



# City of Pflugerville

## Meeting Agenda - Final

### City Council

---

Tuesday, June 28, 2016

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. [2016-4967](#)** Appreciation presentation to the members of the Charter Review Commission for service to the City from December 2015 to May 2016.
- 3B. [2016-4968](#)** Presentation of the 2015/2016 Charter Review Commission Report to the City Council.
- 3C. [2016-4850](#)** Proclamation designating July 2016 as Parks and Recreation Month in the City of Pflugerville.
- 3D. [2016-4946](#)** Pfirecracker Pfestival update.

**4. Public Hearings**

- 4A. [ORD-0305](#)** Conduct the second public hearing on the annexation, for full purposes, of a 40-acre tract of land situated in the J. Zambrano Survey No. 38, Abstract No. 844, a 135.31-acre tract of land situated in the J.P. Kempe Survey No. 12, Abstract No. 462, and a 12.48-acre tract of land situated in the J.P. Kempe Survey No. 12, Abstract No. 462, of the real property records of Travis County, Texas, and generally located at the northeast corner of the intersection of Cele Road and Weiss Lane/Hodde Lane, to be known as the Elementary 21 and Cele MS Campuses Annexation. (ANX1604-01)
- 4B. [ORD-0306](#)** Conduct the second public hearing on the annexation, for full purposes, of a 97.5-acre tract of land situated in the Andrew Austin 960 Acre Survey No. 19, Abstract No. 38, of the real property records of Travis

County, Texas, and generally located along Cameron Road/Fuchs Grove, north of Jesse Bohls Road, to be known as the PflISD Cameron Road/Fuchs Grove Tract Annexation. (ANX1604-02)

- 4C. [2016-4861](#) Conduct the second public hearing regarding the Community Development Block Grant (CDBG) amended Action Plan for Program Year 2015.
- 4D. [2016-4954](#) Conduct the second public hearing regarding the Community Development Block Grant (CDBG) Action Plan for Program Year 2016.

## 5. Public Hearing and Ordinance First Readings

- 5A. [ORD-0302](#) Conduct a public hearing and consider approving the first reading of an ordinance with a 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 REZONING APPROXIMATELY 0.538 ACRES OF LOT 40, BLOCK "I", SPRINGBROOK CENTRE, PHASE A, LOCATED IN THE JOHN VAN WINKLE SURVEY NO. 14, ABSTRACT NO. 786, LOCALLY ADDRESSED AS 208 GRAND AVENUE PARKWAY, FROM AGRICULTURE/CONSERVATION (A) TO NEIGHBORHOOD SERVICES (NS) DISTRICT; TO BE KNOWN AS THE 208 GRAND AVENUE PARKWAY REZONING (REZ1605-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 5B. [ORD-0303](#) Conduct a public hearing and consider approving the first reading of an ordinance with a 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 REZONING APPROXIMATELY 4.642 ACRES OF LAND IN THE E. BEBEE SURVEY NO. 5, LOCATED ALONG THE SOUTH SIDE OF BLACK LOCUST, GENERALLY NORTHWEST OF THE BLACK LOCUST AND PFENNIG LANE INTERSECTION, FROM NEIGHBORHOOD SERVICES (NS) DISTRICT TO SINGLE FAMILY MIXED USE (SF-MU) DISTRICT; TO BE KNOWN AS THE KP BROTHERS HOME REZONING (REZ1605-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 5C. [ORD-0308](#) Conduct a public hearing and consider approving an ordinance on first and final reading with caption reading: ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016A; AUTHORIZING THE LEVY OF AN AD VALOREM TAX AND THE PLEDGE OF CERTAIN NET REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT AND A PAYING

AGENT/REGISTRAR AGREEMENT; AND AUTHORIZING OTHER MATTERS RELATED TO THE CERTIFICATES

- 5D. [ORD-0311](#) Conduct a public hearing and consider approving an ordinance on first and final reading with the caption reading: ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS, LIMITED TAX AND REFUNDING BONDS, SERIES 2016; AUTHORIZING THE LEVY OF AN AD VALOREM TAX IN SUPPORT OF THE BONDS; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT, AN ESCROW AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; CALLING CERTAIN OBLIGATIONS FOR REDEMPTION AND AUTHORIZING OTHER MATTERS RELATED TO THE BONDS.
- 5E. [ORD-0309](#) Conduct a public hearing and consider approving an ordinance on first and final reading with caption reading: ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016B; AUTHORIZING THE LEVY OF AN AD VALOREM TAX AND THE PLEDGE OF CERTAIN NET REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND AUTHORIZING OTHER MATTERS RELATED TO THE CERTIFICATES
- 5F. [ORD-0310](#) Conduct a public hearing and consider approving an ordinance on first and final reading with caption reading: ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF PFLUGERVILLE, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, TAXABLE SERIES 2016C; AUTHORIZING THE LEVY OF AN AD VALOREM TAX AND THE PLEDGE OF CERTAIN NET REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND AUTHORIZING OTHER MATTERS RELATED TO THE CERTIFICATES

## 6. 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.

**7. Approval of Minutes**

- 7A. [2016-4983](#) Approval of the minutes of the June 14, 2016 Worksession and Regular Meeting.

**8. Ordinances First Reading**

- 8A. [ORD-0307](#) 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 150, REGARDING THE ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2015 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, THE INTERNATIONAL PLUMBING CODE 2015 EDITION, INTERNATIONAL MECHANICAL CODE, 2015 EDITION, INTERNATIONAL CODE COUNCIL ELECTRICAL CODE, 2015 EDITION, INTERNATIONAL FUEL GAS CODE, 2015 EDITION, INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, INTERNATIONAL FIRE CODE, 2015 EDITION, INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION, INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION, AND THE NATIONAL ELECTRICAL CODE, 2014 EDITION, WITH AMENDMENTS TO MEET LOCAL CONDITIONS, AND THE PENALTY PROVISION; ESTABLISHING PENALTIES NOT TO EXCEED \$2000.00 PER OFFENSE; 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.
- 8B. [ORD-0312](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2016 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

**9. Ordinances Second Reading**

- 9A. [ORD-0304](#) 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 A PORTION OF A 443.692-ACRE TRACT OF LAND SITUATED IN THE J. LEISSE SURVEY, ABSTRACT NO. 496, J. WIEHL SURVEY, ABSTRACT NO. 802, AND THE W. CALDWELL SURVEY, ABSTRACT NO. 162 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE-FAMILY MIXED USE (SF-MU) DISTRICT FOR 45.5 ACRES, AND FROM AGRICULTURE/CONSERVATION (A) TO SINGLE-FAMILY

RESIDENTIAL (SF-R) FOR 240.4 ACRES; TO BE KNOWN AS THE CARMEL PHASE 1 REZONING (REZ1604-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

## **10. Other Actions**

- 10A.** [2016-4992](#) Approving the selection of Freese and Nichols, Inc. for long-term professional engineering services associated with capital improvements and operations at the City's Wastewater Treatment Plant and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 10B.** [2016-4995](#) Review of the Quarterly Investment Report for the quarter ending March 31, 2016.

## **Action on the Consent Agenda**

## **11. Discuss and consider action**

- 11A.** [2016-4781](#) Discuss and consider action to approve supplemental agreement #1 with Studio 16:19 in the amount of \$238,674 for professional services associated with the design and construction administration for the Highland Park/Highland Park North Park Development (Wilbarger Park) project and authorizing the City Manager to execute the agreement.
- 11B.** [2016-4991](#) Discuss and consider action to award a construction contract for the Kennemer Drive Overlay project to Alpha Paving Industries, LLC, the lowest responsible bidder of four (4) bids received on June 16, 2016, in the amount of \$861,595.50 and authorizing the City Manager to execute same.
- 11C.** [2016-4984](#) Discuss and consider action regarding future agenda items.

## **12. Discuss only**

- 12A.** [2016-4985](#) 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.
- 12B.** [2016-4986](#) 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.** [2016-4987](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice

regarding Chapter 9 of the Texas Local Government Code providing for the method and manner for charter amendment propositions to be presented to the voters at a November 8, 2016 special election.

**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 June 24, 2016, 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 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.