



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, February 26, 2019

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 5:00 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

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. **Presentation**

- 4A. [2019-7386](#) Proclamation recognizing contributions of Mr. Ben Boyd Jr. as Councilmember, Mayor Pro Tem and Mayor of the City of Pflugerville.

5. Public Hearings

Each person providing public comment at a public hearing will be limited to 3 minutes.

- 5A. [ORD-0453](#) Conduct the first public hearing for an annexation ordinance with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a 149.96 acre tract of land, out of the Joseph Wehl Survey No. 8, Abstract No. 802, in Travis County, Texas of the Real Property Records of Travis County, and a tract of land encompassing Weiss Lane right-of-way generally located between East Pecan Street and Kelly Lane; extending the boundaries of the City to include the land; and to be zoned Agriculture/ Development Reserve (A); to be known as the Weiss High School 2019 Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; and providing an effective date. (ANX1901-01)

6. Public Hearing and Ordinance First Readings

Each person providing public comment at a public hearing will be limited to 3 minutes.

- 6A. [ORD-0448](#) Conduct a public hearing and consider approving an ordinance on first 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 an approximate 192.755-acre unplatted tract in the Alexander Walters Survey, Abstract No. 67 of the real property records of Travis County, from Agriculture/Development Reserve (A) to Single Family Mixed Use (SF-MU) District for approximately 19 acres, from Agriculture/Development Reserve (A) to Single Family Residential (SF-R) District for approximately 151.4 acres, and from Agriculture/Development Reserve (A) to General Business 1 (GB1) District for approximately 21.3 acres; to be known as the Lisso Tract Rezoning (REZ1812-02); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- 6B. [ORD-0449](#) Conduct a public hearing and consider approving an ordinance on first reading with the 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 approving a specific use permit for a body art studio on Lot 2, Settlers Ridge commercial Subdivision, Locally addressed as 1101 W. Pecan St. to be known as the Forged in Inc Tattoo Specific Use Permit (SUP1812-01); providing a cumulative and repealer clause; providing for a severability clause; and providing and effective date.
- 6C. [ORD-0451](#) Conduct a public hearing and consider approving an ordinance on first 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 Lot 2A, Windermere Centre II from Agriculture/Development Reserve (A) to General Business 1 (GB1) District; to be known as 15913 Windermere Dr Rezoning (REZ1812-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

7. 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.

8. Approval of Minutes

- 8A. [2019-7401](#) Approval of the minutes of the February 12, 2019 Worksession and Regular Meeting.

9. Ordinances Second Reading

- 9A. [ORD-0452](#) 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, by amending Title VII (Titled Traffic Code), Chapter 71 (Titled Parking Regulations), Section 71.05 (Titled Parking Prohibited in Certain Designated Areas) by establishing additional no parking zones on Calply Drive; providing a violation of Section 71.05 is a Class C misdemeanor punishable by a fine in an amount not to exceed \$200.00; 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.
- 9B. [ORD-0442](#) Approving an ordinance on second reading with the 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 Lots 1 and 2, Pflugerville East Business Park from Agriculture/Development Reserve (A) to General Business 1 (GB1) District; to be known as 508 Old Austin Hutto Road Rezoning (REZ1811-02); Providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- 9C. [ORD-0441](#) Approving an ordinance on second reading with the 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 Travis Central Appraisal District Parcel Id 281471, an unplatted tract bisected by W. Pflugerville Pkwy from Agriculture/Development Reserve (A) to Single Family Mixed Use (SF-MU) District for approximately 28.316 acres along the north side of W. Pflugerville Pkwy(Tract 1), and from Agriculture/Development Reserve (A) to Multi-family 20 (MF-20) District for approximately 21.455 acres along the south side of W. Pflugerville Pkwy (Tract 2); to be known as the Cielo Rezoning (REZ1811-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

- 9D.** [ORD-0443](#) Approving an ordinance on second reading with the 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 approximately 5.84 acres of an unplatted tract located at the south terminus of Willow Street from Retail (R) and General Business 1 (GB1) districts to Single Family Mixed Use (SF-MU) District; to be known as The Townhomes of Old Town East Rezoning (REZ1805-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

10. Resolutions

- 10A.** [RES-0602](#) Approving a resolution authorizing an Interlocal Agreement with Bastrop County, Texas for the purpose developing a basin-wide flood protection study for Wilbarger Creek.
- 10B.** [RES-0603](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a Justice Assistance - Byrne Grant Program award in the amount of \$100,157.44 from the Office of the Governor for the purchase of equipment and training.
- 10C.** [RES-0604](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a Homeland Security Grant Program (HSGP) award in the amount of \$28,062.00 from the Office of the Governor for the purchase of one law enforcement Small Unmanned Aerial Vehicle (drone), training and licensing.
- 10D.** [RES-0605](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a BG- Rifle-Resistant Body Armor Grant Program (BAGP) award for \$35,736.00 from the Office of the Governor for the purchase of 24 grant-compliant vests.
- 10E.** [RES-0607](#) Approving a resolution authorizing collection fee in the amount of 30% of debts and accounts receivable such as unpaid fines, fees, court costs, forfeited bonds and restitution ordered paid by a municipal court serving the city and amounts in cases in which the accused has failed to appear.

11. Other Actions

- 11A.** [2019-7385](#) Approving a contract for municipal court fines and fees collection services with Linebarger Goggan Blair & Sampson, LLP and authorizing the city manager to execute same.
- 11B.** [2019-7422](#) Approving a professional services agreement with the firm of Beatty Bangle and Strama.
- 11C.** [2019-7389](#) Approving a Developer Participation Contract for the Sorento development, located northeast of the intersection of Weiss Lane and Jesse Bohls Road, and authorizing the City Manager to execute the agreement.
- 11D.** [2019-7412](#) Approving a supplemental agreement with Freese and Nichols, Inc. in the amount of \$108,407.00 for professional engineering services associated with the Old Austin-Hutto Road Project.
- 11E.** [2019-7413](#) Approving a professional services agreement with Pacheco Koch Consulting Engineers, Inc. in the amount of \$213,650.00 for professional engineering services associated with the Pecan Street Intersection Improvements Projects.
- 11F.** [2019-7414](#) Approving a professional services agreement with DCS Engineering, LLC in the amount of \$107,770.00 for professional engineering services associated with the Weiss Lane Lift Station and Force Main Analysis and System Upgrades Project.
- 11G.** [2019-7410](#) Authorizing the City Manager to approve Use and Dissemination Agreements between the Pflugerville Police Department and other law enforcement entities, allowing Spillman data sharing between agencies at no cost to the City of Pflugerville.
- 11H.** [2019-7387](#) Submission of the 2018 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.

Action on the Consent Agenda**12. Discuss and consider action**

- 12A.** [RES-0606](#) Discuss and consider action to approve a resolution in opposition to a revenue cap and legislative interference with local service, and authorizing city staff to share messaging about Senate Bill 2 publicly and authorizing communications to be sent to State elected officials, and delegating Mayor Gonzales and Mayor Pro Tem Pena as the points of contact for the City of Pflugerville for legislative efforts in opposition to Senate Bill 2.
- 12B.** [2019-7416](#) Discuss and consider action to authorize an Economic Development

Performance Agreement between Project Acquire, a manufacturing company, and Pflugerville Community Development Corporation (PCDC), not to exceed \$105,000, for primary jobs for a term of five years from date of execution.

- 12C.** [2019-7402](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding contractual issues relating to the Weiss Lane Roadway Project. 2.) Open Session Item: Discuss and consider action regarding the Weiss Lane Roadway Project.

13. Discuss only

- 13A.** [2019-7403](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code regarding the municipal court proceedings known as In re Undisclosed Amount of U.S. Currency.

14. 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.

Sereniah Breland, 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 22, 2019 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 contact Chad Wood, Americans with Disabilities Act (ADA) Coordinator, at chadw@pflugervilletx.gov or 512-990-6400 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.

