



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, February 14, 2017

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. Discuss and consider action**

- 3A. [2017-5541](#)** Discuss and consider action to approve the appointment of Ms. Jessica Robledo as Police Chief.

**4. Presentation**

- 4A. [2017-5575](#)** Mayor's presentation recognizing Ly'Quan Milligan, Hendrickson student athlete representing Pflugerville, Texas at the NoKaOi Football Showcase in Hawaii in July of 2017.

**5. Public Hearing**

- 5A. [ORD-0342](#)** Conduct the first public hearing on the annexation, for full purposes, five tracts of land totaling 170.63 acres, situated in the E. Kirkland Survey No. 7, Abstract No. 458, of the real property records of Travis County, Texas, and generally located along East Pflugerville Parkway, east of SH 130, and west of Weiss Lane, to be known as the Cactus Commercial South Annexation. (ANX1701-01)

**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. [2017-5558](#) Approval of the minutes of the January 24, 2017 Worksession and Regular Meeting.

### 8. Ordinance First Reading

- 8A. [ORD-0343](#) 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, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS (WEISS LANE) TO ESTABLISH PRIMA FACIE MAXIMUM SPEEDS FOR CONSTRUCTION OR MAINTENANCE WORK ZONES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$400.00; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

### 9. Ordinance Third Reading

- 9A. [ORD-0341](#) Approving an ordinance on third 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.

### 10. Resolutions

- 10A. [RES-0385](#) Approving a resolution with the caption reading: RESOLUTION BY THE CITY OF PFLUGERVILLE; AUTHORIZING PARTICIPATION IN A COALITION OF SIMILARLY SITUATED CITIES IN CONNECTION WITH THE STATEMENT OF INTENT TO CHANGE RATE CGS (City Gate Service) AND RATE PT (Pipeline Transportation) OF ATMOS PIPELINE-TEXAS FILED ON OR ABOUT JANUARY 6, 2017; AUTHORIZING PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; REQUIRING THE

REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

- 10B.** [RES-0386](#) Approving a resolution of the City Council of the City of Pflugerville, Texas authorizing a request for the voluntary expansion of the City's extraterritorial jurisdiction and the acceptance of non-annexation development agreement by and between the City of Pflugerville and RRE Austin Solar LLC, its successors and assigns, affecting real property in the City's existing and expanded extraterritorial jurisdiction.

## **11. Other Actions**

- 11A.** [2017-5561](#) Authorizing the City Manager to execute a Public Utility Easement Agreement to dedicate City property as a public utility and right of way easement for improvements associated with the Weiss Lane Roadway Project.
- 11B** [2017-5562](#) Authorizing the City Manager to execute a Public Utility Easement Agreement with Frank Caldwell, Ronald F. Beyer, Mike Marsh, Barry L. Clark and John S. Lloyd and the City of Pflugerville for a public utility easement associated with the Weiss Lane Transmission Main Phase 1B Project.
- 11C.** [2017-5563](#) Authorizing the City Manager to execute a Public Utility Easement Agreement with Sorento Holdings, LLC and the City of Pflugerville for a public utility easement associated with the Weiss Lane Transmission Main Phase 1B Project.

## **Action on the Consent Agenda**

### **12. Resolutions**

- 12A.** [RES-0389](#) Consider approving a resolution of the City of Pflugerville in support of a request for a 2017 Competitive 9% Housing Tax Credits with the Texas Department of Housing and Community Affairs for Pflugerville Meadows Apartments located at 201 Meadow Lane.
- 12B.** [RES-0390](#) Consider approving a resolution authorizing the Texas Housing Foundation to exercise its powers within the territorial boundaries of the City of Pflugerville, Texas; and authorizing a cooperation agreement for rehabilitation of the Pflugerville Meadows Apartments located at 201 Meadow Lane.
- 12C.** [RES-0388](#) Consider approving a resolution of the City of Pflugerville in support of a request for a 2017 Competitive 9% Housing Tax Credits with the Texas Department of Housing and Community Affairs for The Verde at Heritage Park project located at 701 FM 685.

- 12D. [RES-0387](#) Consider approving a resolution of the City of Pflugerville in support of a request for a 2017 Competitive 9% Housing Tax Credits with the Texas Department of Housing and Community Affairs for The Pointe at Mirror Lake located on the south side of Pflugerville Parkway immediately east of St. Paul's Episcopal Church.

**13. Discuss and consider action**

- 13A. [2017-5565](#) Discuss and consider action to authorize the City Manager to execute Change Order #1 in the amount of \$145,000.00 with Muniz Concrete & Contracting, Inc. for additional work associated with the Trail Gap Development Project.
- 13B. [2017-5514](#) Discuss and consider action to award a construction contract for the Weiss Lane Transmission Main Phase 1B project to Bruce Flanigan Construction, the lowest responsible bidder of sixteen (16) bids received on January 12, 2017, in the amount of \$1,930,930.20 and authorizing the City Manager to execute same.
- 13C. [2017-5576](#) Discuss and consider action regarding the Travis County Sheriff's stance regarding immigration enforcement and fiscal impacts to Pflugerville.
- 13D. [2016-5425](#) Discuss and consider action regarding scheduling and scope of City Council retreat worksessions for 2017.

**14. Discuss only**

- 14A. [2017-5554](#) Discuss and provide direction concerning the role of the Finance and Budget Committee in the review and adoption of the City's annual budget.
- 14B. [2017-5559](#) 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.
- 14C. [2017-5560](#) 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.

**15. 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.

**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 February 10, 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.