



City of Pflugerville

Minutes - Final

City Council

Tuesday, February 8, 2022

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

Items were address in the order in which they appear.

1. Call to order

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

City staff 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; Emily Barron, Planning and Development Services Director; Jeremy Frazzell, Assistant Planning Director; Patricia Davis, City Engineer; Jeff Dunsworth, Assistant City Engineer; Maggie Holman, Public Information Officer; Erin Sellers, Principal Planner; Jennifer Griswold, Library Director; Breanna Higgins, Assistant to the City Manager; Jason O'Malley, Police Chief; Jason Smith, Assistant Police Chief; Melissa Moore, Finance Director; Cody Collins, Information Technology 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 Unites 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. Items of Community Interest and Recognitions

Mayor Gonzales asked everyone to visit pflugervilletx.gov/prepare for emergency preparation tips and to find ways to connect with the city and regional partners for emergency updates.

Mayor Gonzales announced that the Pflugerville Library has artwork from Kimberly Morgan of Giggli Creations by Design featuring local, successful Black individuals including Mr. Metayer and Ms. Holiday.

Mayor Pro Tem Weiss commended local girl scouts who took time to help the police department identify a hit and run.

Mr. McDonald stated the Library's program of Stuffed Animal Sleepover was a hit and commended staff.

Mr. Ruiz stated the Lion's Club Annual Chili Dinner is this Friday.

Mr. Metayer thanked staff for their work during the recent winter storm keeping everyone safe and connected.

4. Public Comment

Robert Levin stated he came to speak about the continuation for the Capital Metro bus service. He stated it has been a successful program on a general level and every community should have public transportation. Mr. Levin stated public transportation is a necessity for him and it allows him to be part of the community and vote. He stated he lived in similar sized communities that had public transportation and should be a direction that Pflugerville is headed.

Shane Tobin stated he wished to speak on the rezoning of Lakeside Meadows as a representative for the Carmel community who was not in support. Mr. Tobin stated that Carmel does not want to see more warehouses built in the area as it is a growing community and very active and they do not want to see more industry across the street. Mr. Tobin spoke on his personal experience when choosing places to live and seeing warehouses near residential areas. Mr. Tobin stated they want to see more shops and things to do in Pflugerville rather than going out of the city.

Ryan Burkhart stated he wished to speak on the Downtown Action Plan development of E Main and Pfluger Tract. He stated he was concerned about where extensions would cross Gilleland Creek and would cause more noise and complicate traffic issues. Mr. Burkhart stated he found no mention of noise abatement, light pollution, or how it will impact the nearby communities. He stated it would be important to have two residents of Willow Creek to be included in the discussion.

Beverly Darilek did not wish to speak but Mayor Gonzales noted her opposition of the development on Rowe Loop.

7. Presentation

7A. [2022-0180](#)

Proclamation declaring February 2022 as Black History Month.

Mayor Gonzales made statements about the importance of Black History Month and recognized members of the Pflugerville community. Mayor Gonzales invited Ms. Holiday to present the proclamation. Ms. Holiday read the proclamation and invited Pastor Richard Coaxum to accept the proclamation.

Reading of the Consent Agenda

Ms. Evans read the consent agenda to include the ordinance captions with items 5A., 5C., 5D., and 6E. pulled.

5. Ordinances

- 5B. [ORD-0642](#) Approving an ordinance on first 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 authorize an effective date.

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

- 5E. [ORD-0631](#) 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 changing the zoning designation of an approximate 20-acre tract of land situated in the E. Kirkland Survey, Abstract No. 458, Section No. 7, in Pflugerville, Texas, from Agriculture/Development Reserve (A) District to Corridor Urban Level 4 (CL4) District; to be known as the Weiss Lane Mixed Use Rezoning (REZ2111-02); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

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

- 5F. [ORD-0632](#) 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 medical office complex on an approximately 1.372 acres tract of land zoned Falcon Pointe Planned Unit Development (PUD) district located at the northeast corner of the Colorado Sand Dr and E. Pflugerville Pkwy intersection known as Tract 1: Commercial Lot 2, in the Falcon Pointe-Section 19 Subdivision, Pflugerville, TX to be known as the Pflugerville Medical Complex Specific Use Permit (SUP2111-02); providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date.

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

- 5G. [ORD-0638](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, Adopting the second amendment the Fiscal Year 2021 Budget for the City of Pflugerville, Texas; and providing an effective date.

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

- 5H. [ORD-0641](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, Adopting the first amendment the Fiscal Year 2022 Budget for the City of Pflugerville, Texas; and providing an effective date.

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

- 5I. [ORD-0623](#) 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 changing the zoning designation of approximately 17.466 acres, of unplatted land situated in the Edward Flint Survey No. 11, in Travis County, Texas, from Agriculture/Development Reserve (A) to Multi-Family-10 (MF-10); to be known as the Weiss/Kelly Rezoning (REZ2111-01); Providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

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

- 5J. [ORD-0635](#) 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 changing the zoning designation of approximately 19.81 acres, of unplatted land situated in the Edward Flint Survey No. 11, in Travis County, Texas, from Agriculture/Development Reserve (A) to Public Facilities & Open Space (PF); to be known as the Camp Doublecreek rezoning (REZ2111-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

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

6. Other Actions

- 6A. [RES-0961](#) Approving a resolution with the caption reading: Resolution of the City of Pflugerville authorizing Phase 2 supporting the creation of a Tax Increment Reinvestment Zone (TIRZ), establishing a project plan and financing plan.

The resolution was approved on the consent agenda.

- 6B. [2022-0147](#) Approving the minutes of the December 30, 2021 Special Meeting, January 25, 2022 Worksession, and January 25, 2022 Regular Meeting.

The minutes were approved on the consent agenda.

- 6C. [2022-0119](#) Approving a Professional Services Agreement with ECM International, Inc. in the amount of \$135,440.00 to provide Owner's Representative Services for the City of Pflugerville's Multi-Generational Recreation

Center, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 6D.** [2022-0120](#) Approving a Professional Services Agreement with Hayat Brown in the amount of \$336,551 for Financial and Transactional Advisor Services associated with the Downtown East Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 6F.** [2022-0149](#) Approving the purchase of Cisco switches from Presidio Networked Solutions Group, LLC. in the amount of \$78,656.40 utilizing Texas DIR-TSO-4167 purchasing cooperative contract, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 6G.** [2022-0154](#) Approving a contract for traffic signal radio installation to Austin Traffic Signal, the lowest responsible bidder of two (2) bids received on January 19, 2022, in the amount of \$66,750 and establish a contingency in the amount of \$15,000 for a total authorization amount not to exceed \$81,750, and authorizing the City Manager to execute same.
- The item was approved on the consent agenda.**
- 6H.** [RES-0964](#) Approving a Resolution to authorize the City Manager to execute an amendment to the Interlocal Agreement with Travis County regarding Project Manager, Project Development, and Fiscal Obligations for the E. Pflugerville Parkway/Jesse Bohls Improvements Project from Colorado Sand Dr. to Cameron Rd Project.
- The resolution was approved on the consent agenda.**
- 6I.** [2022-0157](#) Approving a Professional Services Supplemental Agreement with LJA Engineering in the amount of \$401,348.75 for professional engineering services associated with the E. Pflugerville Parkway/Jesse Bohls Extension/Realignment Roadway Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 6J.** [2022-0160](#) Approving a Professional Services Supplemental Agreement with Dunaway Associates, LLC. in the amount of \$97,748.00 for professional services associated with the 2020 Parks Bond Program Projects: Kelly Lane Park and Murchison Mallard Park and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 6K.** [2022-0161](#) Approving a Professional Services Agreement with Freese and Nichols,

Inc. in the amount of \$7,309,766.00 for professional engineering 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.

6L. [2022-0138](#)

Approving a PCDC contract for engineering and design services in the One Thirty Business Park with DCS Engineering, in an amount not to exceed \$169,500, for the purposes of extending Impact Way in the One Thirty Business Park to include Phase III-A and Phase III-B and providing administrative services for a specific use permit related to light industrial use for PCDC's 24-acre tract, and authorize the PCDC Executive Director to execute the same.

The item was approved on the consent agenda.

6M. [2022-0159](#)

Approving a Professional Services Supplemental Agreement with Rodriguez Transportation Group, Inc. in the amount of \$363,029.40 for professional engineering services associated with the 2020 Transportation Bond Program Project: Immanuel Road Improvements, and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

5C. [ORD-0611](#)

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 changing the zoning designation of approximately 5.011-acres of land, being out of the Jacob Casner Survey, Abstract No. 2753, in Travis County, Texas, from Agriculture/Development Reserve (A) District to Single-Family Mixed-Use (SF-MU) District; to be known as the 2118 Rowe Loop Rezoning (REZ2101-02); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

Mayor Gonzales opened items 5C. and 5D. for discussion and read the items. Mr. Rogers reviewed the unanimous denial from the Planning and Zoning Commission and spoke on his concern asking for more time to come to an arrangement.

Galen Schroeder stated that there were three Planning and Zoning Commission meetings that covered the subject and they spent a great deal of time analyzing it. He stated he was disappointed in the first meeting because the Planning and Zoning Commission decided it was not a good plan for the neighborhood but council approved it. Mr. Schroeder stated it is a very unique neighborhood in the City and asked council to work with the citizens. He stated they are willing to negotiate with the developer but want to avoid high density

and there is a problem with the traffic as Rowe Lane is a small country road.

Robert Romig, Planning and Zoning Commission Chair spoke about the Commission's process. Mr. Romig stated that the infrastructure for the density of the area was a concern and recognized that the residents wanted to pursue a more holistic zoning for their area. Mr. Romig spoke on previous applications for the area. Mr. Ruiz asked if the development met all the qualifications for rezoning. Mr. Romig stated as far as development standards and the comprehensive plan it was not an inappropriate rezoning. Discussion followed regarding previous applications.

Mr. McDonald made a motion to approve the item as presented. Mayor Gonzales seconded the motion. The vote was as follows: Mr. Rogers - no, Mr. McDonald - yes, Mr. Metayer - yes, Ms. Holiday - yes, Mr. Ruiz - yes, Mayor Pro Tem Weiss - yes, Mayor Gonzales - yes. The motion carried.

- 5D. [ORD-0612](#) 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 changing the zoning designation of approximately 5.05-acres of land, being out of the Jacob Casner Survey, Abstract No. 2753, in Travis County, Texas, from Agriculture/Development Reserve (A) District to Single-Family Mixed-Use (SF-MU) District; to be known as the 1741 Rowe Loop Rezoning (REZ2101-02); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

Mr. McDonald made a motion to approve the ordinance as presented. Mayor Gonzales seconded the motion. The vote was as follows: Mayor Pro Tem Pena - yes, Mr. Ruiz - yes, Ms. Holiday - yes, Mr. Metayer - yes, Mayor Gonzales - yes, Mr. McDonald - yes, Mr. Rogers - no. The motion carried.

8. Executive Session

- 8A. [2021-1274](#) 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. 2.) Open Session Item: Discuss and consider action related to the employee agreement between Sereniah Breland and the City of Pflugerville.

Mayor Gonzales announced that City Council was retiring to executive session for items 8A. and 8C. and read the items. City Council retired to executive session at 7:42pm.

- 8C. [2022-0171](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding Acadian Ambulance Service contract. 2.) Open Session Item: Discuss and consider action regarding Acadian Ambulance Service contract.

Discussion on the item occurred in executive session. Mayor Gonzales reconvened the meeting in open session at 9:14pm. No action was taken.

9. Regular Agenda

- 9A. [ORD-0637](#) Discuss and consider action to approve 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 amending the Lakeside Meadows Planned Unit Development (PUD) district approved in Ordinance No. 1427-20-01-28, by adjusting the boundary by adding and rezoning approximately 1.4 acres from Urban (Level 4: CL4) district to Planned Unit Development (PUD) district, removing and rezoning approximately 2.6 acres from Planned Unit Development (PUD) to Urban (Level 4: CL4) district, and amending the development regulations for the approximately 416 acres of land out of the W. Caldwell Survey, Section No. 66, Abstract No. 162, the E. Kirkland Survey, Abstract No. 458, and the J.P. Sherwood Survey, all in Travis County, Texas, to continue to be known as the Lakeside Meadows Planned Unit Development (PUD) district (REZ2106-03); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

Mayor Gonzales read the ordinance caption and opened the item for discussion. Ms. Barron provided information about the request. Brent Miles from NorthPointe Development provided background information about the project and answered questions from council about some of the changes in the proposal and concerns of truck traffic. Discussion followed regarding diversification of business and large campuses. Ms. Barron provided information about the transportation master plan and bond projects that would impact truck routes.

James Kerby with Kerby Ventures answered questions from council regarding splitting the development. Mr. Kerby provided information about the original vision and how it changed. Discussion followed regarding development and the vision for the area. Mr. Fletcher provided comment about land use and diversification benefits. Mr. Fletcher commended the work of the developers of working through the process during COVID and discussed possible future development.

Mayor Gonzales stated it seems like a project that staff has been working with the developer on to come up with the best option and very little visionary projects come out the way they were originally presented. Mayor Gonzales discussed the changing market demands.

Mr. Rogers moved to approve the item as presented. Ms. Holiday seconded the motion. The vote was as follows: Mr. Rogers - yes, Mr. McDonald - yes, Mr. Metayer - yes, Mayor Gonzales - yes, Ms. Holiday - yes, Mr. Ruiz - no, Mayor Pro Tem Weiss - no. The motion carried.

- 8B. [2022-0155](#)

1.) Executive Session Item: Deliberations regarding the purchase, exchange, lease, transfer and/or sale of real property related to the Kelly Lane Phase 3 Project pursuant to Chapter 551.072 of the Texas

Government Code. 2.) Open Session Item: Discuss and consider action to authorize City Staff and City Attorney to take any and all action necessary to secure right-of-entry and access to real property for the purpose of conducting a survey and any other testing as needed for the Kelly Lane Phase 3 project.

This item was discussed in executive session in the previously posted worksession. Mayor Gonzales opened the item for discussion. Mayor Pro Tem Weiss moved to approve the item. Mr. Metayer seconded the motion. Ms. Holiday and Mr. McDonald were absent from the dais for the. All present voted in favor. The motion carried.

Mayor Gonzales called for a recess at 10:25pm. Mayor Gonzales reconvened the meeting at 10:33pm.

9B. [RES-0963](#)

Discuss and consider action to approve a resolution with the caption reading: Resolution of the City of Pflugerville adopting the Downtown Action Plan Update.

Mayor Gonzales opened the item for discussion. Ms. Barron gave a presentation about the downtown planning timeline and completed projects such as the downtown code and utility analysis. Ms. Barron discussed the changes in the update to include a revised implementation schedule and incorporating Downtown East development. Mayor Gonzales suggested including nearby community members in discussion.

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

9C. [2022-0150](#)

Discuss and consider action to approve an agreement with Tyler Technologies, INC. for Enterprise Resource Planning (ERP) software in the total amount of \$1,977,117, and authorize the City Manager to execute the same.

Mayor Gonzales opened items 9C. and 9D. for discussion. Mr. Hartshorn gave a presentation introducing the enterprise resource planning software (ERP) and discussed the benefits of efficiency and management. Mr. Hartshorn discussed the implementation process and phasing with Plante Moran as implementation advisory support. Bobby Sansone with Tyler Technologies answered questions from council about other cities they serve. Discussion followed regarding possible future integrations.

Mr. Metayer made a motion to approve 9C. as presented. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

9D. [2022-0148](#)

Discuss and consider action to approve a Professional Services Agreement with Plante & Moran, PLLC for Enterprise Resource Planning (ERP) implementation advisory services in an amount not to exceed \$357,000, and authorize the City Manager to execute the same.

Mr. Metayer made a motion to approve item 9D. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

- 9E.** [2022-0165](#) Discuss and consider action to approve Amendment No. 2 to an Interlocal Agreement with Capital Metropolitan Transit Authority (CMTA).

Mayor Gonzales opened the item for discussion. Ms. Barron provided information about the amendment to continue the pilot program with the current service area through FY22 and discussed next steps. Ms. Barron explained that the amendment aligns the agreement to the budget cycle and answered questions from council. Mr. McDonald asked about flexibility in schedule and discussed an option for an extra two hours on Tuesdays for council meetings. Ms. Barron stated Capital Metro would charge an additional \$1,800 for the added service.

Mr. McDonald moved to approve the item with the amendment to include an additional two hours of service for twelve trips in the evenings during council meetings. Ms. Holiday seconded the motion. Mr. Ruiz discussed concern regarding how much it will be used. Ms. Holiday stated it is about creating the access through the pilot program to determine use. Julie Mazur with Capital Metro provided information stating the added service would cost approximately \$1,800. Discussion followed regarding the cost. Mayor Gonzales called for the vote: Mr. Rogers - no, Mr. McDonald - yes, Mr. Metayer - yes, Ms. Holiday - yes, Mr. Ruiz - yes, Mayor Pro Tem Weiss - yes, Mayor Gonzales - yes. The motion carried.

10. Discuss and Consider Items Pulled From Consent Agenda

- 5A.** [ORD-0644](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, finding that the provision of solid waste collection and recycling is not a public utility; amending an exclusive franchise agreement for the collection, hauling, recycling and disposal of municipal solid waste and recyclable materials; amending certain terms and conditions of the franchise grant; amending the term of the franchise; and providing an effective date.

Mayor Gonzales read the ordinance caption and opened the item for discussion. John Harris, District Manager with Waste Connections answered questions from council regarding issues with service and concerns about the response. Discussion followed regarding other clients and future service. Mayor Pro Tem Weiss made a motion to approve the item. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

- 6E.** [2022-0124](#) Approving a Credit Agreement for roadway impact fees associated with the 19365 Wilke Lane multi-family project, to be applied toward the construction of Abbeyglen Castle Drive, and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item for discussion. Mayor Pro Tem Weiss stated concern about a singular focus. Ms. Barron provided information about the thoroughfare plan. Jake Gutekunst with Kimley Horn provided information about the agreement and answered questions from council. Mayor Pro Tem Weiss made a motion to approve the item. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

11. Adjourn

Mayor Gonzales adjourned the meeting at 11:41pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as _____ on February 22, 2022