



# City of Pflugerville

## Meeting Agenda - Final City Council

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Tuesday, October 9, 2012

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.** [2012-1428](#) Proclamation recognizing National 4H week October 7-13, 2012.
- 3B.** [2012-1446](#) Proclamation celebrating the 50th anniversary of the National Football Schoolboy Champions.
- 3C.** [2012-1452](#) Recognition presentation to the Pflugerville Community Development Corporation (PCDC) for receiving two Silver Excellence in Economic Development Awards for their Pflugerville Infographic Advertising Campaign and Pflugerville Business Recruitment Campaign.
- 3D.** [2012-1455](#) Presentation of ICMA video feature on Pflugerville

**4. Public Hearings**

- 4A.** [ORD-0119](#) Conduct a public hearing to annex two separate tracts of land owned by the City of Pflugerville consisting of 8.9 acres within the Villages of Hidden Lakes subdivision, out of the Gene M. Martin Survey No. 9, Abstract 529 in Travis County, Texas. Tract 1 consists of 8.54 acres adjacent to Lake Pflugerville while Tract 2 consists of 0.37 acres utilized for wastewater infrastructure.
- 4B.** [ORD-0120](#) Conduct a public hearing on the annexation, for full purposes, of a tract of land consisting of approximately 20.2 acres within the E. Pecan St. right of way, out of the S. Eiselin Survey No. 4, Abstract 265 and T. S. Barnes Survey No. 46, Abstract 67 in Travis County, Texas, to be

known as the 2012 E. Pecan Street Annexation. (ANX1208-01)

## 5. Public Hearing and Ordinance First Reading

- 5A. [ORD-0116](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF 3.10 ACRES OUT OF THE E. BEBEE SURVEY, ABSTRACT NO. 5, LOCATED GENERALLY NORTHWEST OF THE BLACK LOCUST AND PFENNIG LANE INTERSECTION, FROM SINGLE-FAMILY SUBURBAN (SF-S) TO SINGLE-FAMILY URBAN (SF-U) DISTRICT; TO BE KNOWN AS KUEMPEL 3.1-ACRE REZONING (REZ1208-01), AND PROVIDING AN EFFECTIVE DATE.

## 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. [2012-1447](#) Approval of the minutes of the September 25, 2012 Worksession and Regular Meeting.

## 8. Other Actions

- 8A. [2012-1448](#) Receive report on City Council, Commission, Board and Committee expenditures for September 2012.
- 8B. [2012-1445](#) Approving the appointment of Ms. Emily M. Barron as Planning Director.
- 8C. [2012-1429](#) Approving the award of the contract for the Gilleland Creek Pool Slab project to the lowest responsive bidder, BPI Environmental Services, in the amount of \$107,362.30 and authorizing the City Manager to execute same.

- 8D. [2012-1460](#) Awarding the contract for the Pflugerville Community Library telephone system to the lowest responsive bidder, IT Works, in the amount of \$54,641.00 and authorizing the City Manager to execute same.

### Action on the Consent Agenda

#### 9. Discuss and consider action

- 9A. [2012-1443](#) Discuss and consider action regarding a lease agreement between the Pflugerville Community Development Corporation (PCDC) and 130 Commerce Center L.L.C. for a portion of a proposed light industrial building located in the Renewable Energy Park Subdivision, Lot 4 locally known as 3813 Helios Way.
- 9B. [2012-1432](#) Discuss and consider action authorizing two City representatives to attend the Circuit of the Americas (CoTA), 2012 Formula 1 United States Grand Prix in Austin, Texas on November 16-18, 2012 to survey the event for economic development impact to the City of Pflugerville at an expense to the City not to exceed \$1,800.
- 9C. [2012-1449](#) Discuss and consider action regarding future agenda items.
- 9D. [2012-1458](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding an agreement with Avalon known as the First Amendment to Roadway Development Agreement. 2.) Open Session Item: Discuss and consider action regarding an agreement with Avalon known as the First Amendment to Roadway Development Agreement.
- 9E. [2012-1453](#) 1.)Executive Session Item: Deliberate about the purchase, lease and value of real property and to consult with legal counsel for legal advice regarding authorizing the City Manager to negotiate a contract for the purchase of a water line and all associated facilities and easements from Cross County Water Supply Corporation and/or any other affiliated or related organization pursuant to Texas Government Code Chapter 551.071 and Texas Government Code Chapter 551.072. Open Session Item: Discuss and consider action to authorize the City Manager to negotiate a contract to acquire a water line and all associated facilities and easements from Cross County Water Supply Corporation and/or any other affiliated or related organization.

#### 10. Discuss only

- 10A. [2012-1450](#) 1.)Executive Session Item: Consultation with legal counsel regarding agreements with Manville Water Supply Corporation pursuant to Chapter 551.071 of the Texas Government Code.
- 10B. [2012-1451](#) 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.

- 10C.**    [2012-1407](#)    1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the Municipal Judge.
- 10D.**    [2012-1409](#)    1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Attorney.
- 10E.**    [2012-1411](#)    1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Manager.
- 11.**    **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.

**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 3, 2012, 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 990-6101 for information. Hearing-impaired or speech-disabled persons equipped with telecommunications devices for the deaf may call 272-9116 or may utilize the statewide Relay Texas program at 1-800-735-2988.