



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, November 24, 2015

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: 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. [2015-4462](#)** Recognition presentation to Jack Swanson for kindness and generosity.

**3B. [2015-4460](#)** Enjoy the Pfestival of Lights 2015.

**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. [2015-4439](#)** Approval of the minutes of the November 10, 2015 Worksession and Regular Meeting; November 16, 2015 Special Meeting and Quorum; and November 17, 2015 Special Meeting.

**6. Ordinances First Reading**

- 6A.** [ORD-0274](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIFTH AMENDMENT TO THE FISCAL YEAR 2015 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.
- 6B.** [ORD-0275](#) Approving an ordinance with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO CENTRAL WASTE & RECYCLING, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

**7. Ordinances Second Reading**

- 7A.** [ORD-0271](#) 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 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.

**8. Other Actions**

- 8A.** [2015-4381](#) Authorizing the City Manager to execute a Public Parkland Landscaping License Agreement granting the Villages of Hidden Lake Homeowners Association Inc. permission to install landscaping improvements and provide private parkland maintenance for a public park within the Villages of Hidden Lake Subdivisions until the Villages of Hidden Lake is annexed by the City.
- 8B.** [2015-4438](#) Cancelling the December 22, 2015 City Council Worksession and Regular Meeting.
- 8C.** [2015-4445](#) Review of the Quarterly Investment Report for the quarter ending September 30, 2015.
- 8D.** [2015-4455](#) Rejecting all bids received for the Sidewalk Raising/Repairs bid project.

**Action on the Consent Agenda****9. Ordinance First Reading**

- 9A.** [ORD-0277](#) 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 for discussion regarding the acquisition of real property for the Weiss Lane Project and necessary condemnation proceedings. 2.) Open Session Item: Discuss and consider action to approve 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 THREE TRACTS OF LAND TOTALING 15,021 SQUARE FEET; BEING A 6,676 SQUARE FOOT TRACT; A 3,338 SQUARE FOOT TRACT; AND A 5,007 SQUARE FOOT TRACT; ALL THREE TRACTS OF LAND SITUATED IN THE JOSEPH WEIHL SURVEY NO. 8, ABSTRACT 802, TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN 2.0 ACRE TRACT DESCRIBED AS TRACT 2 IN A SPECIAL WARRANTY DEED CONVEYED TO IRBY MAX FORD, OF RECORD IN VOLUME 11526, PAGE 796, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; REAL PROPERTY OWNED AND CLAIMED BY IRBY MAX FORD; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

**10. Resolution**

- 10A.** [RES-0274](#) Discuss and consider action to approve a resolution changing the name of Pinyon Pine Lane in the Falcon Pointe Section 13, Phase C subdivision.

**11. Discuss and consider action**

- 11A.** [2015-4461](#) Discuss and consider action to make appointment to the Pflugerville Community Development Corporation (PCDC) Board of Directors for Place 6 for an unexpired term ending December 31, 2016.
- 11B.** [2015-4281](#) Discuss and consider action regarding City Council representation on City Council Committees and City Council liaisons with other organizations.

11C. [2015-4433](#) Discuss and consider action regarding scheduling a 2016 City Council retreat worksession.

11D. [2015-4440](#) Discuss and consider action regarding future agenda items.

**12. Discuss only**

12A. [2015-4389](#) Presentation and discussion regarding the status of the Sports License Agreement with the Pflugerville Area Youth Soccer League (PAYSL).

12B. [2015-4442](#) 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. [2015-4441](#) 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.

12D. [2015-4444](#) 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.

12E. [2015-4463](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice related to the city's obligations, duties and authority pursuant to Texas Local Government Code Chapters 501, 502 and 505

**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 20, 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.