



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, December 8, 2020

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=eeafc921c9fed02ce405907071ce524f6>

Meeting Code/Number: 146 140 6202

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 PflTV 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. Presentation

- 3A. [2020-8859](#) Communications Division annual presentation.

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 Resolution

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

- 5A. [RES-0803](#) Conduct a public hearing and consider approval of a resolution regarding the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2019.
- 5B. [RES-0797](#) Continuation of a public hearing and approval of a resolution with the caption reading: Resolution of the City of Pflugerville, Texas, Authorizing and Creating the Martin Tract Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; Providing for related matters; and Providing for 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-0558](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville amending Section 1 for General Provisions to the 2014 Engineering Design Manual and Construction Standards, replacing all Engineering and Construction Standards in conflict; containing a severability clause; and providing for publication and an effective date.

7. Ordinances Second Reading

- 7A. [ORD-0555](#) Approving an ordinance on second 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 second 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 Third Reading

- 8A. [ORD-0550](#) Approving an ordinance on third 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.

9. Approval of Minutes

- 9A. [2020-8845](#) Approval of the minutes of the November 13, 2020 Quorum, November 17, 2020 Special Meeting and November 24, 2020 Worksession and Regular Meeting.

10. Resolutions

- 10A. [RES-0770](#) Approving a resolution with the caption reading: A resolution of the City Council of the City of Pflugerville, Texas, authorizing the acceptance of a general warranty deed conveying certain real property described as 0.040-acre tract of land out of the Alexander Walters Survey No. 67, Abstract 791, and being part of that certain tract of land conveyed to James Robert Bohls, et al, recorded in Document No. 2007012384 of the Official Public Records of Travis County, Texas, and directing the City Manager and City Attorney, or the respective designees, to take all necessary actions to complete the land conveyance to the City. (Located at the intersection of Paul Street and Bohls Street).
- 10B. [RES-0787](#) Approving a resolution authorizing the City Manager to reject all bids received on the Colorado River Water Supply Improvements Project.
- 10C. [RES-0793](#) Approving a resolution of the City of Pflugerville, Texas authorizing the City Manager to execute an Agreement for a Local On-System Improvement Project (LOSA) with the Texas Department of Transportation (TxDOT) for roadway work associated with the Heatherwilde at Pecan Street intersection improvement project.
- 10D. [RES-0795](#) Approving a Resolution with a caption reading "Resolution of the City of Pflugerville, Texas authorizing the vacation, abandonment, and release of an existing water line and sewer line easement originally granted to the City by easement recorded in Travis County Real Property Records, Document No. 00102422".
- 10E. [RES-0798](#) Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas consenting to the addition of road powers for New Sweden Municipal Utility District No. 1.
- 10F. [RES-0804](#) Approving a resolution with the caption reading: Resolution of the City of Pflugerville, Texas, authorizing the City Manager to enter into an agreement to dissolve the Martin Tract Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code at a future date if assessments are not levied; Providing for related matters; and Providing an effective date.
- 10G. [RES-0805](#) Approving a resolution of the City of Pflugerville, Texas authorizing the City Manager to execute the Wastewater Service Agreement Between the City of Hutto and Kelly Lane Utility Company Addendum No. 2. providing a six-month extension to the Wholesale Wastewater Service Agreement between the City of Hutto and Kelly Lane Utility Company.

- 10H. [RES-0808](#) Approving a resolution approving the Mayor's nomination and appointment of Jeffrey Thompson to Position 1, Michael Martin to Position 3 and Michelle Sheehan to Position 5 of the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors for two-year terms beginning January 1, 2021.
- 10I. [RES-0807](#) Approving a resolution approving the Mayor's nomination and appointing Jeffrey Thompson, Position 1, as chairman of Reinvestment Zone No. One (TIRZ) for a one-year term beginning January 1, 2021.
- 10J. [RES-0799](#) Approving a resolution amending authorized representatives for the Texas Local Government Investment Pool "Texpool".

11. Other Actions

- 11A. [2020-8850](#) Authorizing the City Manager to execute documents approving Melissa Neel, Finance Director, and Cory Beran, Senior Accountant, as additional authorized signers for the Lone Star Investment Pool.
- 11B. [2020-8863](#) Approving the Mayor's appointment of Doris Williams, Terry Knighton, Shelley Helyer, and Danielle Williams to the Personnel Appeal Board for three-year terms beginning January 1, 2021.
- 11C. [2020-8781](#) Authorizing the City Manager to approve the purchase of a Centrifuge Rotating Assembly for the Central Wastewater Treatment Plant from GEA Mechanical Equipment US, Inc. in the amount of \$305,183.11.
- 11D. [2020-8804](#) Approving the appointment of Autumn Arnett, James Matlock and Amy Hart to the Equity Commission for two-year terms beginning January 1, 2021.
- 11E. [2020-8844](#) Authorizing the City Manager to purchase a replacement utility jet truck from Rush Truck Centers in the amount of \$197,017.00 using budgeted fiscal year 2021 funds and utilizing the Buyboard purchasing cooperative contract.
- 11F. [2020-8846](#) Authorizing the City Manager to approve the purchase of a 3-D Laser Scanner from FARO Technologies, Inc. in the amount of \$77,999 using budgeted and awarded fiscal year JAG Grant funds and utilizing the U.S. General Services Administration Cooperative Purchasing Program (GSA).

Action on the Consent Agenda

12. Discuss and consider action

- 12A. [2020-8805](#) Discuss and consider action to award a construction contract for the High Services Pumping Station Expansion from 17.14 mgd to 25.71 mgd and Colorado River Pump Station Improvement Projects to Legion Development Inc., the lowest responsible bidder of four (4) bids received on November 11, 2020, in the amount of \$1,439,345.00 and authorizing the City Manager to execute same.

- 12B. [2020-8806](#) Discuss and consider action to approve a professional services agreement with Ardurra Group, Inc. in the amount of \$1,947,512 for professional engineering services associated with the Water Treatment Plant Facility Expansion Project and authorizing the City Manager to execute the same.

13. **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 December 4, 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.