



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, October 11, 2022

7:00 PM

1611 Pfennig Lane

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#### Regular Meeting

#### 1. Call to order

Mayor Victor Gonzales called the meeting to order at 7:00pm. Mayor Pro Tem Doug Weiss and Councilmembers Ceasar Ruiz, Kimberly Holiday, Rudy Metayer, Jim McDonald, and David Rogers were in attendance. Councilmember Holiday exited the meeting at 7:31pm.

City staff in attendance: Sereniah Breland, City Manager; James Hartshorn, Deputy City Manager; Emily Barron, Assistant City Manager; Thomas Hunter, Assistant City Manager; Roxana Stevens, Assistant City Attorney; Trista Evans, City Secretary; Terri Toledo, Director of Management Services; Jeremy Frazzell, Planning and Development Services Director; Patricia Davis, City Engineer; Andrea Brinkley, CIP Director; Jennifer Griswold, Library Director; Erin Sellers, Innovation Strategist; Melissa Moore, Finance Director; Sara King, Assistant Finance Director; Jason O'Malley, Police Chief.

#### 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. Presentation

##### 3A. [2022-0194](#)

Mayor's proclamation declaring October 2022 as Breast Cancer Awareness Month in the City of Pflugerville.

Mayor Gonzales read a summary of the proclamation and presented the proclamation to Tammy Benter, Board Chair of the Breast Cancer Resource Center.

- 3B.** [2022-0976](#) Mayor's proclamation declaring October 14, 2022 - October 16, 2022 as Deutschen Pfest weekend in the City of Pflugerville.

**Mayor Gonzales read a summary of the proclamation and presented the proclamation to members of the Deutschen Pfest Committee in attendance.**

- 3C.** [2022-0958](#) Conduct a presentation introducing the Youth Advisory Council (YAC) 2023 participants.

**Ms. Evans provided information about the Youth Advisory Council program and the student member, Jaiden Brunner, introduced himself. Mayor Gonzales presented Mr. Brunner with a certificate of appointment.**

#### **4. Items of Community Interest**

**Mayor Gonzales stated Deutschen Pfest is this weekend and invited everyone to attend.**

**Mayor Gonzales stated the Pfetch a Ride program is underway and provided information.**

**Mayor Gonzales stated October is adopt a dog month.**

**Mayor Gonzales stated October 22 is the Pfloating Pumpkin Patch at Gilleland Creek Pool.**

**Mayor Gonzales stated the next PF101 class begins in January and encouraged people to apply.**

**Mr. Rogers stated that German American day was October 5th this year which is good timing with Deutschen Pfest coming up and discussed the history of Germans coming to America.**

**Mr. Ruiz stated that he, along with Mr. McDonald, Mr. Rogers, joined the Cove at Heatherwilde for a thank you for Pfetch a Ride program and they asked him to read the card.**

**Mr. Metayer stated it is impressive to have the entire city council participate at the TML conference where they participate, serve, and learn. Mr. Metayer provided information about the TML Conference.**

**Ms. Holiday spoke about the recognition of Ms. Breland at the TML Conference and her work as City Manager is well known.**

**Mr. Metayer spoke about PF101 as an opportunity to learn about local government, departments, and things that are happening in Pflugerville. Mr. Metayer stated it is a great opportunity to build the next set of people to fill the leadership roles.**

#### **5. Public Comment**

**Cyndi Williams spoke about the Pfetch a Ride program and stated the senior community needs help getting set up and would like someone to come sit down with the community. Ms. Williams stated she and others in the community are breast cancer survivors. Ms. Williams thanked the council for listening to their concerns and acting on what was requested.**

## Reading of the Consent Agenda

Items 6C., 6G., 6H. and 6J. were pulled from the consent agenda. Ms. Evans read the captions of the ordinances and stated all items remaining on the consent agenda can be acted upon in a single motion.

### 6. Other Actions

- 6A. [ORD-0672](#) Approving an annexation ordinance on second reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, tracts of land totaling approximately 3.248 acres of land situated in the Sefrim Eiselin Survey No. 1, Abstract No. 265 and the John Davis Survey No. 13, Abstract No. 231, Travis County, Texas, of the real property records of Travis County, being one tract of land totaling 3.248 acres. Generally located at the southeast corner of SH 130 and Pflugerville Parkway; Extending the boundaries of the city to include the land; and to be zoned Agriculture/Development Reserve (A); to be known as the SE Corner SH130 and Pflugerville Pkwy 2022 Annexation (2022-1-ANX); 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.

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

- 6B. [ORD-0673](#) Approving an annexation ordinance on second reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, tracts of land totaling approximately 11.66 acres of land situated in the Sefrin Eiselin Survey No.4, Abstract No. 265, Travis County, Texas, of the real property records of Travis County, Being one tract of land totaling 11.66 acres. Generally located northwest of the East Pecan Street and SH 130 Intersection. Extending the boundaries of the city to include the land; and to be zoned Agriculture/Development Reserve (A); to be known as East Pecan and 130 2022 Annexation (2022-2-ANX); 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.

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

- 6D. [2022-0929](#) Approving a Work Authorization with CBRE, Inc. in the amount of \$293,700 for appraisal services associated with 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.**

- 6E. [2022-0941](#) Approving four purchase orders totaling \$288,800 for the purchase of physical and electronic library materials from Amazon, Ingram, Overdrive, hoopla and their parent company Midwest Tapes, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 6F. [2022-0946](#) Approving a Professional Service Supplemental Agreement with Kimley-Horn and Associates, Inc. in the amount of \$108,975 for professional services associated with the Colorado Sand Drive project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 6I. [RES-1044](#) Approving a resolution authorizing the Competitive Sealed Proposal procurement method for construction of the Weiss Lane/Pecan Street Water Line project.
- The resolution was approved on the consent agenda.

### Action on the Consent Agenda

Mayor Pro Tem Weiss moved to approve the consent agenda. Ms. Holiday seconded the motion. All voted in favor. The motion carried.

Items pulled from the consent agenda will be addressed under Item 9.

## 7. Public Hearing and Ordinance

- 7A. [ORD-0674](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, approving the enlargement of the boundaries and the extension of the term of "Reinvestment Zone Number 1, City of Pflugerville, Texas"; repealing all ordinances or parts of ordinances in conflict herewith; providing a severability clause; providing a savings clause; finding and determining that the meeting at which the ordinance is passed are open to the public as required by law; and providing an effective date.
- Mayor Gonzales read the item and opened the public hearing. Ms. Barron stated items 7A. and 7B. were both discussed in the previous joint meeting. Mr. Rogers asked about the purpose for expanding the existing zone rather than having a separate one and discussed some of the areas that are not included. Ms. Barron stated that an expansion of the TIRZ provides opportunities to look at infrastructure needs in the zone and provide flexibility in resources. Mr. Rogers asked about the connection between the Falcon Pointe TIRZ and projects that may occur along the 45 corridor and Downtown. Ms. Barron provided information about using the areas within the zone to help support each other. Naina Magon with Hawes Hill provided additional comment regarding expanding the TIRZ to provide flexibility with the increment and ways to utilize it. Mr. Rogers clarified that it would allow for more speed with

other projects. Mr. Metayer stated it also allows one board to handle administration. Mr. Metayer asked about projections. Ms. Magon provided information about how the number was derived.

There was no one present wishing to speak under the public hearing. Mayor Pro Tem Weiss moved to close the public hearing. Mr. Metayer seconded the motion. Mr. Rogers voted no. All others voted in favor. The motion carried.

Mayor Pro Tem Weiss moved to approve the ordinance on first reading. Mr. Metayer seconded the motion. Mr. Rogers voted no. All others voted in favor. The motion carried.

Ms. Holiday exited the meeting at 7:31pm.

- 7B.** [ORD-0675](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, approving the Fourth Amendment of the Project Plan and Financing Plan for "Reinvestment Zone Number 1, City of Pflugerville, Texas"; repealing all ordinances or parts of ordinances in conflict herewith; providing a severability clause; providing a savings clause; finding and determining that the meeting at which the ordinance is passed are open to the public as required by law; and providing an effective date.

Mayor Gonzales read the item and opened the public hearing. There was no one present wishing to speak under the public hearing. Mayor Pro Tem Weiss moved to close the public hearing. Mr. Metayer seconded the motion. All those present voted in favor. The motion carried. Ms. Holiday was not present for the vote.

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

## **8. Regular Agenda**

- 8A.** [RES-1039](#) Discuss and consider action to approve a resolution establishing a Legislative Agenda for the 88th Legislative Session.

Mayor Gonzales opened the item for discussion. Brandon Aghamalian with Focused Advocacy discussed the purpose of a legislative agenda and reviewed the items on the legislative agenda. Mr. Aghamalian stated the document has four major categories: seek introduction, support, oppose, and monitor. Mr. Aghamalian covered key dates for the legislative session. Mr. Aghamalian discussed the Texas Municipal League (TML) position on emergency services districts (ESD) which includes allowing cities to remove themselves from an ESD, requiring city council approval for an ESD to expand, and requiring an ESD to enter into a sales and use tax sharing agreement when a city annexes territory located in an ESD. Mr. Aghamalian discussed the City of Pflugerville's proposed language regarding ESDs which includes that an ESD must receive approval from the elected governing body of the City of Pflugerville to expand ESD territory into the City. Mr. Rogers asked for expansion to the language to include an ESD seeking to expand into the City of Pflugerville. Mayor Pro Tem Weiss stated some concern regarding some pieces of the statement as an

argument. Discussion followed regarding the messaging to provide. Mr. McDonald asked if focus should be on modifying boundaries rather than expansion. Mr. Metayer provided comment about messaging needed in the legislative agenda. Mr. Rogers provided comment about what the health code permits and discussion followed.

Mr. Aghamalian reviewed the remaining items on the legislative agenda including topics such as property taxes, City regulatory authority in extraterritorial jurisdiction, and collaboration with the Chamber of Commerce and Pflugerville Independent School District legislative agendas.

Mayor Pro Tem Weiss moved to approve the item with the amendments to add "or seeking to expand to" under 1a. and strike everything after the hyphen under 1aii. Mr. McDonald seconded the motion. Mr. Rogers voted no. All others present voted in favor. Ms. Holiday was not present for the vote. The motion carried.

**6J.**     [RES-1038](#)

Approving a resolution authorizing and creating the Meadowlark Preserve Public Improvement District (PID) in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

Mayor Gonzales opened items 6J. and 8B. together. Ms. Barron provided information about the Meadowlark Development consisting of 98.1 acres and the land use consisting of residential and mixed use areas. David Nairne provided information on behalf of Lennar about Meadowlark Preserve and the history of the land. Mr. Nairne answered questions from council and discussed working with the city on the project and walked through the process and concepts. Mr. Nairne provided information about the different kinds of homes and properties that will be included with lot sizes and locations. Mr. Ruiz discussed the view along Cameron Road and asked what kind of requirements would be included. Mr. Nairne stated it will be a cohesive exterior fence. Discussion followed regarding types of fencing. Mr. Metayer stated the vision of what the future of Pflugerville looks like needs to be included in the discussion and asked about right of way discussions. Ms. Barron provided information about the discussions. Mr. Metayer asked about the advisory board included in the agreement. Mr. Nairne stated more detail on that will be built as the process moves on. Mr. Ruiz asked about any difficulties law enforcement may have due to distance. Ms. Barron stated it is contiguous and already seeing pressure from development in the area. Discussion followed regarding growth in the area. Mayor Pro Tem Weiss asked about price range for homes in the area. Tom Anker with Lennar stated they are still researching product selections and with prices changing it is difficult to set a number. Mr. McDonald asked about regional detention in the area. Mr. Nairne stated it is only for the project right now. Ms. Barron stated at this time they are sized for the development.

Mayor Pro Tem Weiss moved to approve item 6J. Mr. Metayer seconded the motion. All those present voted in favor. Ms. Holiday was not present for the vote. The motion carried.

**8B.**     [RES-1040](#)

Discuss and consider action to approve a resolution authorizing the City Manager to execute a Development Agreement for Meadowlark Preserve.

Discussion on the item is included under item 6J. Mr. McDonald moved to approve item 8B. Mr. Metayer seconded the motion. All those present voted in favor. Ms. Holiday was not present for the vote. The motion carried.

- 8C. [2022-0977](#) Discuss and consider action to reschedule the November 22, 2022 City Council Worksession and Regular Meeting to November 29, 2022.
- Mayor Gonzales opened the item for discussion. Mr. Metayer moved to approve the item. Mr. Ruiz seconded the motion. All those present voted in favor. Ms. Holiday was not present for the vote.

## 9. Discuss and Consider Items Pulled from Consent Agenda

- 6C. [2022-0939](#) Approving the minutes of the September 27, 2022 Worksession, September 27, 2022 Regular Meeting, and September 29, 2022 Joint Meeting.

Ms. Evans read the item. Mr. Metayer stated in the September 27, 2022 worksession minutes it only mentions TIRZ and he would like it to include information about the Master Developer Agreement. Ms. Evans stated she will review and bring the worksession minutes back to the next meeting.

Mayor Pro Tem Weiss moved to approve the minutes for the September 27, 2022 regular meeting and September 29, 2022 joint meeting. Mr. Metayer seconded the motion. All voted in favor. Ms. Holiday was not present for the vote.

- 6G. [RES-1042](#) Approving a resolution denying Oncor Electric Deliver Company LLCs application to increase rates related to Oncor's statement of intent to increase rates filed on or about May 13, 2022; requiring the reimbursement of municipal rate case expenses; finding that the meeting complies with the open meetings act; making other findings and provides related to the subject; and declaring an effective date.

Ms. Evans read the item. Mayor Pro Tem Weiss asked Alfred Herrera with Herrera Law & Associates, PLLC how successful these have been in the past. Mr. Herrera stated they do meet with a lot of success. Mr. Herrera provided comment about the process and answered questions from council. Mr. Herrera stated Oncor is asking for an increase and based on separate evaluation the need is significantly less and it creates a large spread of where the rates could fall. Mr. Herrera stated the utility usually walks out with 30-45% of their ask. Mr. Herrera provided information about the process and utility actions during legislation and answered questions from council.

Mr. Metayer moved to approve the item. Mr. Rogers seconded the motion. All those present voted in favor. Ms. Holiday was not present for the vote. The motion carried.

- 6H. [RES-1043](#) Approving a resolution authorizing an Advance Funding Agreement with the Texas Department of Transportation in the amount of \$42,003 associated with the E. Pecan and SH 130 project, and authorizing the City Manager to execute the same.

Ms. Evans read the item. Mr. Metayer asked about the need for a study that was included in the agreement if the roads are already in place. Ms. Davis stated that the resolution is for the start of the preliminary design and review to expand the bridge structure and if there are any impacts TxDOT will assign a consultant, if necessary, to conduct a toll revenue study.

Mr. Metayer moved to approve the item. Mayor Pro Tem Weiss seconded the motion. All those present voted in favor. The motion carried. Ms. Holiday was not present for the vote.

## 10. Adjourn

Mayor Gonzales adjourned the meeting at 9:00pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as \_\_\_\_\_ on October 25, 2022.