



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, October 11, 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. [2016-5240](#)** Proclamation and recognition of Caroline Coleman who represented Pflugerville on Chopped Junior, a reality show on the Food Channel.
- 3B. [2016-5141](#)** Proclamation declaring October 9-15, 2016 as National Fire Prevention Week.
- 3C. [2016-5253](#)** Pflugerville Downtown Association PflugerGolf 13 presentation.
- 3D. [2016-5237](#)** Presentation on \$20 adoption fees in honor of October Adopt a Dog month and the second annual Trunk or Treat event at the animal shelter.

4. Public Hearing and Ordinance First Readings

- 4A. [ORD-0324](#)** 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 TWO TRACTS CONSISTING OF APPROXIMATELY 3.218 ACRES OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT NO. 877, LOCATED GENERALLY NORTHWEST OF THE W. PFLUGERVILLE PKWY. AND PICADILLY DR. INTERSECTION FROM AGRICULTURE/CONSERVATION (A) TO NEIGHBORHOOD SERVICES (NS); TO BE KNOWN AS THE ISLAMIC CENTER OF

PFLUGERVILLE REZONING (REZ1608-01); 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. [2016-5227](#) Approval of the minutes of the September 27, 2016 Worksession and Regular Meeting.

7. Ordinances Second Reading

- 7A. [ORD-0319](#) Approval of an ordinance on second reading with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 821-06-03-14 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED IN ORDINANCE NO. 999-09-04-28, BY REVISING TABLE SHC2, PERMITTED USES, TO ALLOW FOR A CONVENIENCE STORE WITH GAS PUMPS, MEDICAL FACILITY, HOSPITAL, MEDICAL OFFICE, AND TRADITIONAL OFFICE USES WITHOUT SQUARE FOOTAGE LIMITATIONS, WITHIN NEIGHBORHOOD THREE-WEST WITHIN FALCON POINTE ALUR-2 SOUTH PLANNED UNIT DEVELOPMENT (PUD), A 148.55-ACRE TRACT OF LAND OUT OF THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 231, PFLUGERVILLE, TRAVIS COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST CORNER OF SH 130 AND E. PFLUGERVILLE PARKWAY; TO BE KNOWN AS THE SECOND AMENDMENT TO THE FALCON POINTE ALUR-2 SOUTH REZONING (REZ1606-03), AND PROVIDING AN EFFECTIVE DATE.
- 7B. [ORD-0327](#) Approval of an ordinance on second reading with the caption: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, GRANTING A PETITION FOR VOLUNTARY ANNEXATION AND ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 4.819 ACRES OF LAND ADJACENT TO THE CITY LIMITS OF THE CITY OF PFLUGERVILLE, TEXAS, GENERALLY LOCATED NORTH OF MEISTER LANE AND

SOUTH OF SH 45 (LOUIS HENNA BOULEVARD), BEING A TRACT OF LAND OUT OF THE WILLIAM BARKER SURVEY NO. 74, ABSTRACT NO. 107, IN WILLIAMSON AND TRAVIS COUNTIES, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (ANX1608-01)

8. Other Actions

- 8A.** [2016-5252](#) Approving one day registration for the Texas Municipal League Annual Conference in Austin, Texas in October 2016 for Councilmember Wayne Cooper.
- 8B.** [2016-5250](#) Receive report on City Council, Commission, Board and Committee expenditures for September 2016.
- 8C.** [2016-5012](#) Approving an agreement with the Wallace Group (TWG), a CP&Y, Inc. company in the amount of \$50,220.00 for professional services associated with design, bidding and construction administration of the Pigeon Forge Drive and Lynn Cove Street Reconstruction Project and authorizing the City Manager to execute the agreement.
- 8D.** [2016-5218](#) Approving an agreement with Freese and Nichols, Inc. for long-term professional engineering consulting services associated with capital improvements and operational issues at the City's Wastewater Treatment Plant and authorizing the City Manager to execute the agreements.
- 8E.** [2016-5233](#) Authorizing the City Manager to execute a Wastewater Easement Agreement with 735 Henna, LLC, and the City of Pflugerville for a wastewater line associated with the Children's Lighthouse project located generally northwest of the intersection of Kelly Lane and Weiss Lane.
- 8F.** [2016-5234](#) Authorizing the City Manager to execute a Wastewater Easement Agreement with Frank Ismail and the City of Pflugerville for a wastewater line associated with the Children's Lighthouse project located generally northwest of the intersection of Kelly Lane and Weiss Lane.
- 8G.** [2016-5239](#) Authorizing the City Manager to execute a First Amendment to the Right of Way License Agreement between the City of Pflugerville and the Penley Park Homeowners Association (HOA) applicable to all City streets and public parkland within the subdivision.
- 8H.** [2016-5241](#) Authorizing the City Manager to execute a warranty deed, as an executory interest holder, accepting the conveyance of real property to the City of Pflugerville dedicated as public parkland legally described as

Lots 1 and 22, Block B, Penley Park Phase 3 Subdivision.

- 8I. [2016-5243](#) Authorizing the City Manager to Execute a Temporary Drainage Easement Agreement between Heritage Lakes Partners, LLC and the City of Pflugerville associated with the Heritage Lakes project located generally southwest of the intersection of Kelly Lane and Weiss Lane.
- 8J. [2016-5266](#) Approve the appointment of Ms. Amy Giannini as City Engineer.
- 8K. [2016-5267](#) Authorizing the City Manager to spend up to \$10,000 for City of Pflugerville promotional materials for use by the Hendrickson High School Hawk Band to promote the city during their trip to New York City to perform in the 2016 Macy's Day Parade.

Action on the Consent Agenda

9. Discuss and consider action

- 9A. [2016-5246](#) Discuss and consider action to award a construction contract for the Helios and Sun Light Near Way Project to Cash Construction Company, Inc., the lowest responsible bidder of six (6) bids received on September 15, 2016, in the amount of \$2,941,541.42 and authorizing the City Manager to execute same.
- 9B. [2016-5255](#) Discuss and consider action to authorize the City Manager to execute a Developer Participation Agreement between Continental Homes of Texas, L.P. and the City of Pflugerville for construction of parking infrastructure for the Wilbarger Park along Craters of the Moon Boulevard.
- 9C. [2016-5247](#) Discuss and consider action to approve the award of a construction contract for the Carmel Wastewater Interceptor Phase 1 project to Central Road & Utility, LTD, the lowest responsible bidder of ten (10) bids received on September 29, 2016, in the amount of \$2,208,375.50 and authorizing the City Manager to execute same.
- 9D. [2016-5244](#) Discuss and consider action regarding future agenda items.
- 9E. [2016-5256](#) 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 380 Economic Development Agreement with Terrabrook Falcon Pointe, LLC.
2.) Open Session Item: Discuss and consider action to approve a 380 Economic Development Agreement with Terrabrook Falcon Pointe, LLC.

10. Discuss only

10A. [2016-5226](#) 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.

10B. [2016-5251](#) 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.

11. 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 7, 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.