



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, June 27, 2023

7:00 PM

1611 Pfennig Lane

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. 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. 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. Presentations

- 5A. [2023-0579](#) Mayor's proclamation declaring July 1, 2023 as Carina Baltrip-Reyes day in the City of Pflugerville.
- 5B. [2023-0431](#) Presentation of the findings of the 2023 resident survey conducted by ETC Institute.
- 5C. [2023-0502](#) Conduct the annual presentation on the Pflugerville Communications Department.

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.

6. Other Actions

- 6A. [ORD-0713](#) Approving an ordinance on second 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 Lounge Use on approximately 4,200 square feet within the Downtown District Overlay, located at 105 E Pecan street, to be known as East Pecan Cigars Specific Use Permit (2023-2-SUP); providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date.
- 6B. [2023-0503](#) Approving the minutes of the May 23, 2023 Worksession, May 23, 2023 Regular Meeting, and June 20, 2023 Worksession.
- 6C. [2023-0486](#) Approving a professional services agreement with AGCM, Inc. in the amount of \$3,857,576 to provide Owner's Representative Services for the City Hall and Multi Generational Recreation Center Projects and authorizing the City Manager to execute the same.
- 6D. [RES-1110](#) Approving a Resolution authorizing participation in a coalition of similarly situated cities in connection with the statement of intent to change Rate CGS and Rate PT of Atmos Pipeline Texas filed on or about May 19, 2023; authorizing participation in related rate proceedings, authorizing the retention of special counsel; requiring the reimbursement of municipal rate case expenses; finding that the meeting complies with the open meetings act; and making other findings and provisions related to the subject.
- 6E. [RES-1115](#) Approving a resolution to reject all bids received for the Colorado Sand Drive Extension Project.

Action on the Consent Agenda

Items pulled from the consent agenda will be addressed under Item 8.

7. Regular Agenda

- 7A. [ORD-0703](#) Discuss and consider action to approve 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 amending the Planned Unit Development (PUD) District designation as approved in Ord. 1396-19-06-11 of lots 1, 2, 3, 4, and 5 of the Pflugerville Farms Subdivision of the Real Property Records of Travis County, to be known as the Pflugerville Farms PUD (2022-6-PUD); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- 7B. [ORD-0712](#) Discuss and consider action to approve 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 of Lot 1 and 2 of the Skyview Manor, Consisting of an approximately 2.0-acres tract of land out of the John Van Winkle Survey 14 in Pflugerville, Texas from Agricultural/ Development Reserve (A) District to Single Family- Mixed Use District (SF-MU); to be known as the Nimbus Rezoning (2023-3-REZ); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- 7C. [2023-0553](#) Discuss and consider action to approve a construction contract with Capital Excavation Company in the amount of \$14,893,736 associated with the Kelly Lane Phase 2 roadway improvements project, and authorizing the City Manager to execute the same.
- 7D. [2023-0554](#) Discuss and consider action to approve a professional services agreement with Holt Engineering, Inc. in the amount of \$77,143.62 for construction materials testing services associated with the Kelly Lane Phase 2 roadway improvements project, and authorizing the City Manager to execute the same.
- 7E. [2023-0555](#) Discuss and consider action to approve a professional services agreement with Volkert, Inc. in the amount of \$1,323,869 for construction management and inspection services associated with the Kelly Lane Phase 2 Road Improvements Project and authorizing the City Manager to execute same.
- 7F. [2023-0556](#) Discuss and consider action to approve a professional services supplemental agreement with Johnson, Mirmiran & Thompson in the amount of \$537,554 for professional engineering services associated with the Kelly Lane Phase 2 roadway improvements project, and

authorizing the City Manager to execute the same.

- 7G.** [RES-1103](#) Discuss and consider action to approve adopting Tax Increment Reinvestment Zone No. 1 Reimbursement Policy.
- 7H.** [2023-0560](#) Discuss and consider action to approve a Professional Services Agreement with Marmon Mok in the amount of \$5,151,805 for professional engineering services associated with the Public Works Complex Project, and authorizing the City Manager to execute the same.
- 7I.** [2023-0567](#) 1.) Executive Session Item: Deliberations in accordance with Sections 551.072 of the Texas Government Code to discuss the value of real property. 2.) Open Session Item: Discuss and consider action approving a Pflugerville Community Development Corporation (PCDC) sales contract with Electronic Vision Systems, Inc. (dba EVS Metals, Inc.) to convey approximately 14.5 acres in the One Thirty Business Park for purposes of expansion, and approving the PCDC Board President to execute the same.
- 7J.** [2023-0571](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code regarding professional service agreements and wholesale wastewater agreements for various special districts. 2.) Open Session Item: Discuss and consider action regarding professional service agreements for various special districts.
- 7K.** [2023-0572](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code to deliberate agreements regarding termination and transfer of services with various special districts. 2.) Open Session Item: Discuss and consider action regarding agreements regarding termination and transfer of services.
- 7L.** [2023-0574](#) Discuss and consider action on a right-of-way agreement with Google Fiber Texas LLC.
- 7M.** [2023-0570](#) Discuss and consider action regarding removal and appointments to the Pflugerville Community Development Corporation board of directors.
- 7N.** [2023-0550](#) Discussion regarding City of Pflugerville Code of Ordinances Chapter 94, Noise Control.

8. Discuss and Consider Items Pulled from Consent Agenda

9. 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 June 23, 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 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.