



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, March 10, 2020

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession agenda for a list of items for discussion at the Worksession.

1. Call to order

2. Opening

A. Pledge of Allegiance to the Flag of the United States of America

B. Pledge of Allegiance to the Texas State Flag

C. Moment of Silence

3. 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.

4. Public Hearing

- 4A. [2020-8292](#)** Conduct a public hearing regarding the update of the City's Land Use Assumptions and Capital Improvement Plan and Water and Wastewater

Impact Fees.

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 may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

6. Approval of Minutes

- 6A. [2020-8270](#) Approval of the minutes of the February 25, 2020 Worksession and Regular Meeting.

7. Ordinances First Reading

- 7A. [ORD-0517](#) Approving an ordinance on first 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.
- 7B. [ORD-0513](#) Approving an ordinance on first 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.
- 7C. [ORD-0516](#) Approving an ordinance on first 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.

8. Ordinances Second Reading

- 8A. [ORD-0508](#) 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 changing the zoning designation of approximately 8.284 acres, of unplatted land out of the George M. Martin survey, Abstract No. 9, in Travis County, Texas, from Agriculture/Development Reserve (A) to Single Family Mixed Use (SF-MU) district; to be known as the Villarreal development project rezoning (REZ2001-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

- 8B.** [ORD-0509](#) 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 changing the zoning designation of approximately 2.2013 acres, Lot 1a from the Milestone Pecan Street Re-Subdivision, from General Business 2 (GB2) to General Business 1 (GB1) district; to be known as the Heatherwilde office condos rezoning (REZ2001-03); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- 8C.** [ORD-0510](#) 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 changing the zoning designation of an approximate 1.0 acre lot out of the John Van Winkle Survey, Abstract no. 689, Travis County, Texas, from Agriculture/Development Reserve (A) to Retail (R) and lot 43 an approximate 2.3 acre lot & lot 44 an approximate 4.5 acre lot out of the Springbrook One Section One Subdivision from Single Family Suburban (SF-S) to Parks Facilities and Open Space (PF); to be known as the Wilke Ridge Rezoning (rez2001-02); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- 8D.** [ORD-0506](#) Approving an ordinance on second reading with the caption reading: An ordinance amending Ordinance No. 1203-15-02-24 of the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 157 Unified Development Code by amending Subchapter 4, Zoning Districts and Use Regulations, Section 4.6.5 relating to screening for outdoor display and storage; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 157, Subchapter 4 as a class C misdemeanor and a fine in an amount not to exceed \$2,000.00; and declaring an effective date.
- 8E.** [ORD-0507](#) Approving an ordinance on second reading with the caption reading: An ordinance amending Ordinance No. 1203-15-02-24 of the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 157 Unified Development Code by amending Subchapter 4, Zoning Districts and Use Regulations, by updating provisions relating to temporary uses and structures, integrating mobile food vendor provisions, and establishing a Temporary Use Permit process in Section 4.7; amending provisions

relating to Mobile Food Vendors and Parks in Sections 4.9 and 4.10; amending Subchapter 20, Definitions, by adding corresponding definitions; and repealing Title IX General Regulations, Chapter 98 Temporary Storage Structures in its entirety; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 157, Subchapter 4 as a class C misdemeanor and a fine in an amount not to exceed \$2,000.00; and declaring an effective date.

- 8F. [ORD-0514](#) 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, by amending Title VII Traffic Code, Chapter 71 Parking Regulations, section 71.05 parking prohibited in certain designated areas by establishing an additional No Parking Zone on Picadilly Drive between 7:00 a.m. and 4:00 p.m.; providing for a violation of section 71.05 as a misdemeanor and a fine 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.

9. Resolutions

- 9A. [RES-0707](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a Justice Assistance - Byrne Grant Program award in the amount of \$77,945.69 from the Office of the Governor for the purchase of equipment and training.
- 9B. [RES-0708](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a Victim of Crime Act Formula Grant award in the amount of \$64,726.70 from the Office of the Governor for the funding of personnel, purchase of equipment, and training.
- 9C. [RES-0709](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a First Responder Mental Health Program Grant award for \$10,258.61.00 from the Office of the Governor for the enhancement of the current Police Resiliency Program for department staff.

10. Other Actions

- 10A. [2020-8259](#) Approving a professional services agreement with Halff Associates, Inc. in the amount of \$71,587.00 for professional engineering services associated with the Justice Center parking lot expansion and authorizing the City Manager to execute same.
- 10B. [2020-8274](#) Approving a professional services agreement with Waeltz & Prete, Inc. in the amount of \$65,879.50 for professional engineering services associated with the Gilleland Creek Pool Bathhouse Improvement Project and authorizing the City Manager to execute same.

- 10C.** [2020-8008](#) Approving a professional services agreement with Garver in the amount of \$199,820 to provide owner representative services associated with the Surface Water Treatment Plant Expansion Project and authorizing the City Manager to execute same.
- 10D.** [2020-8264](#) Approving a Work Authorization Number 2020-5 as a supplement to the professional services agreement for the Water Treatment Plant Engineering Services with DCS Engineering, LLC. in the amount of \$253,305.80 for professional services associated with the High Service Pumping Station Expansion Project.
- 10E.** [2020-8265](#) Approving Work Authorization Number 2020-1 as a supplement to the professional services agreement for the Water Treatment Plant Engineering Services with DCS Engineering, LLC. in the amount of \$85,060 for professional services associated with emergency compliance and rehabilitation work at the City's Surface Water Treatment Plant from October 25, 2019 to February 29, 2020.
- 10F.** [2020-8266](#) Approving Work Authorization Number 2020-7 as a supplement to the professional services agreement for the Water Treatment Plant Engineering Services with DCS Engineering, LLC. in the amount of \$64,940 for professional services associated with compliance and rehabilitation work at the City's Surface Water Treatment Plant.
- 10G.** [2020-8295](#) Authorizing the City Manager to enter into a Facility Use Agreement for the Kayak/Canoe Rental Concession at Lake Pflugerville.

Action on the Consent Agenda

11. Discuss and consider action

- 11A.** [2020-8255](#) Discuss and consider action to approve a professional services agreement with CP&Y in the amount of \$1,154,308.00 for professional engineering services associated with the Pecan Street and Weiss Lane Water Line project and authorizing the City Manager to execute the agreement.
- 11B.** [2020-8285](#) Discuss and consider action to approve an agreement with Freese and Nichols, Inc. in the amount of \$1,233,169.00 for professional engineering services associated with the proposed 2.0 and 2.5 million-gallon (MG) Elevated Storage Tanks (ESTs) project and authorizing the City Manager to execute the agreement.
- 11C.** [2020-8286](#) Discuss and consider action to award a construction contract for the West SH 130 Interceptor Phase 1 Project to S. J. Louis Construction of Texas, Ltd. in the amount of \$12,762,393.94 and authorizing the City Manager to execute same.

12. Discuss only

- 12A.** [2020-8275](#) Discussion regarding a grant application to the Texas Commission on Environmental Quality (TCEQ) Alternative Fueling Facilities Program to upgrade and/or replace eight existing electric vehicle charging stations.
- 12B.** [2020-8272](#) Discussion regarding annexation and Special Partnership Agreements as they relate to annexation authority.
- 12C.** [2020-8304](#) Discussion regarding management of the City's Extraterritorial Jurisdiction (ETJ) to include Water and Wastewater Certificates of Convenience and Necessity (CCN).

13. Adjourn

Executive sessions held during this meeting will take place in Suite 500 or Suite 300, at the discretion of the City Council.

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 March 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 Aileen Dryden, Americans with Disabilities Act (ADA) Coordinator, at 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.

