



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, November 12, 2019

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

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.

#### 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. Presentations

- 4A. [2019-7960](#) Presentation of a proclamation recognizing the Pflugerville High Engineering and Robotics Team for advancing to the 2019 Texas Boosting

Engineering Science and Technology (BEST) UIL State Robotics Championship.

- 4B. [2019-7988](#) Presentation regarding City of Pflugerville water system.

## 5. Public Hearing and Ordinance First Readings

Each person providing public comment at a public hearing will be limited to 3 minutes.

- 5A. [ORD-0490](#) Conduct a public hearing and consider approving an annexation ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, tracts of land totaling approximately 249.55 acres of land situated in the Sefrin Eiselin Survey No. 4, Abstract No. 265, in Travis County, Texas, of the Real Property Records of Travis County, generally located north of E. Pecan Street, west of SH 130, and south of E. Pflugerville Parkway; extending the boundaries of the City to include the land; and to be zoned Agriculture / Development Reserve (A); to be known as the E. Pecan Street 2019 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. (ANX1909-02)

## 6. 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.

## 7. Approval of Minutes

- 7A. [2019-7959](#) Approval of the minutes of the October 22, 2019 Worksession and Regular Meeting and October 28, 2019 Worksession.

## 8. Ordinances First Reading

- 8A. [ORD-0491](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending the City's Code of Ordinances Title III, Chapter 33 by repealing Section 33.01.(City Credit Card)

- 8B. [ORD-0492](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville amending Section 4 of the 2014 Engineering Design Manual and Construction Standards, replacing all engineering and construction standards in conflict; containing a severability clause; and providing for publication and effective date.

## 9. Ordinances Second Reading

- 9A. [ORD-0487](#) Approving an ordinance on second reading with the caption reading: An ordinance amending the City of Pflugerville, Texas Code of Ordinances, Chapter 95, Parks and Recreation, Park Regulations, Section 95.02 Definitions, by adding a definition for camping.
- 9B. [ORD-0489](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending Chapter 111, Peddlers and Solicitors, of the Code of Ordinances of the City of Pflugerville, Texas, by adding an exception for lemonade stands and adding a definition for arterial roadway; establishing a penalty of not more than \$500 per violation per day; and providing for severability and an effective date.
- 9C. [ORD-0485](#) 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 the North half of lots 13, 14, 15, 16, 17, & 18, of Block 7 out of the original Pflugerville subdivision, from Single-Family Suburban (SF-S) to Office (O) District; to be known as Juarez Commercial Rezoning (REZ1908-02); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

## 10. Resolutions

- 10A. [RES-0626](#) Approving the resolution providing a one-year extension to the Wholesale Wastewater Service Agreement between the City of Hutto and Kelly Lane Utility Company Dated June 9, 1999; Assumed by the City of Pflugerville in December 2002 and amending terms and authorizing the City Manager to execute same.
- 10B. [RES-0636](#) Approving a resolution approving personnel policies in accordance with the City Charter.
- 10C. [RES-0675](#) Approving a resolution adopting the Americans with Disabilities Act (ADA) ADA Coordinator and procedures.
- 10D. [RES-0669](#) Approval of a resolution with a caption reading: Resolution continuing a public hearing on the creation of a Tax Increment Reinvestment Zone (TIRZ) Number Two to include NorthPointe West Development and the

Downtown Area.

## 11. Other Actions

- 11A. [2019-7760](#) Approving a professional expense reimbursement agreement by and between the City of Pflugerville and Lakeside Meadows Development and authorizing the City Manager to execute the agreement.
- 11B. [2019-7958](#) Approve the award of a bid for valve and hydrant maintenance with R&M Service Solutions in the amount of \$140,000 and authorize the City Manager to execute a standard governmental contract and purchasing rider for same.
- 11C. [2019-7961](#) Approving the Pflugerville Community Development Corporation (PCDC) FY20 Fund Reserve and Budget Policy and Public Funds Investment Policy.
- 11D. [2019-7970](#) Approving the selection of LJA Engineering, Inc., Lockwood, Andrews & Newnam, Inc. (LAN), THC, Inc., Cobb, Fendley & Associates, Inc. and Seven Arrows Land Staff to provide On-Call Right of Way Services and authorizing the City Manager to enter into negotiations as needed regarding scopes of work and fee proposals.
- 11E. [2019-7972](#) Approving the selection of CBRE, Inc., Kokel-Oberrender-Wood Appraisal, Ltd., and National Valuation Group, Inc. to provide On-Call Appraisal Services and authorizing the City Manager to enter into negotiations as needed regarding scopes of work and fee proposals.
- 11F. [2019-7973](#) Approving an agreement with Manville Water Supply Corporation (WSC) for acquisition of water Certificates of Convenience and Necessity (CCN) areas within the city limits and authorizing the City Manager to execute same.
- 11G. [2019-7976](#) Authorizing the City Manager to approve the purchase and installation of four (4) pumps for the Weiss Lane Lift Station from Precision Pump Systems in the amount of \$179,000.00 utilizing the Texas Association of School Boards (TASB) cooperative purchasing contract (BuyBoard).
- 11H. [2019-7599](#) Authorizing the City Manager to execute a purchasing agreement with Vortex for the furnishing and installation of a splash pad for the Stone Hill Park project in the amount of \$250,097.50.
- 11I. [2019-7917](#) Approving a professional services agreement with Plus Six Engineering, LLC in the amount of \$2,954,744.00 to provide owner representative services associated with the Central Wastewater Treatment Plant Expansion Phase 1 Project and authorizing the City Manager to execute same.

## Action on the Consent Agenda

**12. Discuss and consider action**

- 12A. [2019-7957](#)** Discuss and consider action to approve the appointment of Bonita Hall as People + Culture (formerly known as Human Resources) Director.
- 12B. [2019-7974](#)** Discuss and consider action to implement near-term (2020) recommendations 1) restricting turns for the Kelly Lane at Vilamoura intersection and 2) installation of a traffic signal at Kelly Lane/Jakes Hill intersection. A combination of both improvements was recommended as necessary solutions for addressing the traffic safety and operations as public concerns.
- 12C. [2019-7978](#)** Discuss and consider action regarding a future City Council Special Meeting date, location and topics.
- 12D. [2019-7996](#)** 1.) Executive Session Item: Pursuant to Section 551.071 of the Texas Local Government Code- Consultation with Attorney regarding Cause No. D-1-GN-18-001908; City of Pflugerville v. 735 Henna, LLC. 2.) Open Session Item: Discuss and consider action regarding Cause No. D-1-GN-18-001908; City of Pflugerville v. 735 Henna, LLC.
- 12E. [2019-7977](#)** 1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding an Economic Development Performance Agreement (EDPA) between Pflugerville Community Development Corporation (PCDC) and RNDC Texas, LLC (Project Cedar) for the purpose of infrastructure and primary job grants. 2.) Open Session Item: Discuss and consider action to approve an Economic Development Performance Agreement (EDPA) between PCDC and RNDC Texas, LLC (Project Cedar) for the purpose of infrastructure and primary job grants.
- 12F. [2019-7987](#)** 1.) Executive Session Item: Deliberations regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the purchase, exchange, lease, transfer and/or sale of real property related to the West SH130 Wastewater Interceptor Phase 1 and Phase 2 projects. 2.) Open Session Item: Discuss and consider action to authorize the City Manager to execute conditional purchase agreements, easement purchase agreements and associated conveyance documents between The Timmerman & Hagn Ltd. for Wastewater Line Easements and Temporary Construction Easements (TCE's) - Parcels 2, 4, 5, 6, 7 and 10, The Timmerman Farms, Ltd. for Wastewater Line Easement and TCE, Parcel 11, The Hagn & Timmerman Ltd. for Buffer Zone Easement, Parcel 8, and The Hagn & Timmerman Ltd. for Wastewater Line Easement, Laydown area/TCE and Water Line Easement. Parcel 8 and the City of Pflugerville as necessary to acquire real property interests for the West SH130 Wastewater Interceptor Phase 1 and Phase 2 projects generally located along Wilbarger Creek between the Central Wastewater Treatment Plant and East Pflugerville Parkway.

**13. 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 8, 2019 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](mailto: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.

