



City of Pflugerville

Minutes - Final

City Council

Tuesday, October 13, 2020

7:00 PM

100 East Main Street, Suite 500

Regular Meeting (Telephone/Video Conference)

The City Council is scheduled to hold a Worksession starting at 5:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession and how to connect to the Worksession telephone/video conference meeting.

NOTICE IS HEREBY GIVEN in accordance with order of the Office of the Governor issued March 16, 2020, the City Council will conduct this Regular Meeting by telephone/video conference in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the COVID-19. There will be no public access to the location described above.

This Regular Meeting Agenda, and the Agenda Packet, are posted online at <https://pflugerville.legistar.com>

This telephonic/video meeting will be hosted through WebEx.

Meeting Link: <https://pflugervilletx.webex.com/pflugervilletx/onstage/g.php?MTID=efcf8df6a62f58c6aed3d8f4ac1d34847>

Meeting Code/Number: 146 295 8926

Dial-in number: (US toll): = 1-408-418-9388

Public comment under Public Hearing items will be allowed via telephone/video conference at the Regular Meeting scheduled to begin at 7:00 p.m. All speakers under Public Hearing items must register to speak at least 2 hours in advance of the Regular Meeting. Speakers must call in at least 15 minutes prior to the start of the Regular Meeting in order to speak. Written comments may also be submitted 2 hours in advance of the meeting.

Public comment on all items other than Public Hearing items will be allowed via telephone/video conference at the Regular Meeting scheduled to begin at 7:00 p.m. All speakers must register to speak at least 2 hours in advance of the Regular Meeting. Public comment on all items other than Public Hearing items will occur under the Public Comment item. Speakers must call in at least 15 minutes prior to the start of the Regular Meeting in order to speak. Written comments may also be submitted 2 hours in advance of the meeting.

To register to speak or to submit written comments, please email 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.

A recording of the telephone/video meeting will be made, and will be available to the public upon written request.

The meeting will be available live for viewing on PFTV on the City website:
<https://www.pflugervilletx.gov/city-government/communications/pftv>

1. Call to order

Mayor Victor Gonzales called the meeting to order at 7:00 p.m. The meeting was held as a telephone/video conference. Mayor Pro Tem Peña and Councilmembers Jeff Marsh, Rudy Metayer, Mike Heath, and Doug Weiss were in attendance. Councilmember McDonald joined the meeting at 7:01 p.m. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Deputy City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Emily Barron, Planning and Development Services Director; Terri Toledo, Communications Director; Gwen Holford, Digital Content Web Specialist; Wade Maness, Videography Multimedia Specialist; Trista Evans, Deputy City Secretary; Martie Simpson, Interim Finance Director; Patricia Davis, City Engineer; Erin Sellers, Senior Planner; Brandon Pritchett, Public Utility Director; Rhonda McLendon, Animal Welfare Services Director.

2. Items of Community Interest

Mayor Gonzales provided statement that early voting started today and provided some information on where Pflugerville residents can vote. He stated that the City is currently accepting application for Pf101 and provided the requirements. Mayor Gonzales stated that the Best Little Plaza in Texas has new artwork, lighting and sitting decks. He also stated that COVID-19 testing continues in downtown Pflugerville at the free testing site and urged for everyone to keep wearing masks and stay safe.

Mr. McDonald stated that voting lines were long today but it was well worth it. He stated that if citizens see a long voting line Travis County has a webpage showing wait times for all of their locations.

Mr. Weiss stated that although Deutschen Pfest isn't happening this year, there is a virtual fun run and participants can get their t-shirt and participant medal at the Rec Center.

3. Presentation

3A. [2020-8712](#)

Mayor's proclamation declaring October 2020 as Breast Cancer Awareness Month.

Mayor Gonzales announced that he had issued a proclamation declaring October 2020 as Breast Awareness Month. Mayor Gonzales read the proclamation.

4. Public Hearing

Each person providing public comment at the public hearing will be limited to 3 minutes.

- 4A [2020-8612](#) Conduct a public hearing and receive a presentation regarding the issuance of Travis County MUD No. 23 - \$6,500,000 Unlimited Road Bonds, Series 2021.

Mayor Gonzales read the item and opened the public hearing. Mr. Fletcher introduced Cheryl Allen, the finance advisor for the district with Public Finance Group. Ms. Allen provided a presentation regarding bonds in the district and selected financial information including 2020 assessed valuation, gross debt outstanding, tax rates, and outstanding bonds. Ms. Allen answered questions from council regarding the spreadsheets shown in the presentation. There were no requests for public comment. Mr. Heath made a motion to close the public hearing. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

5. Public Hearing and Ordinance First Reading

- 5A. [ORD-0545](#) Conduct a public hearing and consider an ordinance on first reading with the caption: An ordinance amending Ordinance No. 1203-15-02-24 of the City of Pflugerville Code of Ordinances Title XV Land Usage, amending Chapter 157, Subchapter 4, Zoning Districts and Use Regulations, by amending Section 4.5.1 Downtown District Overlay to include Downtown sub-districts, and specific development regulations; amending Subchapter 9, Architectural, Site Design and Layout Provisions by adding Section 9.9 Downtown Architectural Design Standards; amending Subchapter 20, Definitions; and repealing Chapter 155 Site Development, Subchapter B Central Business District, in its entirety; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 157 as a class C misdemeanor and a fine in an amount not to exceed \$2,000.00; and declaring an effective date.

Mayor Pro Tem Peña stepped away at 7:20 p.m. for potential conflict of interest on item 5A as his home is located in the Old Town Neighborhood. Mayor Gonzales read the item and opened the public hearing.

Ms. Barron provided an overview regarding the amendments in the ordinance. She stated the general intent of the ordinance is to clarify development standards for ease of use and enforceability. Ms. Barron provided details regarding the Downtown District Overlay, downtown parking, mobility and circulation, and additional standards for the style of downtown as a walkable urban area. Ms. Barron answered clarifying questions from council.

Mr. Weiss made a motion to close the public hearing. Mr. Marsh seconded the motion. Mayor Pro Tem Peña was absent for the item and did not vote. All others voted in favor. The motion carried.

Mr. Marsh made a motion to approve the ordinance as presented on first reading. Mr. Weiss seconded. Mayor Pro Tem Peña abstained and was absent from the item and did not vote. All others voted in favor. The motion passed.

Mayor Pro Tem Peña returned to the meeting.

6. Public Comment

Mayor Gonzales announced that he had received on written comment. Ms. Evans read the comment.

Bob Reichenbach, Saxony resident, asked that the Council vote against item 8A.

Reading of the Consent Agenda

Items 7A and 8A were removed from the consent agenda. Ms. Evans read the items to include the captions of the ordinances under consideration.

8. Ordinances Second Reading

- 8B. [ORD-0537](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting the lease of City property by easement totaling approximately 3.105 acres of land out of the J. Bray survey, abstract no. 373, in Travis County, Texas; more specifically described in four deeds to the City of Pflugerville, of record in document numbers 2006060407tr, 2012195160tr, 2019169055, and 2015165200 of the official public records of Travis County, Texas. (Granting a Temporary Easement to Atmos)

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

9. Approval of Minutes

- 9A. [2020-8694](#) Approval of the minutes of the September 22, 2020 Regular Meeting and September 29, 2020 Worksession.

The minutes were approved on the consent agenda.

10. Resolutions

- 10A. [RES-0768](#) Approving a resolution with the caption: Resolution of the City of Pflugerville authorizing the City Manager to execute a Post-Annexation Provision of Services Agreement with Hagn & Timmerman, Ltd., providing that upon annexation the City will provide standard City services to a tract of land totaling approximately 126.952 acres situated in the T.S. Barnes Survey No. 46, Abstract No. 67, Travis County, Texas, within the City's extraterritorial jurisdiction.

The resolution was approved on the consent agenda.

- 10B. [RES-0769](#) Approving a resolution with the caption: Resolution of the City of Pflugerville authorizing the City Manager to execute a Post-Annexation Provision of Services Agreement with Republic National Distributing Company, L.L.C., providing that upon annexation the City will provide standard City services to a tract of land totaling approximately 33.0 acres situated in the T.S. Barnes Survey No. 46, Abstract No. 67, Travis County, Texas, within the City's extraterritorial jurisdiction.

The resolution was approved on the consent agenda.

11. Other Actions

- 11A. [2020-8705](#) Approving action to authorize the City Manager to approve the purchase of a replacement gearbox for Aerator 2 at the wastewater treatment plant from Ovivo USA, LLC. in the amount of \$116,200.00.

The item was approved on the consent agenda.

- 11B. [2020-8704](#) Approving the selection of Halff Associates, Inc. and Kimley-Horn and Associates, Inc. for professional engineering services associated with the 2020-2022 Pavement and Infrastructure Maintenance Projects and authorizing the City Manager to enter into negotiations regarding various scopes of work and fee proposals.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

7. Ordinances First Reading - Removed from the Consent Agenda

- 7A. [ORD-0548](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville amending Title IX, Chapter 90 Animals by repealing and replacing said chapter; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for violation of Chapter 90, as a Class C misdemeanor and a fine in an amount not to exceed \$500.00; and declaring an effective date.

This item was removed from the consent agenda. There was no discussion or action on the item.

8. Ordinances Second Reading - Removed from the Consent Agenda

- 8A. [ORD-0544](#) Approving an ordinance on second reading with the caption reading: An

ordinance of the City of Pflugerville, Texas, amending rates, charges and fees for water and wastewater utility service; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

This item was removed from the consent agenda for discussion. Mayor Pro Tem Peña stated he wanted a high level summary of the rate structure. Ms. Simpson introduced Grant Rabbon to provide information. Mr. Rabbon detailed the items within the ordinance and provided the council with some background. Mayor Pro Tem Peña clarified that the bill is going up \$5 a month and there will be a volume consumption metric that will also increase.

Mayor Pro Tem Peña made a motion to approve the ordinance on first reading. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

12. Discuss and consider action

- 12A. [RES-0771](#) Discuss and consider action to approve a resolution appointing a City Council subcommittee for collaboration with the Travis County Emergency Services District No. 2.

Mayor Gonzales stated that this item is to pick two councilmembers to serve on a subcommittee in collaboration Travis County ESD2. Mr. Metayer, Mr. Weiss, Mr. Heath, and Mayor Pro Tem Peña volunteered. Some discussion followed with Ms. Breland and Mr. Zech regarding quorum and the number of councilmembers who should serve on the subcommittee. Mayor Gonzales stated that Mr. Metayer and Mr. Weiss were the first to volunteer. Mr. McDonald made a motion to appoint Mr. Weiss and Mr. Metayer to the Travis County ESD2 subcommittee. All voted in favor. The motion carried.

13. Discuss only

Mayor Gonzales announced that the City Council was retiring to executive session on items 13A. and 13B.. He read the items and retired to executive session. The time was 7:51 p.m.

- 13A. [2020-8715](#) 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.

Discussion on the item took place in executive session. No action was taken.

- 13B. [2020-8716](#) 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 102 S. 3rd Street.

Mayor Pro Tem Peña stepped away due to a conflict of interest on the item in that he owns property within 500 feet of the subject property. He did not participate in discussion on the item. Discussion on the item took place in executive session. No action was taken.

14. Adjourn

Mayor Gonzales reconvened in open session at 8:19 p.m. Mayor Pro Tem Peña, Councilmembers Metayer, Weiss, Marsh, Heath, and McDonald were in attendance. Mayor Gonzales adjourned the meeting at 8:19 p.m.

Respectfully Submitted,

**Trista Evans
Deputy City Secretary**

Approved as presented on October 27, 2020.