



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, June 22, 2021

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.

Public comment will be allowed in person at the Regular Meeting scheduled to begin at 7:00 p.m. Written comments may also be submitted 2 hours in advance of the Regular Meeting. To submit written comments, please email [citysecretary@pflugervilletx.gov](mailto:citysecretary@pflugervilletx.gov) at least 2 hours in advance of the Regular Meeting. Name and address must be included. Written comments are limited to 250 words.

#### 1. Call to order

Mayor Gonzales called the meeting to order at 7:02pm. Mayor Pro Tem Peña and Councilmembers Doug Weiss, Ceasar Ruiz, Rudy Metayer, Mike Heath, and David Rogers were in attendance. City employees in attendance: Sereniah Breland, City Manager; Trey Fletcher, Deputy City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Brandon Pritchett, Public Utility Director; Patricia Davis, City Engineer; Jason Smith, Acting Police Chief; Karen Thompson, City Secretary; Charles Zech, City Attorney; Trista Evans, Deputy City Secretary; Maggie Holman, Public Information Officer; Melissa Moore, Finance Director; Shane Mize, Parks and Recreation Director; Bonita Hall, People and Culture Director; Kevin Connaughton, HR Generalist; Lauren Henkes, Assistant Finance Director; Evan Groeschel, Operations Director; Wade Maness, Videography and Multimedia Specialist

#### 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 stated on June 28 Phase 1 of construction will begin on the north shore of Lake Pflugerville and the parking lot there will be closed. He shared that the library summer reading program is underway and the library's website has more details. He stated that on July 4th Typhoon Texas is hosting a Red White and Boom festival with fireworks presented by the City with more info at [pflugervilletx.gov/fireworks](http://pflugervilletx.gov/fireworks). Mayor Gonzales reminded everyone that personal fireworks, including sparklers, are illegal within City limits.

Mr. Metayer thanked everyone around the city for the various Juneteenth celebrations and said it was great to see the city come together. Mr. Weiss recognized Ms. Breland who was recently elected as president of Texas City Managers Association. Mr. Heath stated he thinks it is great that Juneteenth has finally become a national holiday.

### 4. Presentations

4A. [2021-0613](#) People and Culture Department annual presentation.

Ms. Hall gave a presentation introducing the People and Culture department including their accomplishments during the year. Ms. Hall answered questions from Mr. Metayer about True Colors training and the employee handbook. Ms. Hall provided information on the objectives for FY22. Mr. Rogers asked for clarification about the staffing numbers. Ms. Hall stated the turnover rate is about 10% which has been a common factor around the state and provided information about the changes.

4B. [2021-0612](#) Legislative update and discussion with Focused Advocacy representatives.

Mr. Fletcher introduced Brandon Aghamalian with Focused Advocacy. Mr. Aghamalian provided an update on the items that were seen by legislature and noted items some items that did not pass and answered questions from the council. He stated that a Special Session will be called July 8 and the governor has not announced yet what will be called.

4C. [2021-0573](#) Presentation of the findings of the 2021 resident survey conducted by ETC Institute.

Ms. Toledo introduced Jason Morado with ETC Institute to give a presentation about the results of the 2021 resident survey. Mr. Morado provided information covering the key findings of the survey stating they received 537 surveys with good representation throughout the city. He stated that residents have a positive perception of the city and satisfaction with city services is higher than in other communities. Mr. Morado stated the top overall priorities were traffic flow, maintenance of streets and drainage, and water and wastewater services. Discussion followed and Mr. Morado answered questions from the council. Mr. Morado provided information on comparisons nationally and statewide. Mr. Morado answered additional questions from the council regarding the questions that were included and how the respondents get city information. Mr. Weiss asked how this information may impact the upcoming budget. Ms. Breland stated that it shows the city should keep funding the things

people enjoy and we want to listen to our people and reflect that in the budget.

## 5. Public Comment

Kim Waters, Kessler Drive, announced that Pflugerville Pets Alive is having their annual microchip clinic before the 4th of July at the library Saturday June 26 from 11am-1pm. Sign up is required on the website, and is open to both cats and dogs.

Mayor Gonzales announced that several written comments were received and Ms. Evans read the comments:

Nichole Gomez, Vilamora Street, stated she did believe she should have the right to vote for big ticket items and the city should not be using COs.

Susan Park, Willow Bluff Drive, stated she did not agree with COs being used for item 11A.

Sharon Dunkin stated she did not want city council to vote for COs.

David Dunkin stated he did not want city council to vote for COs.

Tamara Edwards, Grand Mission Way, stated that COs should not be used for non-emergency items and stated while a new city hall is needed it is not an emergency.

James Selman, Purple Marting Drive, stated he does not approve of the use of COs for non critical assets and is not the original purpose of CO Bonds.

Terry Newsom, 12th Street, stated while most citizens recognize the need for a new City Hall using COs is not the way to get it and provided information about legal limits. He asked that council look at the needs and go to the voters.

Donna and Joseph Jones, Olympic Drive, stated they did not want city council to vote for COs and the large amount should be taken to the tax payers.

Beki Halpin, 7th Street, stated relating to Item 13B, that with a "toilet to tap" process it is expensive to get pharmaceuticals out of the water and stated the process should be fully vetted in a public forum.

Bob Reichenback, Cottonwood Lane, asked council to vote against items 11A and 12F stated seniors, disabled, and retired have very strict budgets and asked that the council match the Travis County property tax exemption for seniors.

Lisa Hall stated that the June 8th council meeting had an item that was discussed and voted on before public comment was received. She stated that Round Rock school board redid meetings and posting after notices were not properly posted, she stated the vote at the last meeting should be voided and the agenda item redone.

Susan Park, Willow Bluff, provided statement for the June 8 council meeting item 13B stating COs should not be used for city hall.

Lisa Wright, Brookhollow Dr, provided statement for the June 8 council meeting item 13B stating she is against using COs to fund large city expenses and the citizens should be allowed to vote.

Tamara Edwards, Grand Mission Way, provided statement for the June 8 council meeting item 13B asking council not to use COs on building a city hall since citizens did not vote on it.

## Reading of the Consent Agenda

Items 6A, 9A, 9B, 10A, and 10E were pulled from the consent agenda. Ms. Evans read the items to include the captions of the ordinances under consideration.

### 7. Ordinances Second Reading

- 7A. [ORD-0586](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville Amending Chapter 153 of the Code of Ordinances for the City of Pflugerville, Texas, by amending the fourth policy chapter of the 2030 Comprehensive Plan to update the elements of the overall plan and adopt the revised Water Master Plan dated March 2021 and updated Wastewater Master Plan dated March 2021; providing for severability; and providing an effective date.
- The ordinance second reading was approved on the consent agenda.

### 8. Approval of Minutes

- 8A. [2021-0625](#) Approval of the minutes of the June 8, 2021 Worksession and Regular Meeting.
- The minutes were approved on the consent agenda.

### 10. Other Actions

- 10B. [2021-0631](#) Authorizing the City Manager to approve the purchase of Traffic Signal Radios from Parker's Choice Consulting in the amount of \$198,697.00 utilizing TIPS purchasing cooperative contract.
- The item was approved on the consent agenda.
- 10C. [2021-0632](#) Authorizing the City Manager to approve the purchase of Traffic Signal Switches from Presidio Networked Solutions Group, LLC in the amount of \$103,704.48 utilizing Texas DIR-TSO-4167 purchasing cooperative contract.
- The item was approved on the consent agenda.
- 10D. [2021-0621](#) Authorizing the City Manager to execute a professional services agreement with MWM DesignGroup, Inc. for the design and preparation of construction documents of the Gilleland Creek Pool restroom/bath house and ticket/guard facilities. This professional services agreement is proposed to be a continuation of a previous agreement which had expired in 2017 and the amount of the new agreement will not exceed the remaining balance of the expired agreement of approximately \$92,500 for the Gilleland Creek Pool Bathhouse Improvements project.

The item was approved on the consent agenda.

### Action on the Consent Agenda

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

## 6. Ordinances First Reading - Removed from the Consent Agenda

- 6A. [ORD-0590](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, amending the City of Pflugerville, Texas Code of Ordinances Title VII Traffic Code, Chapter 71 Parking Regulations, Section 71.05 parking prohibited in certain designated areas by adding additional temporary no parking zones required by construction; providing for a penalty for a violation of Chapter 71 as a Class C Misdemeanor and a fine in an amount not to exceed \$200.00; providing that this ordinance shall be cumulative; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Portions of the Highland Park North Subdivision will be effected due to construction activities related to the installation of HA5 as a pavement preservation application and part of the Pavement Maintenance Program.

Mr. Metayer asked for an overview of the item. Mr. Groeschel gave a presentation of the amended ordinance to add additional streets to the council and answered questions. Mr. Metayer moved to approve the item as amended. Mr. Heath seconded the motion. Discussion followed regarding completion time and Mr. Ruiz asked if this could be completed before school starts again. Council emphasized the need for communication around the construction updates. Mayor Gonzales called for a vote. All voted in favor. The motion carried.

## 9. Resolutions - Removed from the Consent Agenda

- 9A. [RES-0885](#) Approving a resolution with the caption reading: "Resolution adopting a policy permitting the consideration of applications for primary depository bank services received from financial institutions that are not doing business within the municipal boundaries of the City".

Ms. Henkes provided information on the resolution and background related to banks in the area stating it is to ensure a competitive environment. Ms. Henkes answered questions from the council. Mr. Metayer made a motion to approve the resolution. Mr. Weiss seconded the motion. Mr. Rogers asked if they could be limited to institutions in Travis County and contiguous counties. Emily Upshaw with Valleyview Consulting provided some additional information. Ms. Upshaw stated that typically the area is limited by zip codes and provided background. Mr. Metayer accepted the amendment to his motion. Mr. Weiss accepted the amendment as his second. All voted in favor. The motion carried.

- 9B. [RES-0886](#) Approving a resolution with the caption reading: "Resolution authorizing

the transfer of funds for Blue Santa to the Pflugerville Blue Santa Corporation, the newly created 501(c)(3)".

Lt. Chet Vronka answered questions from the council about why there was a decision to have a new corporation rather than operating as a program inside the department, stating it makes donations eligible for tax deductions. Mayor Pro Tem Peña moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

### Other Actions - Removed from the Consent Agenda

- 10A. [2021-0273](#) Authorizing the City Manager to execute an agreement between the City of Pflugerville and the Pflugerville Chamber of Commerce (Convention and Visitors Chamber) providing for the payment and use of hotel tax revenue.

Ms. Toledo introduced Shontel Mays, President and CEO of the Pflugerville Chamber of Commerce. Ms. Mays gave a presentation about tourism. how the Chamber of Commerce is utilized and answered questions from the council. Mr. Metayer made a motion to approve the item. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

- 10E. [2021-0629](#) Approving a construction agreement with Andale Construction, Inc. in the amount of \$363,300.70 for placement of HA5, a pavement preservation application and part of the Pavement Maintenance Program, on designated City streets and authorizing the City Manager to execute the same.

Mr. Heath stated the city is doing a great job implementing maintenance and he is looking forward to seeing a lot more of this. Mr. Heath moved to approve the item. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

### 11. Ordinances Third Reading

- 11A. [ORD-0587](#) Discuss and consider action to approve an ordinance as amended on third reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the first amendment to the FY21 Budget for the City of Pflugerville; and providing an effective date.

Mr. Heath made a motion to go to executive session for consultation with legal counsel. Mr. Weiss seconded. All voted in favor. Mayor Gonzales announced the council would be retiring to executive session at 8:53pm and read the item. Mayor Gonzales reconvened the meeting in open session at 9:00pm.

Ms. Evans read public comment provided by Terry Newsom asking council to reconsider the cost based on needs. Mr. Newsom provided cost information for New Braunfels, Liberty Hill, Georgetown, and Austin city halls.

Mr. Weiss made a motion to postpone the item. Mr. Heath seconded. All voted in favor. The motion carried.

**12. Discuss and consider action**

- 12A.** [2021-0628](#) Conduct introductions and take action to make appointment to the Equity Commission for a regular member with an unexpired term ending December 31, 2022.

**Mr. Rogers stepped away from the dais due to one of the applicants being his mother. Discussion followed regarding the current set up of the Equity Commission. Mr. Heath asked if there could be eight instead of seven. Ms. Breland stated the make up could be amended. Mr. Metayer asked if staff could bring an amended ordinance to expand the commission to add an alternate position. Mr. Weiss stated he wanted to make sure the Commission was full until that point. Mr. Weiss made a motion to appoint Elizabeth Montoya to the Equity Commission. The motion failed to receive a second.**

- 12B.** [2021-0508](#) Discuss and consider action to approve a professional services supplemental agreement with Kimley-Horn and Associates, Inc. in the amount of \$1,130,883.20 for professional engineering services associated with the Wilbarger Creek Wastewater Interceptor project and authorizing the City Manager to execute the same.

**Ms. Davis provided information on the item and answered questions from the council. Mr. Heath made a motion to approve the item as presented. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.**

- 12C.** [2021-0509](#) Discuss and consider action to approve a professional services supplemental agreement with Garver, LLC in the amount of \$7,896,181 for professional engineering services associated with the Wilbarger Creek Regional Wastewater Treatment Facility project and authorizing the City Manager to execute the same.

**Ms. Davis provided information on the item and answered questions from the council. Mr. Metayer made a motion to approve the item as presented. Mr. Heath seconded the motion. All voted in favor. The motion carried.**

- 12D.** [2021-0510](#) Discuss and consider action to approve a professional services supplemental agreement with CP&Y Inc., in the amount of \$1,407,592 to provide owner representative services associated with the Wilbarger Creek Regional Wastewater Treatment Facility Project and Wilbarger Creek Interceptor projects and authorizing the City Manager to execute the same.

**Ms. Davis provided information on the item and answered questions from the council. Mr. Metayer asked legal to look into the force majeure clause. Mr. Heath made a motion to approve the item as presented. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**

- 12E.** [2021-0633](#) Discuss and consider action regarding the Fire & EMS Assessment / Service Options for the City report prepared by AP Triton.

**Mr. Rogers summarized the discussion from the previous worksession stating it**

is time to make a decision. Mr. Heath stated he received an invitation to participate in the ESD Strategic Planning session. Discussion followed regarding the options provided by AP Triton and looking into an evaluation of systems revenue analysis. Ms. Breland stated the city could complete a supplemental agreement with AP Triton if council wanted to move ahead with them. Mr. Heath stated he would like to continue with them. Discussion followed regarding the time line for services needed. Mr. Metayer stated he and Mr. Weiss would meet with their subcommittee for discussion. Council directed Ms. Breland to send a letter to ESD requesting they extend services through September 2022. Mr. Weiss requested the supplemental agreement with AP Triton be completed. Mayor Pro Tem Peña stated action will need to be taken on July 13.

**12F.** [2021-0639](#)

Discuss and consider action regarding preparation for a General Obligation Bond election in support of the development of a mixed use municipal complex and direction to the City Manager to engage a consultant for preparation of supporting documentation, renderings for the same.

Mr. Fletcher provided information and answered questions from the council discussing possible election dates. Mr. Fletcher stated that a May 2022 election would allow the city time for preparation. Discussion followed regarding timing and a bond committee to discuss the general obligation bonds.

Mr. Rogers moved to approve the preparation of a General Obligation Bond election in May of 2022 in support of development of a mixed use municipal complex and direct the City Manager to engage a consultant to prepare supporting documentation and the creation of a resident bond committee. Mr. Heath seconded the motion. All voted in favor. The motion carried.

**12G.** [RES-0887](#)

Discuss and consider action to approve a resolution with the caption reading: "Resolution of the City of Pflugerville, Texas opposing the non-radioactive hazardous materials route designation plan."

Mr. Heath stepped down from the dais and recused himself from all discussion and action on the item due to a potential conflict of interest related to his company, Alliance Transportation. Mr. Weiss provided information about non-radioactive hazardous materials route designation plan and asked council to approve the resolution and direct staff to forward the resolution to TxDOT for the public hearing. Discussion followed and Mr. Weiss answered questions from the council. Mr. Rogers asked to replace "contradiction" with "contravention." Mr. Metayer made a motion to approve the resolution with the amendment replacing "contradiction" with "contravention." Mr. Weiss seconded the motion. The vote was as follows: Mr. Weiss - yes, Mr. Ruiz - yes, Mayor Pro Tem Peña - no, Mayor Gonzales - yes, Mr. Metayer - yes, Mr. Rogers - yes. The motion carried.

**12H.** [2021-0635](#)

Discuss and consider action regarding adding Charter amendment propositions to the November 2, 2021 special election ballot.

Mr. Heath returned to the dais. Mr. Weiss presented his proposed amendments.

Mr. Weiss provided information on his proposed amendment for Section 11.11(d) to allow the City Council to view the Charter Review Commission as a recommendation rather than a requirement. Mr. Weiss moved to approve



11.11(d). Mr. Ruiz seconded the motion. Discussion followed regarding current requirements. The vote was as follows: Mr. Weiss - yes, Mr. Ruiz - yes, Mayor Pro Tem Peña - no, Mayor Gonzales - yes, Mr. Metayer - no, Mr. Heath - no, Mr. Rogers - no. The motion failed.

Mr. Weiss introduced his proposed amendment for Section 11.03 to remove the statement "Except as permitted by Chapter 573, Government Code" stating it would still allow for council relations to serve but that council member could not appoint. Mr. Metayer moved to approve the amendment for 11.03. Mr. Weiss seconded the motion. Mr. Heath stated concern that it has the potential to take away people who want to serve. Discussion followed. The vote was as follows: Mr. Rogers - yes, Mr. Heath - no, Mr. Metayer - yes, Mayor Gonzales - yes, Mayor Pro Tem Peña - no, Mr. Ruiz - no, Mr. Weiss - yes. The motion carried.

Mr. Weiss presented his proposed amendment for Section 9.03(b) to replace "July" with "August." Mr. Metayer moved to approve the amendment. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

Mr. Weiss presented his proposed amendment for Section 5.02(b) to delete the second sentence. Discussion followed regarding city employees filing for a place on ballot. Mr. Ruiz made a motion to approve the proposed amendment. Mr. Metayer seconded the motion. The motion was as follows: Mr. Weiss - yes, Mr. Ruiz - no, Mayor Pro Tem Peña - yes, Mayor Gonzales - yes, Mr. Metayer - yes, Mr. Heath - no, Mr. Rogers - yes. The motion carried.

Mr. Weiss presented his proposed amendment for Section 3.13 to add it a council member is absent from the dais during a vote it is counted as a "no" vote. Discussion followed regarding current practices and legal recommendations. Mr. Weiss made a motion to approve the amendment. Mr. Rogers seconded the motion. The vote was as follows: Mr. Rogers - yes, Mr. Heath - no, Mr. Metayer - no, Mr. Weiss - yes, Mr. Ruiz - no, Mayor Pro Tem Peña - no, Mayor Gonzales - no. The motion failed.

Ms. Breland presented staff's proposed amendment to Section 9.07(b) to update from monthly reports to quarterly reports. Discussion followed regarding current practices. Mayor Pro Tem Peña made a motion to approve the amendment. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

Mayor Pro Tem Peña asked legal to review the charter for the next meeting for any items that are in conflict with state law.

### 13. Discuss only

#### 13A. [2021-0584](#)

Discussion and update regarding the Wilbarger Creek Regional Wastewater Treatment Facility Project.

This item was discussed at the earlier worksession. There was no discussion on the item at the regular meeting.

#### 13B. [2021-0583](#)

Discussion and update regarding the City of Pflugerville's future water supply options.

This item was discussed at the earlier worksession. There was no discussion on the item at the regular meeting.

**13C.** [2021-0611](#)

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: Discussion regarding the purchase, exchange, lease, and/or value of real property.

Mayor Gonzales announced that the City Council was retiring to executive session on item 13C. He read the items and retired to executive session at 10:41pm. Discussion on the item took place in executive session. Mayor Gonzales reconvened in open session at 11:00pm. Mayor Pro Tem Peña, Mr. Weiss, Mr. Ruiz, and Mr. Metayer were in attendance.

**14. Adjourn**

Mayor Gonzales adjourned the meeting at 11:00pm.

Respectfully submitted,

Trista Evans, Deputy City Secretary  
Approved as submitted on July 13, 2021