



City of Pflugerville

Minutes - Final

City Council

Tuesday, February 13, 2024

7:00 PM

1611 Pfennig Lane

Regular Meeting

1. Call to Order

Mayor Victor Gonzales called the meeting to order at 7:06pm. Mayor Pro Tem Doug Weiss and Councilmembers Ceasar Ruiz, Kimberly Holiday, Jim McDonald, and David Rogers were in attendance. Councilmember Rudy Metayer joined the meeting at 9:06pm.

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; Jeremy Frazzell, Planning and Development Services Director; Robyn Miga, Assistant Planning and Development Services Director; Brandon Pritchett, Public Utility Director; Evan Groeschel, Operations Director; Jason O'Malley, Policy Chief; Makeba Lewis, Commander; Flip Romero, Communications Director; Rhonda McLendon, Animal Welfare Service Director; Tracy Waldron, Finance Director; Shane Mize, Parks and Recreation Director; Jeff Dunsworth, City Engineer.

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 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

Doris Williams stated her smoke detector in home has been beeping for four days and she is not able to safely reach it. Ms. Williams stated that the inspectors would have seen the detector placed in a dangerous position and passed it. Ms. Williams stated she called the fire department and last time they changed the battery for her, but this time she has left a message with them and

it still has not been solved.

4. Presentations

- 4A. [2024-0036](#) Mayor's proclamation declaring February 2024 as Black History Month in the City of Pflugerville.
Mayor Gonzales read the proclamation and presented it to Commander Lewis.
- 4B. [2024-0037](#) Mayor's proclamation declaring February 18, 2024 through February 24, 2024 as National Engineers Week in the City of Pflugerville.
Mayor Gonzales read the proclamation and presented it to Mr. Dunsworth and the CIP and Development Engineering Team.
- 4C. [2024-0161](#) Mayor's proclamation declaring February 2024 as Spay and Neuter Your Pet Month in the City of Pflugerville.
Mayor Gonzales read the proclamation and presented it to Ms. McLendon.

Reading of the Consent Agenda

Ms. Evans stated items 5B., 5L., 5R., and 5T. were pulled from the consent agenda and all remaining items may be acted upon in a single motion.

5. Other Actions

- 5A. [2024-0118](#) Approving the minutes of the January 22, 2024 Worksession, January 23, 2024 Worksession and Regular Meeting, January 26, 2024 Worksession, and January 27, 2024 Worksession.
The minutes were approved on the consent agenda.
- 5C. [2024-0085](#) Approving a conditional purchase agreement and associated conveyance documents between Wayne R. Moore (Parcel No. 5) and the City of Pflugerville as necessary to acquire real property interests for the Kelly Lane Phase 3 Project, and authorizing the City Manager to execute the same.
The item was approved on the consent agenda.
- 5D. [2024-0107](#) Approving a conditional purchase agreement and associated conveyance documents between Gawain Investments and Acquisitions, LLC (Parcel No. 49) 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.
- 5E. [2024-0108](#) Approving a conditional purchase agreement and associated conveyance documents between Danny C. Hammett, Aubrey D.

Hammett, and Gail Hammett as to a Life Estate (Parcel No. 50) 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.

- 5F. [2024-0119](#) Approving a conditional purchase agreement and associated conveyance documents between Waste Management of Texas Inc., (Parcel No. 25-28) 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.

- 5G. [2024-0123](#) Approving a conditional purchase agreement and associated conveyance documents between OP III ATX 5121 Howard Lane, LP., (Parcel No. 48) 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.

- 5H. [2024-0126](#) Approving a conditional purchase agreement and associated conveyance documents between Michael and Louise Stubblefield (Parcel No. 4) and the City of Pflugerville as necessary to acquire real property interests for the E. Pflugerville Parkway (Colorado Sand Drive to Weiss Lane) Project, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 5I. [2024-0101](#) Approving ten-year agreement in the amount of \$356,410 with Paradigm Traffic Systems to provide cellular communication for the city's traffic control system, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 5J. [2024-0128](#) Approving a construction contract with E-Z Bel Construction, LLC in the amount of \$287,467 associated with the Heatherwilde Boulevard at Settlers Valley Drive Traffic Signal project, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 5K. [2024-0129](#) Approving a construction contract with Austin Traffic Signal Construction Company, Inc. in the amount of \$311,649 associated with the Weiss Lane at Pleasanton Parkway project, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 5M.** [2024-0131](#) Approving a professional services supplemental agreement with Halff Associates, Inc. in the amount of \$272,420 for professional engineering services associated with the 2024 Public Works Pavement Maintenance Program, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5N.** [2024-0133](#) Approving a professional services supplemental agreement with Halff Associates in the amount of \$198,490 for professional engineering services associated with the Drainage Utility Implementation and Utility Rate Implementation Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5O.** [2024-0153](#) Approving a professional services supplemental agreement #7 with Kimley-Horn and Associates, Inc. in the amount of \$454,282.50 for professional engineering services associated with the Wilbarger Wastewater Interceptor, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5P.** [2024-0155](#) Approving an engagement letter with Allensworth Construction Lawyers for as-needed construction law services, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5Q.** [2024-0156](#) Approving an engagement letter with Cokinos Young for as-needed construction law services, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5S.** [2024-0164](#) Approving the procurement of a vertical turbine motor in the amount of \$86,805, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5U.** [RES-1189](#) Approving a resolution of the City of Pflugerville, Texas, and the State of Texas approving an Advance Funding Agreement with the Texas Department of Transportation associated with the Kelly Lane at F.M. 685 Northbound/Southbound Frontage Roads Improvements, and authorizing the City Manager to execute the same.
- 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. Mr. Metayer was not present for the vote. All others voted in favor.

Items pulled from the consent agenda will be addressed under Item 8.

6. Public Hearings and Ordinances

- 6A. [ORD-0764](#) 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 designation of approximately 243.7-acre tract of land situated in the William Caldwell Survey No. 66, Abstract No. 162 and the John Liesse Survey No. 18, Abstract No. 18, locally addressed 16430 Cameron Road from Agriculture/Development Reserve (A) to Parks Facilities and Open Space (PF); to be known as 1849 Park Rezoning (REZ2023-00240). Providing for Repeal of conflicting ordinances; providing for severability; and providing an effective date.

Mayor Gonzales read the item and opened the public hearing. Ms. Miga reviewed the rezoning request and the background on the park when the City acquired the parcels. Ms. Miga discussed adjacent zoning uses and the Parks and Open Space Master Plan. There was no one present wishing to speak under the public hearing. Mayor Pro Tem Weiss moved to close the public hearing. Mr. Rogers seconded the motion. Mr. Metayer was not present for the vote. All those present voted in favor. The motion carried.

Mr. Ruiz moved to approve the ordinance on first reading. Mayor Pro Tem Weiss seconded the motion. Mr. Metayer was not present for vote. All those present voted in favor. The motion carried.

- 6B. [ORD-0765](#) 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 designation of approximately 153.239-acre tract of land known as Lot 1, Block 1 of the Wilbarger Creek Regional Wastewater Treatment Facility subdivision, locally addressed 10100 Gregg Lane from Agriculture/Development Reserve (A) to Parks Facilities and Open Space (PF); to be known as the Wilbarger Creek Rezoning (REZ2023-00233).

Mayor Gonzales read the item and opened the public hearing. Ms. Miga reviewed the background and the rezoning request providing information about the proposed zoning. There was no one present wishing to speak under the public hearing. Ms. Holiday moved to close the public hearing. Mr. Rogers seconded the motion. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.

Ms. Holiday moved to approve the item on first reading. Mr. Rogers seconded the motion. Mr. McDonald asked about development in the area. Ms. Miga

provided information about the location. Mr. Mize stated the site is a secure site and a trail would not cross through, but run parallel. Mr. Metayer was not present for the vote. All others voted favor. The motion carried.

7. Regular Agenda

- 7A. [2024-0148](#) Conduct introductions and take action to make appointments to the Deutschen Pfest Committee.
- Mayor Gonzales opened the item for discussion. Efrain Resendez introduced himself and answered questions from council. Mr. McDonald moved to appoint Mr. Resendez to the Deutschen Pfest Committee. Mr. Rogers seconded the motion. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.
- 7B. [2024-0149](#) Conduct introductions and take action to make appointments to the Planning and Zoning Commission.
- Mayor Gonzales opened the item for discussion. Applicant Sally Decelis introduced herself and answered questions from council. Mayor Pro Tem Weiss moved to appoint Ms. Decelis to the Planning and Zoning Commission. Mr. McDonald seconded the motion. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.
- 7C. [RES-1179](#) Discuss and consider action to approve a resolution approving the Mayor's nominations and appointments for the City of Pflugerville Reinvestment Zone No. One (Falcon Pointe TIRZ) Board of Directors.
- Mayor Gonzales opened the item and stated he is nominating George Vande Werken to Place 1, Robert Romig to Place 2, and Darryl Houston to Place 4. Mayor Pro Tem Weiss moved to approve the nominations. Mr. Rogers seconded the motion. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.
- 7D. [RES-1180](#) Discuss and consider action to approve a resolution approving the Mayor's nomination for Chair of Reinvestment Zone No. One (TIRZ) for a one-year term beginning January 1, 2024.
- Mayor Gonzales opened the item and stated he is nominating Mike Martin to be TIRZ Board Chair. Mayor Pro Tem Weiss moved to approve Mike Martin as TIRZ Board Chair. Mr. Rogers seconded the motion. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.
- 7F. [2024-0109](#) Discuss and consider action regarding approving a construction contract with SKE Construction in the amount of \$2,145,818 for the Pflugerville Estates Water Line Rehabilitation Project, and authorizing the City Manager to execute the same.
- Mayor Gonzales opened the item for discussion. Mr. Pritchett reviewed the item presented at the last meeting. Mr. Pritchett provided information stating that if the rate process is changed to be benefit based for one section of the system it has to be replicated through the entire system. Mr. Pritchett discussed the lengthy process and answered questions from council about the boundaries of the system versus city limit. Mayor Pro Tem Weiss discussed

reviewing rates previously and stated that this individual project needs more review. Mr. McDonald discussed responsibility of providing the best service at the best rate. Mr. Zech provided information about the rules of rates and the Public Utility Commission. Ms. Holiday discussed the safety needs of the area. Mr. McDonald moved to approve the item. Ms. Holiday seconded the motion. Mr. Metayer was not present for the vote. Mayor Pro Tem Weiss voted no. All others voted in favor. The motion carried.

- 7G. [2024-0111](#) Discuss and consider action regarding approving the PCDC Executive Director to enter a contract with TIP Strategies in the amount of \$75,000, and authorizing PCDC expenditures, not to exceed \$50,000, to match an additional \$25,000 grant award from Texas Workforce Commission for purposes of conducting a Pflugerville Workforce Study.

Mayor Gonzales opened the item for discussion. Amy Madison, PCDC Executive Director, stated changes were made in the scope of work and the contract will need to go back to the PCDC Board before final approval by council. Tom Stellman with TIPS reviewed the scope of expansions including target industry deep dives and expanded workforce analysis. Mr. McDonald discussed people who are leaving the city for their jobs. Mayor Pro Tem Weiss discussed timing of having this before CEDS is finalized. Mayor Gonzales discussed target industries aligning with CEDS. Ms. Madison stated they have requested an extension to the grant and can continue to hold the item for a time. Discussion followed regarding potential changes in CEDS impacting the contract. Mr. Rogers moved to postpone the item to the March 26 council meeting. Mayor Pro Tem Weiss seconded the motion. Mr. Metayer was not present for the vote. Mr. McDonald voted no. All others voted in favor. The motion carried.

- 7H. [2024-0157](#) Discuss and consider action regarding canceling a council meeting in 2024.

Mayor Gonzales opened the item for discussion. Ms. Breland stated last year City Council canceled one meeting in the summer and the item is to provide the same opportunity. Discussion followed regarding dates of council meetings. Ms. Holiday moved to cancel the July 23, 2024 council meeting. Mr. McDonald seconded the motion. Mr. Metayer was not present for the vote. Mr. Rogers voted no. All others voted in favor. The motion carried.

- 7I. [2024-0125](#) Discuss and consider action regarding the PCDC Comprehensive Economic Development Strategic Plan 3.0 (CEDS).

Mayor Gonzales opened the item for discussion. Mayor Pro Tem Weiss offered to provide his marked up copy of the CEDS to try to get some of the concerns addressed and discussed possible issues with an industry target approach. Ms. Breland reviewed a condensed version of CEDS goals. Discussion followed regarding providing demonstrative goals. Ms. Holiday discussed the valuable information provided in the CEDS packet that shares why, and stated the condensed version gives a view of where the city is going. Ms. Madison provided information about following Economic Development Association standards.

- 7J. [2024-0190](#) Discuss and consider action regarding the City of Pflugerville Retail Recruitment Policy.

Mayor Gonzales opened the item for discussion. Mr. McDonald stated he wanted to discuss keeping retail with PCDC or redirecting it to staff. Mayor Pro Tem Weiss stated PCDC staff has the skill set to execute on retail recruitment and council needs to ensure they provide clear direction. Discussion followed regarding strategy on retail recruitment. Mr. Rogers asked if a survey has been done for citizens on what they would like to see in the city. Ms. Holiday discussed the importance of hearing what the citizens want. Mr. McDonald stated the current policy may need to be amended for clarity and discussion followed. Mr. Metayer joined the meeting at 9:06pm. Ms. Breland recommended a worksession with Retail Strategies.

- 7E. [RES-1188](#) Discuss and consider action to approve a resolution appointing a City Council legislative subcommittee.

Mayor Gonzales opened the item for discussion. Mr. Metayer discussed the importance of starting to talk about legislative strategy now. Discussion followed regarding the number of people on the subcommittee and who is interested in serving. Ms. Holiday moved to appoint Mayor Pro Tem Weiss and Mr. Rogers to the subcommittee. Mr. McDonald stated he is also interested in serving. Ms. Holiday revoked her motion. Mayor Pro Tem Weiss moved to appoint Mr. Rogers and Mr. McDonald to the subcommittee. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 7K. [2024-0169](#) Discussion regarding Pflugerville Community Development Corporation (PCDC) budget priorities.

Mayor Gonzales opened the item for discussion. Ms. Breland stated this item is an opportunity to give PCDC guidance on where they should focus their budget. Mr. Metayer stated land banking is important. Mr. Rogers stated he agrees with land banking and stated recruiting is the primary mission. Mayor Pro Tem Weiss stated seeing investment in infrastructure that supports retail is important.

- 5T. [2024-0150](#) Approving an agreement between the Pflugerville Community Development Corporation (PCDC) and the City of Pflugerville regarding administrative and support services.

Mayor Pro Tem Weiss opened the item for discussion. Mr. Hartshorn provided information about the amendment to bring PCDC finance under the City's finance department as discussed at the retreat. Discussion followed regarding having a conversation with PCDC about the changes. Mr. Rogers asked how it would impact debt. Mr. Hartshorn stated they remain a separate corporation. Mr. McDonald asked how the move would impact the budget process. Mr. Hartshorn discussed the software PCDC would have access to and that not much would change functionally. Discussion followed regarding brining the item back after it goes to the PCDC board.

- 7L. [2024-0124](#) Discussion and presentation regarding the Pflugerville Community Development (PCDC) Quarter 1 Financial Report.

The item was discussed during the earlier posted worksession.

8. Discuss and Consider Action on Items Pulled from Consent Agenda

5B. [2023-1153](#) Approving a professional services agreement with Economic & Planning Systems, Inc. in the amount of \$95,000 for professional services associated with a fiscal analysis study to assist with annexation decision making, and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item for discussion. Ms. Breland stated the agreement is a follow up from the retreat to study ETJ decision making. Matt Prosser, Principle with Economics and Planning Systems, Inc., answered questions from council. Mr. McDonald asked if SPAs still play an important role. Mr. Prosser stated all forms of partnership agreements are important. Mr. Metayer moved to approve the item. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

5L. [2024-0130](#) Approving a master service agreement with Ashbritt, Inc. for Storm and Disaster recovery services, and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item for discussion. Ms. Breland answered clarifying questions about the agreement stating it is on an as-needed basis. Mr. Metayer moved to approve the item. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

5R. [2024-0166](#) Approving a settlement and release with Michael L. McCall for the amount that exceeds the settlement provided by Texas Municipal League.

Mayor Gonzales opened the item for discussion. Mr. McCall discussed the situation and provided information stating \$8,000 would cover costs. Mayor Gonzales stated City Council was retiring to executive session at 9:56pm. Mayor Gonzales reconvened the meeting in open session at 10:06pm. Mr. Metayer moved to approve \$8,000 for the settlement and release. Ms. Holiday seconded the motion. Mayor Pro Tem Weiss voted no. All others voted in favor. The motion carried.

9. Adjourn

Mayor Gonzales adjourned the meeting at 10:08pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as _____ on February 27, 2024.