



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, November 14, 2023

7:00 PM

1611 Pfennig Lane

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#### Regular Meeting

#### 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. 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.

#### 4. Consent Agenda

4A. [ORD-0759](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending Chapter 31 Article II of the City of Pflugerville Code of Ordinances, as amended, by adding §31.21 titled Reserve Police Force, providing for repeal of conflicting ordinances; providing for severability clause; and providing an effective date.

4B. [ORD-0757](#) 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 speed

limits on City Streets (Jesse Bohls Road and Cameron Road) to establish prima facie maximum speeds; providing for a penalty for a violation of Chapter 72 as a Class C Misdemeanor and a fine in an amount not to exceed \$200.00; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

- 4C. [ORD-0753](#) Approving an ordinance on first and final reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the second amendment to the FY23 Budget for the City of Pflugerville; and providing an effective date.
- 4D. [ORD-0747](#) Approving an ordinance on second reading with the caption reading: An ordinance regarding the City of Pflugerville's Texas Municipal Retirement System benefits: (1) adopting non-retroactive repeating COLAs for retirees and their beneficiaries under TMRS Act §853.404(f) and (f-1), and (2) authorizing annually accruing updated service credits and transfer updated service credits.
- 4E. [ORD-0752](#) 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 changing the zoning designation of approximately 81-acres of unplatted land situated in the Peter Conrad Survey, Number 71, Abstract Number 200, in Travis County, Texas, from Urban (Level 4:CL4) and Urban Center (Level 5:CL5) to Planned Unit Development (PUD) District; to be known as the Chisholm Station Planned Unit Development (2022-7-PUD); providing for repeal of conflicting ordinances; providing for serviceability; and providing an effective date.
- 4F. [2023-1059](#) Approving the minutes of the October 24, 2023 Worksession, October 24, 2023 Regular Meeting, and October 26, 2023 Joint Meeting.
- 4G. [2023-1022](#) Canceling the December 26, 2023 City Council Worksession and Regular Meeting.
- 4H. [2023-1064](#) Approving the FY23 Q4 Investment Report.
- 4I. [2023-1111](#) Approving an amendment to the City Manager's labor agreement.
- 4J. [2023-1050](#) Approving a conditional purchase agreement and associated conveyance documents between Pflugerville Cameron Properties, LLC (Parcel No.6) and the City of Pflugerville as necessary to acquire real property interests for the Wilbarger Creek Wastewater Interceptor Project and authorizing the City Manager to execute the same.
- 4K. [2023-1051](#) Approving a conditional purchase agreement and associated conveyance documents between Fortune Land Investments, LLC (Parcel No.14) and the City of Pflugerville as necessary to acquire real property interests for the Wilbarger Creek Wastewater Interceptor Project and authorizing the

City Manager to execute the same.

- 4L. [2023-1065](#) Approving a professional services supplemental agreement with Dunham Engineering in the amount of \$65,000 for professional engineering services associated with the Historic Elevated Tank Rehabilitation Project, and authorizing the City Manager to execute the same.
- 4M. [2023-1104](#) Approving a professional services supplemental agreement with Quiddity in the amount of \$1,062,043 for professional engineering services associated with the Reclaimed Water Line to 1849 Park project, and authorizing the City Manager to execute the same.
- 4N. [2023-1017](#) Approving a professional services supplemental agreement with Kimley-Horn in the amount of \$119,463 for professional engineering services associated with the Cottonwood West Lift Station, and authorizing the City Manager to execute the same.
- 4O. [2023-1066](#) Approving a professional services agreement with LSPS Solutions, Inc. in the amount of \$139,706 for professional engineering services associated with the Lead Service Line Inventory Project, and authorizing the City Manager to execute the same.
- 4P. [2023-1090](#) Approving a professional services agreement with Rock Engineering and Testing Laboratory, LLC in the amount of \$88,885.00 associated with the Neighborhood Street Reconstruction Package No. 2 project and authorizing the City Manager to execute the same.
- 4Q. [2023-1088](#) Approving a construction contract with Patin Construction in the amount of \$9,872,559 associated with the Neighborhood Street Reconstruction Package No. 2 project and authorizing the City Manager to execute the same.
- 4R. [2023-1013](#) Approving a construction contract for Wilbarger Creek Park, Phase 2 associated with the 2020 General Obligation Bond Parks Projects to Patin Construction LLC, in the amount of \$3,392,198, and authorizing the City Manager to execute the same.
- 4S. [2023-1089](#) Approving amended litigation fees for City Attorney.
- 4T. [RES-1157](#) Approving a resolution appointing City of Pflugerville representatives to the Technical Advisory Committee of the Capital Area Metropolitan Planning Organization Transportation Policy Board.
- 4U. [RES-1161](#) Approving a resolution to approve the Travis County Hazard Mitigation Action Plan Update 2023.
- 4V. [RES-1162](#) Approving a resolution authorizing the City Manager to execute an amendment to the Interlocal Cooperation Agreement for Public Health Services between the City of Austin and the City of Pflugerville.

- 4W. [RES-1163](#) Approving a resolution approving the Amendment to the Amended and Restated Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5 and authorizing the City Manager to execute the same.

## Action on the Consent Agenda

Items pulled from the consent agenda will be addressed under Item 6.

## 5. Regular Agenda

- 5A. [2023-1103](#) Discuss and consider action to approve a construction contract with PLW Waterworks in the amount of \$35,492,185 for construction services associated with the Wilbarger Creek Regional Wastewater Treatment Facility, and authorize the City Manager to execute the same.
- 5B. [2023-1055](#) Discuss and consider action to appropriate ARPA funds for Pfood Pfairness program.
- 5C. [2023-1058](#) 1.) Executive Session Item: Discussion in accordance with Texas Government Code Section 551.072 Deliberation regarding Real Property and Section 551.071 Consultation with Attorney related to Downtown East development. 2.) Open Session Item: Discuss and consider action regarding Downtown East development.
- 5D. [2023-1053](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding litigation: Settlement and arbitration fees for Austin Materials, LLC vs. The City of Pflugerville, et. al. 2.) Open Session Item: Discuss and consider action regarding litigation: Settlement and arbitration fees for Austin Materials, LLC vs. The City of Pflugerville, et. al.
- 5E. [2023-1123](#) Discussion regarding the Pflugerville Community Development Corporation (PCDC) Comprehensive Economic Development Strategic Plan 3.0 (CEDS 3.0).

## 6. Discuss and Consider Items Pulled from Consent Agenda

## 7. Adjourn

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.

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 10, 2023 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 Breanna Higgins at [breannah@pflugervilletx.gov](mailto:breannah@pflugervilletx.gov) or 512-990-6129 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.