



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, May 11, 2021

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=ef882dcba3666db607e60e4f666282c11>

Meeting Code/Number: 187 993 8588

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

Public comment 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. 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 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. [2021-0450](#) Presentation by Paulette Blanc, Director, Austin-Travis County Sobriety Center, regarding the Sobering Center.
- 3B. [2021-0465](#) Proclamation declaring May 9-15, 2021, as Police Week in the City of Pflugerville.
- 3C. [2021-0460](#) Proclamation declaring May 16 - 22, 2021 as National Public Works Week in the City of Pflugerville.
- 3D. [2021-0459](#) Public Works annual department presentation.
- 3E. [2021-0452](#) Presentation and discussion of FY21-Q2 Financial Results.

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 Ordinance First Readings

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

- 5A. [ORD-0565](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville Readopting Code of Ordinances Title IX General Regulations, Chapter 95 Parks and Recreation Subchapter 95.50 Youth Programs Standards of Care; Replacing all ordinances in conflict; containing a savings clause and declaring 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 Second Reading

- 6A. [ORD-0578](#) Approving an ordinance on second reading with a 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 Wireless Telecommunication Facility on an approximately 4-acre tract of land zoned Urban Center Corridor Level 4 (CL4) district located east of Old Austin Hutto Road north of Sweet William Lane situated in the S. Eiselin Survey NO. 4, Abstract NO. 265, Pflugerville, TX to be known as the Verizon at Heritage Park Specific Use Permit (SUP2103-01); providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date
- 6B. [ORD-0579](#) 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 removing Temporary No Parking Zones required by Construction Where Said Construction Has Been Completed; Providing for a penalty for a violation of Chapter 71 as a Class C Misdemeanor and a fine in an amount not to exceed \$200.00; 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-0549](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting to One Gas, Inc., acting by and through its Texas Gas Service Company Division, and its successors and assigns, for a period of fifteen (15) years from approval and acceptance of this ordinance, a non-exclusive franchise and right to enter the public ways to install, operate and maintain a distribution system within, along, across, over and under the public ways of the City of Pflugerville, Travis County, Texas for the transportation, distribution and/or sale of gas to customers and the public generally in the city; defining the words and phrases therein; providing for assignment, sale or lease of the franchise; providing that the city may enact an ordinance charging persons transporting gas through grantee's distribution system a fee on the calculated value of such transported gas; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; establishing rights and duties in the movement and alteration of

pipelines; providing for indemnification of the City of Pflugerville; providing for grantee's rules and regulations; providing for inspection of grantee's records; requiring grantee to pay a franchise fee; providing for conditions of the franchise; providing for construction of this ordinance upon the invalidity of any part thereof; providing for acceptance of this franchise by grantee and both an effective and an operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; and publication.

7. Approval of Minutes

- 7A. [2021-0441](#) Approval of the minutes of the April 20, 2021 Worksession and April 27, 2021 Worksession and Regular Meeting.

8. Resolutions

- 8A. [RES-0870](#) 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 Project Charm Pond Maintenance between Amazon.Com Services, a Delaware Limited Liability Company ("Owner") and the City of Pflugerville ("City").
- 8B. [RES-0860](#) Approving a resolution of the City Council of the City of Pflugerville, Texas, directing the City Manager or the City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of 5,024 sf right-of-way acquisition, a 2,329 sf public utility easement and a 36,206 sf drainage easement out of the 1.00 acres (43,560 square foot), parcel of land situated in the Philip Golden Survey No. 17 in Travis County, Texas; property owned and claimed by KM Avalon, Ltd.; and directing the city attorney to initiate condemnation proceedings.
- 8C. [RES-0861](#) Approving a resolution of the City Council of the City of Pflugerville, Texas, directing the City Manager or the City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of 2,415 sf right-of-way, 1,401 sf public utility easement and 38,116 sf drainage easement out of the 6.36 acres (277,056 square foot), parcel of land situated in the Philip Golden Survey No. 17 in Travis County, Texas; property owned and claimed by Kelly Lane W.C.I.D. No. 1; and directing the City Attorney to initiate condemnation proceedings.
- 8D. [RES-0865](#) Approving a resolution authorizing the City Manager to enter into an agreement with Texas Department of Transportation (TxDOT) for City to assume Operation and Maintenance of existing traffic signals upon completion of current TxDOT signal upgrades.
- 8E. [RES-0866](#) Approving a resolution authorizing the City Manager to enter into an agreement with Texas Department of Transportation (TxDOT) for the installation and reimbursement for the Operation and Maintenance of

Traffic Signals upon completion of current TxDOT signal upgrades.

- 8F. [RES-0871](#) Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting the Amended and Restated Wastewater Pipeline Easement Agreement granted to the City of Pflugerville by Prose Star Ranch Venture, LP and authorizing its execution.
- 8G. [RES-0873](#) Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas Authorizing the City Manger to seek support from regional partners and continue support of the implementation of the Transportation Master Plan for roadway facilities and trails impacting the MoKan Corridor that benefit Pflugerville and the Central Texas Region.

9. Other Actions

- 9A. [2021-0451](#) Review of the Quarterly Investment Report for the quarter ending March 31, 2021.
- 9B. [2021-0388](#) Approving a professional services agreement with Halff Associates, Inc. in the amount of \$63,176.80 for professional engineering services associated with the 2019 and 2020 Pflugerville Transportation Bond Projects: Picadilly Drive and Central Commerce Drive projects and authorizing the City Manager to execute same.
- 9C. [2021-0468](#) Approving action to authorize the City Manager to execute a change order for the Central Wastewater Treatment Plant Expansion Phase I Improvements to Bar Constructors in the amount of \$130,813.37.
- 9D. [2021-0449](#) Approving a Professional Service Supplemental Agreement with Gupta and Associates in the amount of \$78,275 for professional engineering services associated with the Surface Water Treatment Plant and Lake Pump Station Standby Generator Project.
- 9E. [2021-0385](#) Approving the selection of Casa Bella Architects, Austin Texas for professional services associated with the Parks Maintenance Facility at 1849 Park and authorizing the City Manager to execute a professional services agreement in the amount of \$137,790.00.

Action on the Consent Agenda

10. Discuss and consider action

- 10A. [2021-0436](#) Discuss and consider action to provide staff direction regarding the BMX track on City property located southeast of E Pecan Street and Plumbego Drive and legally described as LOT 2 BLK A GILLELAND PLAZA, ABSTRACT S05010.
- 10B. [2021-0494](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding fire protection

and Emergency Medical Services (EMS services) following the election to authorize creation Travis County Emergency Services District No. 17 (ESD17) within the City of Pflugerville and the City of Pflugerville Extraterritorial Jurisdiction (ETJ) per the Corrected Revised Travis County Emergency Services District No. 2 (ESD2) Statement of Services. 2.)
Open Session Item: Discuss the need to provide EMS services following termination of ambulance services within City of Pflugerville and City of Pflugerville ETJ per the Corrected Revised Statement of Services and take potential action to provide direction to staff for action on short term and long-term provision of EMS as well as fire protection.

11. Discuss only

- 11A. [2021-0462](#) Discuss the 5-year Capital Improvement Plan for FY 2022-2026 related to facilities, parks, transportation, water, and wastewater.
- 11B. [2021-0443](#) Discussion regarding After Action Report (AAR) concerning the severe winter weather event.
- 11C. [2021-0442](#) Discussion regarding timing and plans to resume in-person City services and City Council, board, commission and committee meetings.
- 11D. [2021-0444](#) Request to place item on future agenda.

12. 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 May 7, 2021 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.