



City of Pflugerville

Meeting Agenda - Final

City Council

Tuesday, July 14, 2020

7:00 PM

100 East Main Street, Suite 500

Regular Meeting (Telephone/Video Conference)

The City Council is scheduled to hold a Worksession starting at 5:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession and how to connect to the Worksession telephone/video conference meeting.

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=e232dbe19a0d85c2bfd02bc2652adf9a5>

Meeting Code/Number: 146 585 1282

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

Public comment on all items 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. Public comment on all items will occur under the Public Comment item. 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 under the Public comment item or to submit written comments, please email citysecretary@pflugervilletx.gov at least 2 hours in advance of the Regular Meeting.

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 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.

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. Ordinances Second Reading

- 4A. [ORD-0521](#) Approving an ordinance on second reading with the caption reading: An Ordinance repealing and replacing the Code of Ordinances of the City of Pflugerville, Texas, Chapter 96, "Streets and Sidewalks", and renaming Chapter 96 to "Right-of-Way Management", in order to administer and regulate the use of Public Rights-of-Way for the public interest, health, safety and welfare; providing for the issuance and regulation of permits; establishing fees; providing for a penalty in an amount in accordance with Code of Ordinances, Section 10.99 General Penalty, for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

- 4B. [ORD-0522](#) Approving an ordinance on second reading with the caption reading: An

Ordinance of the City of Pflugerville adding Section 11 Wireless Services Design for Network Nodes, Node Support Poles and Transfer Facilities to the 2014 Engineering Design Manual and Construction Standards, replacing all Engineering and Construction Standards in conflict; Containing a savings clause; Containing a severability clause; and providing for publication and an effective date.

- 4C.** [ORD-0529](#) Approving an ordinance on second reading as amended with the caption reading: An Ordinance amending the Code of Ordinances of the City of Pflugerville, Texas, Title XIII "General Offenses," Chapter 130, "Offenses against City Regulations," to add Section 130.12, "Obstructing Streets and Sidewalks," and 130.13, "Repair of defective sidewalks" in order to administer and regulate the use of public rights-of-way for the public interest, health, safety and welfare; providing for a penalty in an amount in accordance with Code of Ordinances, Section 10.99 General Penalty, for violation of any provision hereof; repealing all Ordinances or parts of Ordinances inconsistent or in conflict herewith; and providing for severability and an effective date.
- 4D.** [ORD-0530](#) Approving an ordinance on second reading with the caption reading: An Ordinance amending the Code of Ordinances of the City Pflugerville, Texas, Title VII "Traffic Code," Chapter 70, "Traffic Rules," to add Section 70.03, "Braking Devices Prohibited," in order to administer and regulate traffic on City streets for the public interest, health, safety and welfare; providing for a penalty in an amount in accordance with Code of Ordinances, Section 10.99 General Penalty, for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability and an effective date.
- 4E.** [ORD-0525](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville Code of Ordinances Title XV Land Usage, amending Chapter 155 Site Development, Subchapter B Central Business District, Section 155.1305 Signs by removing sign regulations; repealing and replacing Chapter 154 Signs, by adding Downtown sign regulations, reorganizing the standards for ease of use, clarifying master signage plan provisions, adding sign provisions for subdivision entrances, modifying the list of prohibited sign types, adding specific standards for sign types, and clarifying the permit application and processes; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 154, as a class C misdemeanor and a fine in an amount not to exceed \$500.00; and declaring an effective date.
- 4F.** [ORD-0528](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending the City of

Pflugerville Code of Ordinances Title III Administration, Chapter 31 Departments, Boards and Commissions, to add Section 31.60 Establishing an Equity Commission; providing that this ordinance shall be cumulative and repealing all ordinances in conflict; providing for severability; and declaring an effective date.

- 4G.** [ORD-0526](#) 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 approving a specific use permit for a proposed bar/tavern on an approximate 0.86-acre tract of land zoned General Business 1 district (GB1) and Downtown District Overlay (DD) located generally southwest of the N. Railroad Ave. and E. Main St. Intersection, locally addressed as 115 E. Main St, to be known as the 115 E. Main St specific use permit (SUP2004-01); providing a cumulative and repealer clause; providing for a severability clause; and providing an effective date.

5. Approval of Minutes

- 5A.** [2020-8491](#) Approval of the minutes of the June 23, 2020 Worksession and Regular Meeting and June 30, 2020 Emergency Meeting.

6. Resolutions

- 6A.** [RES-0733](#) Approving a resolution with the caption reading: Resolution of the City of Pflugerville, Texas Authorizing the City Manager to Extend the Contract for Banking Services.
- 6B.** [RES-0732](#) Approving a Resolution of the City of Pflugerville, Texas authorizing the Finance Director of the City of Pflugerville to direct the Travis County Tax Assessor-Collector to calculate the Voter-Approval Tax Rate of the City of Pflugerville in the manner provided for a special taxing unit due to the Governor's State-wide Declaration of Disaster in response to the COVID-19 Pandemic; and declaring an effective date.

7. Other Actions

- 7A.** [2020-8506](#) Approving a professional services supplemental agreement with Halff Associates, Inc. in the amount of \$66,160.00 for professional engineering services associated with the Justice Center parking lot expansion and evidence storage facility project and authorizing the City Manager to execute same.
- 7B.** [2020-8521](#) Authorizing a proposal from Focused Advocacy for professional state government advocacy and consultation services for a 24-month term from August 1, 2020 through July 31, 2022, authorizing the City Manager to execute the final agreement, in a form acceptable to the City Attorney, and directing staff to prepare a budget amendment as needed.

- 7C. [2020-8504](#) Approving a Change Order in the amount of \$288,607.76 and 34 additional days for the construction contract for the Central Wastewater Treatment Plant Expansion Phase 1 Project with BAR Constructors, Inc. and authorize the City Manager to execute the same.
- 7D. [2020-8522](#) Approving an Economic Development Performance Agreement (EDPA) between Pflugerville Community Development Corporation (PCDC) and [Amazon.com](#) Services LLC (Project Charm), a logistics and distribution company, not to exceed \$3.8M, for off-site road infrastructure improvements, and for the purpose of creating capital investment and primary jobs.

Action on the Consent Agenda

8. Discuss and consider action

- 8A. [2020-8517](#) Discuss and consider action to provide direction to the City Manager regarding the allocation of CARES ACT funding to be received through an interlocal agreement with Travis County.
- 8B. [2020-8518](#) Discuss and consider action to provide direction to staff regarding the preparation of propositions to be brought forward to the voters at the November 3, 2020 bond election.
- 8C. [2020-8523](#) Discuss and consider action regarding the proposed pilot for implementation of the transit development plan (TDP) and allocation of funding in the FY21 budget.
- 8D. [2020-8503](#) Discuss and consider action to approve a Change Order with S.J. Louis in the amount of \$173,343.45 associated with the West SH 130 Wastewater Interceptor Project to complete additional public infrastructure improvements requested by the Project Charm development and authorize the city manager to execute the same.
- 8E. [2020-8395](#) Discuss and consider action to approve a Developer Reimbursement Agreement with the Project Charm Development for construction of public improvements associated with the Project Charm development and authorize the city manager to execute the same.

9. Discuss only

- 9A. [2020-8525](#) Discussion regarding the FY21 proposed budget.

10. 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 July 10, 2020 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 Aileen Dryden, Americans with Disabilities Act (ADA) Coordinator, at aileend@pflugervilletx.gov or 512-990-6400 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.