



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, August 8, 2023

7:00 PM

1611 Pfennig Lane

Regular Meeting

1. Call to Order

2. Opening

A. Pledge of Allegiance to the Flag of the United States of America

B. Pledge of Allegiance to the Texas State Flag

C. Moment of Silence

3. Items of Community Interest

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 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.

5. Presentations

- 5A. [2023-0690](#) Mayor's proclamation declaring August 8, 2023 as Hendrickson High School Debate Team Day in the City of Pflugerville.

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. Other Actions

- 6A. [ORD-0734](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville, Texas Code of Ordinance Title VII Traffic Code, Chapter 71 Parking Regulations, Section 71.05 Parking prohibited in certain designated areas by adding No Parking Temporary Construction Zones; providing for a penalty for a violation of Chapter 71 as a Class C misdemeanor and a fine in an amount not to exceed \$500; providing that this ordinance shall be cumulative; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.
- 6B. [2023-0694](#) Approving the minutes of the July 25, 2023 Worksession, and July 25, 2023 Regular Meeting.
- 6C. [2023-0695](#) Approving a memorandum of understanding between the National Insurance Crime Bureau (NICB) and the City of Pflugerville for the right to access and use the ISO ClaimSearch and authorizing the Chief of Police to execute same.
- 6D. [2023-0700](#) Approving a conditional purchase agreement and associated conveyance documents between Norman and Virginia R. Weiss (Parcel No. 19) and the City of Pflugerville as necessary to acquire real property interests for the 794' Pressure Zone Weiss Lane Kelly Lane Water Line Project and authorizing the City Manager to execute the same.
- 6E. [2023-0701](#) Approving a conditional purchase agreement and associated conveyance documents between SREIT Park Place Loyola, L.P., (Parcel No. 13) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project and authorizing the City Manager to execute the same.
- 6F. [2023-0702](#) Approving a conditional purchase agreement and associated conveyance documents between Buffalo Bills Farms, LLC (Parcel No. 29 & 30) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project and authorizing the City Manager to execute the same.

- 6G.** [2023-0705](#) Approving a conditional purchase agreement and associated conveyance documents between Sarvi, LLC., (Parcel No. 10) and the City of Pflugerville as necessary to acquire real property interests for the Wilbarger Creek Wastewater Interceptor Project and authorizing the City Manager to execute the same.
- 6H.** [2023-0713](#) Approving the purchase of shade structures at Black Locust and Pflugerville Heights Parks and playground equipment for Royal Pointe Park from The PlayWell Group, Inc. in the amount of \$154,536.67 and authorizing the City Manager to execute the same.
- 6I.** [2023-0714](#) Approving the purchase of shade installation services at Black Locust and Pflugerville Heights Parks and playground equipment installation services at Royal Pointe Park from The PlayWorks, Inc. in the amount of \$93,068.27 and authorizing the City Manager to execute the same.
- 6J.** [RES-1125](#) Approving a resolution regarding submittal of approved Texas Municipal League resolutions.

Action on the Consent Agenda

Items pulled from the consent agenda will be addressed under Item 11.

7. Public Hearings and Ordinances

- 7A.** [ORD-0731](#) Conduct a public hearing and consider action to approve an Ordinance on first reading with a caption reading: An Ordinance amending the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 153, Planning, by repealing and replacing the 2015 Reclaimed Water Master Plan adopted by Ordinance 1198-15-01-27 and as referenced in the adoption of the Aspire Pflugerville 2040 Comprehensive Plan by Ordinance No. 1545-22-04-26; providing for severability; and providing an effective date.

8. Budget and Finance

- 8A.** [2023-0688](#) Discuss and consider action to approve the appointment of Tracy Waldron as Finance Director.
- 8B.** [2023-0728](#) Conduct a presentation on the FY24 Utility Cost of Service Study and Rate Recommendation.
- 8C.** [2023-0729](#) Conduct a presentation on the FY24 Proposed Budget.
- 8D.** [RES-1124](#) Discuss and consider action to approve a resolution to set a proposed maximum 2023 property tax rate supporting the Fiscal Year 2024 (FY24) budget and schedule the date for the public hearing.

9. First Supplemental Agenda**10. Regular Agenda**

- 10A.** [2023-0658](#) Discuss and consider action to approve a resolution regarding a TIRZ reimbursement request for the public infrastructure associated with the NorthPointe East Development.
- 10B.** [2023-0712](#) Discussion and presentation regarding the Pflugerville Community Development (PCDC) Quarter 3 Financial Report.
- 10C.** [2023-0707](#) Discuss and consider action to approve a change order to the construction contract with PLW Waterworks, LLC., in the amount of \$15,793,187 associated with the Water Treatment Plant Expansion Project and authorize the City Manager to execute the same.
- 10D.** [2023-0703](#) Discuss and consider action to approve a Professional Services Supplemental Agreement with Ardurra Group, Inc. in the amount of \$775,252.00 for professional engineering services associated with the Water Treatment Plant Facility Expansion Project construction phase services, and authorizing the City Manager to execute the same.
- 10E.** [2023-0757](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding litigation: Austin Materials, LLC vs. The City of Pflugerville, et. al. 2.) Open Session Item: Discuss and consider action regarding litigation Austin Materials, LLC vs. The City of Pflugerville, et. al.
- 10F.** [2023-0685](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding the Texas Open Meetings Act. 2.) Open Session Item: Discuss and consider action regarding the Texas Open Meetings Act.
- 10G.** [2023-0749](#) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding evaluation of the City Manager's management of the Planning and Development Services Department.
- 10H.** [2023-0551](#) Discuss and consider action regarding regulation of short term rentals in the City of Pflugerville.
- 10I.** [2023-0677](#) Discuss and consider action on tools and potential policies and procedures related to city growth and incorporation of territory within the City's extraterritorial jurisdiction (ETJ).
- 10J.** [RES-1127](#) Discuss and consider action to approve a resolution of the City of Pflugerville, Texas appointing a City Council City Hall Vision and Programming Subcommittee.
- 10K.** [2023-0748](#) Discuss and consider action regarding amending the Lease Agreement with D.J.R. Investments, Wordyisms, to allow food truck vendors in the

parking lot, and authorizing the City Manager to negotiate and execute the same.

- 10L. [2023-0585](#) Discussion regarding a legislative update and Texas Municipal League legislative priorities from Focused Advocacy.
- 10M. [2023-0619](#) Discussion regarding the proposed Reclaimed Water Master Plan.
- .
- 10N. [2023-0559](#) Discussion regarding consolidation of right of way acquisitions at a project level.

11. Discuss and Consider Items Pulled from Consent Agenda

12. Adjourn

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.

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 August 4, 2023 at 5:00 PM pursuant to Section 551.041, Government Code.

Trista Evans, 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 contact Breanna Higgins at breannah@pflugervilletx.gov or 512-990-6129 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.