



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, November 24, 2020

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting (Telephone/Video Conference)

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 and how to connect to the Worksession telephone/video conference meeting.

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=e9c03a19c55af71c96ae69de858524366>

Meeting Code/Number: 146 346 6674

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

Public comment under Public Hearing items will be allowed via telephone/video conference at the Regular Meeting scheduled to begin at 7:00 p.m. All speakers under Public Hearing items 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.

Public comment on all items other than Public Hearing items 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. Public comment on all items other than Public Hearing items will occur under the Public Comment item. 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](mailto: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. [2020-8826](#) Update on the COVID-19 pandemic.
- 3B. [2020-8812](#) Pflugerville Public Library annual department presentation.

4. **Public Hearing and Resolution**

- 4A. [RES-0773](#) Conduct a second public hearing and consider approval of a resolution regarding the Community Development Block Grant (CDBG) Amended Annual Action Plan for Program Year 2020.

5. **Public Hearing and Ordinance First Reading**

- 5A. [ORD-0556](#) Conduct a public hearing and consider approving an annexation ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, tracts of land totaling approximately

156.952 acres of land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, in Travis County, Texas, of the Real Property Records of Travis County, generally located south of E. Pecan Street and west of SH 130; extending the boundaries of the City to include the land; and to be zoned Agriculture / Development Reserve (A); to be known as the Hagn Timmerman & RNDC 2020 Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; providing for severability; and providing an effective date. (ANX2011-01)

## 6. 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.

## 7. Ordinances First Reading

- 7A. [ORD-0555](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville amending Title XIII General Offenses, Chapter 130 Offenses Against City Regulations, Section 130.13 Repair of Defective Sidewalks; providing for a Penalty as a Class C Misdemeanor and a fine in an amount in accordance with Code of Ordinances, Section 10.99 General Penalty, in an amount not to exceed \$500.00; 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.
- 7B. [ORD-0559](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the fifth and final amendment to the FY20 Budget for the City of Pflugerville; and providing an effective date.

## 8. Ordinances Second Reading

- 8A. [ORD-0548](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville amending Title IX, Chapter 90 Animals by repealing and replacing said chapter; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a

penalty for a violation of Chapter 90, as a Class C misdemeanor and a fine in an amount not to exceed \$500.00; and declaring an effective date.

**8B.** [ORD-0552](#) 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 Title VII Traffic Code, Chapter 71 Parking Regulations, Section 71.05 parking prohibited in certain designated areas by adding additional temporary no parking zones required by construction; providing for a penalty for a violation of Chapter 71 as a Class C Misdemeanor and a fine in an amount not to exceed \$500.00; 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

**8C.** [ORD-0550](#) Approving an ordinance on second reading with the caption reading: An ordinance granting to Atmos Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Pflugerville, Travis County, Texas for the transportation, delivery, sale, and distribution of gas in, out of, and through said city for all purposes; providing for the payment of a fee or charge for the use of the public rights-of-ways; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; and repealing all previous gas franchise ordinances.

**8D.** [ORD-0551](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, Adopting the cities roadway impact fees; Amending the City's Code of Ordinances Chapter 152 Impact Fees to include Roadway Impact Fees per service unit; Establishing procedures for the assessment, collection, computation, expenditure, refund and general administration of Roadway Impact Fees; Providing for the establishment of accounts for Roadway Impact Fees; Replacing all ordinances in conflict; Containing severability and repealer clauses; and providing for an effective date.

## **9. Approval of Minutes**

**9A.** [2020-8803](#) Approval of the minutes of the November 10, 2020 Worksession and Regular Meeting.

## **10. Resolutions**

**10A.** [RES-0783](#) Approving a resolution appointing City of Pflugerville representatives to the Technical Advisory Committee of the Capital Area Metropolitan Planning Organization Transportation Policy Board.

**10B.** [RES-0784](#) Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas, Authorizing Creation of An Employee Benefits Trust;

Designating All Members of the City Council to be Trustees of Said Trust; And Authorizing the Trust to Purchase Various Forms of Insurance for the Benefit of City Officers, Employees, Qualified Retirees, and their Dependents.

- 10C. [RES-0788](#) Approving a resolution with the caption reading: Resolution of the City of Pflugerville, Texas, electing to become eligible to participate in tax abatement under Texas Tax Code, Chapter 312 and adopting Tax Abatement Guidelines.
- 10D. [RES-0790](#) Approving a resolution creating the City of Pflugerville Deutschen Pfest Committee.
- 10E. [RES-0791](#) Approving a resolution affirming the extension of term and providing a pay increase for Municipal Judge Farren Sheehan.
- 10F. [RES-0792](#) Approving a resolution establishing a City of Pflugerville Cash Handling Policy.

## 11. Other Actions

- 11A. [2020-8751](#) Canceling the December 22, 2020 City Council Worksession and Regular Meeting.
- 11B. [2020-8810](#) Authorizing the City Manager to execute a conditional purchase agreement and associated conveyance documents between BH Pflugerville Golf, LP (Parcel 9) and the City of Pflugerville as necessary to acquire real property interests for the Kelly Lane Phase 2 Roadway Project.
- 11C. [2020-8818](#) Approving a Memorandum of Understanding between the Travis County District Attorney's Office, Travis County Probation, Brave Alliance, partner law enforcement agencies and the City of Pflugerville for participation in the Austin/Travis County Interagency Sexual Assault Team (ISAT) and authorizing the Chief of Police to execute same.
- 11D. [2020-8820](#) Approving a Memorandum of Understanding between Flock Group, Inc. ("Flock Safety") and the City of Pflugerville for access to Flock's technology platform (the "Flock Service") for investigative purposes and authorizing the Chief of Police to execute same.
- 11E. [2020-8838](#) Approving City of Pflugerville participation in the Travis County Hazard Mitigation Plan Update for 2022 and authorizing the City Manager to execute a letter of intent for participation and any and all future agreements for participation in the Travis County Hazard Mitigation Plan 2022 Update.
- 11F. [2020-8768](#) Approving the appointment of Ms. Melissa Neel as the City's Finance Director.

## Action on the Consent Agenda

**12. Ordinance Second Reading**

- 12A. [ORD-0554](#) Discuss and consider action to approve an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, authorizing the conveyance of 0.29 acres of Real Property to United Partners, being Lot 1, Block 1, E.W. Pfluger Addition, Travis County, Texas as described in a deed to the City of Pflugerville, in Volume 2, Page 176, Plat Records, Travis County, Texas; Providing for a Severability Clause; and Providing an Effective Date. (201 South 3rd Street)

**13. Resolutions**

- 13A. [RES-0778](#) Discuss and consider action to approve a resolution with the caption: Resolution of the City of Pflugerville authorizing the City Manager to execute a Post-Annexation Provision of Services Agreement with Ebensee LLC, providing that upon annexation the City will provide standard City services to a tract of land totaling approximately 4.724 acres situated in the Joseph Wiehl Survey No. 8, Abstract No. 802, Travis County, Texas, within the City's extraterritorial jurisdiction.
- 13B. [RES-0785](#) Discuss and consider action to approve a resolution making additional appointments to the Charter Review Commission.
- 13C. [RES-0789](#) Discuss and consider action to approve a resolution amending the Pflugerville Community Development Corporation (PCDC) bylaws to allow two City Councilmembers to serve on the PCDC Board of Directors and any other updates as needed.
- 13D. [RES-0775](#) Review representation and discuss and consider action to approve a resolution designating a City of Pflugerville City Council representative on the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board.
- 13E. [RES-0776](#) Review representation and discuss and consider action to approve a resolution appointing a City Council special events subcommittee.
- 13F. [RES-0777](#) Review representation and discuss and consider action to approve a resolution appointing a City Council facilities subcommittee.

**14. Discuss and consider action**

- 14A. [2020-8749](#) Discuss and consider action to elect a Mayor Pro Tem per City Charter Section 3.06.
- 14B. [2020-8750](#) Review representation and discuss and consider action to appoint a City Councilmember to serve on the Community Advancement Network (CAN) board of directors.
- 14C. [2020-8822](#) Review representation and discuss and consider action to appoint three

representatives to the Capital Area Council of Governments (CAPCOG)  
General Assembly.

**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 November 20, 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 Ali Abdelfattah, Americans with Disabilities Act (ADA) Coordinator, at [alia@pflugervilletx.gov](mailto: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.