



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, July 11, 2023

7:00 PM

1611 Pfennig Lane

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#### Regular Meeting

#### 1. Call to Order

Mayor Pro Tem Doug Weiss called the regular meeting to order at 7:00pm. Councilmembers Cesar Ruiz, Kimberly Holiday, Rudy Metayer, Jim McDonald and David Rogers were in attendance.

City staff in attendance: Sereniah Breland, City Manager; James Hartshorn, Deputy City Manager; Emily Barron, Assistant City Manager; Thomas Hunter, Assistant City Manager; Ashley Lobb, Deputy City Secretary; Charles Zech, City Attorney; Breanna Higgins, Assistant to the City Manager; Jason O'Malley, Chief of Police; Jason Smith, Assistant Chief of Police; Terri Toledo, Director of Management Services; Andrea Brinkley, CIP Director; Jeremy Frazzell, Planning and Development Services Director; Jennifer Coffey, Library Director; Evan Groeschel, Operations Director; Abby Morrison, Special Projects Manger; Roger Heaney, Communications Assistant Director; Brandon Pritchett, Public Works Director; Robyn Miga, Assistant Planning and Development Director; Kelly Holecek, Purchasing Manager; Cody Collins, Information Technology Director

#### 2. Opening

##### A. Pledge of Allegiance to the Flag of the United States of America

Mayor Pro Tem Weiss led those in attendance in the Pledge of Allegiance to the Flag of the United States of America.

##### B. Pledge of Allegiance to the Texas State Flag

Mayor Pro Tem Weiss led those in attendance in the Pledge of Allegiance to the Texas State Flag.

##### C. Moment of Silence

Mayor Pro Tem Weiss led those in attendance in a moment of silence.

#### 3. Items of Community Interest

Mayor Pro Tem Weiss stated that the next "Talk the Walk" event is August 3rd at Pfluger Park at 8am.

Mayor Pro Tem Weiss stated the next Pfloating Movie Night is July 14th at Scott Mentzer Pool.

Mr. Metayer stated a pro bono legal clinic will be available to veterans in the community and their families. Mr. Metayer stated the next clinic for free legal services is August 20th from 1:30 to 5:00pm at Pflugerville Public Library.

#### 4. Public Comment

Ray Trevino, Community Coordinator for Healthy Kids Running and discussed the program. Stated had 150 kids running in the program. Stated ran last year under a fee and now the fee is going up to two dollars per participant. Mr. Trevino stated is trying to eliminate the fees and would like to do something about the fees as he feels they are too high.

Daniel Trevino stated he is in Healthy Kids Running and likes running at the lake because it keeps kids healthy. He stated that he can't think of a better place in Pflugerville to run than at Lake Pflugerville and would like to continue running at the lake.

#### 5. Presentations

- 5A. [2023-0074](#) Proclamation designating July 2023 as Parks and Recreation Month in the City of Pflugerville.

Mayor Pro Tem Weiss read the proclamation and presented it to Shane Mize, Parks and Recreation Director, and Parks and Recreation staff.

#### Reading of the Consent Agenda

Ms. Lobb stated items 6E., 6G., 6K., 6L., 6M., and 6O.. were pulled from the consent agenda and all remaining items can be acted upon in a single motion.

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-0703](#) 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 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 Apartments 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.

The ordinance was approved on the consent agenda.

- 6B. [2023-0504](#) Approving the minutes of the June 27, 2023 Worksession and June 27,

2023 Regular Meeting.

**The minutes were approved on the consent agenda.**

- 6C. [2023-0565](#) Approving the Enterprise Fleet Management Purchase vehicle bill of sale in the amount of \$58,163.59, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6D. [2023-0594](#) Approving an agreement with Alpha Building Corporation in the amount of \$59,024.76 for the furnishing and installation of flooring within City Hall, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6F. [2023-0591](#) Approving a software agreement renewal with HydroPro Solutions Inc. for software and integration services in the amount of \$54,458 associated with the Automated Meter Infrastructure (AMI) project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6H. [2023-0598](#) Approving a conditional purchase agreement and associated conveyance documents between Robin Weiss Faulk, Trustee of the Robin Weiss Faulk Trust, Jackie Weiss Porter, Trustee of the Jackie Weiss Porter Trust, Randy Charles Weiss, Trustee of the Randy Charles Weiss Fund, as created by the Last Will and Testament of Don Lee Weiss (Parcel Nos. 64C and 67A) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6I. [2023-0599](#) Approving a conditional purchase agreement and associated conveyance documents between Joe Weiss and wife Mary E. Weiss, (Parcel No. 64B) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6J. [2023-0600](#) Approving a conditional purchase agreement and associated conveyance documents between Allen Wayne Vorwerk (Parcel 3A) and the City of Pflugerville as necessary to acquire real property interests for the Sorrento Interceptor Phase 2 project, and authorizing the City

Manager to execute the same.

The item was approved on the consent agenda.

- 6N. [RES-1117](#) Approving a resolution amending the City of Pflugerville Purchasing Policy.

The item was approved on the consent agenda.

### Action on the Consent Agenda

Mr. McDonald moved to approve the consent agenda. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

Items pulled from the consent agenda will be addressed under Item 9

## 7. Public Hearings and Ordinances

- 7A. [ORD-0721](#) Conduct a public hearing and consider approving the first reading of an ordinance with a caption reading: An Ordinance of the City Council of the City of Pflugerville, Texas amending the City of Pflugerville's Unified Development Code; Providing for expiration dates of permits and projects; providing for permit application; providing for process for determining vested rights.

Mayor Pro Tem Weiss read the item and opened the public hearing. Mr. Zech provided background information on the Texas government code, vested rights and an overview of the ordinance. Mr. Zech answered questions from council regarding expiration dates on permits and projects. Mr. Zech discussed what expiration dates other cities have adopted.

There was no one present wishing to speak under the public hearing. Mr. McDonald moved to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

Ms. Holiday moved to approve the ordinance on first reading. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

## 8. Regular Agenda

- 8A. [2023-0602](#) Discuss and consider action to approve a Pflugerville Community Development Corporation FY23 Budget Amendment in the amount of \$820,000 for Impact Way extension construction costs.

Mayor Pro Tem Weiss opened the item for discussion. Mr. Tsoka gave council an overview of the PCDC budget amendment. Mr. Tsoka discussed the increase and construction costs. Mr. Tsoka gave an overview of the budget amendment summary costs. Mr. McDonald asked where the additional money would be coming from. Mr. Tsoka stated that the additional money would be coming from reserve funds.

Mr. Metayer motioned to approve the item. Mr. Rogers seconded the motion.

All voted in favor. The motion carried.

- 8B. [2023-0603](#) Discuss and consider action to approve a contract in the amount of \$195,000 between the Pflugerville Community Development Corporation (PCDC) and Ernst & Young LLC for purposes of developing a Comprehensive Economic Development Strategic Plan (3.0).

Mayor Pro Tem Weiss opened the item for discussion. Ms. Madison discussed the item and introduced Mr. Delisi with Ernst and Young. Mr. Delisi gave an overview of the company and the integrated approach to economic development. Mr. Delisi gave an overview of the project team and perspective. Mr. Rogers asked Mr. Delisi his views regarding bringing higher education to Pflugerville. Mr. Delisi said that it would be possible and something that can be explored. Mr. Metayer asked Mr. Delisi about the changes in the community and whether it will help or hurt. Mr. Delisi discussed the growth and how it has been anticipated in the plans.

Mr. Rogers motioned to approve the item. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

- 8C. [2023-0592](#) Conduct a presentation on the State Highway 45 Ramp Reversal Project report.

The item was discussed during the previously posted worksession.

- 8D. [RES-1121](#) Conduct a presentation on the Austin Public Health contract and services provided.

The item was discussed during the previously posted worksession.

- 8E. [2023-0622](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding litigation: Austin Materials, LLC vs. The City of Pflugerville, et. al. 2.) Open Session Item: Discuss and consider action regarding litigation Austin Materials, LLC vs. The City of Pflugerville, et. al

Mayor Pro Tem Weiss read items 8E and 8F and stated council is in executive session. City council retired to executive session at 8:12pm. Discussion on the item occurred in executive session.

- 8F. [2023-0621](#) 1.) Executive Session Item: Deliberations in accordance with Section 551.072 of the Texas Government Code to discuss the value and purchase of real property. 2.) Open Session Item: Discuss and consider action regarding the value and purchase of real property.

Mayor Pro Tem Weiss reconvened the regular meeting at 8:43pm. No action was taken

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

- 6E. [2023-0596](#) Approving a Change Order to Tyler Technologies in the amount not to exceed \$135,000 for Enterprise Resource Planning (ERP)

Implementation, and authorizing the City Manager to execute the same.

**Mayor Pro Tem Weiss opened the item for discussion. Mr. Hartshorn discussed what the additional amount requested will be for and the reason it is needed. Mr. Hartshorn answered questions from council regarding Finance Department staffing.**

**Mr. McDonald motioned to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**

**6G.    2023-0597**

Approving a conditional purchase agreement and associated conveyance documents between Lakeside Meadows, LLC, (Parcel No. 62A) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project, and authorizing the City Manager to execute the same.

**Mayor Pro Tem Weiss opened the item for discussion. Ms. Brinkley gave an overview of the purchase agreement. Mr. Metayer asked if the land being discussed should belong to the city. Discussion occurred regarding easements and recordings. Mr. Metayer asked who was responsible for recording the easement. Ms. Brinkley stated the recording would have taken place in excess of twenty years ago through the title company and staff. Mr. Metayer discussed his concerns with the project. Ms. Breland asked to delay and move two weeks to answer council questions. No action taken**

**6K.    [RES-1112](#)**

Approving a resolution of the City of Pflugerville, Texas approving a Right-of-way license agreement with the Lakeside Meadows (Pflugerville) Master Community, Inc., a Texas Domestic nonprofit corporation, for Lakeside Meadows Phases 2 and 3 pursuant to the Pflugerville Code of Ordinances, Chapter 96 right-of-way management, Division V. ROW licenses.

**Mayor Pro Tem Weiss opened the item for discussion. Mr. Frazzell gave an overview of items 6K, 6L and 6M. Mr. Frazzell answered Mr. Metayer's questions regarding developers and construction. Mr. Frazzell gave an overview of what the agreement means. Discussion occurred regarding the agreement and the future of the project.**

**Mr. Metayer made a motion to approve items 6K, 6L and 6M. Mr. Rogers seconded the motion. All voted in favor. The motion carried.**

**6L.    [RES-1113](#)**

Approving a resolution of the City of Pflugerville, Texas approving a Right-of-Way License and Agreement with Meritage Homes of Texas, LLC, an Arizona Limited Liability Company, for Lakeside Meadows Phases 4 and 5, Pursuant to the Pflugerville Code of Ordinances, Chapter 96 Right-of-Way Management, Division V. ROW Licenses.

**Minutes for the item are under item 6K RES-1112. Mr. Metayer moved to approve items 6K, 6L and 6M. Mr. Rogers seconded the motion. All voted in favor. The motion carried.**

**6M.    [RES-1114](#)**

Approving a resolution of the City of Pflugerville, Texas approving a Right-of-Way License Agreement with Lakeside Meadows LLC, a Texas

Limited Liability Company, for Lakeside Meadows Phase 1, Pursuant to the Pflugerville Code of Ordinances, Chapter 96 Right-of-Way Management, Division V. ROW Licenses.

Minutes for the item are under item 6K RES-1112. Mr. Metayer moved to approve items 6K, 6L and 6M. Mr. Rogers seconded the motion. All voted in favor. The motion carried

**60.** [2023-0512](#)

Approving the appointment of Felipe Romero as Director of Communications.

Mayor Pro Tem Weiss opened the item for discussion. Ms. Toledo introduced Mr. Romero to council and gave an overview of his background. Mr. Romero discussed his background and past work in other cities. Mr. Rogers asked what Mr. Romero plans to bring to the communications team. Mr. Romero stated he will look at the strengths and weaknesses. Mr. Romero stated he will look at ways to how to connect with the city. Mr. Ruiz asked about Mr. Romero's connections. Mr. Romero stated he does have connections and resources in the area. Mr. Romero answered council questions regarding his plan for the position.

Mr. Weiss motioned to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**10. Adjourn**

Mayor Pro Tem Weiss adjourned the meeting at 9:21pm.

Respectfully submitted,

Ashley Lobb, Deputy City Secretary

Approved as \_\_\_\_\_ on July 25, 2023.