



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, March 9, 2021

7:00 PM

100 East Main Street, Suite 500

Regular 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 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=e9dac6b8b16a6b23cde3d33c24c6a3b76>

Meeting Code/Number: 187 044 7021

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

Public comment 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. 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. Name and address must be included. Written comments are limited to 250 words.

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. The meeting was held by telephone/video conference. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Cesar Ruiz, Rudy Metayer, Mike Heath and

David Rogers were in attendance. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Deputy City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Karen Thompson, City Secretary; Emily Barron, Planning and Development Services Director; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer; Jason Smith, Acting Police Chief; Melissa Moore, Finance Director; Stephanie Nations, Budget Analyst; Patricia Davis, City Engineer; Ali Abdelfattah, Assistant City Engineer; Shane Mize, Parks and Recreation Director; Brandon Pritchett, Utilities Director; Gwen Holford, Application and Web Developer; Wade Maness, Videography Multimedia Specialist; Jeremy Frazzell, Assistant Planning Director; Jennifer Grizwold, Library Director.

2. Items of Community Interest

Mayor Gonzales provided reminders on the free COVID testing center downtown, a utility billing assistance program from the CARES Act for the Community Development Block Grant (CDBG) program, the Aspire 2040 Comprehensive Plan process, resources online for assistance following the winter storm, and virtual open houses for the Picadilly Drive, Central Commerce Drive and Royston Lane project and the Historic Colored Addition project.

Mr. Rogers shared heartfelt comments on the passing of Nick Fernandez and how we can continue to learn from Nick and to respect the freedom we enjoy and to be grateful for this life we are given.

3. Presentation

- 3A. [2021-0253](#) Mayor's proclamation declaring March 2021 as Women's History Month.

Mayor Gonzales provided comments and read the proclamation.

- Sup1 [2021-0255](#) Presentation and discussion of FY21-Q1 Financial Results.

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Ms. Moore provided information and answered questions of Council. Ms. Breland provided input and answered questions of Council. There was discussion on the item.

4. Public Comment

Mayor Gonzales stated that registration for public comment was taken until 5:00 p.m. today and there was one written comment. Ms. Thompson read the written comment from Perry Langham, Greenridge resident, indicating concern for lack of response provided to planning questions and public suggestions.

5. Public Hearing and Ordinance First Reading

- 5A. [ORD-0564](#) 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 multi-family mixed-use development on approximately 15-acres zoned Urban Center Corridor Level 4 (CL4) district located at the southwest corner of the E Pflugerville Parkway and Weiss Lane intersection, to be known as the Tacara at Weiss Ranch Specific Use Permit (SUP2009-01); providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date.

Mayor Gonzales opened the public hearing and read the item to include the caption of the ordinance to be considered on first reading. Mr. Frazzell provided information and answered questions of Council. Michael Linehan and Paul Linehan, representing the applicant, also addressed questions and concerns of the Council regarding safety of pedestrians crossings, architectural design, demographics and burden to schools. There was discussion on the item. Mr. Rogers asked if they could table the item for a month. Paul Linehan stated that they are in a hurry and stated plans to address concerns with City staff in the Preliminary Plan/Site Development Plan process. Mayor Gonzales announced that registration to provide public comment at the public hearing was taken until 5:00 p.m. today and there were no requests to speak. Mayor Pro Tem Peña made a motion to close the public hearing. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

Mr. Rogers made a motion to approve the ordinance on first reading. Mr. Ruiz seconded the motion. The vote was: Mr. Weiss-yes, Mr. Ruiz-yes, Mayor Pro Tem Peña- no, Mr. Metayer-no, Mr. Heath-no, Mr. Rogers-yes, Mayor Gonzales-yes. The motion carried.

Reading of the Consent Agenda

Item 9C was removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

6. Ordinance First Reading

- 6A. [ORD-0572](#) Approving an ordinance on first reading with caption reading: An ordinance of the City of Pflugerville, amending Section 3 - Sidewalks, Pedestrian and Bicycle Facilities of 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 proving for a publication and an effective date.

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

7. Ordinances Second Reading

- 7A. [ORD-0569](#) Approving an ordinance on second 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 office/warehouse on lot

3D of the Renewable Energy Park Replat of lot 3C, consisting of approximately 15.5-acres zoned Urban Center Corridor Level 5 (CL5) district located generally south of the Helios Way and Impact Way intersection, to be known as the SH-130 and Pecan Industrial Park Specific Use Permit (SUP2012-01); Providing a cumulative and repealer clause; providing for a severability clause; and providing an effective date.

The ordinance was approved on second and final reading on the consent agenda.

7B. [ORD-0570](#)

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 56.24 acres out of a 96.341-acre tract of land situated in the William Caldwell Survey No. 66, Abstract No. 162, in Travis County, Texas, of the Real Property Records of Travis County, being all the remaining portions of the 96.341-acre tract of land not previously annexed by Ordinance No. 899-07-08-14; generally located along Cameron Road east of Weiss Lane and west of 1849 Park; extending the boundaries of the City to include land; and to be zoned Agriculture / Development Reserve (A); to be known as the Kuempel Tract 2021 Annexation; 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. (located on the north side of Cameron Road, approximately a third of a mile west of 1849 Park)

The ordinance was approved on second and final reading on the consent agenda.

7C. [ORD-0571](#)

Approving an ordinance on second reading with the caption reading: An Ordinance Amending Chapter 53 of the City of Pflugerville, Texas, Code of Ordinances, Title V Public Works, Chapter 53 Cross Connection Control and Backflow Prevention, by amending Sections 53.003 through 53.014 to comply with Federal and State regulations; providing for severability and repealer; and providing an effective date.

The ordinance was approved on second and final reading on the consent agenda.

8. Approval of Minutes

8A. [2021-0217](#)

Approval of the minutes of the February 12, 2021 Worksession and February 23, 2021 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

9. Resolutions

- 9A. [RES-0842](#) Approving a resolution with the caption reading: Resolution of the City of Pflugerville, Texas authorizing the vacation, abandonment, and release of an existing temporary drainage easement granted to the City by easement recorded in Travis County Real Property Records, Document No. 2012195951.

The resolution was approved on the consent agenda.

- 9B. [RES-0843](#) Approving a resolution of the City of Pflugerville, Texas adopting the American's with Disabilities Act (ADA) Self-Evaluation and Transition Plan.

The resolution was approved on the consent agenda.

10. Other Actions

- 10A. [2021-0221](#) Approving an Economic Development Performance Agreement between Pflugerville Community Development Corporation, a Texas Type B Economic Development Corporation ("PCDC") and MDC VACUUM PRODUCTS, LLC, ("MDC") a Texas corporation (Project RUTL), not to exceed \$250,000, for the purpose of primary jobs.

The item was approved on the consent agenda as amended.

- 10B. [2021-0225](#) Authorizing the City Manager to execute a conditional purchase agreement and associated conveyance documents between Frank E. Martin III as Independent Executor of the Estate of Ardalie Ellen Stark Martin, Deceased (Parcel 5a) and the City of Pflugerville as necessary to acquire real property interests for the Kelly Lane Phase 2 Roadway Project.

The item was approved on the consent agenda.

- 10C. [2021-0220](#) Approve the appointment of Jorge Amador as alternate member of the Parks and Recreation Commission for a term ending December 31, 2021.

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. All voted in favor. The motion carried.

9. Resolution - Removed from the Consent Agenda

- 9C. [RES-0844](#) Approving a resolution amending and restating the City's Legislative Agenda regarding prioritization of critical infrastructure on power grids.

Mayor Gonzales opened the item for consideration. Mr. Fletcher provided information. Brandon Aghamalian, Focused Advocacy, provided information and discussed with Council. Mr. Metayer made a motion to approve the resolution. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

11. Ordinance First Reading

- 11A. [ORD-0573](#) Discuss and consider action to approve an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville amending Section 2 - Street Subsection DG2.4 Pavement Design of 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.

Ms. Davis provided information. Giancarlo Patino, Freese and Nichols, presented and answered questions of Council with input from Mike Shiflett, Freese and Nichols. Ms. Davis answered additional questions of Council and there was discussion on the item. Mr. Heath made a motion to approve 11A on first reading. Mr. Weiss seconded the motion. Mayor Pro Tem Peña had stepped away and was absent from the vote on the item. All others voted in favor. The motion carried.

12. Discuss and consider action

- 12A. [2021-0028](#) Discuss and consider action to award a construction contract for the Pecan Street at FM 685 Intersection Improvement Project to Capital Excavation Co. the lowest responsible bidder of two (2) bids received on February 25, 2021 in the amount of \$4,380,548.85 and authorizing the City Manager to execute same.

Mayor Pro Tem Peña returned to the meeting. Ms. Davis provided information and answered questions of Council. Carl LaFerney and Jennifer Butcher, Pacheco Koch, answered additional questions and there was discussion on the item. Mr. Heath indicated concerns for the level of service in the design not providing improvement to the City's standard and the throw away portion of the interim improvement. Ms. Davis provided information on the interim improvements to be made while conducting a study of the FM685 corridor. Ms. Butcher provided additional information. Ms. Giannini provided additional information on the FM685 corridor study and indicated this is a phased project to buy us time. There was additional discussion. Mr. Weiss stated that there is an economic development agreement with Amazon which is a driver for the time-frame and he understands that some of the project will be re-engineered, but they will get to pretty good for this design. There was continued discussion with input from Ms. Giannini. Ms. Davis provided additional information and the staff recommendation for approval and answered additional questions. Mr. Metayer made motion to approve as presented. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Ruiz-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. Heath-no, Mr. Rogers-no, Mayor Gonzales-yes. The motion carried.

- 12B.** [2021-0211](#) Discuss and consider action to set a schedule for worksessions with Blake Alexander, facilitator, for strategic planning efforts.
- Mayor Gonzales asked if all Councilmembers would be available for the first virtual session on Saturday, March 27, 2021 from 10:00 a.m. to Noon. Council discussion followed. Mayor Gonzales requested a motion on the item. Mr. Heath made a motion to set the first session on March 27, 2021 from 10:00 a.m. to Noon. Mr. Metayer seconded the motion. All voted in favor. The motion carried. Mayor Gonzales stated that they would set the second session at that time.

13. Adjourn

Mayor Gonzales adjourned the meeting at 9:38 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on March 23, 2021.