



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, May 23, 2017

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.** [2017-5842](#) Presentation inviting the public to Pflugerville's Pfirst Coffee with a Cop event.
- 3B.** [2017-5860](#) Presentation on the Pflugerville Public Library's Maker Pfest and Summer Reading Program 2017.
- 3C.** [ORD-0345](#) Presentation and discussion about the implementation of a required Cross Connection Control and Prevention Program.

4. Public Hearing and Ordinance First Readings

- 4A.** [ORD-0352](#) 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 CHANGING THE ZONING DESIGNATION OF AN APPROXIMATE 1-ACRE TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY ABSTRACT NO. 689, LOCATED GENERALLY SOUTHWEST OF THE WILKE RIDGE LANE AND HEATHERWILDE BLVD INTERSECTION FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1); TO BE KNOWN AS THE WILKE RIDGE REZONING (REZ1703-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
- 4B.** [ORD-0353](#) 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 A 1.79-ACRE LOT, LEGALLY DESCRIBED AS LOT 40A BLOCK P CAMBRIDGE HEIGHTS COMMERCIAL SUBDIVISION REVISED PLAT LOT 40 BLOCK P IN PFLUGERVILLE, TRAVIS COUNTY, TEXAS, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WEST PFLUGERVILLE PARKWAY AND GRAND AVENUE PARKWAY FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1) ZONING DISTRICT; TO BE KNOWN AS THE CVS AT GRAND AVENUE REZONING (REZ1703-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING 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. [2017-5870](#) Approval of the minutes of the May 9, 2017 Worksession and Regular Meeting.

7. Ordinances Second Reading

- 7A. [ORD-0354](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE SECOND AMENDMENT TO THE FISCAL YEAR 2017 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

8. Resolutions

- 8A. [RES-0424](#) Approving a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS, CONSENTING TO THE ANNEXATION OF APPROXIMATELY 4.64 ACRES OF LAND INTO TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 17; IMPOSING

CERTAIN CONDITIONS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

- 8B. [RES-0425](#) Approving a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR BANKING SERVICES.

9. Other Actions

- 9A. [2017-5686](#) Review of the Quarterly Investment Report for the quarter ending March 31, 2017.
- 9B. [2017-5843](#) Authorizing the City Manager to execute special warranty deeds, as an executory interest holder, accepting the conveyance of real property to the City of Pflugerville as public parkland in the Carmel development described as: a 1.218 acre tract of land out of the John Liesse Survey No. 18, Abstract 496; a 7.058 acre tract of land out of the Joseph Wiehl Survey No. 8, Abstract 802 and William Caldwell Survey No. 66, Abstract 162; a 25.25 acre tract of land out of the John Liesse Survey No. 18, Abstract 496; a 43.52-acre tract of land out of the John Liesse Survey No. 16, Abstract 496; and a 0.48-acre tract of land out of the John Liesse Survey No. 16, Abstract 496; all within Travis County, Texas.
- 9C. [2017-5867](#) Authorizing the City Manager to execute a conditional purchase agreement and associated conveyance documents between Phillip Dulock and Leandra Dulock and the City of Pflugerville as necessary to acquire real property interests for the Pfennig Lane Roadway Improvements Project.
- 9D. [2017-5879](#) Appointing Carl Moore, Jr. as a regular member of the Library Board with a term ending December 31, 2018.

Action on the Consent Agenda

10. Ordinances First Reading

- 10A. [ORD-0355](#) Discuss and consider action to approve an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY ADOPTING A CITY COUNCIL CITY CHARTER REMOVAL HEARING PROCESS AS TITLE I, CHAPTER 12, SECTION 12.01 THROUGH 12.04 TITLED CITY CHARTER REMOVAL HEARING PROCESS; PROVIDING A CUMULATIVE CLAUSE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT WITH THE AMENDED SECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.

10B. [ORD-0356](#) Discuss and consider action to approve 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 III ENTITLED ADMINISTRATION, BY AMENDING CHAPTER 30 ENTITLED CITY OFFICIALS, BY ADDING SECTION 30.20, ET. SEQ. ENTITLED ACTING CITY MANAGER; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING NO PENALTY; AND PROVIDING AN EFFECTIVE DATE.

10C. [ORD-0357](#) Discuss and consider action to approve an ordinance on first reading with the caption reading: AN ORDINANCE AMENDING CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE III BY REPLACING CHAPTER 35.22 REGARDING TRAVEL AND EXPENSE POLICY; ADOPTING AN ACCOUNTABLE PLAN PURSUANT TO IRC SEC. 162 AND RELEVANT IRS REGULATIONS AND PROCEDURES, REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

11. Discuss and consider action

11A. [2017-5868](#) Discuss and consider action to award a construction contract for the Field Operations and Maintenance Facility project to G. Hyatt Construction, Inc., the lowest responsible bidder of six (6) bids received on May 11, 2017, in the amount of \$2,816,520.00 and authorizing the City Manager to execute same.

11B. [2017-5832](#) Discuss and consider action to approve a First Amendment to the Chapter 380 Economic Development Agreement between the City of Pflugerville, Texas and Living Spaces Furniture, LLC.

11C. [RES-0428](#) Discuss and consider action to approve a resolution with the caption reading: RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS REQUESTING THAT THE PFLUGERVILLE COMMUNITY DEVELOPMENT CORPORATION (PCDC) PROVIDE FUNDS IN THE FISCAL YEAR 2018 BUDGET FOR SPECIFIED ROAD PROJECTS TO STIMULATE ECONOMIC GROWTH.

11D. [2017-5890](#) Discuss and consider action regarding draft zoning and expansion of the downtown district. (Requested by Councilmember Jeff Marsh)

11E. [2017-5873](#) Discuss and consider action regarding future agenda items.

12. Discuss only

12A. [2017-5887](#) Discussion regarding the Five Year Capital Improvement Plan to add future mobility projects.

12B. [2017-5834](#) Discussion regarding traffic impact fees and the traffic impact analysis (TIA) ordinance. (Requested by Councilmember Mike Heath)

- 12C.** [2017-5835](#) Discussion regarding driveway spacing requirements. (Requested by Councilmember Mike Heath)
- 12D.** [2017-5848](#) Discuss development restrictions in the floodplain. (Requested by Mayor Pro Tem Omar Peña)
- 12E.** [2017-5877](#) 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:
1. Project Sydney. (Requested by Councilmember Mike Heath)

13. 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.

Brandon Wade, City Manager

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 19, 2017 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.