



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, November 30, 2021

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. **Presentation**

- 4A. [2021-1131](#) Pflugerville Public Library annual department presentation.

- 4B. [2021-1207](#) Presentation of the quarterly report and discussion about the City's Capital Improvement Program and 2020 Bond Program Status.
- 4C. [2021-1219](#) Presentation on electric vehicle charging stations at City facilities.

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.

6. Public Hearing and Ordinance First Readings

- 6A. [ORD-0620](#) Conduct a public hearing and consider approving a disannexation ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, disannexing, for full purposes, two tracts of land totaling approximately 11.706 acres of land situated in the John Leisse Survey No. 18, Abstract No. 496, in Travis County, Texas, of the Real Property Records of Travis County, generally located north and west of Cameron Road, east of Weiss Lane and south of Jesse Bohls Road; contracting the boundaries of the City to exclude land; to be known as the Carmel East Disannexation; providing for severability; and providing an effective date.

7. Public Hearing and Resolution

- 7A. [RES-0946](#) Conduct a public hearing and consider approving a resolution regarding the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2020.

8. Ordinance First Reading

- 8A. [ORD-0629](#) Discuss and consider action to approve an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas repealing Ordinance 1519-21-10-12 amending rates for wastewater customers of all districts identified herein; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

9. Executive Session

- 9A. [2021-1235](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding Emergency Medical Services; and Cause No. D-1-GN-21-003845; *David Rogers, et al. v. Travis County Emergency Services District No. 17, et al.*; in the 200th Judicial District Court of Travis County, Texas appealed to the Third Court of Appeals of the State of Texas, Case No. 03-21-00496-CV. 2.)

Open Session Item: Discuss and consider action regarding Emergency Medical Services.

- 9B.** [2021-1241](#) 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.

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.

10. Ordinance First Reading

- 10A.** [ORD-0622](#) 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, Chapter 72 regarding school zone/speed limits on city streets; establishing school zones on Wolf Pack Drive, Pleasanton Pkwy, and Benica St; providing for a penalty clause; repealing all Ordinances to the extent they are in conflict; providing for severability; and providing an effective date.
- 10B.** [ORD-0630](#) Approving an ordinance on first reading with the caption reading: An Ordinance amending the City's Code of Ordinances establishing a franchise requirement for providing emergency services within the City limits of Pflugerville; Providing for a penalty for violation therefore; and providing for an effective date.

11. Ordinances Second Reading

- 11A.** [ORD-0617](#) 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, Chapter 72 regarding Speed Limits on City Streets (Kelly Lane) to establish prima facie maximum speeds for construction or maintenance work zones; Providing for a penalty for a violation of Chapter 72 as a Class C Misdemeanor; Repealing all Ordinances to the extent they are in conflict for the duration of this ordinance; Providing for severability; and providing an effective date.
- 11B.** [ORD-0619](#) 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.

12. Approval of Minutes

- 12A. [2021-1160](#) Approval of the minutes of the November 9, 2021 Worksession and Regular Meeting and November 15, 2021 Special Meeting.

13. Resolutions

- 13A. [RES-0926](#) Approving a resolution authorizing the City Manager to execute an Interlocal Agreement with Travis County regarding the Construction and Fiscal Obligations for the Cameron Road All-Way Stop Project at the intersection of Pecan Street and Cameron Road.
- 13B. [RES-0934](#) Approving a resolution with the caption: A resolution of the City Council of the City of Pflugerville, Texas, authorizing the acceptance, in accordance with City parkland dedication requirements and through special warranty deed, of certain real property described as Lot 41, Block D, Carmel West Phase 2 Section 1, and Lot 45, Block A, Carmel West Phase 2, Section 5, subdivisions in the Travis County, Texas, recorded in Document No. 201800338 and 201900220 respectively 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.
- 13C. [RES-0940](#) Approving a Resolution with a caption reading: A Resolution of the City of Pflugerville, Texas accepting a Stormwater Facilities Maintenance Covenant, License and Agreement for Quick Trip 4147 Pond Maintenance between QT South LLC ("Owner") and the City of Pflugerville ("City").
- 13D. [RES-0943](#) Approving a resolution appointing City of Pflugerville representatives to the Technical Advisory Committee of the Capital Area Metropolitan Planning Organization Transportation Policy Board.
- 13E. [RES-0949](#) Approving a resolution ordering and declaring the November 2021 Charter Amendments, as approved by the voters of the City of Pflugerville, adopted.
- 13F. [RES-0948](#) Approving a resolution approving the third amendment to the Carmel development agreement between the City of Pflugerville and CE Development, Inc. authorizing additional revisions to the original agreement regarding layout adjustments and annexation and authorizing the City Manager to execute the same.

14. Other Actions

- 14A. [2021-1114](#) Approving the recommended appointments for the FY22 Animal Advisory Committee.

- 14B.** [2021-1208](#) Approving a professional services supplemental agreement with Halff Associates, Inc. in the amount of \$65,110.00 for professional services associated with the Comprehensive Drainage Master Plan and Drainage Fee Study and authorizing the City Manager to execute same.
- 14C.** [2021-1211](#) Approving action to award a construction contract to N.G. Painting LP in the amount of \$573,920.00 for the South Standpipe rehabilitation project located at 1512 Cherokee Run and authorizing the City Manager to execute same.
- 14D.** [2021-1216](#) Approving a Memorandum of Understanding between the Travis County District Attorney's Office, the Center for Child Protection, Dell Children's Medical Center, Texas Department of Family and Protective Services (DFPS), Travis County Juvenile Probation Department (TCJPD), Refugee Services of Texas, The SAFE Alliance, partner law enforcement agencies and the City of Pflugerville for participation in the Travis County Commercial Sexual Exploitation of Youth Care Coordination (CSEY) team and authorizing the Chief of Police to execute same.
- 14E.** [2021-1217](#) Authorizing the City Manager to approve a Professional Service Supplemental Agreement with Gupta and Associates in the amount of \$340,889 for professional engineering services associated with the Surface Water Treatment Plant and Lake Pump Station Standby Generator Project.
- 14F.** [2021-0978](#) Canceling the December 28, 2021 City Council Worksession and Regular Meeting.
- 14G.** [2021-1225](#) Authorizing the City Manager to proceed with purchasing of hardware and consulting services for Supervisory Control and Data Acquisition (SCADA) Wireless Communications Plan by Parker's Choice Consulting in the amount of \$69,661.00 using The Interlocal Purchasing System (TIPS) cooperative contract.
- 14H.** [2021-1228](#) Authorizing 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 \$125,009.25 and 113 days.
- 14I.** [2021-1229](#) Approving a professional services supplemental agreement with Plus Six Engineering, LLC in the amount of \$200,000.00 to provide Owner's Representative Services associated with the Central Wastewater Treatment Plant Expansion Phase 1 project.
- 14J.** [2021-1234](#) Authorizing the City Manager to execute Addendum to Agreements between the City of Pflugerville and CBRE, Inc. concerning certain real estate broker services.
- 14K.** [2021-0997](#) Approving a Reimbursement Agreement with Developer for Design and

Construction of Public Improvements By And Between The City of Pflugerville And Kedma Ventures LLC and Verdor at Pflugerville East, LLC for the design and construction of public improvements as part of the Colorado Sand Drive project and authorize the City Manager to execute the same.

Action on the Consent Agenda

15. Resolutions

- 15A. [RES-0774](#) Review representation and discuss and consider action to approve a resolution appointing a City of Pflugerville representative to the Central Texas Clean Air Coalition of the Capital Area Council of Governments (CAPCOG).
- 15B. [RES-0944](#) Review representation and discuss and consider action to approve a resolution designating a City of Pflugerville City Council representative on the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board.
- 15C. [RES-0941](#) Review representation and discuss and consider action to approve a resolution appointing a City Council facilities subcommittee.
- 15D. [RES-0942](#) Review representation and discuss and consider action to approve a resolution appointing a City Council special events subcommittee.
- 15E. [RES-0945](#) Discuss and consider action to approve a resolution appointing a Public Safety City Council subcommittee.

16. Discuss and consider action

- 16A. [2021-1210](#) Review representation and discuss and consider action to appoint three representatives to the Capital Area Council of Governments (CAPCOG) General Assembly.
- 16B. [2021-1215](#) Review representation and discuss and consider action to appoint a City Councilmember to serve on the Community Advancement Network (CAN) board of directors.
- 16C. [2021-1209](#) Discuss and consider action to elect a Mayor Pro Tem per City Charter Section 3.06.
- 16D. [2021-1101](#) Discuss and consider action authorizing the City Manager to award a construction contract for the Surface Water Treatment Plant Emergency Generator Project to McDonald Municipal and Industrial in the amount of \$7,629,469.

17. Discuss only

- 17A. [2021-1227](#) Discussion regarding the Central Wastewater Treatment Plant Expansion

Phase 1 Project.

17B. [2021-1003](#) Discussion regarding the membrane supplier options for the Surface Water Treatment Plant Expansion.

17C. [2021-1163](#) Discussion regarding drainage and the development process.

17D. [2021-1069](#) Request to place item on future agenda.

18. 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 November 24, 2021 at 5:00 PM pursuant to Section 551.041, Government Code.

Trista Evans, 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.

