



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, April 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.** [2015-3821](#) Presentation and proclamation recognizing Hendrickson High School for their Community Service during the Big Event.
- 3B.** [2015-3799](#) Proclamation declaring April 2015 as Fair Housing Month.
- 3C.** [2015-3832](#) Presentation and discussion about the City's Capital Improvement Program.

4. Public Hearing and Ordinances First Reading

- 4A.** [ORD-0236](#) Conduct a public hearing and consider approving an ordinance on first 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 19.76 ACRES OF LAND LOCATED GENERALLY SOUTHWEST OF THE KELLY LN AND WEISS LN INTERSECTIONS, LOCALLY ADDRESSED AS 4109 KELLY LANE, FROM AGRICULTURE/CONSERVATION (A) TO RETAIL (R); TO BE KNOWN AS THE HOLY WORD CHURCH REZONING (REZ1501-01), AND PROVIDING AN EFFECTIVE DATE.
- 4B.** [ORD-0240](#) Conduct a public hearing and consider approving an ordinance on first 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 5.44 ACRES OF LAND LOCATED GENERALLY NORTHEAST OF THE BLACK LOCUST DR. AND GRAND AVE. PKWY INTERSECTION FROM AGRICULTURE/CONSERVATION (A) TO MULTI-FAMILY 10 (MF-10); TO BE KNOWN AS THE GARDENS AT BLACK LOCUST REZONING (REZ1406-01), 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.** [2015-3810](#) Approval of the minutes of the March 24, 2015 Worksession and Regular Meeting.

7. Ordinances First Reading

- 7A.** [ORD-0241](#) 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, ESTABLISH PRIMA FACIE MAXIMUM SPEEDS, AND PROVIDING AN EFFECTIVE DATE. (Temporary Construction Speed Zone for the East Pflugerville Parkway Construction Project.)
- 7B.** [ORD-0242](#) 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 154, REGARDING CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS (CEVMS) WITHIN THE CITY LIMITS AND THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE. (Park Crest Middle School request for Changeable Electronic Variable Message Sign.)
- 7C.** [ORD-0243](#) Approving an ordinance on first reading with the caption reading: AN

ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE THIRD AMENDMENT TO THE FISCAL YEAR 2015 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

- 7D. [ORD-0244](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE GRANTING TO SIENERGY, L.P. A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY AND WILLIAMSON COUNTY, TEXAS, FOR THE TRANSPORTING, DELIVERY, SALES AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; REQUIRING COMPLIANCE WITH ALL REGULATORY ORDINANCES OF THE CITY; AND PROVIDING FOR OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

8. Ordinances Second Reading

- 8A. [ORD-0235](#) 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 APPROVING A SPECIFIC USE PERMIT FOR LIGHT INDUSTRIAL USES ON LOT 3A AND LOT 3B, OF THE REPLAT OF LOT 3 RENEWABLE ENERGY PARK SUBDIVISION, LOCATED IN PFLUGERVILLE, TX, TO BE KNOWN AS THE CORTEC PRECISION SHEET METAL SPECIFIC USE PERMIT. (SD1502-01); PROVIDING FOR A REPEAL OF ORDINANCE NO. 1126-12-12-11; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR A NON-SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

9. Resolution

- 9A. [RES-0246](#) Approving a resolution with the caption reading: RESOLUTION APPROVING PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING DISTRIBUTION OF SUCH PRELIMINARY OFFICIAL STATEMENT RELATING TO THE CITY'S COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2015 AND LIMITED TAX AND REFUNDING BONDS, SERIES 2015.

10. Other Actions

- 10A. [2015-3776](#) Authorizing the City Manager to execute an Easement & Right of Way Agreement between Oncor Electric Delivery Company LLC and the City of Pflugerville for the utility construction associated with the Pfennig Pump Station Capital Improvement Project.

- 10B.** [2015-3814](#) Receive report on City Council, Commission, Board and Committee expenditures for March 2015.
- 10C.** [2015-3817](#) Approving the selection of MWM Design Group for professional services associated with design, bidding and construction administration of the 2014 Trail Gap Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 10D.** [2015-3818](#) Approving the selection of Studio 16:19 LLC for professional services associated with design, bidding and construction administration of the Highland Park North Park Development Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 10E.** [2015-3819](#) Approving the selection of MWM Design Group for professional services associated with design, bidding and construction administration of the Mansions at Stone Hill Park Development Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 10F.** [2015-3820](#) Approving the selection of Halff Associates, Inc. for professional services associated with design, bidding and construction administration of the Pflugerville Sports Complex Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 10G.** [2015-3822](#) Approving the selection of Halff Associates, Inc. for professional engineering services associated with design, bidding and construction administration of the Heatherwilde/Windermere Subdivision Street Reconstruction Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 10H.** [2015-3823](#) Approving the selection of K. Friese & Associates, Inc. for professional engineering services associated with design, bidding and construction administration of the Pfennig Lane Widening Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

Action on the Consent Agenda

11. Discuss and consider action

- 11A.** [2015-3816](#) Discuss and consider action to award a construction contract for the North Travis County MUD #5 (NTCMUD#5) Water Distribution project to Prota Construction of Austin, Texas, the lowest responsive bidder of 11 bids received on March 20, 2015, in the amount of \$2,024,301.
- 11B.** [2015-3801](#) Discuss and consider action to authorize the City Manager to execute a professional services agreement with Freese and Nichols, Inc. for design phase services for the Old Austin-Hutto Road capital

improvement project in an amount not to exceed \$215,969.

- 11C.** [2015-3834](#) Discuss and consider action to approve a supplemental agreement #1 with K. Friese & Associates, Inc. in the amount of \$299,430 for professional engineering services associated with design, bidding and construction administration of the Carmel Interceptor Phase 1 Project and authorizing the City Manager to execute the agreement.
- 11D.** [2015-3835](#) Discuss and consider action to approve a supplemental agreement #2 with the Thornhill Group, Inc. to amend the original agreement's scope of services, and timeline.
- 11E.** [2015-3809](#) Discuss and consider action regarding future agenda items.
- 11F.** [2015-3838](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding a Development Agreement with Tack Development LTD (Tim Timmerman) for the extension of roads and water utilities. 2.) Open Session Item: Discuss and consider action to approve a Development Agreement with Tack Development LTD (Tim Timmerman) for the extension of roads and utilities.
- 11G.** [2015-3836](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding an agreement with HDR Engineering to obtain warranty coverage and warranty repair corrective work, including engineering services, for the high service pump stations. 2.) Open Session Item: Discuss and consider action to authorize the City Manager to execute an agreement with HDR Engineering in a form approved by the City Attorney, to obtain warranty coverage and warranty repair corrective work, including engineering services, for the high service pump stations.
- 11H.** [2015-3845](#) 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 a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Bullseye. 2.) Open Session Item: Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Bullseye.

12. Discuss only

- 12A.** [2015-3811](#) 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.
- 12B.** [2015-3812](#) 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.

12C. [2015-3813](#)

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.

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 April 8, 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.