



# City of Pflugerville

## Meeting Agenda - Final

### City Council

---

Tuesday, February 25, 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. **Presentations**

4A. [2020-8240](#) Presentation on the United States Census 2020.

4B. [2020-8201](#) Pflugerville Animal Welfare Services Department (PAWS) annual

presentation.

## 5. Public Hearing and Ordinance First Readings

- 5A. [ORD-0508](#) Conduct a public hearing and consider approving an ordinance on first 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.
- 5B. [ORD-0509](#) Conduct a public hearing and consider approving an ordinance on first 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.
- 5C. [ORD-0510](#) Conduct a public hearing and consider approving an ordinance on first 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.
- 5D. [ORD-0506](#) Conduct a public hearing and consider approving an ordinance on first 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 4.6.4 Home Occupation, by adding provisions relating to vehicles, equipment, and materials associated with home occupations, and prohibiting certain home occupations; amending Section 4.6.5 relating to screening for outdoor display and storage; and amending Subchapter 20, Definitions, by adding

corresponding definitions; 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.

- 5E. [ORD-0507](#) Conduct a public hearing and consider approving an ordinance on first 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.

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

## 7. Approval of Minutes

- 7A. [2020-8237](#) Approval of the minutes of the February 11, 2020 Worksession and Regular Meeting.

## 8. Ordinance First Reading

- 8A. [ORD-0514](#) Approving an ordinance on first reading as amended 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. Ordinance Second Reading

- 9A. [ORD-0512](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville, Texas Adopting the Pflugerville Fee Schedule; Amending Certain Fees and Establishing Costs and Fees Charged by the City of Pflugerville; Providing for a Penalty for a Violation of Section 10.99 of the City Code of Ordinances; and Declaring an Effective Date (solid waste and engineering fees).

## 10. Other Actions

- 10A. [2020-8177](#) Review of the FY19 Investment Reports.
- 10B. [2020-8232](#) Submission of the 2019 Racial Profiling Data Report to the City Council as required by Texas Statute Code of Criminal Procedure, Chapter 2 General Duties of Officers, Art. 2.132 Law Enforcement on Racial Profiling.
- 10C. [2020-8246](#) Approving First Amended and Restated Interlocal Cooperation Agreement between the City of Pflugerville and the Pflugerville Independent School District (ISD) for the following police related services: Reduction in hours the City of Pflugerville provides Partial Dispatch Services (as established by the Pflugerville ISD).
- 10D. [2020-8194](#) Approving First Amended Agreement for supplement to an agreement for the Transportation Master Plan with Kimley-Horn and Associates, Inc. in the amount of \$85,000 for professional engineering services associated with the preparation of a Roadway Impact Fee Study.
- 10E. [2020-8236](#) Approving Work Authorization No. 2020-2 with Seven Arrows Land Staff, LLC. in the amount of \$93,750.00 for right-of-way services for the Kelly Lane Phase 2 roadway project.
- 10F. [2020-8243](#) Approving a Work Authorization Number 2020-3 as a supplement to the professional services agreement for the Water Treatment Plant Engineering Services with DCS Engineering, LLC. in the amount of \$55,000 for professional services associated with the Raw Water Strainer Installation Project.

## Action on the Consent Agenda

## 11. Discuss and consider action

- 11A.** [2020-8239](#) Discuss and consider action to approve a professional services agreement with Kimley-Horn in the amount of \$297,122 for professional engineering services associated with the Highland Park interceptor and decommissioning of Highland Park Lift Station project and authorizing the City Manager to execute the same.
- 11B.** [2020-8202](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding contractual issues relating to the Grand Avenue Parkway Pavement Project. 2.) Open Session Item: Discuss and consider action regarding the Grand Avenue Pavement Project.
- 11C.** [2020-8249](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding litigation: Cash Construction Company, Inc. vs. the City of Pflugerville. 2.) Open Session Item: Discuss and consider action regarding litigation: Cash Construction Company, Inc. vs. the City of Pflugerville.
- 11D.** [2020-8238](#) 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: Authorizing the City Manager to execute a purchase agreement with HPN Investments, Inc. for a Wastewater Line Easement and Temporary Construction Easement to acquire real property interests for the SH 45 Water and Wastewater Line project.
- 11E.** [2020-8247](#) 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.

## **12. 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 February 21, 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.

