



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, June 23, 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=efee7ac9295acedc2bc5db567368b683e>

Meeting Code/Number: 146 110 2454

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.

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 regular meeting to order at 7:00 p.m. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, and Jim McDonald were in attendance. Councilmember Mike Heath joined the meeting at 7:19 p.m. The meeting was conducted as a telephone/video conference. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Assistant City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Karen Thompson, City Secretary; Emily Barron, Planning Director; Gwen Holford, Digital Content Web Specialist; Amy Good, Finance Director; Erin Sellers, Senior Planner; Shane Mize, Parks and Recreation Director; Maggie Holman, Public Information Officer; Patricia Davis, City Engineer; Richard Donoghue, Bond Counsel.

2. Items of Community Interest

Mayor Gonzales announced that Ms. Breland is now President-Elect of the Texas City Manager's Association. He announced that Independence Day Fireworks would be hosted by Typhoon Texas and provided some details. He thanked the Councilmembers and community for participating in the Juneteenth events in Pflugerville this past weekend. Mayor Pro Tem Peña reminded everyone to stay home if they can and to wear a mask. Mr. Metayer conveyed appreciation to local businesses for enforcing masks.

3. Public Hearing

- 3A. [2020-8471](#) Conduct a public hearing regarding the creation the Martin Tract Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code.

Mayor Gonzales read the item and opened the public hearing. Ms. Barron provided information. Mayor Gonzales stated that registration to speak at the public hearing was taken until 5:00 p.m. and there were no requests to speak at the public hearing. Mayor Gonzales requested a motion to continue the public hearing. Mr. McDonald indicated to make the motion. Mayor Gonzales seconded the motion. Mr. Heath was not in attendance. All presented voted in favor. The motion carried. Action was taken to continue the public hearing until later in the year when a resolution is brought forward for consideration.

4. Public Hearing and Ordinance First Readings

- 4A. [ORD-0526](#) Conduct a public hearing and consider approving an ordinance on first

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 approving a specific use permit for a proposed bar/tavern on an approximate 0.86-acre tract of land zoned General Business 1 district (GB1) and Downtown District Overlay (DD) located generally southwest of the N. Railroad Ave. and E. Main St. Intersection, locally addressed as 115 E. Main St, to be known as the 115 E. Main St specific use permit (SUP2004-01); providing a cumulative and repealer clause; providing for a severability clause; and providing an effective date.

Mr. Heath entered during discussion on the item. Mayor Gonzales read the item to include the caption of the ordinance under consideration. Ms. Barron presented and answered questions of Council. Troy and Iven Dudley, applicants, answered questions and provided information. Ms. Barron addressed additional questions regarding parking. Mayor Gonzales stated that registration to speak at the public hearing was taken until 5:00 p.m. and there were no requests to speak at the public hearing. Mayor Pro Tem Peña made a motion to close the public hearing. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

Mr. McDonald asked if Ireland Kingdom had been notified. Ms. Barron indicated that letters were mailed to the notification area. She stated that there were no comments at the Planning and Zoning Commission meeting. Mr. Marsh made a motion to approve the ordinance on first reading. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

5. Public Comment

Mayor Gonzales stated that registration for public comment was taken until 5:00 p.m.

Mayor Gonzales read two written public comments.

Ken Rector, Swenson Farms resident, indicated support for the passage of a bond in November.

Megan Reid, Highland Park resident, indicated support for the Equity Commission along with some suggestions for amendment to the ordinance.

The following spoke under public comment:

Shawn Douglas, Fairways of Blackhawk resident, voiced concerns regarding public health being politicized. He voiced concerns regarding black Austinites killed by police and stated that he had spoken to Chief Robledo and received assurances. He stated that he thinks Juneteenth is a good start. He indicated concern for economically disadvantaged kids. He asked how they can break the cycle.

Urchar Dunbar-Crespo, Windermere resident, was registered to speak but was not connected to the meeting.

Meme Styles, President and Found of MEASURE, commended the City on the

Juneteenth celebration. She thanked the community for participating in the creation of an Equity Commission and stated that she is glad to be a resident of a city that promotes equality.

Reading of the Consent Agenda

Item 6B was removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

6. Ordinances First Reading

- 6A. [ORD-0521](#) Approving an ordinance on first reading with the caption reading: An Ordinance repealing and replacing the Code of Ordinances of the City of Pflugerville, Texas, Chapter 96, "Streets and Sidewalks", and renaming Chapter 96 to "Right-of-Way Management", in order to administer and regulate the use of Public Rights-of-Way for the public interest, health, safety and welfare; providing for the issuance and regulation of permits; establishing fees; providing for a penalty in an amount in accordance with Code of Ordinances, Section 10.99 General Penalty, for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

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

- 6C. [ORD-0529](#) Approving an ordinance on first reading with the caption reading: An Ordinance amending the Code of Ordinances of the City of Pflugerville, Texas, Title XIII "General Offenses," Chapter 130, "Offenses against City Regulations," to add Section 130.12, "Obstructing Streets and Sidewalks," and 130.13, "Repair of defective sidewalks" in order to administer and regulate the use of public rights-of-way for the public interest, health, safety and welfare; providing for a penalty in an amount in accordance with Code of Ordinances, Section 10.99 General Penalty, for violation of any provision hereof; repealing all Ordinances or parts of Ordinances inconsistent or in conflict herewith; and providing for severability and an effective date.

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

- 6D. [ORD-0530](#) Approving an ordinance on first reading with the caption reading: An Ordinance amending the Code of Ordinances of the City Pflugerville, Texas, Title VII "Traffic Code," Chapter 70, "Traffic Rules," to add Section 70.03, "Braking Devices Prohibited," in order to administer and regulate traffic on City streets for the public interest, health, safety and welfare; providing for a penalty in an amount in accordance with Code of Ordinances, Section 10.99 General Penalty, for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability and an effective date.

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

- 6E.** [ORD-0525](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville Code of Ordinances Title XV Land Usage, amending Chapter 155 Site Development, Subchapter B Central Business District, Section 155.1305 Signs by removing sign regulations; repealing and replacing Chapter 154 Signs, by adding Downtown sign regulations, reorganizing the standards for ease of use, clarifying master signage plan provisions, adding sign provisions for subdivision entrances, modifying the list of prohibited sign types, adding specific standards for sign types, and clarifying the permit application and processes; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 154, as a class C misdemeanor and a fine in an amount not to exceed \$500.00; and declaring an effective date.

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

- 6F.** [ORD-0528](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending the City of Pflugerville Code of Ordinances Title III Administration, Chapter 31 Departments, Boards and Commissions, to add Section 31.60 Establishing an Equity Commission; providing that this ordinance shall be cumulative and repealing all ordinances in conflict; providing for severability; and declaring and effective date.

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

7. Approval of Minutes

- 7A.** [2020-8461](#) Approval of the minutes of the June 9, 2020 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

8. Resolutions

- 8A.** [RES-0728](#) Approving a Resolution of the City of Pflugerville of the City of Pflugerville, Texas supporting the City of Pflugerville's submission of an EDA - Disaster Recovery Grant Application for Engineering and Construction improvements to FM 1825 / Pecan Street at the intersection of FM 685 and Dessau Road; Authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

The resolution was approved on the consent agenda.

9. Other Actions

- 9A.** [2020-8470](#) Approving a Travis County Interlocal Agreement for Administration of CRF Funding Under the CARES Act and authorizing the Mayor to execute said agreement.

The item was approved on the consent agenda.

- 9B.** [2020-8472](#) Approving a professional expense reimbursement agreement by and between the City of Pflugerville and Martin Tract Development and authorizing the City Manager to execute the agreement.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

Ordinances First Reading - Removed from the Consent Agenda

- 6B.** [ORD-0522](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville adding Section 11 Wireless Services Design for Network Nodes, Node Support Poles and Transfer Facilities to the 2014 Engineering Design Manual and Construction Standards, replacing all Engineering and Construction Standards in conflict; Containing a savings clause; Containing a severability clause; and providing for publication and an effective date.

Mr. Metayer asked Ms. Breland if health and safety concerns had been considered for cell nodes. Ms. Breland stated that she is confident that the City is following the Local Government Code and is in line with other cities. Mr. Metayer made a motion to approve the ordinance on first reading. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

10. Discuss only

- 10A.** [2020-8480](#) Discussion regarding Travis County mandatory health and safety policies for commercial entities.

Mayor Pro Tem Peña stated that they need to be cognizant that cases have doubled in our zip code and Council needs to be aware and take action if needed. Mr. Metayer indicated to agree and stated that the only way this works is for people to comply with the CDC requirements.

- 10B.** [2020-8467](#) Discussion regarding the Pflugerville Traffic Signal System Assessment and Improvements Plan Report associated with the City's responsibility to take over maintenance and operations responsibilities for traffic signals currently managed by TxDOT on state-maintained roadways.

Ms. Davis provided an introduction and Vivek Deshpande, Kimley-Horn,

presented and answered questions. Ms. Davis stated that they would like to move forward. Mr. Heath stated that he knows that there are firms that do this. Mr. Deshpande stated that his firm does much work for the City of Austin, but does not do the field work. He stated that there are firms that do different parts of it. Mr. Heath recommended looking at all of the options. Ms. Breland and Ms. Giannini provided additional information.

10C. [2020-8462](#)

Discussion regarding land use policy within the Downtown District Overlay.

Discussion on the subject took place at the earlier worksession. Ms. Barron stated that staff is moving forward with downtown regulations and was bringing this forward for discussion with Council now in order receive feedback from Council on their thoughts regarding the boundary and what level of land use and residential transition considerations should be included in the draft amendments. Discussion followed. Mr. Weiss stated that he would like to make it clear that these are the boundaries and that the City Council supports these boundaries and to move forward with a transition compatibility zone within the existing boundary that addresses compatibility and architecture standards. There was further discussion. The Planning and Zoning Commission was to hold a worksession on July 6, 2020 with anticipated public hearing on August 3, 2020 and the City Council was to hold a public hearing and consider on first reading on August 11, 2020.

10D. [2020-8468](#)

Presentation of the proposed FY21 budget.

Mayor Gonzales stated that the item was addressed in the worksession.

11. Discuss and consider action**11A.** [2020-8481](#)

Discuss and consider action to make Juneteenth an official City of Pflugerville holiday.

Mayor Pro Tem Peña made a motion to approve and stated that it was overdue. Mr. Weiss seconded the motion. There was discussion. All voted in favor. The motion carried.

11B. [2020-8478](#)

Discuss and consider action to provide direction to staff regarding the preparation of propositions to be brought forward to the voters at the November 3, 2020 bond election.

Discussion on the subject took place at the earlier worksession. Ms. Breland stated that staff is looking for direction on how to proceed. Mr. McDonald stated that he is looking for guidance for the voters and what they would be paying. He asked if they would look at two propositions, one for roads and one for parks projects or three with one for roads and two for parks projects. Mr. Metayer stated that Bond Committee did the work and then COVID happened but that he feels comfortable with putting this to the voters. He noted the survey results from the Bond Committee process. Mr. Metayer stated that he is okay with the Recreation Center being a separate proposition from the other parks projects. He stated that he wants to put it to the voters. Mr. Heath stated to agree. He stated that it was pre-COVID survey but they could let the voters decide. He indicated support for three propositions. Mr. Marsh indicated to agree and to support three propositions. Mr. Marsh stated that he would like as

much information to be provided to the voters as possible on the costs so the voters can make informed decisions. Mr. McDonald stated that some could be tax neutral due to expiring bonds, that some bond debt could be retiring. Mr. Marsh stated that it such a large bond package, he wants people to understand it. Mr. Metayer stated that they have taken a pragmatic approach of the needs. He stated that these decisions will drive what the city will look like in 20-30 years. Mr. Marsh stated that he thinks having the opportunity is worthwhile. Mr. Weiss stated to agree with Mr. Marsh. He stated that they will need to have Finance show the costs of the bond projects. Ms. Good stated that they can bring information back to the next meeting. Mr. Heath stated that they need to review the costs of the projects. Ms. Giannini stated that they have not seen a decrease in the project costs. There was continued discussion. No action was taken.

11C. [2020-8479](#)

Discuss and consider action to provide direction to staff regarding the preparation of election order for a November 3, 2020 special election for disposition of parkland.

Discussion on the subject took place at the earlier worksession. Mr. Marsh stated that he is not in favor of ordering the election and indicated concern with the wastewater line going through the property. Mayor Pro Tem Peña stated that he has concern for setting a precedent. Mr. Heath made a motion to not go forward with ordering this election. Mayor Pro Tem Peña seconded the motion. There was discussion. The vote was: Mr. Weiss-no, Mr. Marsh-yes, Mayor Pro Tem Peña-yes, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-no, Mayor Gonzales-yes. The motion carried. Action was taken to not move forward with the parkland disposition election.

11D. [2020-8323](#)

1.) Executive Session Item: Pursuant to Chapter 551.072 of the Texas Government Code, deliberations regarding the purchase, exchange, lease, transfer and/or sale of real property related to the SH 45 Water and Wastewater Line Extension project. 2.) Open Session Item: Discuss and consider action regarding the purchase, exchange, lease, transfer and/or sale of real property related to the SH 45 Water and Wastewater Line Extension project.

Mayor Gonzales announced that the City Council was retiring to executive session on the item. He read the item and retired to executive session. The time was 9:10 p.m. Mayor Gonzales reconvened in open session at 9:30 p.m. No action was taken on the item.

12. Adjourn

Mayor Gonzales adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on July 14, 2020.