



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, May 25, 2021

7:00 PM

100 East Main Street, Suite 500

Regular Meeting (Telephone/Video Conference)

NOTICE IS HEREBY GIVEN in accordance with order of the Office of the Governor issued March 16, 2020, the City Council will conduct this Regular Meeting by telephone/video conference in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the COVID-19. There will be no public access to the location described above.

This Regular Meeting Agenda, and the Agenda Packet, are posted online at <https://pflugerville.legistar.com>

This telephonic/video meeting will be hosted through WebEx.

Meeting Link: <https://pflugervilletx.webex.com/pflugervilletx/onstage/g.php?>

MTID=e9c5140e23073e1a0c205b4dd903f71bb

Meeting Code/Number: 187 259 0840

Dial-in number: (US toll): = 1-408-418-9388

Public comment will be allowed via telephone/video conference at the Regular Meeting scheduled to begin at 7:00 p.m. All speakers must register to speak at least 2 hours in advance of the Regular Meeting. Speakers must call in at least 15 minutes prior to the start of the Regular Meeting in order to speak. Written comments may also be submitted 2 hours in advance of the meeting.

To register to speak or to submit written comments, please email citysecretary@pflugervilletx.gov at least 2 hours in advance of the Regular Meeting. Name and address must be included. Written comments are limited to 250 words.

A recording of the telephone/video meeting will be made, and will be available to the public upon written request.

The meeting will be available live for viewing on PFTV on the City website: <https://www.pflugervilletx.gov/city-government/communications/pftv>

1. Call to order
2. 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 salutory 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 salutory 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.

3. Presentations

- 3A. [2021-0476](#) Youth Advisory Council end of program year presentation.
- 3B. [2021-0361](#) Presentation of Charter Review Commission report of findings and recommendations.
- 3C. [2021-0362](#) Appreciation presentation to the members of the Charter Review Commission.

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. Public Hearing and Ordinance First Readings

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

- 5A. [ORD-0585](#) 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 changing the zoning designation of approximately 4.724 acres, of unplatted land situated in the Joseph Wiehl Survey, Abstract No. 802, in Travis County, Texas, from Agriculture/Development Reserve (A) district to Retail (R) district; to be known as the Weiss Lane Commercial Rezoning (REZ2104-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

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 will be heard under the public comment item. Each person providing public comment will be limited to 3 minutes.

6. Ordinances First Reading

- 6A. [ORD-0588](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending the City's Code of Ordinances, Chapter 33 Finance and Taxation by adding a new Section 32.23, Telecommunication Services Tax relating to taxation of Telecommunications Services; repealing the application of the exemption provided for in Section 321.210 of the Texas Tax Code; providing for notification to the Comptroller of the State of Texas; providing that no such tax provided for hereunder shall serve as an offset to or to reduce any amount payable by any provider of Telecommunications Services pursuant to any franchise, street use ordinance, statute or any other imposition of the City of Pflugerville; providing for incorporation of premises; providing for findings; providing a cumulative repealer clause; providing for savings, providing for severability; providing for engrossment and enrollment; and providing an effective date.
- 6B. [ORD-0584](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, approving athletic field lighting per Subchapter 13.9 of the Unified Development Code to be installed at Park Crest Middle School located at 1500 N. Railroad Ave.; Approving variations from Subchapter 13.9 of the Unified Development Code in that the athletic field lighting is proposed to exceed the maximum light fixture height and maximum foot candle allowances in order to meet the University Interscholastic League (UIL) standards for a football field; providing for repeal of conflicting Ordinances; providing for severability; and providing and effective date.

7. Ordinances Second Reading

- 7A. [ORD-0565](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville Readopting Code of Ordinances Title IX General Regulations, Chapter 95 Parks and Recreation Subchapter 95.50 Youth Programs Standards of Care; Replacing all ordinances in conflict; containing a savings clause and declaring an effective date.

8. Ordinances Third Reading

- 8A. [ORD-0549](#) Approving an ordinance on third reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting to One Gas, Inc., acting

by and through its Texas Gas Service Company Division, and its successors and assigns, for a period of fifteen (15) years from approval and acceptance of this ordinance, a non-exclusive franchise and right to enter the public ways to install, operate and maintain a distribution system within, along, across, over and under the public ways of the City of Pflugerville, Travis County, Texas for the transportation, distribution and/or sale of gas to customers and the public generally in the city; defining the words and phrases therein; providing for assignment, sale or lease of the franchise; providing that the city may enact an ordinance charging persons transporting gas through grantee's distribution system a fee on the calculated value of such transported gas; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; establishing rights and duties in the movement and alteration of pipelines; providing for indemnification of the City of Pflugerville; providing for grantee's rules and regulations; providing for inspection of grantee's records; requiring grantee to pay a franchise fee; providing for conditions of the franchise; providing for construction of this ordinance upon the invalidity of any part thereof; providing for acceptance of this franchise by grantee and both an effective and an operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; and publication.

9. Approval of Minutes

- 9A. [2021-0499](#) Approval of the minutes of the May 11, 2021 Worksession and Regular Meeting.

10. Resolutions

- 10A. [RES-0801](#) Approving a resolution establishing a City of Pflugerville Securities Compliance Law and Disclosure Policy.
- 10B. [RES-0802](#) Approving a resolution adopting a City of Pflugerville Debt Management Policy.
- 10C. [RES-0875](#) Approving a resolution adopting the receipt of electronic bids and proposals in accordance with the Texas Local Government Code.
- 10D. [RES-0848](#) Approving a resolution amending the policy and procedures for acquisition of real property or property rights.

11. Other Actions

- 11A. [2021-0467](#) Approving action to authorize the City Manager to execute a Deductive Change Order in an amount no less than \$187,315.67 or greater than \$271,869.92 and deduct 10 days for the FM 1825 (Pecan Street) and FM 685 (Dessau Road) Displaced Left Turn Intersection Project, to Capital Excavation.

- 11B. [2021-0470](#) Authorizing the City Manager to approve the purchase of nine (9) Ford Police Interceptor Utility patrol vehicles from Silsbee Ford in the amount of \$324,167.25 and vehicle equipment in the amount of \$123,418.51 using budgeted fiscal year 2021 funds and utilizing Goodbuy and Buyboard purchasing cooperative contracts.
- 11C. [2021-0507](#) Appointing Ashley Wilson to the Deutschen Pfest Committee with a term ending December 31, 2022.
- 11D. [2021-0526](#) Approving a Memorandum of Understanding and License Plate Reader (LPR) User Agreement between The Texas Department of Public Safety ("TX DPS") and the City of Pflugerville for access to the Texas Automated License Plate Reader (TX LPR) Database and Texas Crime Information Center (TCIC) Stolen License Plate and Stolen Vehicle Information administered by the TX DPS for investigative purposes and authorizing the Chief of Police to execute same.
- 11E. [2021-0529](#) Authorizing the City Manager to award a construction contract for the decommissioning of the Historic Water Tank site through Basic IDIQ utilizing their TIPS contract in the amount of \$110,691.53.
- 11F. [2021-0544](#) Approving a Water Tower License Agreement between the City of Pflugerville and New Cingular Wireless PCS, LLC and authorizing the City Manager to execute said agreement.

Action on the Consent Agenda

12. Ordinances First Reading

- 12A. [ORD-0587](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the first amendment to the FY21 Budget for the City of Pflugerville; and providing an effective date.

13. Discuss and consider action

- 13A. [2021-0502](#) Discuss and consider action to authorize the City Manager to approve the procurement of construction services for the Automated Meter Infrastructure (AMI) project to Core and Main using their HGACBuy contract in the amount of \$2,664,127.05.
- 13B. [RES-0878](#) Discuss and consider action to approve a resolution amending rules of order and procedure for City Council meetings to allow for invocation at regular City Council meetings.
- 13C. [RES-0858](#) Discuss and consider action to approve a resolution supporting the dignity and respect of all people.

14. Discuss only

- 14A. [2021-0546](#) Discussion regarding Texas Municipal Code Sec. 252.0215, Competitive Bidding In Relation To Historically Underutilized Business (HUB).
- 14B. [2021-0555](#) Discussion regarding the status of the Request for Proposal (RFP) for Delinquent Municipal Court Case Collection Services.
- 14C. [2021-0528](#) Discussion regarding meeting spaces, timing and plans to resume in-person City Council, board, commission and committee meetings.
- 14D. [2021-0500](#) Request to place item on future agenda.

15. Adjourn

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 May 21, 2021 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 Ali Abdelfattah, Americans with Disabilities Act (ADA) Coordinator, at alia@pflugervilletx.gov or 512-990-6300 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.