



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, November 10, 2020

7:00 PM

100 East Main Street, Suite 500

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=e2dd151233425817c810cf4cdfa5ec600>

Meeting Code/Number: 146 940 7645

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 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 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.

3. **Presentation**

- 3A. [2020-8771](#) Appreciation presentation to Mr. Jeff Marsh for service to the City as City Councilmember Place 2 from September 2016 to November 2020 and Mr. Jim McDonald for service to the City as City Councilmember Place 6 from November 2017 to November 2020.

4. **Public Hearing**

- 4A. [RES-0773](#) Conduct the first public hearing for the proposed Community Development Block Grant (CDBG) program amended 2020 Action Plan.

5. **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.

6. Ordinances First Reading

- 6A. [ORD-0548](#) Approving an ordinance on first 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.
- 6B. [ORD-0552](#) Approving an ordinance on first 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
- 6C. [ORD-0550](#) Approving an ordinance on first 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.

7. Ordinances Second Reading

- 7A. [ORD-0546](#) 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 approving a specific use permit for a proposed office/warehouse on lots

2E and 2G of the Renewable Energy Park Replat of Lot 2E, consisting of approximately 4.4-acres zoned Urban Center Corridor Level 5 (CL5) district located generally northeast of the Helios Way and Impact Way intersection. to be known as the Exaco Warehouse specific use permit (SUP2008-01); providing a cumulative and repealer clause; providing for a severability clause; and providing an effective date.

- 7B.** [ORD-0547](#) Approving an ordinance on second reading regarding with the caption reading An Ordinance amending Chapter 153 of the Code of Ordinances for the City of Pflugerville, Texas, by amending the 2030 Comprehensive Plan to update the elements of the overall plan and adopt the updated Transportation Master Plan Dated November 2019 incorporating an updated thoroughfare plan map; providing for severability; and providing an effective date.

8. Approval of Minutes

- 8A.** [2020-8769](#) Approval of the minutes of the October 27, 2020 Worksession and Regular Meeting.

9. Resolutions

- 9A.** [RES-0724](#) Approving a resolution authorizing the City Manager to execute a Second Amendment of the Amended and Restated Non-Annexation Development Agreement by and between the City of Pflugerville and East Blackland Solar Project 1 LLC .
- 9B.** [RES-0701](#) Approving a resolution with the caption: A resolution of the City Council of the City of Pflugerville, Texas, authorizing the acceptance of a Special Warranty Deed, described as a 1-acre tract of land situated out of the J.P. Kempe Survey No. 27, Abstract No. 462, and being a portion of a 186.629 acre tract of land conveyed to East Blackland Solar Project 1 LLC by deed recorded in Document No. 2018102864 of the Official Public Records of Travis County, Texas, and directing the City Manager and City Attorney, or their respective designees, to take all necessary actions to complete the land conveyance to the City; and providing an effective date.
- 9C.** [RES-0780](#) Approving a Resolution with a caption reading: Resolution of the City of Pflugerville, Texas authorizing the vacation, abandonment, and release of an existing drainage easement originally granted to the City by easement recorded in Travis County Real Property Records, Document No. 2013075961.
- 9D.** [RES-0779](#) Approving a Resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting a Stormwater Facilities Maintenance Covenant, License and Agreement for Pflugerville Farms Phase 1 Pond Maintenance between RPC Stone Hill Investments, LP, a Delaware limited partnership ("Owner") and the City of Pflugerville ("City").

10. Other Actions

- 10A.** [2020-8773](#) Authorizing the City Manager to execute a contract with Colonna Group for the purchase of aluminum sulfate in the amount of \$0.43/gallon for wastewater treatment.
- 10B.** [2020-8774](#) Authorizing the City Manager to execute a contract with Brenntag SW, Inc. for the purchase of Chlorine in the amount of \$690.00/ton; Liquid Ammonium Sulfate (wells) in the amount of \$170.00/drum; salt in the amount of \$239.00/ton.
- 10C.** [2020-8777](#) Authorizing the City Manager to execute a contract with Gulbrandsen for the purchase of aluminum chlorohydrate in the amount of \$0.217/lb. for water treatment.
- 10D.** [2020-8778](#) Authorizing the City Manager to execute a contract with Napco Chemical Co. for the purchase of sodium bisulfite in the amount of \$1.85/gallon for wastewater treatment.
- 10E.** [2020-8779](#) Authorizing the City Manager to execute a contract with Polydyne Inc. for the purchase of Clarifloc C-6232 Polymer in the amount of \$2,898.00/tote for wastewater treatment.
- 10F.** [2020-8652](#) Approving the appointment of Shawn Douglas, Elizabeth Guillory Medina, Donald Scott and Daisy Delgado Castillo to the Equity Commission for partial terms ending December 31, 2021 and Autumn Arnett, James Matlock and Amy Hart to the Equity Commission for partial terms ending December 31, 2020.

Action on the Consent Agenda**11. Ordinances First Reading**

- 11A.** [ORD-0554](#) Discuss and consider action to approve an ordinance on first 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)
- 11B.** [ORD-0551](#) Discuss and consider action to approve an ordinance on first 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.

12. Resolution

- 12A. [RES-0726](#) Discuss and consider action to approve a resolution for the creation and appointments to a Charter Review Commission.

13. Discuss and consider action

- 13A. [2020-8752](#) Discuss and consider action to approve an Interlocal Agreement with Capital Metropolitan Transit Authority (CMTA) and authorizing the City Manager to execute said agreement.

14. 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 6, 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 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.