



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, May 28, 2024

7:00 PM

1611 Pfennig Lane

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#### Regular Meeting

#### 1. Call to Order

Mayor Victor Gonzales called the regular meeting to order at 7:00pm. Mayor Pro Tem Doug Weiss and Councilmembers Cesar Ruiz, Kimberly Holiday, Rudy Metayer, Jim McDonald, and David Rogers were in attendance.

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; Brandon Pritchett, Public Utility Director; Terri Toledo, Director of Management Services; Jason O'Malley, Police Chief; Joseph Chacon, Emergency Services Director; Jeff Dunsworth, City Engineer; Abby Morrison, Public Works Administration Director; Tracy Waldron, Finance Director; Norma Martinez, Real Estate Manager; Jeremy Frazzell, Planning and Development Services Director; Evan Groeschel, Operations Director.

#### 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 Flag of 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

Emily Rogers stated appreciation for support during Girl Scouts cookie season. Ms. Rogers talked about the 8th annual business fair to help entrepreneurs ages 8-16 which will be at the Pfarmer's Market on June 11th from 3-6pm.

Teri Lucas stated experience has shows that Pflugerville's own fire department is well trained and will provide life saving measures.

Pat McCord provided information about his experience trying to get an electrical permit for a shed in his backyard. Mr. McCord discussed the difficulty finding master electricians and the cost to do so. Mr. McCord suggested allowed journeymen electricians complete the requirements rather than requiring a master electrician.

#### 4. Presentation

- 4A. [2024-0050](#) Mayor's proclamation declaring June 2024 as Pride Month in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to Rochell Guerra and members of Pflugerville Pride.

- 4B. [2024-0052](#) Mayor's proclamation declaring June 2024 as Alzheimer's and Brain Awareness Month in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to Jennifer Scott with CAPCOG Area Agency on Aging.

#### Reading of the Consent Agenda

#### 5. Other Actions

Ms. Evans stated no items were pulled from the consent agenda and all items may be acted upon in a single motion.

- 5A. [2024-0492](#) Approving the minutes of the May 14, 2024 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

- 5B. [2024-0301](#) Approving a conditional purchase agreement and associated conveyance documents between CE Development, Inc and the City of Pflugerville as necessary to acquire real property interests for the Cottonwood West Lift Station and Force Main Project, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 5C. [2024-0491](#) Approving a conditional purchase agreement and associated conveyance documents between Karlin Tracor Lane, LLC (Parcel 6) 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.

- 5D. [2024-0495](#) Approving the procurement of a bucket truck in the amount of \$235,402, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 5E. [2024-0503](#) Approving the purchase of soccer field improvements at the Wells Point Sports Park at 800 S Heatherwilde Blvd in the amount of \$230,000, and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5F. [2024-0510](#) Approving a reconciliation agreement and final payment from Lakeside WCID 1, and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5G. [2024-0509](#) Approving a reconciliation agreement and final payment from Lakeside WCID 2A, and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5H. [2024-0508](#) Approving a reconciliation agreement and final payment from Lakeside WCID 2B, and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5I. [2024-0507](#) Approving a reconciliation agreement and final payment from Lakeside WCID 2C, and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5J. [2024-0506](#) Approving a reconciliation agreement and final payment from Lakeside WCID 2D, and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5K. [2024-0512](#) Approving an agreed order with TCEQ in the amount of \$131,540, and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5L. [2024-0513](#) Approving a change order in the amount of \$126,318 and 57 additional days for the construction contract for the Neighborhood Street Reconstruction Package Number 2 with Patin Construction, LLC., and authorizing the City Manager to execute the same.  
**The item was approved on the consent agenda.**
- 5M. [2024-0514](#) Approving a professional services supplemental agreement with Freese and Nichols, Inc. in the amount of \$99,897 for construction and warranty phase services associated with the Central Wastewater Treatment Plant Expansion Phase I Project and authorizing the City Manager to execute same.  
**The item was approved on the consent agenda.**

- 5N. [2024-0494](#) Approving an agreement with Alpha Facilities Solution, LLC in the amount of \$101,384 for Facility Condition Assessment associated with all city facilities, and authorizing the City Manager to execute the same.  
The item was approved on the consent agenda.
- 5O. [2024-0496](#) Approving a professional services supplemental agreement with CP&Y, Inc., dba STV Infrastructure, in the amount of \$249,811 to provide funding support services, and authorizing the City Manager to execute the same.  
The item was approved on the consent agenda.
- 5P. [2024-0538](#) Approving a memorandum of understanding between Manville Water Supply Corporation and the City of Pflugerville for the relocation of a waterline for the Neighborhood Street Reconstruction Package Number 2, and authorizing the City Manager to execute same.  
The item was approved on the consent agenda.
- 5Q. [RES-1220](#) Approving a resolution amending the City of Pflugerville Investment Policy.  
The resolution was approved on the consent agenda.

### Action on the Consent Agenda

Mr. Metayer moved to approve the consent agenda. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

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

### 6. Public Hearing and Ordinance

- 6A. [ORD-0772](#) 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 changing the zoning designation of an 1.6-acre tract of land known as Lot 2A, Block E of the Amending Plat of Block E 685 Commercial Park Subdivision, from General Business-2 (GB2) Zoning District to the Urban (Level 4:CL4) Zoning District, to be known as the 20205 FM 685 Rezoning (REZ2024-00109).  
Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell provided information about the location and the rezoning. Mr. Frazzell discussed the zoning district comparison and intent stating the proposed district allows for more consistent commercial land uses anticipated along the corridor. Mayor Pro Tem Weiss asked about the overlay district. Mr. Frazzell provided information about how the overlay and rezoning work together. There was no one present wishing to speak under the public hearing. Mayor Pro Tem Weiss moved to close the public hearing. Ms. Holiday seconded the motion. All voted in favor. The motion carried.

**Mr. Rogers moved to approve the ordinance on first reading. Ms. Holiday seconded the motion. All voted in favor. The motion carried.**

**6B. [ORD-0775](#)**

Conduct a public hearing and consider approving an annexation ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, tracts of land totaling approximately 150.180 acre of land lying within the William Caldwell Survey, abstract No. 162, survey No.66 and being all of a 40.001 acre tract of land described by deed 7C Cameron LLC, recorded in document No.2022057890, official public records of Travis County, Texas. Generally located at 16544 Cameron Road. Extending the boundaries of the City to include the land; and to be zoned Agriculture/Development Reserve (A); to be known as 16544 Cameron Road Annexation (ANX2024-00011); Binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; providing for severability; and providing an effective date.

**Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell reviewed the property and surrounding areas stating the proposed request is a voluntary petition for annexation to bring the property into city limits. Mr. Frazzell discussed the process of annexation and zoning needs and answered questions from council. Mr. Frazzell stated there will be an item at the upcoming council meeting regarding zoning of the property. There was no one present wishing to speak under the public hearing. Mr. McDonald moved to close the public hearing. Mr. Rogers seconded the motion. All voted in favor. The motion carried.**

**Mr. Metayer moved to approve the ordinance on first reading. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.**

**7. Regular Agenda**

**7A. [2024-0489](#)**

Discuss and consider action regarding American Rescue Plan Act (ARPA) funding allocation.

**Mayor Gonzales opened the item for discussion. Ms. Waldron reviewed the ARPA award and current allocation. Ms. Waldron reviewed the current projects funded and stated the deadline for encumbering funds is December 31, 2024. Ms. Waldron reviewed the recommendation for the unallocated funds for traffic signal preemption and shade for Wilbarger Creek Park. Mayor Pro Tem Weiss asked what the preemption covers. Mr. Groeschel provided information about the project and answered questions from council. Mayor Pro Tem Weiss moved to approve the staff recommended allocation to traffic signal preemption and shade for Wilbarger Creek Park. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**

**7B. [2024-0501](#)**

Discuss and consider potential action relating to emergency medical services and potential contract.

**Mayor Gonzales read the item and stated City Council was retiring to executive session at 7:33pm. Mayor Gonzales reconvened the meeting in open session at**

7:49pm. Mr. Chacon provided a review of the services and performance metrics included. Mr. Chacon discussed the financial terms of the options. Mayor Pro Tem Weiss moved to approve an agreement with Allegiance for four ambulances. Mr. Rogers seconded the motion.

Terry Newsom provided public comment stating citizens voted no to paying ESD2 more money. Mr. Newsom discussed the petition that was received by ESD2 that led to the Texas Supreme Court ruling ordering ESD2 to call an election. Mr. Newsom discussed the process of the election and ballot measure and the impact of an election.

Mr. McDonald discussed a section of the ESD2 contract that includes an option to cancel the agreement in 20 days based on a potential election outcome as Mr. Newsom discussed. Mayor Gonzales stated there has been a lot of discussion regarding cost but stated can't put a value on someone's life and ESD2 is focused on providing the best service. Mr. Ruiz stated he campaigned on public safety and will stand with that. Mr. McDonald reviewed the background of discussions on the topic and meetings with the ESD2 board. Discussion followed regarding the agreement options. Mr. Ruiz provided comment about the training conducted by ESD2. Mr. Rogers discussed the job of emergency services professionals to preserve life and stated it comes down to trust in leadership. Ms. Holiday discussed concerns about the ESD2 contract and stated she is here to serve the citizens. Mayor Gonzales stated he is opposed to the Allegiance contract. The vote was as follows: Mayor Gonzales - no, Mr. Rogers - yes, Mr. Metayer - no, Mr. McDonald - yes, Mr. Ruiz - no, Mayor Pro Tem Weiss - yes, Ms. Holiday - no. The motion failed.

Mr. Ruiz moved to approve the agreement with ESD2. Mayor Gonzales seconded the motion. Mr. Metayer discussed the terms of the agreement, stating everyone serves the same citizens. Ms. Holiday moved to reconsider the original vote. Mr. Rogers seconded the motion. The vote was as follows: Mr. McDonald - yes, Mayor Pro Tem Weiss - yes, Mr. Rogers - yes, Mr. Metayer - yes, Mr. Ruiz - no, Ms. Holiday - yes, Mayor Gonzales - no. The motion carried. Mayor Pro Tem Weiss made a motion to approve the original motion: staff recommendation agreement with Allegiance for four ambulances. Mr. Rogers seconded the motion. The vote was as follows: Mayor Gonzales - no, Mr. Ruiz - no, Mayor Pro Tem Weiss - yes, Mr. Rogers - yes, Mr. Metayer - no, Mr. McDonald - yes, Ms. Holiday - yes. The motion carried.

**7C.**    [RES-1222](#)

Discuss and consider action regarding membership of the City Council legislative subcommittee.

Mayor Gonzales opened the item for discussion. Mr. Rogers stated he is enjoying serving on the committee with Mr. McDonald. Mr. Ruiz stated he asked for the item because he thought a third person on the committee might be helpful and recommended Mr. Metayer. Mr. Ruiz moved to amend the ordinance to add Mr. Metayer to the legislative subcommittee. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**7D.**    [2024-0549](#)

Discuss and consider action regarding the future structure of Pflugerville Community Development Corporation and the recruitment of the Executive Director.

Mayor Gonzales opened the item for discussion. Mr. McDonald discussed having staff look at a transition plan to bring PCDC into the city as it may see

an increase in communication if PCDC is internal. Mr. McDonald discussed some difficulties that may not have happened if PCDC was internal and some increased efficiencies. Mr. Metayer asked about current communication with PCDC on day to day operations. Mr. Ruiz stated it could streamline things and allow a more efficient discussion. Mayor Pro Tem Weiss stated PCDC was previously taken out of the city to achieve the same things being discussed now. Discussion followed regarding current operations between PCDC and the city. Mr. McDonald stated he would like to see staff come back in two or four weeks with a plan of what it would look like if PCDC were a city department. Mayor Pro Tem Weiss stated PCDC cannot be a department by law. Mr. Zech provided information about the structures that could be used where city staff is the main staff for PCDC. Mayor Gonzales discussed the current executive director recruitment process. Mr. Hartshorn provided information about the status. Mr. Rogers moved to table the item. Mayor Pro Tem Weiss seconded the motion. The vote was as follows: Mayor Pro Tem Weiss - yes, Mr. McDonald - no, Mr. Ruiz - no, Mayor Gonzales - no, Mr. Metayer - no, Ms. Holiday - yes, Mr. Rogers - yes. The motion failed.

Discussion followed regarding a new executive director shaping the structure. Mr. McDonald moved to direct staff to bring back in two weeks a structure to PCDC where the executive director would report to an assistant city manager or the city manager, or in house. Mr. Metayer seconded the motion. Mayor Pro Tem Weiss stated it is a policy issue. Mr. Metayer stated he views it as an operations issue. Discussion followed. Ms. Breland suggested extending the recruitment date past June 11th if there is a potential change. Discussion followed regarding extending the job posting thirty days past the date of a potential change to July 11. Mr. McDonald restated his motion for staff to bring back a plan in two weeks for the PCDC director to report to the Deputy City Manager or City Manager. Mr. Metayer seconded. The vote was as follows: Mayor Pro Tem Weiss - no, Mr. Ruiz - yes, Mr. Rogers - no, Mr. McDonald - yes, Mayor Gonzales - yes, Ms. Holiday - yes, Mr. Metayer - yes. The motion carried.

- 7E. [2024-0280](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the Municipal Judge. 2.) Open Session Item: Discuss and consider actions regarding performance evaluation of the Municipal Judge.

Discussion on the item occurred in executive session during the previously posted worksession.

- 7F. [2024-0281](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the Associate Municipal Judge. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the Associate Municipal Judge.

Discussion on the item occurred in executive session during the previously posted worksession.

- 7G. [2024-0411](#) 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 related to real

estate proposal for Downtown East. 2.) Open Session Item: Discuss and consider action regarding real estate proposal for Downtown East.

**Discussion on the item occurred in executive session during the previously posted worksession.**

**7H. [2024-0442](#)**

1.) Executive Session Item: Consultation with legal counsel regarding legal issues associated with the Central Wastewater Treatment Plant Expansion Phase I Project pursuant to Chapter 551.071 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding Central Wastewater Treatment Expansion Phase 1 Project.

**Discussion on the item occurred in executive session during the previously posted worksession.**

**8. Discuss and Consider Items Pulled from Consent Agenda**

**9. Adjourn**

**Mayor Gonzales adjourned the meeting at 9:01pm.**

Respectfully submitted,

Trista Evans, City Secretary

Approved as \_\_\_\_\_ on June 11, 2024.