



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, October 14, 2014

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. [2014-3351](#) Presentation on the Pfall Chili Pfest on Saturday, October 18, 2014.

3B. [2014-3353](#) Reclaimed Water Master Plan 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. [2014-3330](#) Approval of the minutes of the September 16, 2014 City Council Special Meeting and September 23, 2014 City Council Worksession and Regular Meeting.

**6. Ordinances Second Reading**

- 6A.** [ORD-0219](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, REPEALING AND REPLACING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 70, TRAFFIC CONTROL DEVICES, SECTION 33 (B), REGARDING THROUGH-TRUCK TRAFFIC; AND PROVIDING AN EFFECTIVE DATE.

**7. Resolutions**

- 7A.** [RES-0218](#) Approving a resolution of the City of Pflugerville, Texas, reviewing and approving the Investment Policy of the City of Pflugerville, Texas.
- 7B.** [RES-0220](#) Approving a resolution accepting Windermere water and wastewater rates as specified in the updated water and sewer utility tariffs.

**8. Other Actions**

- 8A.** [2014-3289](#) Authorizing the City Manager to execute a Public Utility Easement Agreement with Rady Family Trust, Realtron Inc. and the City of Pflugerville for the utility construction associated with the North Travis County Municipal Utility District (MUD) 5 water distribution capital improvement project.
- 8B.** [2014-3305](#) Authorize the City Manager to execute an agreement with Cobb Fendley & Associates, Inc. for design of the East Pecan Street Widening capital improvement project from SH130 to Cameron Road in an amount not to exceed \$225,456.05.
- 8C.** [2014-3306](#) Authorizing the City Manager to execute Public Water and Wastewater Easement Agreements with Temple Real Estate Investments, Inc. and the City of Pflugerville for associated construction for the Sparetime Commercial development project.
- 8D.** [2014-3326](#) Receive report on City Council, Commission, Board and Committee expenditures for August and September 2014.
- 8E.** [2014-3346](#) Authorizing the City Manager to execute a temporary Public Wastewater Easement Agreement with Century Land Holdings, Inc. and the City of Pflugerville for associated construction for the Avalon 5b subdivision project.
- 8F.** [2014-3347](#) Approving a professional services agreement regarding collection of drainage fees for Travis County Municipal Utility District #17 (Sorento) and authorizing the City Manager to execute same.
- 8G.** [2014-3354](#) Approving the selection of Freese and Nichols, Inc. for professional engineering services associated with design, bidding and construction administration of the Heatherwilde Elevated Storage Tank Project and

authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

- 8H. [2014-3355](#) Approving an agreement with Architecture Plus, Inc. in the amount of \$73,800 for Phase 1 professional services associated with developing a facilities master plan for the Public Works Complex at the Central Wastewater Treatment Plant; and developing plans for a Public Works and Parks and Recreation field operations building to house maintenance staff.
- 8I. [2014-3364](#) Authorizing the City Manager to execute a Public Wastewater Easement Agreement with TFS Texas Investments, LLC. and the City of Pflugerville for the utility construction associated with the Rowe Loop Wastewater Capital Improvement Project.
- 8J. [2014-3365](#) Approving the Fund Balance Policy of the City of Pflugerville, Texas.

### Action on the Consent Agenda

#### 9. Discuss only

- 9A. [2014-3348](#) Report from Councilmember Victor Gonzales on the 2014 Austin Chamber of Commerce InterCity visit to San Francisco, California.

#### 10. Discuss and consider action

- 10A. [2014-3368](#) Discuss and consider action regarding improvements to the Windermere Park Pool.
- 10B. [2014-3345](#) Discuss and consider action to authorize the City Manager to negotiate a Park Use Agreement with the Pflugerville Area Youth Soccer League (PAYSL) for the exclusive use of Wells Point Park, Bohls Park and the Swenson Pond parkland.
- 10C. [2014-3383](#) 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 regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Durable. 2.) Open Session Item: Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) Performance Agreement with Project Durable.
- 10D. [2014-3329](#) Discuss and consider action regarding future agenda items.

#### 11. Discuss only - Executive Session

- 11A. [2014-3323](#) 1.) Executive Session Item: Consultation with legal counsel regarding

legal issues related to the city's standard professional services contract pursuant to Chapter 551.071 of the Texas Government Code. 2.) Open Session Item: Discuss the city's standard professional services contract.

**11B.** [2014-3328](#) 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.

**11C.** [2014-3344](#) 1.) Executive Session Item: Deliberations with legal counsel regarding what steps are necessary to preserve, protect and pursue the City's legal options related to the Lake Pflugerville Pump Station failure pursuant to Chapter 551.071 of the Texas Government Code.

**11D.** [2014-3389](#) 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.

**12. 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 October 8, 2014, at 5:00 PM pursuant to Section 551.041, Government Code.

**Karen Thompson, City Secretary**

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