



City of Pflugerville

Minutes - Final

City Council

Tuesday, May 23, 2023

7:00 PM

1611 Pfennig Lane

Regular Meeting

1. Call to Order

Mayor Victor Gonzales called the regular meeting to order at 7:01pm. Mayor Pro Tem Doug Weiss and 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; Trista Evans, City Secretary; Charles Zech, City Attorney; Andrea Brinkley, CIP Director; Jeff Dunsworth, City Engineer; Jeremy Frazzell, Planning and Development Services Director; Robyn Miga, Planning and Development Services Assistant Director; Brandon Pritchett, Public Utility Director; Evan Groeschel, Operations Director; Cassie Balderas, Public Information Officer; Jason O'Malley, Police Chief; Makeba Lewis, Commander.

2. Opening

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

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

C. Moment of Silence

Mayor Gonzales led those in attendance in a moment of silence.

3. Items of Community Interest

Mayor Gonzales stated the City is launching Pflugerville Alerts to take the place of Nixle and provided information about the program.

Mayor Gonzales stated Friday nights this summer is Music in the Park at Pfluger Park from 7:30-9:30pm.

Mayor Gonzales stated the city council has launched "Talk the Walk" and invited the community to join councilmembers as they walk the city trails.

Mr. McDonald stated there is a Memorial Day event at noon at the park then 4pm at Three Legged Goat on Memorial Day.

Mr. Rogers stated it is graduation season and congratulated the graduates on their many years of hard work.

Mr. Metayer congratulated the graduates and talked about the work it takes.

Mr. Zech introduced Nathan Alexander, a law clerk at the firm, who was joining the meeting to observe.

5. Presentations

- 5A. [2023-0075](#) Mayor's proclamation declaring June 2023 as Pride Month in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to Raymie Corpuel with Pflugerville Pride.

- 5B. [2023-0481](#) Mayor's proclamation declaring June as Alzheimer's and Brain Awareness Month in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to Shanna Howard with Austin Alzheimer's Association. Ms. Howard provided information about the Alzheimer's Association Capital Chapter and stated they are available to provide support.

4. Public Comment

Cheryl Tripp stated she lives off Schultz Lane and wanted to discuss the intersection with A.W. Grimes. Ms. Tripp discussed lack of development in the area and stated there has not been discussion about fixing the intersection. Ms. Tripp discussed developers requiring a concrete barrier to replace the back fence and coyotes in the area. Ms. Tripp discussed uncut grass and debris in the area.

Elie Elmurr stated he lives in the same subdivision as Ms. Tripp and shares her concerns. Mr. Elmurr discussed traffic difficulty on Schultz Lane and stated he would like to know what is going to happen in the area. Mr. Elmurr stated a lot of the city has fiber except for their subdivision and they only have Suddenlink and discussed Suddenlink's service cost.

Pat McCord stated there are a lot of younger families in Pflugerville and there is no Junior Olympic grade pool for competition. Mr. McCord discussed families having to go to other cities in order to use an indoor pool of the right size. Mr. McCord discussed the cost of building pools and stated he would like to see attention to a swim facility that can be used for swim leagues.

Stuart Shaw stated he wanted to speak about the change of rules for TIRZ and discussed the warehouse district downtown he developed. Mr. Shaw stated the change of rules is changing the goal posts and stated he wants to talk about the policies. Mr. Shaw requested council postpone the item to find a solution and discussed having flexibility in the policy.

Zach Crawford stated he is a PID and TIRZ consultant with multiple developers and requested council delay the approval of the TIRZ policy item until the development community meets with staff. Mr. Crawford stated staff asked the developer for edits but the changes provided were not incorporated. Mr. Crawford discussed working together with the developers and the City.

Blake Reed stated he is representing the Timmerman family and stated staff has received numerous comments about the land. Mr. Reed stated the policy needs to be rewritten to provide flexibility for council to make decisions based on each development. Mr. Reed stated the proposed regulations will stop development due to increased cost.

Phillip Welch stated he is with Trademark Property Company and requested postponing the TIRZ item until the development community has the opportunity to discuss concerns with staff and discuss how it impacts future development. Mr. Welch stated flexibility is key in the policy and does not want viable developments frozen out of the TIRZ area.

Chad Colley stated he is with Trademark Property and stated the team has spent hours reviewing the policy. Mr. Colley asked if the policy is necessary and stated it is beneficial to work cooperatively with the city council. Mr. Colley discussed development and plans that include infrastructure improvements and waiting on an approval of a funding request.

Reading of the Consent Agenda

Ms. Evans stated items 6B., 6F., 6G., and 6H. were removed from the consent agenda and all remaining items can be acted upon in a single motion.

6. Other Actions

- 6A. [2023-0466](#) Approving the minutes of the May 4, 2023 Quorum, May 9, 2023 Worksession, May 9, 2023 Regular Meeting, and May 15 Worksession.
The minutes were approved on the consent agenda.
- 6C. [2023-0482](#) Approving a Developer Participation Contract with Tacara at Weiss Ranch (TAWR) Property Owner, Ltd. for design and construction of public improvements between the City of Pflugerville and TAWR Property Owner, Ltd. as part of the Tacara at Weiss Ranch Offsite project, and authorizing the City Manager to execute the same.
The item was approved on the consent agenda.
- 6D. [2023-0484](#) Approving a professional services agreement with Volkert Engineering Inc. in the amount of \$80,000 for on call professional engineering services, and authorizing the City Manager to execute same.
The item was approved on the consent agenda.
- 6E. [2023-0485](#) Approving a professional services agreement with LJA Engineering Inc. in the amount of \$80,000 for on call professional engineering services,

and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

Items pulled from the consent agenda will be addressed under Item 10.

7. Board and Commission Appointments

- 7A. [2023-0491](#) Conduct introductions and take action to make an appointment to the Equity Commission for an alternate position with a term ending December 31, 2023.

Mayor Gonzales opened the item for discussion and stated an application has been received from Sabrina Vargas. Ms. Vargas introduced herself discussed getting the younger generation engaged. Ms. Vargas stated there are a lot of people who do not feel represented and discussed diversity and empowerment. Ms. Holiday asked about equity and the vision for Pflugerville. Ms. Vargas discussed having a platform for everyone to be heard. Discussion followed regarding generational differences of representation and engagement. Ms. Vargas answered questions from council about perspective and the community. Mayor Gonzales discussed working with the Commission and different mindsets. Mr. Metayer moved to appoint Sabrina Vargas to the alternate position of the Equity Commission. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

8. Public Hearings and Ordinances

- 8A. [ORD-0713](#) Conduct a public hearing and consider approving the first reading of an ordinance 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 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.

Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell gave a summary of the request to allow a Specific Use Permit (SUP) for Lounge Use and provided details about what the use provides for. Mr. Frazzell provided information about the process due to the location being within 200 feet of residential property and answered questions from council about the surrounding location. Mr. Frazzell reviewed SUP approval criteria and the conditions recommended: use permitted within areas of structure, comply with noise ordinance, all sound equipment contained indoors, and all special events comply with UDC 4.7 temporary use permits. Discussion followed

regarding the process for temporary use permits and what qualifies as a special event. Mayor Gonzales asked for details about the size of the parking lot area. Mr. Frazzell answered questions about the process. Mayor Pro Tem Weiss asked about the inclusion of referencing UDC 4.7 and discussed striking it because they are required to follow it regardless. Mr. McDonald asked about the sound equipment indoors. Mr. Frazzell stated there have been concerns about noise. Ms. Holiday asked if the recommendations eliminate tickets being given to the establishment for noise. Mr. Frazzell stated it would not change anything related to the ordinance.

Owner Andre Artis stated they do not have a liquor license because TABC does not allow an alcohol and tobacco license in the same establishment. Mr. Artis stated the barbershop is not used at all for cigar smoking and stated he is comfortable with the recommendations as listed. Mr. Artis stated they were previously out of compliance because they were not aware and stated there is not a lot of diversity in downtown Pflugerville.

Steve Wuertz stated he is commenting on behalf of the Old Town Neighborhood Association and stated a petition has been signed by 42 residents and would like Council to review that. Mr. Wuertz stated it is not about one business or one variance. Mr. Wuertz discussed growing frustration about an evolving downtown needing to find a way to coexist with the neighborhood. Mr. Wuertz stated it is about noise, traffic, and being a good neighbor. Mr. Wuertz stated he wants to see a vibrant downtown and also wants ordinances to protect property owners. Mr. Wuertz stated the temporary use permits would allow music late at night and asked that the neighborhood association participate in the process and would like City Council to use this as a case study to set reasonable standards. Mr. Wuertz stated traffic and inappropriate behavior is a problem, asked that a limit of 65 decibels be enforced, and remote sensing devices would be nice.

Mayor Gonzales asked for clarification about the noise ordinance. Ms. Breland stated in commercial zone it is always not to exceed 85 decibels. Mr. Metayer discussed hearing similar complaints about a business in a different area, now they are in compliance.

Justin Miller discussed the UDC language and provided information about the location of the nearby residences. Mr. Miller stated there about 20 incidents of complaints over five days, but a non-emergency line phone call is not necessarily documented. Mr. Miller stated it does not matter who the business is and wanted to know who is going to enforce it when complaints are made.

Bradford French discussed the Planning and Zoning Commission hearing and stated he came to discuss the street overflow parking issues and noise complaints. Mr. French stated if it is approved and the applicant can increase the size of the business it will reward them for unneighborly behavior.

Susan Miller stated the use is not harmonious with the neighborhood. Ms. Miller stated cigar smoke will be blowing through the neighborhoods at all hours and it is starting to feel like spot zoning where one property is being treated differently. Ms. Miller stated it is not compatible with the comprehensive plan and one business wants to be treated differently from the other businesses around it.

Susan Neams stated there has been a bar on Pecan Street for many years with no problem. Ms. Neams stated this business has repeatedly broken the rules and played loud music. Ms. Neams asked if there is event at night not within the guidelines who will shut it down. Ms. Neams stated in the past nobody shuts them down and it just goes on.

Terry Neams stated he has lived in Pflugerville around 40 years and has never experienced with has been going on. Mr. Neams discussed the noise and stated there is no place to park so they park in the neighborhoods which gets loud when they leave. Mr. Neams suggested telling people not to park in neighborhoods, issuing permits for people who live in the area to put on their cars for parking.

Beki Halpin stated Pflugerville went through a long period of visioning and comprehensive plan and decided to be a kind of community that was a great place to start and raise a family. Ms. Halpin stated the impact of the business makes that difficult. Ms. Halpin discussed the impact of a BYOB establishment and discussed experience dealing with one Austin. Ms. Halpin discussed the noise late into the night.

Bill Wallace stated the comments are about race. Mr. Wallace stated the other bars in close proximity have zero parking. Mr. Wallace stated it is about whether or not Pflugerville is an inclusive place and discussed his history in Pflugerville. Mr. Wallace stated Pflugerville has been one of the most inclusive places and is hearing people say they are worried about what might happen if granted a specific use permit.

Yolanda Rector stated she is about the heart of the people. Ms. Rector stated she has experienced noise from all the surrounding bars and the parking is used by all of them. Ms. Rector stated the behavior seen comes from the whole area and thinks one entity is being singled out. Ms. Rector stated Pflugerville cannot be an excellent city without coming together.

Mayor Gonzales stated Christie Miller did not wish to speak but sent her statement via email.

Owner Delton Southern stated it is unfortunate to have to go through these measures and discussed the overflow of parking stating he owns three lots. Mr. Southern stated there are other bars along the street that don't have a parking lot and discussed the noise ordinance rules.

Richard Halpin stated Council received a video from one of the residents and in it is a lot of noise and vulgarity. Mr. Halpin stated it is about the behavior that takes place and it is not appropriate to a safe and healthy environment. Mr. Halpin asked that the police respond to complaints and for citizens to have to call multiple times is not acceptable.

Mr. Ruiz stated the job of the Planning and Zoning Commission is to review the application as it is presented and to determine if it meets compliance.

Mr. Metayer stated he understands how some of the language used can be interpreted as offensive to people of color and discussed the history of the language. Mr. Metayer stated Pflugerville has an inclusive environment to bring people of all backgrounds together. Mr. Metayer stated noise outside

should be discussed and there are issues, how it is conveyed is also an issue and this is a good learning opportunity. Mr. Metayer stated he did not hear any disagreement from the owner on the requirements.

Mayor Gonzales stated he has lived in Pflugerville all his life, has seen Old Town grow, and it goes back to human behavior. Mayor Gonzales stated he believes the owners will conduct their business in a way that is harmonious with the neighborhood and will work together with the association. Ms. Holiday stated she is saddened it became a conversation about race. Ms. Holiday moved to close the public hearing. Mr. Metayer seconded the motion. Mr. Rogers voted no, all others voted in favor. The motion carried and the public hearing was closed.

Mr. Zech provided comment about the law on spot zoning stating this zoning is consistent with the surrounding zoning he would not consider it spot zoning.

Mr. Metayer moved to approve the ordinance. Mr. McDonald seconded the motion. Mr. Rogers stated this is an edge case it in some sense setting a precedent. Mr. Rogers discussed the specific location being right next to a residential area and have heard many concerns about the noise. Mr. Rogers asked council to vote no on the approval and send it back to Planning and Zoning Commission for further consideration. Discussion followed regarding discretion on SUPs. Mr. Rogers stated he heard the primary concern is noise and if it is approved as is, it does not address those complaints. Ms. Holiday asked what recommendations would be sent back to the Planning and Zoning Commission and if it would be changing just for this business. Mr. Rogers stated this item is in front of council now, it could be a larger discussion about needing amendments to the noise ordinance. Mayor Pro Tem Weiss provided comment about the other entities in the area and their proximity to residential areas. Mr. Metayer stated he would like to look at the noise ordinance as a whole. The vote was as follows: Mr. Ruiz - yes, Mr. Metayer - yes, Mr. McDonald - yes, Mayor Gonzales - yes, Mr. Rogers - no, Ms. Holiday - yes, Mayor Pro Tem Weiss - no. The motion carried.

Mayor Gonzales stated City Council was taking a recess at 9:46pm. Mayor Gonzales reconvened the meeting at 9:54pm.

8B. ORD-0712

Conduct a public hearing and consider approving the first reading of an ordinance 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 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.

Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell stated staff received a petition just before the meeting that will need to be validated, so the item will be to hold the public hearing and consideration of the ordinance will be delayed. Mr. Frazzell reviewed the zoning request to be a single family mixed use district and answered questions from council about

the zoning requirements.

Mayor Gonzales stated he received forms from Patsy Lucas, Kim Nguyen, and Mia Garcia that they opposed the item but did not wish to speak.

Lynda Strehler stated the place is already running a business out of the location and even though it is not currently allowed. Ms. Stehler stated she understands Pflugerville is growing but it should not push out a neighborhood. Ms. Stehler stated parking is already bad, there are no sidewalks or streetlights. Ms. Stehler stated cars are lined up along a blind corridor and approving this would make the situation worse.

Elizabeth Edge stated she purchased in the neighborhood due to large lots and a small subdivision. Ms. Edge discussed deed restrictions and what is permitted on the land. Ms. Edge stated what they are proposed will cause more traffic and she would not feel safe walking the neighborhood. Ms. Edge stated she wants it to be a safe place for everyone.

Chris Hopcus stated there are deed restrictions in the neighborhood and there is a petition against it. Mr. Hopcus stated they came in with an Air B&B and now trying something else. Mr. Hopcus stated he would like to see the community stay how it is and sees it as a case for spot zoning. Mr. Hopcus stated they want a small and peaceful community.

Representatives from Twin Investments discussed deed restrictions and stated it is the owner's intent to do a low to medium density development with single detached homes. Salvador Casiano discussed talking with neighbors and found that they did not want commercial development and they are trying not to impact the residents. Mayor Pro Tem Weiss asked about sewer service. Discussion followed regarding lines surrounding the property. Ms. Holiday asked if they were willing to continue the conversation with the community to come to a better resolution. Mr. Casiano indicated he was.

Mike Clavis stated it is a safety issue for Nimbus as it is a narrow road without curbs, sidewalks, or streetlights. Mr. Clavis stated it is pitch black at night and dangerous for pedestrians. Mr. Clavis stated adding 19 homes will cause traffic problems and if there are improvements it may not be so bad.

Linda Strehler reviewed the deed restrictions and stated they are not following with rules now.

Mr. Zech provided comment about deed restrictions as a privately enforced document and does not preclude the City Council from rezoning the property. Mr. McDonald moved to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

8C. [ORD-0720](#)

Conduct a public hearing and approve an ordinance on first and final reading authorizing the issuance of City of Pflugerville, Texas Combination Tax and Limited Revenue Certificates of Obligation, Series 2023 in an amount not to exceed \$153 million; Authorizing the levy of an ad valorem tax and the pledge of certain net revenues in support of the certificates; Approving an official statement, a purchase agreement and a paying agenda/registrar agreement; and authorizing other matters related

to the certificates. (Downtown East public improvements)

Mayor Gonzales read the item and opened the public hearing. Ms. Barron reviewed the Downtown East process and discussed next steps for funding and development.

Pat McCord provided public comment discussing the last PCDC meeting where the item on the agenda for support failed, then passed the item after an executive session. Mr. McCord discussed the PCDC bylaws and the attorney general. Mr. McCord stated citizens should have the ability to vote on the project and stated it will cost more than what is being discussed.

Dusty Traylor, RBC Capital financial advisory, provided information about working with staff on the process and the bond ratings. Mr. Traylor answered questions from council about the bond ratings and debt service structure. Richard Donoghue, McCall Parkurst & Horton bond counsel, provided an overview of the ordinance. Mr. Rogers asked about the process of going to market prior to the vote. Mr. Donoghue stated the underwriters agree to hold the rates until action is taken. Mayor Pro Tem Weiss moved to close the public hearing. Ms. Holiday seconded the motion. All voted in favor. The motion carried.

Mr. Ruiz asked about the advantages of using certificates of obligation now versus waiting for developers. Ms. Barron discussed the support of the municipal features of the project and the public improvements. Ms. Breland stated the developers will see the commitment and shows the City is serious in the market. Mr. Traylor discussed interest rate risk and answered questions about market rates. Mr. Rogers asked about the size of the facility. Ms. Barron provided information about the estimated size and discussion followed regarding which departments would be moved into the new location. Mr. McDonald discussed building with room for growth. Discussion followed regarding growth in other cities who did not build for growth.

Mayor Pro Tem Weiss moved to approve the ordinance on first and final reading. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

9. Regular Agenda

- 9A. [RES-1104](#) Discuss and consider action to approve a resolution authorizing the publication of the notice of intention to issue combination tax and limited revenue certificates of obligation in and estimated amount not to exceed \$76,000,000 for facility and roadway improvement projects.

Mayor Gonzales opened the item for discussion. Richard Donoghue, bond counsel, stated the resolution is the first step in a certificates of obligation issuance for a public works complex and roadway improvements. Ms. Brinkley provided information about some of the collections of road projects included. Mr. Metayer asked for information about the public works facility. Ms. Brinkley discussed the cost of the facility, stating that half of the cost would come from revenues and fees. Mayor Pro Tem Weiss moved to approve the resolution. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 9B. [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.

Mayor Gonzales read the caption of the ordinance and opened the item for discussion. Mr. Frazzell stated the developer requested another postponement and stated a resolution is required due to some time requirements in the process. Mayor Gonzales moved to postpone the ordinance to June 27, 2023 and approve the resolution extending the time frame for action. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Item Pulled from Consent Agenda

- 6G. [RES-1103](#) Approving a resolution adopting Tax Increment Reinvestment Zone No. 1 Reimbursement Policy.

Mayor Gonzales opened the item for discussion. Ms. Sellers reviewed the TIRZ purpose of the TIRZ policy as guidelines to be used for each proposal that is brought forward. Mr. Metayer stated they are setting expectations to allow flexibility. Mayor Pro Tem Weiss discussed the policy as a way to show what the City is willing to pay for to support development. Mr. Metayer stated the policy allows each council to pivot based on their vision. Mr. Ruiz stated he heard developers expressing concerns about lack of communication. Ms. Breland stated comments from the developers were provided to council. Mr. McDonald discussed council setting the vision within the policy and developers can bring their specific situations for review. Discussion followed regarding communication with developers and developer provided comments. Mr. Ruiz discussed the developer submission not stopping at the Planning and Zoning Commission. Ms. Breland provided comment about the policy document being created through policy discussion with City Council. Mr. Rogers stated it is hard to determine what exceeds requirements. Mayor Pro Tem Weiss stated the policy provides flexibility. Mr. McDonald discussed having a generic standard to allow council to make decisions.

Mr. Metayer asked about the timeline for when the policy needs to be approved. Discussion followed regarding the timing and a pending reimbursement request. Mr. McDonald stated he did not hear any specific amendments and moved to approve the item as presented. The motion died for lack of a second.

Mr. Rogers moved to postpone the item to the next meeting. Ms. Breland asked for direction about what changes are requested. Discussion followed regarding changes, City Council will provide changes to staff by June 6. Mr. Ruiz seconded the motion. Mr. Metayer discussed communication with developers. The vote was as follows: Mayor Gonzales - yes, Mayor Pro Tem Weiss - no, Mr. Ruiz - yes, Mr. Metayer - no, Ms. Holiday - yes, Mr. McDonald - no, Mr. Rogers - yes. The item was postponed to the June 27, 2023 Council meeting.

Regular Agenda

- 9C.** [2023-0493](#) 1.) Executive Session Item: Discussion with legal counsel regarding economic development corporation statutes pursuant to Section 551.071 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding PCDC bylaws and administrative agreement.
- Mayor Gonzales read the item and stated council was retiring to executive session at 11:40pm. Mayor Gonzales reconvened the meeting in open session at 12:14pm and stated no action was taken. Mr. McDonald suggested an amendment to add a statement that the bylaws be reviewed no less than every 3 years. Mayor Pro Tem Weiss suggested they be reviewed annually. Discussion followed regarding the approval process. Mr. McDonald provided additional non-substantial changes to correct some scrivener's errors. Mr. Metayer moved to approve the agreement with the stated amendments. Mayor Pro Tem Weiss seconded the motion. All voted in favor. The motion carried.**
- 9D.** [RES-1105](#) Discuss and consider action to approve a resolution of support by the City of Pflugerville, Texas, approving the submittal of an application for project funding under the TxDOT 2023 Transportation Alternatives Set-Aside (TA) Program for the Intersection Improvements and Pedestrian Hybrid Beacon at Kelly Lane and Benning Drive projects.
- Mayor Gonzales opened the item for discussion. Ms. Brinkley stated the item is a reimbursement funding possibility and it requires some resolutions of support. Mr. Metayer moved to approve the item. Mr. Rogers seconded the motion. All voted in favor. The motion carried.**
- 9E.** [2023-0461](#) Conduct a presentation regarding the FY23 Q2 Financial Update.
- The item was discussed during the previously posted worksession.**
- 9F.** [2023-0490](#) Conduct a Visioning Workshop and Presentation on the Parks, Recreation and Open Space Master Plan.
- The item was discussed during the previously posted worksession.**
- 9G.** [2023-0480](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Attorney. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the City Attorney.
- The item was discussed in executive session during the previously posted worksession. No action was taken.**
- 10. Discuss and Consider Items Pulled from Consent Agenda**
- 6B.** [2023-0462](#) Approving the FY23 Q2 Investment Report.
- Mayor Gonzales opened the item for discussion. Janie Hobbs with Valley View**

Consulting, investment provider for the City, gave a presentation about the FY23 Q2 investment report. Ms. Hobbs reviewed the quarter end results, investments by holding, and answered questions from council about portfolio improvements and arbitrage. Mr. Metayer moved to approve the item. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

- 6F. [2023-0492](#) Approving a professional services agreement with Freese & Nichols Inc. in the amount of \$120,000 for procurement support services, and authorizing the City Manager to execute same.

Mayor Gonzales opened the item for discussion. Mr. Metayer asked for information about the consultant and the contract. Ms. Brinkley stated it is a critical need and is to fill the gap. Ms. Brinkley stated Freese and Nichols is the City's general service consultant and discussed the payment process, that the cost is not to exceed. Ms. Holiday moved to approve the item. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

- 6H. [RES-1107](#) Approving a resolution affirming extension of term and providing pay increase for the municipal judge.

Mayor Gonzales opened the item for discussion. Mr. Metayer requested an amendment to add a clause that Judge Sheehan is the only person holding the role of municipal judge for the term, and a section to indicate that she does not receive additional benefits such as health and dental. Mr. Metayer moved to approve the item with the amendments stated. Mayor Pro Tem Weiss seconded the motion. All voted in favor. The motion carried.

11. Adjourn

Mayor Gonzales adjourned the meeting at 12:38am.

Respectfully submitted,

Trista Evans, City Secretary

Approved as submitted on June 27, 2023.