



City of Pflugerville

Minutes - Final

City Council

Tuesday, August 24, 2021

7:00 PM

100 East Main Street, Suite 500

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 7:00pm. Mayor Pro Tem Omar Peña, Councilmembers Doug Weiss, Ceasar Ruiz, Rudy Metayer, Mike Heath, and David Rogers were in attendance.

City employees in attendance: Sereniah Breland, City Manager; Trey Fletcher Deputy City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Charles Zech, City Attorney; Trista Evans, City Secretary; Jennifer Coffey Griswold, Library Director; Rhonda McLendon, Pflugerville Animal Welfare Services Director; Patricia Davis, City Attorney; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer; Jason Smith, Acting Police Chief; Brandon Pritchett, Public Utility Director; Emily Barron, Planning and Development Services Director; Wade Maness, Videographer and Multimedia Specialist; Cody Collins, Information and Technology Director; Farren Sheehan, Municipal Court Judge; Caroline Davis, Associate Judge; Bonita Hall, People and Culture Director; Evan Groeschel, Operations Director; Jeremy Frazzell, Assistant Planning Director; Nicole Little, Business Process Analyst; Melissa Moore, Finance Director; Lauren Henkes, Assistant Finance Director; Stephanie Nations, Budget Analyst.

2. Opening

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

Alfonzie Stepney 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

Alfonzie Stepney 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. Heath spoke about actions taken to protect everyone in the community and asked everyone to do what they need to do to protect their family. Mr. Heath urged everyone to take time to do research and get vaccinated.

Mayor Gonzales announced that several mobile vaccination sites are open in the Pflugerville area, additional details can be found at pflugervilletx.gov/virus. He encouraged everyone to continue to wear a mask and practice social distancing.

Mr. Weiss recognized Ms. Barbara Najera who was profiled on the news because she assisted over 1,200 people get appointments to get their vaccines with a team of volunteers. He stated there is assistance available if anyone needs help getting the vaccine.

Mr. Rogers stated parents and students can get tested at the schools in the Pflugerville ISD school district. He stated a take home test can be picked up at HEB, Walgreens, and CVS. He encouraged everyone to get vaccinated.

Mr. Heath stated his granddaughter's class tested positive for COVID, vaccines and masks are necessary.

Mr. Metayer acknowledged the discomfort of the precautions but it is to keep people safe. He stated he is proud that the council has been unified on the message and credited the school district and Commissioner Travillion on the same. Mr. Metayer stated no one wants to shut anything down and council is trying to make sure the community stays safe and secure.

Mayor Gonzales announced the next Music in the Park is on August 27 from 7:30-9:30 at Pfluger Park with Rochelle and the Sidewinders.

Mayor Gonzales announced Alfonzie Stepney earned the rank of Eagle Scout stating he is impressed by those who earn the rank and presented a proclamation declaring August 24, 2021 Alfonzie Stepney day in the City of Pflugerville.

Mr. Ruiz stated that September 5-11 is suicide prevention week. He stated that as a veteran seeing what is happening overseas may have veterans feeling like their sacrifice was not worth it and wanted to assure everyone that it was. Mr. Ruiz stated he wanted to put some resources out there for everyone, Pflugerville Police Department has a crisis intervention team that responds to these types of issues. He stated if anyone does not feel comfortable contacted the police, they can contact him. He stated there are resources, and it is ok to not be ok. He asked everyone to speak up if anyone is having trouble. He stated that Pflugerville ISD also has a wonderful page of resources to help.

4. Presentation

4A. [2021-0868](#) Update from Austin Public Health regarding COVID-19 conditions.

Interim Director Adrienne Sturrup with Austin Public Health gave an update to council about the current status of COVID-19 in the area. Ms. Sturrup provided

hospital admissions information and statistics for Travis County and 78660 zip code. Ms. Sturup answered questions from council about vaccination and testing sites. Discussion followed regarding booster shots and resources. Ms. Sturup stated that the National Institute of Health set up regional sites and it includes a break down of the science of vaccines.

4B. [2021-0806](#) Municipal Court annual presentation.

Judge Sheehan gave a presentation about the Municipal Court including an overview of what the court does and discussed current operations. Mr. Metayer asked about the virtual process and how a hybrid option would work. Judge Sheehan discussed which items would be remote and in person. Discussion followed regarding the impact of remote court.

4C. [2021-0895](#) Presentation and discussion on the American Rescue Plan Act (ARPA).

Ms. Little gave a presentation about the American Rescue Plan Act (ARPA), stating that the question about broadband was submitted, and provided information on the timeline. Ms. Little provided a comparison to the Coronavirus Relief Funds. Mr. Heath asked how the businesses that received grants are doing and stated he would like to see that information. Mr. Little answered questions from council about the recommended funding sources and where the items are budgeted. Discussion followed regarding how the funds could be used. Ms. Madison provided clarification about the grant money that was provided to business and discussed the application process. Ms. Breland stated an action item regarding ARPA will be brought back to council. Discussion following regarding funding options and which items should be prioritized.

5. Public Hearings

5A. [2021-0887](#) Conduct a public hearing on the proposed property tax rate of \$0.4970.

Mayor Gonzales read the item and opened the public hearing. Ms. Moore gave a presentation regarding tax rate definitions, the proposed tax rate, and historical tax rates. Discussion followed and Ms. Moore answered questions from council.

Mark Wehner, Canyon Maple Road, stated that this past year has seen many unprecedented things including skyrocketing property values. He stated the Pflugerville should not be increasing the tax burden any more than it already is because of the increase in the property tax.

Anthony Nguyen, Tree Sap Way, stated that all people want to know is how much they are going to pay more this year versus last year. He stated houses all around are rising in value so keeping the tax rate the same will still get an increase in tax money. Mr. Nguyen proposed keeping the tax rate the same and scaling back the debt.

Mr. Metayer 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 Readings

- 6A.** [ORD-0596](#) Conduct a public hearing and consider approving the first reading of an ordinance with a 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 approximate 16.759-acre tract of land, roughly 11 tracts of land, out of the Peter Conrad Survey No. 71, Abstract No. 200, in Pflugerville, TX from General Business 2 (GB2) District, General Business 1 (GB1) District, and Light Industrial (LI) District to Single-Family Mixed-Use (SF-MU) District; to be known as the 18516 N Heatherwilde Rezoning (REZ2106-04); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date

Mayor Gonzales read the item and opened the public hearing. Me. Frazzell gave a presentation about the property. The applicant's representative was present and answered questions from council. Mr. Frazzell stated there is not a known plan for the property, it is a roughly 17 acre piece that could have a variety of types.

Mayor Pro Tem Peña made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

Mr. Metayer made a motion to postpone the item until the next meeting. Mr. Heath seconded the motion. All voted in favor. The motion carried.

- 6B.** [ORD-0597](#) Conduct a public hearing and consider approving the first reading of an ordinance with a 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 approximate 5.03-acre tract of land out of the Jacob Casner Survey, Abstract No. 2753, in Pflugerville, TX from Agriculture/Development Reserve (A) District to General Business 2 (GB2) District; to be known as the 20502 FM 685 Rezoning (REZ2106-04); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date

Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell gave a presentation about the property. Mr. Metayer stated it is important to consider how the council wants to use the corridors. The applicant, Jeffrey Slanker, provided information about intended use of the property and answered questions from council. Mr. Zech stated that the analysis should be made based on what would be allowed to go through the general zoning change and if that is appropriate for the area since applicants for these types of requests are not bound by what they are presenting. Mr. Frazzell provided additional information about what is permitted under GB-2 and answered questions from council.

There were no requests to speak under public hearing.

Mr. Heath made a motion to close the public hearing. Mayor Pro Tem Peña seconded the motion. All voted in favor. Mayor Pro Tem Peña made a motion to approve the ordinance on first reading. Mr. Heath seconded the motion. The vote was as follows: Mayor Pro Tem Peña - yes, Mr. Ruiz - yes, Mr. Weiss -

no, Mr. Metayer - no, Mr. Heath - no, Mayor Gonzales - yes, Mr. Rodgers - yes.
The motion carried.

6C. [ORD-0595](#)

Approving an ordinance on second reading with a 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 approximate 96.341-acre tract of land, out of the William Caldwell Survey No. 66, Abstract No. 162, in Pflugerville, TX from Agriculture/Development Reserve (A) District, to Planned Unit Development (PUD) District; to be known as the Cameron 96 PUD Rezoning (REZ2101-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date

Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell provided information on the property and gave a presentation about the Planned Unit Development. He stated that it creates design regulations that would be applied specifically to that property. Jordan Maddox from Half Associates gave a presentation about the residential community. Felipe Castillo with Urban Moment gave a presentation about YardHome and some specifics of the house designs and layout. Discussion followed and Mr. Castillo answered questions from council.

Debby Krueger, Cameron Road, stated this area will be their neighbors and she thinks they are trying to keep some land and green grass. She stated she is ok with them being her neighbor and sees it as a good thing. She stated the road may be a problem, but progress is progress and she appreciates council asking the right questions.

Mr. Ruiz made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

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

6D. [ORD-0605](#)

Conduct a public hearing regarding the issuance of City of Pflugerville, Limited Tax Bonds, Series 2021 and consideration and action on first and final reading with respect to an ordinance with the caption reading: Ordinance authorizing the issuance of City of Pflugerville, Limited Tax Bonds, Series 2021; Authorizing the levy of an ad valorem tax in support of the bonds; approving an official statement, a purchase agreement and a paying agent/registrar agreement; and authorizing other matters related to the bonds.

Mayor Gonzales read the item and opened the public hearing. Ms. Moore provided an introduction about bond pricing. Dusty Traylor with RBC Capital Markets gave a presentation about the sale of bonds, stating it went very well. Mr. Traylor answered questions from council about the rates and interest, stating he cannot predict how the rates may change in the future.

There were no requests to speak for the public hearing.

Mr. Metayer made a motion to close the public hearing. Mr. Heath seconded the motion. All voted in favor. The motion carried.

Mr. Metayer made a motion to approve the ordinance. Mr. Heath seconded the motion. All voted in favor. The motion carried.

- 6E. [ORD-0606](#) Conduct a public hearing and consider action to approve an ordinance on first and final reading with the caption reading: Master ordinance establishing the City of Pflugerville, Texas Utility System Revenue Financing Program.

This item was postponed.

- 6F. [ORD-0604](#) Conduct a public hearing and consider action to approve an ordinance on first and final reading with the caption reading: First supplemental ordinance to the Master Ordinance establishing the City of Pflugerville, Texas Utility System Revenue Financing Program.

This item was postponed.

7. Public Comment

There were no requests to speak under public comment.

Mayor Gonzales called a recess at 10:03pm. Mayor Gonzales called the meeting back to order at 10:15pm. Mr. Metayer rejoined at 10:21pm.

Other Actions - Removed from Consent Agenda

- 14B. [2021-0856](#) Appointing Cynthia Wall to the Deutschen Pfest Committee with a term ending December 31, 2021.

Mayor Gonzales stated he was pulling 14B. from the consent agenda to address. Cynthia Wall introduced herself and her interest in the committee. Mr. Ruiz asked Ms. Wall why she was interested in the Committee. Ms. Wall stated she has always worked outside of Pflugerville and her extra time was spent outside of the city and she felt it was time to put her energy into Pflugerville. Mayor Gonzales made a motion to approve the appointment of Cynthia Wall to the Deutschen Pfest Committee. Mayor Pro Tem Peña seconded the motion. Mr. Metayer was absent from the dais. All others voted in favor. The motion carried.

8. Ordinances First and Final Reading

- 8A. [ORD-0598](#) Discuss and consider action to approve an ordinance on first and final reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, Adopting the Fiscal Year 2022 Budget for the City of Pflugerville, Texas.

Mayor Gonzales read the ordinance and opened the item for discussion. Ms. Moore gave a presentation about the proposed FY22 budget and answered

questions from council. Mr. Rogers asked about the difference between the projected population numbers and the census numbers. Ms. Moore discussed the sorts of services the city provides and stated predictions are based on the demands of the services. Discussion followed regarding population numbers. Mr. Ruiz asked if council has looked at what can be cut from the budget if talking about raising the tax rate. Discussion followed regarding the impact of maintaining the current tax rate. Mr. Metayer stated can end up spending more money in the long run if maintaining the current tax rate.

Mr. Metayer made a motion to approve using \$769,000 for ERP out of ARPA to maintain the current tax rate. Mr. Rogers seconded the motion. The vote was as follows: Mr. Weiss - no, Mr. Rogers - yes, Mr. Heath - yes, Mr. Metayer - yes, Mayor Pro Tem Peña - no, Mr. Ruiz - no, Mayor Gonzales - no. The motion failed.

Mr. Weiss made a motion to approve the ordinance as presented. Mayor Gonzales seconded the motion. The vote was as follows: Mr. Weiss - yes, Mr. Rogers - no, Mr. Heath - no, Mr. Metayer - yes, Mayor Pro Tem Peña - no, Mr. Ruiz - no, Mayor Gonzales - yes. The motion failed.

Discussion followed regarding cash funded general CIP projects and what items are eligible for ARPA funding. Mr. Weiss moved to table the item for later. Mr. Rogers seconded. Mayor Gonzales stated the item would be tabled for later in the meeting.

Reading of the Consent Agenda

10. Ordinances First Reading

- 10A. [ORD-0607](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, amending the City of Pflugerville, Texas Code of Ordinances Title VII Traffic Code, Chapter 71 Parking Regulations, Section 71.05 parking prohibited in certain designated areas by adding additional temporary no parking zones required by construction; providing for a penalty for a violation of Chapter 71 as a Class C Misdemeanor and a fine in an amount not to exceed \$200.00; providing that this ordinance shall be cumulative; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Portions of the Heatherwilde Subdivision will be effected due to construction activities related to Heatherwilde Subdivision Phase 2 Pavement Rehabilitation project and part of the Pavement Maintenance Program.

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

11. Ordinances Second Reading

- 11A. [ORD-0599](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville, Texas Adopting the Pflugerville Fee Schedule; Amending Certain Fees and Establishing Costs and Fees Charged by the City of Pflugerville; Providing for a Penalty for a Violation

of Section 10.99 of the City Code of Ordinances; and Declaring an Effective Date.

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

11B. [ORD-0600](#)

Approving an ordinance on second reading with the caption reading: An ordinance amending Chapter 53 of the City of Pflugerville, Texas, Title V Public Works, Chapter 53 Industrial Wastes, by adding sections 53.070 through 53.083 to comply with Federal and State regulations; providing for a violation as a Class C misdemeanor and a fine amount not to exceed \$2,000.00; providing for severability and repealer; and providing an effective date.

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

11C. [ORD-0601](#)

Approving an ordinance on second reading with the caption reading: An ordinance amending Chapter 53 of the City of Pflugerville, Texas, Title V Public Works, Chapter 53 Industrial Wastes, by repealing sections 53.040 through 53.061 and replacing with sections 53.040 through 53.052 to comply with Federal and State regulations; providing for a violation as a Class C misdemeanor and a fine amount not to exceed \$2,000.00; providing for severability and repealer; and providing an effective date.

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

12. Approval of Minutes

12A. [2021-0860](#)

Approval of the minutes of the August 10, 2021 Special Meeting and Regular Meeting, and August 18, 2021 Special Meeting.

The minutes were approved on the consent agenda.

13. Resolutions

13A. [RES-0911](#)

Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting a Stormwater Facilities Maintenance Covenant, License and Agreement for Fedex Parking Extension Pond Maintenance between Piret (Impact Way) Holdings, LLC ("Owner") and The City of Pflugerville ("City").

The resolution was approved on the consent agenda.

14. Other Actions

14A. [2021-0823](#)

Authorizing the City Manager to approve expenditures in the amount of \$115,513.31 with Presidio Networked Solutions Group, LLC. for implementation of a Cisco Cloud Phone System utilizing Texas DIR-TSO-4167 purchasing cooperative contract.

The item was approved on the consent agenda.

- 14C.** [2021-0859](#) Approving the Pflugerville Community Development Corporation (PCDC) Executive Director to enter into an agreement with DCS Engineering, not to exceed \$116,125, for the purpose of engineering services related to Impact Way extension and right of way

The item was approved on the consent agenda.

- 14D.** [2021-0858](#) Approving the Pflugerville Community Development Corporation (PCDC) FY2022 Budget.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

15. Discuss and Consider Action

- 15B.** [2021-0905](#) Discuss and consider action regarding Deutschen Pfest.

Mr. Mize gave an update on events in the area. Mr. Metayer asked when a decision needed to be made. Mr. Mize stated that September 1st the city will be in for around \$15,000. Discussion followed regarding messaging and events. Mr. Mize stated Austin Public Health has committed to being available at the event for vaccinations.

Mayor Pro Tem Peña made a motion to cancel the event. Mr. Rogers seconded the motion. The vote was as follows: Mr. Weiss - no, Mr. Ruiz - no, Mayor Pro Tem Peña - yes, Mayor Gonzales - yes, Mr. Metayer - no, Mr. Heath - no, Mr. Rogers - yes. The motion failed.

Mr. Metayer made a motion to cut the kids section, kids k, and the parade. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

- 15C.** [RES-0915](#) Discuss and consider action to amend the resolution requiring the wearing of masks in city facilities to include circumstances under which the mandate will be repealed.

Mr. Rogers stated they need to look at events, the Austin Public Health scale, something to determine when the mandate automatically lifts following the guidance from public health officials. Ms. Breland stated they may want to consider not having it repeal, but keep the mask mandate and have rules on when it is in effect. There was consensus to bring it back to the next meeting with more information on when vaccinated people need to wear masks.

16. Discuss only

- 16A.** [2021-0889](#) Discussion regarding the revised City of Pflugerville Field Use Policy.

Mr. Mize provided information about the field use policy and fees and answered questions from council. John Livingston and Yossef Al-Mashouq with Pflugerville FC provided comment about the fields in Pflugerville and around the area. Mr. Metayer stated it is important to build the fields at the best capacity.

Mayor Gonzales called a recess at 11:50pm. Mayor Gonzales called the meeting back to order at 12:02am.

Ordinances First and Final Reading

[ORD-0598](#)

Discuss and consider action to approve an ordinance on first and final reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, Adopting the Fiscal Year 2022 Budget for the City of Pflugerville, Texas.

Mayor Gonzales read the ordinance and reopened the item for discussion. There was discussion about what items ARPA funds could be used for.

Mr. Metayer made a motion to approve the ordinance with \$769,000 out of ARPA funds for ERP. Mr. Rogers seconded the motion. Mr. Weiss stated he thinks it limits what the city is able to do with the ARPA money and did not see it as a reasonable expense for ARPA. The vote was as follows: Mr. Rogers - yes, Mr. Heath - no, Mr. Metayer - yes, Mayor Gonzales - yes, Mayor Pro Tem Peña - yes, Mr. Ruiz - yes, Mr. Weiss - no. The motion carried.

8B. [ORD-0608](#)

Discuss and consider action to approve an ordinance on first and final reading with the caption reading: Tax Levy Ordinance of the City of Pflugerville, Texas for Fiscal Year 2022.

Mayor Gonzales read the item and opened for discussion. Discussion followed regarding the required motion language.

Mayor Gonzales made a motion that the property tax rate be increased by the adoption of a tax rate of \$0.4863 over \$100 of valuation, which is effectively an 8.0% increase in the tax rate. Mr. Metayer seconded the motion. Mr. Weiss voted no, all others voted yes. The motion carried.

9. Resolution

9A. [RES-0913](#)

Discuss and consider action to approve a Resolution Ratifying the Property Tax Increase Reflected in the City's Fiscal Year 2022 Operating Budget.

Mayor Pro Tem Peña made a motion to approve the resolution. Mr. Heath seconded the motion. Mr. Weiss voted no, all others voted yes. The motion carried.

Discuss Only

16B. [2021-0569](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to

Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager.

Discussion on the item took place in executive session in the earlier worksession.

- 16C. [2021-0863](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding the Opioid Settlement.

Discussion on the item took place in executive session in the earlier worksession.

Discuss and Consider Action

- 15A. [2021-0861](#) Discuss and consider action regarding the implementation of Fire & EMS Assessment / Service Options for the City report prepared by AP Triton.

Mayor Gonzales read the item and announced council was retiring to executive session at 12:31am. Mayor Gonzales reconvened the meeting in open session at 12:47pm. No action was taken.

Discuss Only

- 16D. [2021-0649](#) Request to place item on future agenda.

Mayor Gonzales requested a discuss and consider action item on city manager contract.

17. Adjourn

Mayor Gonzales adjourned the regular meeting at 12:48am.

Respectfully submitted,

Trista Evans, City Secretary

Approved as _____ on September 14, 2021