



# City of Pflugerville

## Meeting Agenda - Final City Council

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Tuesday, September 25, 2012

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.** [2012-1416](#) Presentation - Pflugerville makes Money Magazine's list of Best Small Cities.
- 3B.** [2012-1329](#) Presentation regarding the upcoming Police Department open house.
- 3C.** [2012-1424](#) Proclamation declaring October 2, 2012 as National Night Out in the City of Pflugerville.
- 3D.** [2012-1379](#) Proclamation designating October 3, 2012 as Walk to School Day in the City of Pflugerville.

**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. [2012-1426](#) Approval of the minutes of the September 11, 2012 Worksession and Regular Meeting.

**6. Resolution**

- 6A. [RES-0107](#) Approving a resolution adopting a hazard mitigation plan for the City of Pflugerville.

**7. Other Actions**

- 7A. [2012-1403](#) Authorizing the City Manager to execute a Public Wastewater, Water and Access Easement between First National Bank and the City of Pflugerville for the necessary utility access and maintenance associated with Lots 1 and 2 of the Wild Flower Estates subdivision.
- 7B. [2012-1429](#) Awarding the contract for the Gilleland Creek Pool Slab project to the lowest responsive bidder, BPI Environmental Services, in the amount of \$107,362.30 and authorizing the City Manager to execute same.
- 7C. [2012-1431](#) Approving registration fees for the Texas Municipal League (TML) ABC's of Energy seminar in Round Rock, Texas on December 7, 2012 and registration fees for the TML Public Funds Investment Act workshop in San Antonio, Texas from December 13, 2012 to December 14, 2012 and related hotel expenses for Mayor Pro Tem Victor Gonzales.
- 7D. [2012-1435](#) Approving the third amendment to the wholesale water agreement with Windermere Utility Company providing extension of the City's sale of water to September 30, 2013 and authorizing the City Manager to execute same.

**Action on the Consent Agenda****8. Discuss and consider action**

- 8A. [2012-1419](#) Discuss and consider action regarding approval of the Fiscal Year 2013 budget for the Pflugerville Community Development Corporation (PCDC).
- 8B. [2012-1432](#) Discuss and consider action authorizing two City representatives to attend the Circuit of the Americas (CoTA), 2012 Formula 1 United States Grand Prix in Austin, Texas on November 16-18, 2012 to survey the event for economic development impact to the City of Pflugerville at an expense to the City not to exceed \$1,800.
- 8C. [2012-1425](#) Discuss and consider action regarding future agenda items.
- 8D. [2012-1433](#) 1.)Executive Session Item: Consultation with legal counsel pursuant to

Chapter 551.071 of the Texas Government Code to discuss request to Consent to Assignment of Development Agreement consenting to the assignment of 130 Cactus Investment, L.P.'s rights and obligations under the agreement to Sorrento Holdings, LLC. 2.) Open Session Item: Discuss and consider action to approve a Consent to Assignment of Development Agreement consenting to the assignment of 130 Cactus Investment, L.P.'s rights and obligations under the agreement to Sorrento Holdings, LLC.

- 8E. [2012-1420](#) 1.) Executive Session Item: 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 an economic development agreement with Pflugerville One L.L.C. 2.) Open Session Item: Discuss and consider action regarding an economic development agreement with Pflugerville One L.L.C.

**9. Discuss only**

- 9A. [2012-1423](#) 1.) Executive Session Item: Deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- 9B. [2012-1427](#) 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.
- 9C. [2012-1430](#) 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.
- 9D. [2012-1404](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Manager.

**10. 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 September 19, 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.