



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, April 27, 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=eac133729992231cd33d804efcf91183a>

Meeting Code/Number: 187 583 6696

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. [2021-0394](#) Proclamation declaring May 2021 as Motorcycle Safety and Awareness Month in the City of Pflugerville.
- 3B. [2021-0407](#) Proclamation declaring May 3-7, 2021 as Air Quality Awareness Week in the City of Pflugerville.
- 3C. [2021-0410](#) Proclamation declaring May 9-15, 2021 as Economic Development Week in the City of Pflugerville.
- 3D. [2021-0387](#) Presentation of the quarterly report and discussion about the City's Capital Improvement Program and 2020 Bond Program Status.

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

- 5A. [ORD-0578](#) Conduct a public hearing and consider approving the first reading of an ordinance 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

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-0579](#) 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 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.
- 6B. [ORD-0549](#) Approving an ordinance on first 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. Ordinances Second Reading

- 7A.** [ORD-0576](#) Approving an annexation ordinance on second reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a tract of land totaling approximately 1.416 acres of land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, in Travis County, Texas, of the Real Property Records of Travis County, generally located south of E. Pecan Street and west of SH 130 and Biltmore Avenue; extending the boundaries of the City to include land; and to be zoned Agriculture / Development Reserve (A); to be known as the Hagn Timmerman 2021 Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; providing for severability; and providing an effective date.
- 7B.** [ORD-0577](#) 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 33 acres, of unplatted land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, in Travis County, Texas, from Agriculture/Development Reserve (A) district to Campus Industrial (CI) district; to be known as the RNDC Inc. Rezoning (REZ2101-03); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- 7C.** [ORD-0574](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting the lease of City property by easement totaling approximately 3.105 acres of land out of the J. Bray survey, abstract no. 373, in Travis County, Texas; more specifically described in four deeds to the City of Pflugerville, of record in document numbers 2006060407tr, 2012195160tr, 2019169055, and 2015165200 of the official public records of Travis County, Texas. (Granting an extended Temporary Easement to Atmos)
- 7D.** [ORD-0580](#) Approving an Ordinance on second reading with the caption reading: An Ordinance of the City Of Pflugerville, Texas Granting the use of City Property by Easement totaling approximately 0.045 Acres (1,959 Square Foot) of land out of the Nathan Moore Survey No.45 In Travis County, Texas; Being a portion of said 19.71 Acre Tract Of Land Described In Warranty Deed To The City Of Pflugerville, Texas Recorded in Volume 9482, Page 894 Of The Real Property Records Of Travis County, Texas Said 0.045 Acre (1,959 Square Foot) Parcel.
- 7E.** [ORD-0581](#) 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

East Pflugerville Parkway; 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 for Severability; and providing an effective date.

8. Approval of Minutes

- 8A. [2021-0401](#) Approval of the minutes of the April 7, 2021 Worksession and April 13, 2021 Worksession and Regular Meeting.

9. Resolutions

- 9A. [RES-0856](#) Approving a resolution authorizing the submission of an application and application fee in the amount of \$100,000 for financial assistance from the Water Infrastructure Finance and Innovation Act (WIFIA) for the Surface Water Treatment Plant Expansion project and authorizing a designated City representative for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the WIFIA program.
- 9B. [RES-0864](#) Approving a resolution providing denial of application for approval of a rate change submitted by Oncor Electric Delivery Company, LLC and authorization to participate in proceedings at the Public Utility Commission of Texas.
- 9C. [RES-0868](#) Approving a resolution opposing proposed HB 4447 legislation expanding the 30-day development approval requirements.

10. Other Actions

- 10A. [2021-0409](#) Approving a Professional Services Agreement with Austin Traffic Signal Construction Co., Inc. for a not to exceed amount of \$200,000 for Traffic Signal Maintenance for fiscal year 2021 and authorizing the City Manager to execute same.
- 10B. [2021-0390](#) Approving a professional services supplemental agreement with Plus Six Engineering, LLC in the amount of \$88,527.19 to provide Owner's Representative Services associated with the Central Wastewater Treatment Plant Expansion Phase 2 project.
- 10C. [2021-0406](#) Authorizing expenditures for repairs to the Scott Mentzer Pool facility due to winter storm impact in the amount of \$171,648.15 by Progressive Commercial Aquatics, Inc through the Buy Board Purchasing Cooperative.
- 10D. [2021-0416](#) Approving an Economic Development Performance Agreement ("EDPA") made by and between Pflugerville Community Development Corporation ("PCDC"), a Texas Type B Economic Development Corporation and

Project GT Distributors, Inc., a Texas Corporation ("GT"), not to exceed \$300,000, for the purpose of relocation and primary jobs.

Action on the Consent Agenda

11. Ordinances Second Reading

- 11A. [ORD-0564](#) Discuss and consider action to approve 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 approving a specific use permit for a multi-family mixed-use development on approximately 15-acres zoned Urban Center Corridor Level 4 (CL4) district located at the southwest corner of the E Pflugerville Parkway and Weiss Lane intersection, to be known as the Tacara at Weiss Ranch Specific Use Permit (SUP2009-01); providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date.

12. Discuss and consider action

- 12A. [2021-0403](#) Discuss and consider action to approve a professional services supplemental agreement with Garver, the City's owner representative associated with the Surface Water Treatment Plant Expansion Project, in the amount of \$311,132 for professional engineering services related to an evaluation of future water supply alternatives and authorizing the City Manager to execute the same.
- 12B. [2021-0382](#) Discuss and consider action to approve a Professional Service Supplemental Agreement with Freese and Nichols, Inc. in the amount of \$1,528,933 for professional engineering services associated with the Central Wastewater Treatment Plant Expansion Phase 2 Project.
- 12C. [2021-0386](#) Discuss and consider action to award a construction contract for the Lake Pflugerville Park Phase 1 Project to Terra Path, Inc. the lowest responsible bidder of ten (10) accepted bids received on April 15, 2021, in the amount of \$1,547,102.44 and authorizing the City Manager to execute same.
- 12D. [RES-0858](#) Discuss and consider action to approve a resolution supporting the dignity and respect of all people.
- 12E. [RES-0857](#) Discuss and consider action to approve a resolution amending rules of order and procedure for City Council meetings.

13. Discuss only

- 13A. [2021-0421](#) Discuss Request for Information (RFI) responses and direct staff for options to pursue for City of Pflugerville to continue Emergency Medical Services.

- 13B. [2021-0398](#) Discussion regarding the creation of a Maintenance and Operation Public Improvement District (PID) for the Bohls Place Subdivision for the purpose of updating and maintaining the perimeter fence.
- 13C. [2021-0413](#) Discussion regarding City aquatic facilities and future planning.
- 13D. [2021-0392](#) Discussion regarding timing and plans to resume in-person City Council, board, commission and committee meetings.
- 13E. [2021-0400](#) Discussion regarding future agenda items.

14. **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 April 23, 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.