



# City of Pflugerville

## Meeting Agenda - Final City Council

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Tuesday, July 9, 2013

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. Presentation**

- 3A.** [2013-2095](#) Presentation by Capital Metro regarding Project Connect: North Corridor Alternatives.

**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.** [2013-2089](#) Approval of the minutes of the June 25, 2013 Worksession and Regular Meeting.

**6. Ordinance First Reading**

- 6A.** [ORD-0164](#) Approving an ordinance on first reading with the caption reading: AN

ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY SORENTO HOLDINGS 2012, LLC FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, A 2.150-ACRE TRACT OF LAND OUT OF THE REMAINING PORTION OF A CALLED 119.023-ACRE TRACT RECORDED IN DOCUMENT NO. 2012164042 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, OUT OF THE REMAINING PORTION OF A CALLED 237.56-ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2012164042 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND A PORTION OF WEISS LANE, A VARIABLE WIDTH RIGHT OF WAY, OUT OF THE JOHN C. BRAY, SURVEY NO. 10, ABSTRACT 73, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE-CONSERVATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

## 7. Ordinances Second Reading

- 7A. [ORD-0157](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING CHAPTER 53 OF THE CITY CODE; REGARDING THE DROUGHT CONTINGENCY PLAN; ESTABLISHING RATES FOR SURCHARGES; ESTABLISHING ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF THE PLAN; PROVIDING A CRIMINAL PENALTY FOR VIOLATIONS OF THE RATIONING PROVISIONS OF THE PLAN NOT TO EXCEED \$2,000 PER OFFENSE; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.
- 7B. [ORD-0162](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION BY SORENTO HOLDINGS 2012, LLC FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, A 2.624 ACRE TRACT OF LAND OUT OF THE REMAINING PORTION OF A CALLED 119.023 ACRE TRACT RECORDED IN DOCUMENT NO. 2012164042 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, OUT OF THE JOHN C. BRAY, SURVEY NO. 10, ABSTRACT 73, IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS; AND TO BE ZONED AGRICULTURE-CONSERVATION; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

## 8. Other Actions

- 8A.**     [2013-2052](#)     Authorizing the City Manager to execute a warranty deed accepting the conveyance of real property to the City of Pflugerville which will be dedicated as public parkland per the Springbrook Apartments Phase 2 Final Plat.
- 8B.**     [2013-2079](#)     Accepting alternative compliance by fee in-lieu of parkland dedication for the Springbrook Apartments Phase 2 Final Plat.
- 8C.**     [2013-2071](#)     Authorizing the City Manager to execute a Public Access Easement Agreement between the First Baptist Church Pflugerville and the City of Pflugerville for the necessary pedestrian facilities associated with the City of Pflugerville 2013 Various Sidewalk Improvements Project.
- 8D.**     [2013-2072](#)     Authorizing the City Manager to execute a Drainage Easement Agreement with KB3, LLC and the City of Pflugerville for the necessary roadway and drainage construction associated with the Heatherwilde Boulevard Capital Improvement Project.
- 8E.**     [2013-2081](#)     Approving the selection of Freese and Nichols, Inc. for professional engineering services associated with design, bidding, and construction administration of the Pfennig Pump Station and Ground Storage Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 8F.**     [2013-2082](#)     Approving the selection of DCS Engineering, LLC for professional engineering services associated with design, bidding, and construction administration of the Pflugerville Parkway Transmission Main Extension and Pfennig Lane Transmission Main Upgrade and Extension Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 8G.**     [2013-2083](#)     Approving the selection of Binkley & Barfield, Inc. for professional engineering services associated with design, bidding, and construction administration of the Windermere Water Service Projects and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 8H.**     [2013-2084](#)     Approving the selection of Lockwood, Andrews & Newnam, Inc. for professional engineering services associated with design, bidding, and construction administration of the former North Travis County Municipal Utility District (MUD) Service Projects and the 24-inch Heatherwilde Transmission Main Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 8I.**     [2013-2085](#)     Approving the selection of Cobb, Fendley & Associates, Inc. for professional engineering services associated with design, bidding, and construction administration of the Sorento Wastewater Interceptor Phase 1 Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 8J.**     [2013-2086](#)     Approving the selection of K Friese & Associates, Inc. for professional

engineering services associated with design, bidding, and construction administration of the Sorento/Carmel Lift Station and Force Main Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

- 8K. [2013-2088](#) Receive report on City Council, Commission, Board and Committee expenditures for June 2013.
- 8L. [2013-2094](#) Approving a reimbursement request in the amount of \$375.46 by Mayor Pro Tem Victor Gonzales for business meeting mileage and expenses.

### Action on the Consent Agenda

#### 9. Discuss and consider action

- 9A. [2013-2090](#) Discuss and consider action regarding future agenda items.

#### 10. Discuss only

- 10A. [2013-2087](#) Discussion regarding the Fiscal Year 2014 budget.
- 10B. [2013-2091](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- 10C. [2013-2092](#) 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.
- 10D. [2013-2093](#) 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.

#### 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 3, 2013, 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.