



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, May 10, 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. [2016-4835](#) Proclamation declaring May 2016 as Motorcycle Safety and Awareness Month in the City of Pflugerville.
- 3B. [2016-4846](#) Proclamation declaring May 15 to May 21, 2016 as National Public Works Week in the City of Pflugerville.
- 3C. [2016-4854](#) Presentation of the Texas Section of the American Water Works Association (AWWA) Watermark Award for Communications Excellence and Water Conservation and Reuse Award for small utilities.

4. Public Hearing and Ordinance First Readings

- 4A. [ORD-0292](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE READOPTING CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING 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. [2016-4862](#) Approval of the minutes of the April 26, 2016 Worksession and Regular Meeting.

7. Ordinances First Reading

- 7A. [ORD-0300](#) 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, BY AMENDING TITLE VII TITLED TRAFFIC CODE, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS; 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. (Adding no parking zones along portions of Terrell Lane)
- 7B. [ORD-0301](#) 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, BY AMENDING TITLE VII TITLED TRAFFIC CODE, BY AMENDING CHAPTER 71 TITLED PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS; 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. (Adding no parking zones along the southern portion of Justice Center Drive)

8. Ordinances Second Reading

- 8A. [ORD-0299](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING TITLE VII TITLED TRAFFIC CODE, BY AMENDING CHAPTER 71 TITLED

PARKING REGULATIONS, BY AMENDING SECTION 71.05 TITLED PARKING PROHIBITED IN CERTAIN DESIGNATED AREAS; PROVIDING A VIOLATION OF SECTION 71.05 IS A MISDEMEANOR; 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. (Adding no parking zones along portions of Pfluger Farm Lane)

- 8B. [ORD-0298](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2016 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

9. Resolutions

- 9A. [RES-0313](#) Approving a Resolution Directing the Publication of Notice of Intention to Issue City of Pflugerville, Texas, Combination Tax and Revenue Certificates of Obligation, and Other Matters Related Thereto. (Tax-exempt Certificates of Obligation, Series 2016A)
- 9B. [RES-0314](#) Approving a Resolution Expressing Official Intent to Reimburse Certain Expenditures.
- 9C. [RES-0316](#) Approving a Resolution Directing the Publication of Notice of Intention to Issue City of Pflugerville, Texas, Combination Tax and Revenue Certificates of Obligation, and Other Matters Related Thereto. (Tax-exempt Certificates of Obligation for TIRZ, Series 2016B)
- 9D. [RES-0317](#) Approving a Resolution Directing the Publication of Notice of Intention to Issue City of Pflugerville, Texas, Combination Tax and Revenue Certificates of Obligation, and Other Matters Related Thereto. (Taxable Certificates of Obligation for TIRZ, 2016C)

10. Other Actions

- 10A. [2016-4860](#) Receive report on City Council, Commission, Board and Committee expenditures for April 2016.
- 10B. [2016-4868](#) Authorizing the City Manager to execute a conditional purchase agreement between Nelson H. Puett and the City of Pflugerville for property acquisition for construction associated with the Heatherwilde Elevated Storage Tank Project.
- 10C. [2016-4875](#) Authorizing the City Manager to approve an additional expenditure to the existing Manville utility relocation agreement in the amount of \$33,899.86 for Manville water main relocation associated with the Heatherwilde Widening Project.

Action on the Consent Agenda

11. Discuss and consider action

- 11A.** [2016-4882](#) Discuss and consider action regarding the scope of the proposed animal shelter expansion.
- 11B.** [RES-0320](#) Discuss and consider action to approve a resolution in support of the City of Austin's Proposal to become a US Department of Transportation (USDOT) Smart City.
- 11C.** [2016-4866](#) Discuss and consider action regarding future agenda items.
- 11D.** [RES-0319](#) 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) economic development performance agreement with SISU Devices, a Texas Limited Liability Corporation for Project iRobot. 2.) Open Session Item: Discuss and consider action to approve a resolution authorizing a Pflugerville Community Development Corporation (PCDC) economic development performance agreement with SISU Devices, a Texas Limited Liability Corporation for Project iRobot
- 11E.** [2016-4816](#) 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 of real property of two parcels of property on Pfennig Lane: 2.895 acres of property legally described as ABS 99 SUR 3 Blessing H ACR 2.895 and 1.9389 acres of property legally described as ABS 99 SUR 3 Blessing H ACR 1.9389 in Pflugerville, TX. 2.) Open Session Item: Discuss and consider action to approve the purchase of two parcels of property on Pfennig Lane: 2.895 acres of property legally described as ABS 99 SUR 3 Blessing H ACR 2.895 and 1.9389 acres of property legally described as ABS 99 SUR 3 Blessing H ACR 1.9389 in Pflugerville, TX, and to authorize the City Manager to execute all documents required for purchase of the property.

12. Discuss only

- 12A.** [2016-4865](#) 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.** [2016-4867](#) 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.

12C. [2016-4870](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding legal aspects concerning Councilmember Brad Marshall's April 26, 2016 announcement of candidacy for mayor in the November 2016 election; Texas Constitution Article 16, Section 65, commonly referred to as the "resign-to-run" provision; Texas Constitution Article 11, Section 11, requiring a special election to be held; and the City Charter, Section 3.07, regarding requirements concerning vacancies.

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 May 6, 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.