



# City of Pflugerville

## Minutes - Final - Draft

### City Council

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Tuesday, March 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 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

#### 1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:00 p.m. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. City employees attending: Sereniah Breland, City Manager; Trey Fletcher, Assistant City Manager; Brian McDougal, Interim Assistant City Manager; Karen Thompson, City Secretary; Jennifer Stubbs, Assistant City Secretary; Emily Barron, Planning Director; Maggie Holman, Events Coordinator; Jennifer Coffey, Library Director; Wiley Webb, Utilities Superintendent; Chad Wood, Interim Public Works Director; Patricia Davis, Interim City Engineer; Jessica Robledo, Police Chief; Jason Smith, Assistant Police Chief; Sheila Wiora, Interim Parks Director; Aileen Dryden, Parks Development Manager.

#### 2. Opening

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

Mayor Gonzales led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

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

Mayor Gonzales led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

##### C. Moment of Silence

Mayor Gonzales observed a moment of silence.

#### 3. Items of Community Interest

Mayor Gonzales wished Mr. Weiss a happy birthday. Mr. Weiss provided comments stating that he was honored to spend it with his fellow Councilmembers and citizens in attendance.

#### 4. Presentations

**4A.** [2019-7418](#) Graduation of the PF101 Class of 2019.

**Mayor Gonzales provided information on the PF101 program and introduced the PF101 Class President Dave Rotheroe. Mr. Rotheroe provided comments on the participants' experience in the PF101 program and thanked everyone. Mayor Gonzales provided additional comments and thanked the participants. Mayor Gonzales provided a certificate to the 2019 PF101 graduates in attendance: Mr. Dana Barbie, Ms. Susan Bartkovak, Ms. A.K. Brewer, Mr. Melvin (Kenneth) Fowler, Ms. Laura Friello, Ms. Holly Hayes, Mr. Joseph (Tyler) McCraney, Ms. Lenette Peterson, Mr. Dave Rotheroe, Ms. Ronaele Rowley, Ms. Tammy Smith and Mr. Victor To.**

**4B.** [2019-7431](#) Pflugerville Police Department annual presentation.

**Chief Robledo presented on the item.**

**5. Public Hearing**

**5A.** [ORD-0453](#) Conduct the second public hearing of an annexation ordinance with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a 149.96 acre tract of land, out of the Joseph Wehl Survey No. 8, Abstract No. 802, in Travis County, Texas of the Real Property Records of Travis County, and a tract of land encompassing Weiss Lane right-of-way generally located between East Pecan Street and Kelly Lane; extending the boundaries of the City to include the land; and to be zoned Agriculture/ Development Reserve (A); to be known as the Weiss High School 2019 Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; and providing an effective date. (ANX1901-01)

**Mayor Gonzales read the item and opened the public hearing. Ms. Barron provided information and answered questions of the Council. There were no requests to speak at the public hearing. Mr. Weiss made a motion to close the public hearing. Mr. Marsh seconded the motion. All voted in favor. The motion carried.**

**6. Public Comment**

**There were no requests to speak under the public comment item.**

**Reading of the Consent Agenda**

**Mr. Metayer requested to remove 9C from the consent agenda. Mayor Pro Tem Peña requested to remove items 10B and 10C so that he can step down due to a possible conflict of interest. Ms. Thompson read the items and captions of the ordinances under consideration.**

**7. Approval of Minutes**

- 7A. [2019-7430](#) Approval of the minutes of the February 26, 2019 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 8. Ordinances Second Reading

- 8A. [ORD-0449](#) 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 body art studio on Lot 2, Settlers Ridge commercial Subdivision, Locally addressed as 1101 W. Pecan St. to be known as the Forged in Inc Tattoo Specific Use Permit (SUP1812-01); providing a cumulative and repealer clause; providing for a severability clause; and providing an effective date.

The ordinance was approved on second and final reading on the consent agenda.

- 8B. [ORD-0451](#) 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 Lot 2A, Windermere Centre II from Agriculture/Development Reserve (A) to General Business 1 (GB1) District; to be known as 15913 Windermere Dr Rezoning (REZ1812-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

The ordinance was approved on second and final reading on the consent agenda.

## 9. Resolutions

- 9A. [RES-0601](#) Approve a resolution adopting special purpose district creation consent policies.

The resolution was approved on the consent agenda.

- 9B. [RES-0608](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a Victim of Crime Act Formula Grant award in the amount of \$166,265.00 from the Office of the Governor for the funding of personnel, purchase of equipment, and training.

The resolution was approved on the consent agenda.

- 9D. [RES-0610](#) Approve a resolution appointing a Capital Improvement Advisory Committee.

The resolution was approved on the consent agenda.

**10. Other Actions**

- 10A.** [2019-7425](#) Authorizing the City Manager to execute a contract for the maintenance of the City's Colorado River raw water intake systems with Underwater Construction Corporation in the amount of \$51,738.00.

The item was approved on the consent agenda.

**Approval of the Consent Agenda**

Mr. Heath made a motion to approve the consent agenda. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

**9. Resolution - Removed from the Consent Agenda**

- 9C.** [RES-0609](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a First Responder Mental Health Program Grant award for \$19,720.00 from the Office of the Governor for the enhancement of the current Police Resiliency Program for department staff.

Mayor Gonzales read the item and opened it for consideration. Mr. Metayer stated that he had pulled the item to congratulate Billy Gibbens for an excellent job and noted the need for mental health programs. Mr. Metayer made a motion to approve the resolution. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

**10. Other Actions - Removed from the Consent Agenda**

- 10B.** [2019-7427](#) Approving a supplemental agreement with Freese and Nichols, Inc. in the amount of \$54,943.00 for professional engineering services associated with the Water Master Plan.

Mayor Pro Tem Peña stepped down from the dais due to his having a possible conflict of interest on the item in that he has a brother in law with substantial interest in the company Freese and Nichols, Inc. Mayor Gonzales read the item and opened it for consideration. Mr. McDonald made a motion to approve the item as read. Mayor Gonzales seconded the motion. All present voted in favor. Mayor Pro Tem Peña did not participate in the discussions or vote on the item. The motion carried.

- 10C.** [2019-7428](#) Approving a supplemental agreement with Freese and Nichols, Inc. in the amount of \$64,991.00 for professional engineering services associated with the Wastewater Master Plan.

Mayor Pro Tem Peña stepped down from the dais due to his having a possible conflict of interest on the item in that he has a brother in law with substantial interest in the company Freese and Nichols, Inc. Mayor Gonzales read the item and opened it for consideration. Mr. Metayer made a motion to approve the

item as read. Mr. McDonald seconded the motion. All present voted in favor. Mayor Pro Tem Peña did not participate in the discussions or vote on the item. The motion carried.

## 11. Discuss and consider action

- 11A. [2019-7429](#) Discuss and consider authorizing the City Manager to execute an agreement with QA Construction Services Inc. in the amount of \$1,595,000.00 for the construction of the Wilbarger Creek Park project.

Mayor Gonzales read the item and opened it for consideration. Mayor Pro Tem Peña returned to the dais. Ms. Wiora provided information on the project and answered questions of the Council. Discussion followed with input from Mr. Fletcher. Mr. Jonathan Wagner, Studio 16:19, the architects on the project, provided information on the bids. He reported that they have vetted the references and are comfortable with the recommendation to award the contract to QA Construction Services. Mr. Weiss made a motion to approve as presented. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

## 12. Discuss only

- 12A. [2019-7447](#) 1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the lease and purchase of real property in the downtown area.

Mayor Gonzales announced that the City Council was retiring to executive session for discussion on the item. He read the item and retired to executive session. The time was 7:52 p.m. He reconvened in open session at 8:14 p.m.

- 12B. [2019-7457](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code regarding the Texas Open Meetings Act.

There was no discussion on the item during the regular meeting. Discussion on the item took place in the earlier worksession in executive session.

## 13. Adjourn

Mr. Heath made a motion to adjourn. Mr. Marsh seconded the motion. All present voted in favor. Mr. Weiss was absent from the dais and did not participate in the vote on the item. The motion carried. The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on March 26, 2019.