0108](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2011-2012 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.
- 7B. [ORD-0107](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DESIGNATING THE METHOD OF DETERMINATION OF THE AMOUNT OF THE TAX INCREMENT FOR REINVESTMENT ZONE NO. ONE, CITY OF PFLUGERVILLE, TEXAS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.
- 7C. [ORD-0109](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION ADDING SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

8. Resolutions

- 8A. [RES-0083](#) Approving a resolution with the caption reading: A RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS, ("CITY") DENYING A RATE INCREASE REQUESTED BY ATMOS ENERGY CORPORATION ON OR ABOUT JANUARY 31, 2012; DETERMINING THAT THE MEETING COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.
- 8B. [RES-0084](#) Approving a resolution adopting an annual annexation plan.

9. Other Actions

- 9A.** [2012-1231](#) Authorize the City Manager to execute a contract for the purchase and installation of a telephone system for the Public Works Department from IT Works in the amount of \$72,797.00.

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

- 10A.** [2012-1217](#) Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) performance agreement with Spirit of Texas.
- 10B.** [2012-1203](#) Discuss and consider action on the 5-year Capital Improvement Plan for FY 2013 - 2017.
- 10C.** [2012-1212](#) Discuss and consider action regarding future agenda items.
- 10D.** [2012-1228](#) Discuss and consider action regarding scheduling a worksession with the Parks and Recreation Commission.
- 10E.** [2012-1216](#) 1.) Executive Session Item: Deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding economic development negotiations.
- 10F.** [2012-1220](#) 1.) Executive Session Item: Deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and real property acquisition pursuant to Chapter 551.072 of the Texas Government Code regarding the construction of a roadway from the Highland Park subdivision to Stone Hill Town Center. 2.) Open Session Item: Discuss and consider action regarding economic development agreements and property acquisition for construction of a roadway from the Highland Park subdivision to Stone Hill Town Center.
- 10G.** [2012-1223](#) 1.) Executive Session Item: Deliberations regarding real property acquisition pursuant to Chapter 551.072 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding right of way acquisition for the future expansion of Kelly Lane. 2.) Open Session Item: Discuss and consider action regarding right of way acquisition for the future expansion of Kelly Lane.
- 10H.** [2012-1214](#) 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. 2.) Open Session Item: Discussion and consider action regarding agreements with Manville Water Supply Corporation.

- 10I.** [2012-1215](#) 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.
2.)Open Session Item: Discuss and consider action regarding the provision of public utilities within the City of Pflugerville.
- 11.** **Adjourn**

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 16, 2012, 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.