



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, July 14, 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. [2015-4028](#) Presentation of Lifesaving award by the Pflugerville Police Department.

3B. [2015-4068](#) Presentation of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award.

3C. [2015-3864](#) Pflugerville is 50 Birthday Celebration July 24 and proclamation presentation.

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. [2015-4076](#) Approval of the minutes of the June 23, 2015 Worksession and Regular

Meeting.

6. Ordinances First Reading

- 6A. [ORD-0258](#) 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, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS (KELLY LANE), ESTABLISHING PRIMA FACIE MAXIMUM SPEEDS AND PROVIDING AN EFFECTIVE DATE.
- 6B. [ORD-0259](#) 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, CHAPTER 71 REGARDING PARKING REGULATIONS; AMENDING PENALTIES FOR VIOLATIONS; 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-0260](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FOURTH AMENDMENT TO THE FISCAL YEAR 2015 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

7. Other Actions

- 7A. [2015-4004](#) Approving a cooperative purchasing agreement with the City of Baytown and authorize the City Manager to execute same.
- 7B. [2015-4072](#) Authorizing the City Manager to execute a Temporary Drainage Easement with Continental Homes of Texas, L.P. and the City of Pflugerville associated with the Highland Park Phase D Section 6 project.
- 7C. [2015-4073](#) Authorizing the City Manager to execute a Public Water Easement Agreement with Temple Real Estate Investment and the City of Pflugerville for the water infrastructure extension associated with the Pfluger Crossing Phase 1 project.
- 7D. [2015-4074](#) Approving an Assignment and Consent of the City of Pflugerville, Texas to the Assumption of the New Sweden Development Agreement, and authorizing the execution of a Memorandum of Agreement.
- 7E. [2015-4089](#) Approving registration, hotel and business related expenses for City Councilmember Victor Gonzales' attendance at the 2015 Texas Municipal League (TML) Annual Conference in San Antonio, Texas September 22 - September 25, 2015.

- 7F. [2015-4086](#) Receive report on City Council, Commission, Board and Committee expenditures for June 2015.

Action on the Consent Agenda

8. Ordinance Second Reading

- 8A. [ORD-0257](#) Discuss and consider action to approve an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO SIGN AND EXECUTE ALL NECESSARY DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF A 0.910 ACRE TRACT SITUATED IN THE PETER CONRAD SURVEY NO.71, ABSTRACT NO.200, TRAVIS COUNTY, TEXAS AND BEING A PORTION OF TWO TRACTS, A CALLED 1.99 ACRE TRACT DESCRIBED AS TRACT 1 AND A CALLED 9.26 ACRE TRACT DESCRIBED AS TRACT 2, BOTH PARCEL 5, EXHIBIT A-2 IN A SPECIAL WARRANTY DEED TO THE RADY FAMILY TRUST, AND RECORDED IN VOLUME 12328, PAGE 182 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, REAL PROPERTY OWNED AND CLAIMED BY RADY FAMILY TRUST TOGETHER WITH REALTRON INC.; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

9. Discuss and consider action

- 9A. [2015-4067](#) Discuss and consider action to authorize the City Manager to execute Change Order #1 in the amount of \$313,338 with Prota Construction Inc. & Prota Inc., JV for additional utility improvements associated with the North Travis County MUD#5 Phase 1 Water Distribution project.
- 9B. [2015-4066](#) Discuss and consider action to approve a professional services agreement with LJA Engineering, Inc. in the amount of \$101,957.00 for professional engineering services associated with the preparation of a preliminary engineering report for the Weiss Lane Roadway Reconstruction project and authorizing the City Manager to execute the agreement.
- 9C. [2015-4065](#) Discuss and consider action to approve a professional services agreement with LJA Engineering, Inc. in the amount of \$852,286.95 for professional engineering services associated with preliminary engineering, final design, and construction phase services for the Travis County-City of Pflugerville interlocal Weiss Lane Roadway Reconstruction project and authorizing the City Manager to execute the agreement.
- 9D. [2015-4064](#) Discuss and consider action to approve a supplemental agreement #2 with K Friese & Associates, Inc. in the amount of \$80,130 for

professional engineering services associated with modifications to plans for the Carmel/Sorento Lift Station and Force Main project and authorize the City Manager to execute the agreement.

- 9E.** [2015-4070](#) Discuss and consider action to approve the selection of a professional engineering firm for the design, bidding and construction administration of the Weiss Lane Water Transmission Main Phase 1 Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 9F.** [2015-4054](#) Discuss and consider action regarding the City of Pflugerville's participation in the Austin Chamber of Commerce Intercity visit to Toronto, ON from October 4-6, 2015.
- 9G.** [2015-4084](#) Discuss and consider action to appoint two City Council representatives to serve on a joint emergency services task force.
- 9H.** [2015-4087](#) Discuss and consider action regarding future agenda items.
- 9I.** [2015-4081](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code, 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 Pflugerville Community Development Corporation's (PCDC's) sale of approximately 19 acres in the 130 Commerce Center. 2.) Open Session Item: Discuss and consider action to approve Pflugerville Community Development Corporation's (PCDC's) sale of approximately 19 acres in the 130 Commerce Center.
- 9J.** [2015-4075](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning a development agreement with the Pflugerville Independent School District. 2.) Open Session Item: Discuss and consider action to approve a development agreement with the Pflugerville Independent School District and authorize the City Manager to execute same.

10. Discuss only

- 10A.** [2015-4034](#) Discuss Animal Shelter and Adoption Center Needs Assessment and Concept Design prepared by Quorum Architects and scaled alternatives discussed with the Capital Improvement Bond Committee.
- 10B.** [2015-4082](#) Discussion regarding Capital Improvement Program (CIP) Transportation, Parks, and Facilities projects for a possible November 2015 bond election.
- 10C.** [2015-4088](#) Discussion regarding the Fiscal Year 2016 budget and City Council Fiscal Year 2016 goals.
- 10D.** [2015-4077](#) 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.

- 10E.** [2015-4079](#) 1.) Executive Session Item: Consultation with legal counsel regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.
- 10F.** [2015-4085](#) 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.
- 10G.** [2015-4078](#) 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.

11. 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 10, 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.