



# City of Pflugerville

## Minutes - Final - Final

### City Council

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Tuesday, May 14, 2019

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession.

#### 1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:02 p.m. with assistance from Deutschen Pfest Coloring Contest Winner Mayor for the Day Conner Krause. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Assistant City Manager; Brian McDougal, Interim Assistant City Manager; Karen Thompson, City Secretary; Emily Barron, Planning Director; Jennifer Coffey, Library Director; Amy Good, Finance Director; Matt Woodard, Water Conservation and Regulatory Manager; Wiley Webb, Utility Superintendent; Wayne Granger, Streets and Drainage Superintendent; Max Walther, Utility Superintendent; Erin Sellers, Senior Planner; Chad Wood, Interim Public Works Director; Sheila Wiora, Interim Parks Director; Patricia Davis, City Engineer; Maggie Holman, Public Information Officer; Aileen Dryden, Parks Development Manager; Manny Duarte, Interim Development Engineering Director.

#### 2. Opening

##### A. Pledge of Allegiance to the Flag of the United States of America

Mayor Gonzales led those in attendance in reciting 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 reciting the Pledge of Allegiance to the Texas State Flag.

##### C. Moment of Silence

Mayor Gonzales observed a moment of silence.

#### 3. Items of Community Interest

Mr. Metayer noted the opening of Torchy's Tacos and upcoming opening of

Five Guys Burgers & Fries. He gave kudos to Mr. Fletcher for his presentation at the CAN meeting last week. Mayor Pro Tem Peña noted the "I'm a Public Servant" board and spoke on the heart of a servant of our City employees. Mayor Gonzales announced Conner Krause, Mayor for the Day, was in attendance. Council wished Mr. Heath a happy birthday.

#### 4. Presentations

- 4A. [2019-7588](#) Proclamation declaring Tuesday, May 14, 2019 as Wilburn Mott Day in the City of Pflugerville.  
**Mayor Gonzales read the proclamation and presented it to Mr. Wilburn Mott.**
- 4B. [2019-7578](#) Presentation of the Texas Municipal Library Directors Association (TMLDA) Texas Achievement in Library Excellence Award, the Texas Library Association Branding Iron Award, and the Texas Book Festival Collection Enhancement Grant.  
**Mayor Gonzales recognized the library on the awards.**
- 4C. [2019-7543](#) Proclamation declaring May 12-18, 2019 as National Police Week in the City of Pflugerville.  
**Mayor Gonzales read the proclamation and presented it to the police officers in attendance.**
- 4D. [2019-7554](#) Proclamation declaring May 19-25, 2019 as National Public Works Week in the City of Pflugerville.  
**Mayor Gonzales read the proclamation and presented it to the Public Works employees in attendance.**
- 4E. [2019-7555](#) Public Works Department annual presentation.  
**Mr. Wood presented on the item.**

#### 5. Public Hearing

- 5A. [ORD-0460](#) Conduct the first public hearing for an annexation ordinance with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a tract of land totaling approximately 14.09 acres of land situated in the John Liesse Survey No. 18, Abstract No. 406, Travis County, Texas of the Real Property Records of Travis County and annexing a tract of land totaling approximately 6.57 acres of land being a portion of a 43.52 acre-tract of land out of the John Liesse Survey No. 18, Abstract No. 496, in Travis County, Texas, described as Tract 1 in Document No. 2017099889 of the Real Property Records of Travis County, Texas less and except property previously annexed as described in annexation Ordinance No. 899-07-08-14; both tracts being generally located south of Jesse Bohls Road, east of Weiss Lane, and north and

west of Cameron Road; extending the boundaries of the City to include the land; and to be zoned Agriculture/ Development Reserve (A); to be known as the Carmel West Addition Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; and providing an effective date. (ANX1904-01)

Mayor Gonzales read the item to include the caption of the ordinance and opened the public hearing. Ms. Barron provided information. There were no requests to speak at the public hearing. Mr. Weiss made a motion to close the public hearing. Mr. Heath seconded the motion. All voted in favor. The motion carried.

## 6. Public Hearing and Ordinance First Reading

- 6A. [ORD-0459](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville Readopting Code of Ordinances Title IX General Regulations, Chapter 95 Parks and Recreation Subchapter 95.50 Youth Programs Standards of Care; Replacing all ordinances in conflict; containing a savings clause and declaring an effective date.

Mayor Gonzales opened the public hearing and read the item to include the caption of the ordinance under consideration. Ms. Wiora provided information and answered questions of the Council. There were no requests to speak at the public hearing. Mr. Weiss made a motion to close the public hearing. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. McDonald made a motion to approve the ordinance on first reading. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

## 7. Public Comment

Tammy Smith, 1221 New Meister, explained that the temporary permit process for food trucks in the city ran out in December 2018 and now they are required to pay \$50 for every event. She asked that the city allow a temporary bridge until it has a new process in place.

Patricia Bedford, 413 Swenson Farms Blvd #1212, stated she is the owner of Suga's Cakery and she purchased a food truck two weeks ago. She stated that she wants to keep her business in Pflugerville and wants to bring the conversation to them about the permitting. She stated that the Council will also be discussing the Pecan District and she hopes they will consider both items.

Sean Lutz, 1715 Ruthie Run, Cedar Park, stated that he is the owner of Kona Ice and that he works with churches, sports leagues and schools and that they pride themselves on giving back. He stated that since the pilot program ended, there have been many people say that they need to get these temporary permits and they are having to purchase for every little event that they do. He stated that they need a process. He stated that they get last minute requests for events and then they are told they need one to two weeks to turn in the permit request.

## Reading of the Consent Agenda

items 10A, 11C and 11E were removed from the consent agenda. Ms. Thompson read the items along with the caption of the ordinance under consideration.

### 8. Approval of Minutes

- 8A. [2019-7568](#) Approval of the minutes of the April 16, 2019 Worksession, April 23, 2019 Regular Meeting and April 29, 2019 Worksession.

The minutes were approved on the consent agenda.

### 9. Ordinance First Reading

- 9A. [ORD-0461](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the second amendment to the Fiscal Year 2019 Budget for the City of Pflugerville; and providing an effective date. (tenant improvements, merit redistribution).

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

### 11. Other Actions

- 11A. [2019-7570](#) Approving a supplemental agreement with Freese and Nichols, Inc. in the amount of \$145,975.00 for professional engineering services associated with the Engineering Staff Augmentation.

The item was approved on the consent agenda.

- 11B. [2019-7552](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Kingston Lacy Commercial development located northeast of the intersection of Heatherwilde Blvd and Kingston Lacy Blvd and authorizing the City Manager to execute the agreement.

The item was approved on the consent agenda.

- 11D. [2019-7593](#) Approving a professional services agreement with Verdunity in the amount of \$63,000 for the Pflugerville Fiscal Impact Model and Analysis project and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

## Action on the Consent Agenda

Mayor Gonzales made a motion to approve the consent agenda. Mr. Weiss seconded the motion. Mayor Pro Tem Omar Peña and Mr. McDonald were absent from the dais and did not vote on the consent agenda. All others voted

in favor. The motion carried.

## 10. Resolutions

- 10A. [RES-0617](#) Approve a resolution approving a Travis Central Appraisal District real estate acquisition.

Anthony Nguyen, 19905 Tree Sap Way, stated that he is a representative on the Travis Central Appraisal District (TCAD) Board. He provided an update on the valuations for this year. He stated that tomorrow is the last day to protest. He stated that the resolution is to approve a lease to own building for TCAD and would double their capacity. He answered questions of Council. Mayor Gonzales made a motion to approve the resolution. Mayor Pro Tem Peña seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-no, Mayor Pro Tem Peña- yes, Mr. Metayer- no, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motioned carried.

- 11C. [2019-7586](#) Approving the Development Financing Agreement by and among the City of Pflugerville, Texas, Reinvestment Zone Number One, City of Pflugerville, Texas, and the Commons at Heatherwilde and Pecan, LP.

Mr. Fletcher provided information. He stated that the TIRZ Board had voted unanimously in support. Mr. Weiss read a letter in support of approval from Jeff Thompson, President of the Reinvestment Zone Number One (TIRZ) Board. Victor Johnson, 405 Stansted Manor Drive, did not wish to speak, but asked that the Mayor enter his support for the record. Rob Reyes, 3937 Octavia Drive, indicated that he is a Pflugerville ISD Boardmember and spoke in support of approval of the agreement. Mr. Weiss noted his concerns with Section C(4) on page 5, that the developer may proceed after disapproval from City Manager. Mr. Zech indicated that he could strengthen. Mr. Weiss noted his concern with Section III (E) (2) that he believes that the City service payments should be \$250 per residential dwelling as an annual payment. Mr. Zech stated that he could add that. Mr. Weiss made a motion to approve with those changes. Mr. Marsh seconded the motion. There was continued discussion. All voted in favor. The motion carried.

- 11E. [2019-7576](#) Approving the appointment of Shane Mize as Parks and Recreation Director.

Mr. Mize introduced himself. Mr. Weiss made a motion to approve the appointment of Shane Mize as Parks and Recreation Director. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

## 12. Discuss and consider action

- 12A. [RES-0619](#) Discuss and consider options for development of a new city hall campus within the proposed NorthPointe Development, Downtown Area, or other locations and take action to approve a Resolution of the City of Pflugerville, Texas authorizing the use of certificates of obligation or other means necessary for the development of a new city hall campus in the downtown area.

A revised resolution was provided to the City Council for consideration. Mr. Fletcher provided information. Mr. Metayer stated that he loves it. Mr. Marsh stated support for moving forward with a new city hall downtown. Mr. Weiss stated that he would want to make sure that they are not targeting property that will decrease the vibrancy of downtown. Mr. Heath asked about the property next to the Police Department. Mr. Marsh stated that they looked at the property but it did not work. Mr. Weiss stated that they could look at land east of 130, but he likes the idea of it being downtown. Mr. Heath stated concerns that they don't have the adjacent properties and are not willing to rezone. Mr. McDonald noted that they approved a downtown action plan. Mr. Heath stated a need for public outreach and discussion. Mr. Metayer stated that he thinks this Council knows how to commit. Mr. Heath asked if there are other options and stated that he needs to see the numbers. Mayor Gonzales stated that he thinks this is the first step in the process. Mr. Weiss made a motion to approve the revised resolution. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

### 13. Discuss only

13A. [2019-7540](#) Discuss status of the City's Water and Wastewater Master Plan.

Mr. Fletcher presented on the item and answered questions of the Council. He recommended that the City concentrate on wastewater in the Wilbarger Basin.

13B. [2019-7547](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding contractual issues relating to the Weiss Lane Roadway Project.

Mayor Gonzales announced that the City Council was retiring to executive session for discussion on the item. He read the item and retired to executive session. The time was 8:37 p.m. Mayor Gonzales reconvened in open session at 8:54 p.m. No action was taken.

### 14. Adjourn

Mr. McDonald made a motion to adjourn. Mr. Marsh seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 8:54 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on May 28, 2019.