



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, February 28, 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. Presentation

- 3A. [2017-5617](#)** Presentation on the Teen Job Pfair being held at the Pflugerville Public Library.

4. Public Hearing

- 4A. [ORD-0342](#)** Conduct the second 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)

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. [2017-5597](#) Approval of the minutes of the February 14, 2017 Worksession and Regular Meeting.

7. Ordinance Second Reading

- 7A. [ORD-0343](#) Approving an ordinance on second 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.

8. Resolution

- 8A. [RES-0393](#) Approving a resolution and authorizing the City Manager to execute an interlocal agreement with the Region VIII Education Service Center to allow for City of Pflugerville membership in the The Interlocal Purchasing Systems (TIPS) purchasing cooperative.
- 8B. [RES-0394](#) Approval of 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.

9. Other Actions

- 9A. [2017-5574](#) Authorizing the City Manager to Execute a Water Pipeline Easement Agreement with the Baylor Scott & White Medical Centers- Capitol Area and the City of Pflugerville for a Water Pipeline Easement associated with the Pflugerville hospital project.
- 9B. [2017-5603](#) Authorizing the City Manager to execute Change Order #1 in the amount of \$94,916.50 with Central Road and Utility LTD for repairs to pavement for accessing the lift station associated with the Carmel Phase 1 Wastewater Interceptor project.
- 9C. [2017-5604](#) Authorizing the City Manager to execute a conditional purchase agreement, easement purchase agreement, and associated conveyance documents between Helen Noneman and the City of Pflugerville as necessary to acquire real property interests for the Weiss Lane Roadway Project.

- 9D. [2017-5605](#) Authorizing the City Manager to execute a Public Access Easement Agreement to dedicate City property at Lake Pflugerville located at 4600 East Pflugerville Parkway as a public access easement for improvements associated with the Weiss Lane Roadway Project.
- 9E. [2017-5606](#) Authorizing the City Manager to execute a Public Access Easement Agreement to dedicate a public access easement on City parkland located at 18601 Weiss Lane for improvements associated with the Weiss Lane Roadway Project.
- 9F. [2017-5607](#) Authorizing the City Manager to execute a Public Utility Easement Agreement and a Public Access Easement Agreement to dedicate City property at the Water Treatment Plant located at 16805 Weiss Lane as public utility and public access easements for improvements associated with the Weiss Lane Roadway Project.
- 9G. [2017-5612](#) Authorizing the City Manager to execute a Public Access Easement between Heatherwilde Homeowners' Association and the City of Pflugerville for the Gilleland Creek Trail Project.
- 9H. [2017-5428](#) Submission of the Revised 2014 Racial Profiling Data Report to the City Council as required by Texas Statute Code of Criminal Procedure, Chapter 2 General Duties of Officers, Art. 2.132 Law Enforcement on Racial Profiling.
- 9I. [2017-5595](#) Submission of the 2016 Racial Profiling Data Report to the City Council as required by Texas Statute Code of Criminal Procedure, Chapter 2 General Duties of Officers, Art. 2.132 Law Enforcement on Racial Profiling.
- 9J. [2017-5615](#) Approving a reimbursement request in the amount of \$691.67 for Mayor Victor Gonzales for business meeting mileage and expenses.

Action on the Consent Agenda

10. Resolutions

- 10A. [RES-0389](#) Consider approving a resolution of the City of Pflugerville in support of a request for 2017 Competitive 9% Housing Tax Credits with the Texas Department of Housing and Community Affairs for Pflugerville Meadows Apartments located at 201 Meadow Lane.
- 10B. [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.

11. Discuss and consider action

- 11A.** [2017-5601](#) Discuss and consider action to approve supplemental agreement #5 with LJA Engineering, Inc. in the amount of \$449,069 for professional services associated with material testing and bridge inspection for the Weiss Lane Roadway Project and authorizing the City Manager to execute the agreement.
- 11B.** [2017-5596](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding the proposed Sixth Amendment to the Development Agreement Regarding Bohls North and PCDC Tracts (also known as Sorento). 2.) Open Session Item: Discuss and consider action to approve the Sixth Amendment to the Development Agreement Regarding Bohls North and PCDC Tracts (also known as Sorento) and authorizing the City Manager to execute the amendment.

12. Discuss only

- 12A.** [2017-5598](#) 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.
- 12B.** [2017-5599](#) 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.
- 12C.** [2017-5613](#) 1.) Executive Session: The City Council shall meet in executive session pursuant to Section 551.074 of the Texas Government Code to deliberate the evaluation and duties of the City Manager regarding personnel matters. 2.) Open Session Item: Discussion regarding the evaluation and duties of the City Manager regarding personnel matters. (Requested by: Mayor Victor Gonzales and Councilmember Omar Peña)

13. 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 24, 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.