



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, April 14, 2020

7:00 PM

100 East Main Street, Suite 500

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#### 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 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 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=e04125d0c79814843654f4a4a79376e56>

Meeting Code/Number: 961 666 277  
Dial-in number: (US toll): +1-408-418-9388

Public comment will only be allowed via telephone/video conference. All speakers must register to speak at least 2 hours in advance of the meeting. All public comment will occur at the beginning of the meeting under the public comment item. Speakers must call in at least 15 minutes prior to the meeting start 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](mailto:citysecretary@pflugervilletx.gov) at least 2 hours in advance of the meeting.

A recording of the telephone/video meeting will be made, and will be available to the public in accordance with the Open Meetings Act 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. 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 will be heard under the Public Comment item. Each person providing public comment will be limited to 3 minutes.

### 4. Ordinances Second Reading

- 4A. [ORD-0513](#) Approving an ordinance on second reading with the caption reading: Amending Chapter 153 of the Code of Ordinances for the City of Pflugerville, Texas, by amending the fourth policy chapter of the 2030 Comprehensive Plan to include the Water Master Plan dated February 2020 and Updated Wastewater Master Plan dated February 2020; providing for severability; and providing an effective date.
- 4B. [ORD-0516](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, finding that the provision of a solid waste collection and recycling is not a public utility; amending an exclusive franchise agreement for the collection, hauling, recycling and disposal of municipal solid waste and recyclable materials; amending certain terms and conditions of the franchise grant; extending the term of the franchise; and providing an effective date.

- 4C. [ORD-0517](#) Approving an ordinance on second reading with the caption reading: An ordinance approving amended Impact Fees and amending Chapter 152, Implementation of Impact Fee, of the Code of Ordinances for the City of Pflugerville, Texas, to update the impact fees pursuant to Texas Local Government Code Chapter 395, Subchapter C; and providing an effective date.

## 5. Approval of Minutes

- 5A. [2020-8332](#) Approval of the minutes of the March 10, 2020 Worksession and Regular Meeting, March 13, 2020 Emergency Meeting and April 2, 2020 Special Meeting.

## 6. Resolutions

- 6A. [RES-0714](#) Approving a resolution with a caption reading: A resolution of the City of Pflugerville, Texas, authorizing the vacation, abandonment and release of an existing public utility easement originally granted to the City in a document volume 86 page 143 as recorded in the real property records of Travis County, Texas on May 9, 1986.

- 6B. [RES-0711](#) Approve a resolution with the caption reading: Resolution by the City of Pflugerville, Texas, ("City") responding to the application of Atmos Energy Corporation - MidTex Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Atmos Texas Municipalities;" determining that the meeting at which the resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date.

- 6C. [RES-0712](#) Approving a resolution accepting the fiscal year 2019 audit.

## 7. Other Actions

- 7A. [2020-8325](#) Review of the Quarterly Investment Report for the quarter ending December 31, 2019.
- 7B. [2020-8314](#) Authorizing the City Manager to approve the purchase of playground equipment for the Wilbarger Creek Park project from The Playwell Group, Inc. in the amount of \$130,142.89 utilizing the Texas Association of School Boards (TASB) cooperative purchasing contract (BuyBoard).
- 7C. [2020-8267](#) Approving a professional services supplemental agreement with DKS Associates, in the amount of \$129,880.00 for professional engineering services associated with the Kelly Lane Major Investment Study (MIS) Phase 4 and authorizing the City Manager to execute same.

- 7D. [2020-8310](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Cardinal Crossing Phase 3 Condo development located generally in between Black Locust and Pflugerville Parkway at 601 East Pflugerville Parkway and authorizing the City Manager to execute the agreement.
- 7E. [2020-8311](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Rowe East Condo development located northeast of the intersection of Rowe Lane and Rowe Loop and authorizing the City Manager to execute the agreement.
- 7F. [2020-8312](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Rowe West Condo development located northwest of the intersection of Rowe Lane and Rowe Loop and authorizing the City Manager to execute the agreement.
- 7G. [2020-8330](#) Approving a Professional Services Agreement with CP&Y, Inc. in the amount of \$621,849.01 for professional engineering services associated with the Melber Lane Roadway project
- 7H. [2020-8331](#) Approving the selection of Tetra Tech, Inc. for professional services associated with the preparation of a Risk and Resilience Plan and authorizing the City Manager to execute a professional services agreement with Tetra Tech in the amount of \$153,153.00.
- 7I. [2020-8334](#) Approving a professional services supplemental agreement with Dannenbaum Engineering Company - Austin, LLC in the amount of \$75,100.00 for professional engineering services associated with the design, bidding and construction administration for the Community Development Block Grant (CDBG) 2019 Pavement Rehabilitation Program Project and authorizing the City Manager to execute the agreement.
- 7J. [2020-8342](#) Authorizing the City Manager to approve the purchase of replacement filter media cloth equipment for the Central Wastewater Treatment Plant from Aqua-Aerobic Systems, Inc. in the amount of \$61,052.40.
- 7K. [2020-8354](#) Approve the award of a bid to Swift Corporation for the replacement of a fence surrounding the Scott Mentzer Pool in the amount of \$67,750.00 and authorize the City Manager to execute a standard governmental contract and purchasing rider for same.
- 7L. [2020-8339](#) Approving the Mayor's appointment of Mark Lee to the Personnel Appeal Board for a term ending December 31, 2022.
- 7M. [2020-7855](#) Awarding a construction contract for the 2019 Community Development Block Grant (CDBG) Pavement Rehabilitation Project on El Malino and Bellemeade to M.A. Smith Contracting Company, Inc., the lowest responsible bidder of four (4) bids received on February 27, 2020, in the amount of \$406,969.80 and authorizing the City Manager to execute same.

- 7N. [2020-8362](#) Approving the appointment of Cody Collins as IT Director.

### Action on the Consent Agenda

**8. Discuss and consider action**

- 8A. [2020-8326](#) Discuss and consider action to approve the selection of Freese and Nichols for professional services associated with the preparation of a Comprehensive Plan and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.

**9. Discuss only**

- 9A. [2020-8363](#) Discussion regarding establishing requirement that landlords must provide notice of proposed eviction prior to notice to vacate as result of the COVID-19 pandemic.
- 9B. [2020-8364](#) Discussion regarding placing a temporary moratorium on construction activities in the City of Pflugerville due to the COVID-19 pandemic.

**10. Discuss and consider action**

- 10A. [2020-8323](#) 1.) Executive Session Item: Pursuant to Chapter 551.072 of the Texas Government Code, deliberations regarding the purchase, exchange, lease, transfer and/or sale of real property related to the SH 45 Water and Wastewater Line Extension project. 2.) Open Session Item: Discuss and consider action regarding the purchase, exchange, lease, transfer and/or sale of real property related to the SH 45 Water and Wastewater Line Extension project.

**11. 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 April 10, 2020 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 Aileen Dryden, Americans with Disabilities Act (ADA) Coordinator, at [aileend@pflugervilletx.gov](mailto:aileend@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.