



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, August 13, 2024

7:00 PM

1611 Pfennig Lane

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#### Regular Meeting

#### 1. Call to Order

Mayor Victor Gonzales called the meeting to order at 7:00pm. Councilmembers Ceasar Ruiz, Kimberly Holiday, Rudy Metayer, Jim McDonald, and David Rogers were in attendance. Mayor Pro Tem Doug Weiss was not 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; Charles Zech, City Attorney; Trista Evans, City Secretary; Terri Toledo, Director of Management Services; Jeremy Frazzell, Planning and Development Services Director; Brandon Pritchett, Public Utility Director; Shane Mize, Parks and Recreation Director; Breanna Higgins, Special Projects Manager; Katie Kam, Assistant Director of Traffic and Transportation; Abby Morrison, Public Works Services Director; Tracy Waldron, Finance Director.

#### 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. Public Comment

Wayne Dolcefino stated he runs an investigative firm and stated he has been investigating ambulance companies. Mr. Dolcefino stated early findings show Allegiance is not running as it should and discussed the monthly reports. Mr. Dolcefino stated he would like the city to investigate where there is bad data and the contract requirements.

#### 4. Presentations

- 4A. [2024-0747](#) Mayor's proclamation declaring August 2024 as Gun Safety Awareness Month in the City of Pflugerville.
- Mayor Gonzales read the proclamation and presented it to representatives of Lock Arms for Life.

#### Reading of the Consent Agenda

Ms. Evans stated items 5N. and 5O. were removed from the consent agenda, read the caption of the ordinance, and stated all items remaining on the consent agenda may be acted upon in a single motion.

#### 5. Other Actions

- 5A. [ORD-0781](#) Approving an ordinance on third 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 changing the zoning designation of approximately 32.6197 acres of land out of the C.S. Parish Survey No. 2, Abstract No. 621, and the Sefrim Eiselin Survey No. 1, Abstract 265, both in Travis County, Texas from Planned Unit Development (PUD), General Business 1 (GB1) and Agriculture/Conservation (A) to Planned Unit Development (PUD) District; to be known as the Downtown East Project Planned Unit Development (PUD2024-00142); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- The ordinance was approved on third reading on the consent agenda.
- 5B. [2024-0715](#) Approving the minutes of the July 9, 2024 Worksession and Regular Meeting.
- The minutes were approved on the consent agenda.
- 5C. [2024-0748](#) Approving an annual janitorial agreement with Austin Professional Cleaning Services, LLC in the amount of \$72,240 for janitorial services associated with the Recreation Center, Library, City Hall, and 100 West facilities, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 5D. [2024-0724](#) Approving a credit agreement for Water Impact Fees with H-E-B, LP in the amount of \$53,855.82 for up sizing an 8-inch water line to a 12-inch waterline to extend approximately 980 linear feet along Colorado Sand Blvd., and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.

- 5E. [2024-0725](#) Approving a credit agreement for Water Impact Fees with Atlantic Urbana Cameron, LLC in the amount of \$166,948.82 for up sizing an 8-inch water line to a 12-inch waterline to extend approximately 1,446 linear feet along Cameron Road, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5F. [2024-0731](#) Approving a professional services agreement with Quiddity Engineering, LLC in the amount of \$174,345 to provide professional engineering services associated with the Rehabilitation of Wastewater Lines Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5G. [2024-0734](#) Approving a professional services agreement with HR Green, Inc. in the amount of \$270,600 for design and bid phase services associated with the Boulder Ridge Lift Station Rehabilitation Improvements Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5H. [2024-0754](#) Approving a professional services agreement with Capstar Electric in the amount of \$545,503 for the installation of infrastructure to install streetlights in the Skyview Manor and Windermere subdivisions as part of the Community Development Block Grant Program infrastructure projects, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5I. [2024-0755](#) Approving a Construction Manager at Risk contract with Core Construction in the amount of \$30,000 for the Public Works Complex construction Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5J. [2024-0756](#) Approving an agreement with The Brandt Companies, LLC in the amount of \$63,952 for repairs associated with air conditioning units at the Central Wastewater Treatment Plant, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5K. [2024-0749](#) Approving an agreement with G2 CSi General Contractor in the amount of \$77,000 associated with the 100 West Office Renovation project, and authorizing the City Manager to execute same.
- The item was approved on the consent agenda.**

- 5L. [2024-0737](#) Approving the FY24 Q3 Investment Report.
- The item was approved on the consent agenda.**
- 5M. [2024-0733](#) Approving the payment to MCCi for the annual renewal of Laserfiche enterprise content management system for records management in the amount of \$76,562.50, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5P. [2024-0204](#) Approving a natural gas easement to Texas Gas Service for emergency generator fuel distribution associated with 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.**
- 5Q. [RES-1245](#) Approving a resolution approving and consenting to the assignment of the Professional Services Agreement from ECM International, Inc. to Johnson, Mirmiran & Thompson, Inc. for on-call third party construction inspection services and authorizing the City Manager to execute the agreement.
- The resolution was approved on the consent agenda.**
- 5R. [RES-1246](#) Approving a resolution by the City of Pflugerville, Texas requesting financial participation from the Texas Water Development Board (TWDB); authorizing the filing of an application for financial participation; and making certain findings in connection therewith for the Water Treatment Plant Expansion project, and authorizing a designated City representative for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the TWDB.
- The resolution was approved on the consent agenda.**
- 5S. [RES-1247](#) Approving a resolution by the City of Pflugerville, Texas requesting financial participation from the Texas Water Development Board (TWDB); authorizing the filing of an application for financial participation; and making certain findings in connection therewith for the Secondary Colorado River Raw Water Line project, and authorizing a designated City representative for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the TWDB.
- The resolution was approved on the consent agenda.**

- 5T**     [RES-1248](#)            Approving a resolution setting a public hearing to discuss and review Chapter 152, Subchapter B, Roadway Impact Fee Ordinance Amendments.
- The resolution was approved on the consent agenda.
- 5U.**     [RES-1236](#)            Approve a resolution of the City of Pflugerville, Texas approving the Community Development Block Grant (CDBG) 5 year Consolidated Plan for 2024-2028 and an Annual Action Plan for Program Year 2024.
- The resolution 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.

### **6. Boards and Commissions**

- 6A.**     [2024-0745](#)            Conduct introductions and take action to make appointments to the Equity Commission.
- Mayor Gonzales opened the item and stated an application was received from Clarissa Fuselier. Ms. Fuselier introduced herself and answered questions from council regarding her ideas for the commission and discussed equity. Mr. Ruiz moved to appoint Clarissa Fuselier to the Equity Commission. Mr. Metayer seconded the motion. All voted in favor. The motion carried.
- 6B.**     [2024-0784](#)            Conduct introductions and take action to make appointments to the Deutschen Pfest Committee.
- Mayor Gonzales opened the item and stated an application has been received from Laniece Haynie. Ms. Haynie answered questions from the council regarding Deutschen Pfest. Mr. Ruiz moved to appoint Ms. Haynie to the Deutschen Pfest Committee. Ms. Holiday seconded the motion. All voted in favor. The motion carried.

### **7. First Supplemental Agenda**

- [RES-1225](#)            Discuss and consider action to approve a resolution ordering a General Election for November 5, 2024 for the election of Council Place 3 and Council Place 5.
- Mayor Gonzales opened the item. Mr. Metayer moved to approve the item. Mr. Rogers seconded the motion. All voted in favor. The motion carried.
- [RES-1241](#)            Discuss and consider action to approve a resolution ordering a Special Election for November 5, 2024 authorizing the creation of a Pflugerville Municipal Development District and the imposition of a sales and use tax at the rate of one half of one percent for the purpose of financing

development projects beneficial to the district.

**Mayor Gonzales read the item and stated council was retiring to executive session at 7:32pm. Mayor Gonzales reconvened the meeting in open session at 8:09pm. No action was taken.**

**Chris Wolff provided public comment thanking the council for not taking action and stated public safety is important to the community.**

## 8. Regular Agenda

- 8A. [2024-0738](#)** Presentation regarding the Pflugerville Community Development Corporation (PCDC) FY24 Q3 Financial Report.
- Mayor Gonzales opened the item. Ms. Waldron reviewed the PCDC report including total revenue, sales tax, and expenditures.**
- 8B. [RES-1249](#)** Discuss and consider action to approve a resolution to set a proposed maximum 2024 property tax rate supporting the FY25 budget and schedule the date for the public hearing.
- Mayor Gonzales opened the item. Ms. Waldron reviewed the requirements for setting the maximum tax rate stated a lower rate can be adopted but this sets the maximum at a proposed tax rate of \$0.5428. Mr. Rogers asked about the last time the city was at this tax rate. Ms. Waldron provided information about the historic tax rate. Ms. Holiday moved to approve the resolution to set the maximum tax rate at \$0.5428 and schedule the public hearing for September 24, 2024. Mr. Ruiz seconded the motion. Mr. Rogers voted no. All others voted in favor. The motion carried.**
- 8C. [2024-0711](#)** Discuss and consider action regarding an update on the Texas Municipal League Policy Summit and a resolution for TML legislative priorities.
- Mayor Gonzales opened the item. Mr. Metayer stated the TML Policy Summit wrapped up earlier in the day and would like to discuss this item and the scheduled worksession on the 19th to discuss legislative priorities with Focused Advocacy.**

## 9. Discuss and Consider Action on Items Pulled from the Consent Agenda

- 5N. [2024-0746](#)** Approving a rate stabilization agreement with Windermere Utility Company, and authorizing the City Manager to execute the same.
- Mayor Gonzales opened the item and asked if Windermere is the same as Southwest Water. Mr. Pritchett stated Windermere, Texas Water, and Southwest Water are all the same and provided information about what the rate stabilization agreement does. Mayor Gonzales moved to approve the item. Mr. Rogers seconded the motion. The vote was as follows: Mayor Gonzales - yes, Mr. Ruiz - yes, Ms. Holiday - yes, Mr. Rogers - no, Mr. Metayer - no, Mr. McDonald - yes. The motion carried.**
- 5O. [2024-0744](#)** Approving a wholesale water supply contract with Windermere Utility Company, and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item. Mr. McDonald stated he wanted to give credit to staff for negotiating the new rate and bringing in revenue. Mr. McDonald moved to approve the item. Mr. Rogers seconded the motion. Mr. Metayer voted no. All others voted in favor. The motion carried.

## Regular Agenda

- 8D.** [2024-0722](#) 1.) Executive Session Item: Discussion of personnel matters regarding evaluation of work hours, duties and compensation of the Municipal Judge pursuant to Chapter 551.074 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding evaluation of work hours, duties and compensation of the Municipal Judge.

**Mayor Gonzales read items 8D., 8E., 8F., 8G., and 8H. Mayor Gonzales stated council was retiring to executive session at 8:23pm. Discussion on the item occurred in executive session. No action was taken.**

- 8E.** [2024-0759](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding appointment and duties of the Associate Municipal Judge. 2.) Open Session Item: Discuss and consider action regarding appointment and duties of the Associate Municipal Judge.

**Discussion on the item occurred in executive session. No action was taken.**

- 8F.** [2024-0786](#) 1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the purchase, exchange, lease, and/or value of real property. 2.) Open Session Item: Discuss and consider action regarding the purchase, exchange, lease, and/or value of real property.

**Discussion on the item occurred in executive session. No action was taken.**

- 8H.** [2024-0727](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding EVS Metal, Inc. demand letter. 2.) Open Session Item: Discuss and consider action regarding EVS Metal, Inc. demand letter.

**Discussion on the item occurred in executive session. No action was taken.**

- 8G** [2024-0708](#) 1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the purchase, exchange, lease, and/or value of real property related to real estate proposal for Downtown East. 2.) Open Session Item: Discuss and consider approval of payment for acquisition of approximately 2.56 acres of land located near 500 E. Pecan Street and authorizing execution of documents related to the acquisition.

**Discussion on the item occurred in executive session. Mayor Gonzales**

reconvened the meeting in open session at 9:41pm. Mayor Gonzales moved to approve the purchase of 2.5 acres of property located near 500 E. Pecan Street from First United Methodist Church for \$503,254 and exchange of land. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

- 8I. [2024-0776](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding David Rogers, et al v. Travis County Emergency Services District No. 17, et al. 2.) Open Session Item: Discuss and consider action regarding David Rogers, et al v. Travis County Emergency Services District No. 17, et al.

The item was discussed in executive session during the previously posted worksession. No action was taken.

- 8J. [2024-0739](#) Conduct a presentation on the FY25 Proposed Budget.

The item was discussed during the previously posted worksession.

- 8K. [2024-0719](#) Conduct a presentation from Waste Connections Lone Star, Inc.

The item was discussed during the previously posted worksession.

## 10. Adjourn

Mayor Gonzales adjourned the meeting at 9:41pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as \_\_\_\_\_ on August 27, 2024.