



City of Pflugerville

Minutes - Final

City Council

Wednesday, August 18, 2021

5:00 PM

100 East Main Street, Suite 500

Special Meeting (Telephone/Video Conference)

NOTICE IS HEREBY GIVEN in accordance with order of the Office of the Governor issued

March 16, 2020, the City Council will conduct this Special Meeting by telephone/video conference. There will be no public access to the location described above.

This Special 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?](https://pflugervilletx.webex.com/pflugervilletx/onstage/g.php?MTID=e33bff1792b4188a3982cbb60f7555679)

MTID=e33bff1792b4188a3982cbb60f7555679

Meeting Code/Number: 146 744 2815

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

Public comment will be allowed via telephone/video conference at the Special Meeting scheduled to begin at 5:00p.m. All speakers must register to speak at least 2 hours in advance of the Special Meeting. Speakers must call in at least 30 minutes prior to the start of the Special Meeting in order to speak.

1. Call to Order

Mayor Gonzales called the special meeting to order at 5:00pm. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Ceasar Ruiz, David Rogers, Rudy Metayer, were in attendance. Councilmember Mike Heath joined at 5:14pm.

City employees in attendance: Sereniah Breland, City Manager; Trey Fletcher, Deputy City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Terri Toledo, Communications Director; Trista Evans, City Secretary; Charles Zech, City Attorney; Jennifer Coffey Griswold, Library Director; Maggie Holman, Public Information Officer; Gwen Holford, Application and Web Developer.

2. Public Comment

Mayor Gonzales announced that registration for public comment was accepted up to 3:00pm and there were two requests to speak:

Sarah Becker, North Park Neighborhood, read a comment on behalf of Victor Johnson expressing his objection to any city mandate requiring citizens to wear a mask. He stated it is not a complaint against mandates, asking council to uphold the rules and not violate the governor's orders. Ms. Becker stated she agreed with Mr. Johnson and the city supported other executive orders and should not defy this one.

Trevor Stokes, Representative of Pflugerville Professional Firefighters Association, stated he has not seen an authorization for the lawsuit against the ESD and asked why David Rogers was listing the city as co plaintiff without the authorization. He stated he would like to see a vote made.

3. Discuss Only

- 3A. [2021-0879](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding state and local authority related to public health and safety decisions including mask mandates.

Mayor Gonzales announced that the City Council was retiring to executive session on items 3A. and 3B. He read the items and retired to executive session at 5:07pm.

Discussion on the item took place in executive session.

- 3B. [2021-0885](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding litigation: Cause No. D-1-GN-21-003845; *David Rogers, et al. v. Travis County Emergency Services District No. 17, et al.* pending in the 200th Judicial District Court of Travis County, Texas.

Discussion on the item took place in executive session.

4. Discuss and Consider Action

- 4A. [2021-0886](#) Discuss and consider any action necessary regarding the matters deliberated in closed session.

Mayor Gonzales reconvened the special meeting in open session at 6:25pm. Mayor Gonzales opened the item for discussion. Mr. Rogers asked the city secretary to read the resolution that was presented to council. Ms. Evans read the resolution with the caption reading: A resolution of the City of Pflugerville, Texas, ratifying all actions previously taken on its behalf, including but not limited to the filing of litigation, related to the attempted expansion of ESD No. 17 into the City's jurisdictional limits; authorizing the City Attorney to take any and all actions necessary to protect the jurisdictional limits of the City of Pflugerville from the expansion of ESD No. 17.

Mr. Weiss made a motion to approve the resolution. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

- 4B. [RES-0912](#) Discuss and consider action to approve a resolution with the caption

reading: Resolution of the City of Pflugerville, Texas, requiring the wearing of masks in City Facilities.

Mayor Gonzales opened the item for discussion, stating this resolution is for city-owned indoor facilities and does not restrict private business. Mr. Rogers stated it does not restrict outdoor activities and there are exemptions included for those with medical requirements. Mr. Metayer stated council has to consider what they can do to keep citizens safe and secure and these decisions are weighed with the community and citizens in mind. Mr. Metayer encouraged everyone to get vaccinated and stated this is a challenging moment and everyone needs to step together. Mr. Ruiz stated he wanted to reiterate that the mandate is for inside city owned facilities.

Mr. Weiss stated he would like the resolution to exempt city employees who are working independently and socially distance. Ms. Breland stated that is contained in 2(h). Mr. Weiss made a motion to approve the resolution. Mr. Metayer seconded the motion.

Mr. Rogers asked for an amendment to raise the age from 2 to 6. Mr. Heath asked about employees who have direct contact with the public like the Police Department and asked for an amendment to make sure they were masks when interacting with the public to protect both the employee and the public. Mr. Weiss seconded Mr. Heath's amendment. Mr. Ruiz seconded the amendment made by Mr. Rogers to include special needs. Mr. Metayer seconded.

The vote was as follows, Mayor Pro Tem Peña was not present for the vote: Mr. Weiss - yes, Mr. Ruiz - yes, Mayor Gonzales - yes, Mr. Metayer - yes, Mr. Heath - yes, Mr. Rogers - no.

5. Adjourn

Mayor Gonzales adjourned the special meeting at 6:42pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as submitted on August 24, 2021