



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, December 12, 2017

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

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. **City Council Announcements**

Pursuant to Texas Government Code Sec. 551.0415. a member of the governing body may make an announcement about items of community interest during a meeting of the governing body without having given notice of the subject of the announcement. "Items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

4. **Public Hearings and Consideration of Resolutions**

- 4A. [RES-0472](#) Conduct the second public hearing and consider approving the resolution providing approval of the Community Development Block Grant (CDBG)

program proposed 2014 Amended Action Plan.

- 4B. [RES-0473](#) Conduct the second public hearing and consider approving the resolution for the proposed Community Development Block Grant (CDBG) program 2015 Second Amended Action Plan.
- 4C. [RES-0474](#) Conduct the second public hearing and consider approving the resolution of the proposed Community Development Block Grant (CDBG) program 2016 Second Amended Action Plan.
- 4D. [RES-0477](#) Conduct a public hearing and consider approving the resolution adopting a Community Development Block Grant (CDBG) Amended Citizen Participation Plan.
- 4E. [RES-0478](#) Conduct a public hearing and consider approving the resolution adopting the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2016.

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. [2017-6374](#) Approval of the minutes of the November 20, 2017 Special Meeting and November 28, 2017 Worksession and Regular Meeting.

7. Ordinances Second Reading

- 7A. [ORD-0387](#) Approving an ordinance on second reading 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 TWO TRACTS CONSISTING OF APPROXIMATELY 17.593-ACRE OF LAND OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, LOCATED GENERALLY NORTHWEST OF SILENT HARBOR LOOP ON BECKER FARM ROAD, NORTH OF E. PFLUGERVILLE PARKWAY FROM AGRICULTURE/CONSERVATION

(A) TO SINGLE FAMILY MIXED USE (SF-MU); TO BE KNOWN AS BECKER FARM SUBDIVISION AT BECKER FARM RD. REZONING (REZ1710-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- 7B.** [ORD-0376](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO REPUBLIC SERVICES, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.
- 7C.** [ORD-0378](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO PROGRESSIVE WASTE SOLUTIONS OF TX, INC. d/b/a WC OF TEXAS FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.
- 7D.** [ORD-0379](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO TEXAS DISPOSAL SYSTEMS, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.
- 7E.** [ORD-0380](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT OF TEXAS, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.
- 7F.** [ORD-0381](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO DUMP IT, LLC FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.

- 7G.** [ORD-0384](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO CENTRAL TEXAS REFUSE, INC. FOR THE COLLECTION OF REFUSE FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.
- 7H.** [ORD-0389](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE TEXAS CLOSING, VACATING, ABANDONING AND CONVEYING A PORTION OF BECKER FARM ROAD IN THE CITY OF PFLUGERVILLE, TEXAS; AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED WITHOUT WARRANTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE

8. Resolutions

- 8A.** [RES-0480](#) Approving a resolution appointing Mr. Mike Marsh, Position 1, as chairman of Reinvestment Zone No. One (Falcon Pointe TIRZ) for a one-year term beginning January 1, 2018.
- 8B.** [RES-0481](#) Approving a resolution appointing Mr. Ray Mason to Position 2 and Mr. Bob Dwyer to Position 4 of the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors for two year terms ending December 31, 2019.
- 8C.** [RES-0482](#) Approving a resolution nominating Mr. Anthony Nguyen as a candidate for the Board of Directors of the Travis Central Appraisal District (TCAD); and authorizing the City Manager to mark and submit the ballot on behalf of the City of Pflugerville.

9. Other Actions

- 9A.** [2017-6363](#) Approving an agreement with Dannenbaum Engineering Company - Austin, LLC in the amount of \$214,886.00 for professional engineering services associated with the design, bidding and construction administration for the Community Development Block Grant (CDBG) 2018 Pavement Rehabilitation Program Project and authorizing the City Manager to execute the agreement.
- 9B.** [2017-6370](#) Approving a reimbursement request from Councilmember Jim McDonald for registration in the amount of \$175.00 for attendance of the Texas Economic Development Council 2017 Austin Economic Development Sales Tax Workshop held in Austin, Texas on December 8, 2017.

- 9C. [2017-6371](#) Approving conference registration for Councilmember Jim McDonald to attend the Texas Municipal League Newly Elected City Officials Workshop to be held in San Antonio, Texas on January 19, 2018.
- 9D. [2017-6366](#) Approving the award of a construction contract for the installation of a traffic signal at the intersection of New Meister Lane and Heatherwilde Blvd. to Austin Traffic Signal Construction Company, Inc., the lowest responsible bidder of one (1) bid received on December 1, 2017, in the amount of \$216,604.35 and authorizing the City Manager to execute same.

Action on the Consent Agenda

10. Discuss and consider action

- 10A. [2017-6328](#) Discuss and consider action to approve the award of a construction contract for the Bohls House Renovation Project to S&G Contracting, Inc. in the amount of \$631,500.00 and authorizing the City Manager to execute same.
- 10B. [RES-0476](#) Discuss and consider action regarding approving a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, REJECTING ALL BIDS RECEIVED FOR THE BOHLS HOUSE RENOVATION PROJECT.
- 10C. [2017-6368](#) Discuss and consider action regarding an Amended and Restated Economic Development Agreement with Geraldine Timmermann.
- 10D. [2017-6347](#) Discuss and consider action to provide direction to the City Manager regarding field use policy. (Requested by: Councilmember Mike Heath)
- 10E. [2017-6350](#) Discuss and consider action to provide direction to the City Manager regarding small cell node legislation. (Requested by: Councilmember Doug Weiss and seconded by Councilmember Jeff Marsh)
- 10F. [2017-6351](#) Discuss and consider action to provide direction to the City Manager regarding an item to discuss the budget regarding expenditures. (Requested by: Councilmember Doug Weiss and seconded by Councilmember Jeff Marsh)
- 10G. [2017-6352](#) Discuss and consider action to provide direction to the City Manager regarding the review of all policies that the City Council needs to review. (Requested by Councilmember Doug Weiss and seconded by Councilmember Jeff Marsh)
- 10H. [2017-6376](#) Discuss and consider action regarding future agenda items.
- 10I. [2018-6300](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager. 2.) Open Session Item: Discuss and

consider action regarding the performance evaluation of the City Manager.

11. Adjourn

Executive sessions held during this meeting will take place in Suite 500 or 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.

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 December 8, 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.

