



City of Pflugerville

Minutes - Final

City Council

Tuesday, September 12, 2023

7:00 PM

1611 Pfennig Lane

Regular Meeting

1. Call to Order

Mayor Victor Gonzales called the meeting to order at 7:01pm. Mayor Pro Tem Doug Weiss and Councilmembers Ceasar Ruiz, Kimberly Holiday, Jim McDonald and David Rogers were in attendance. Councilmember Rudy Metayer was not in attendance.

City staff in attendance: Sereniah Breland, City Manager; James Hartshorn, Deputy City Manager; Emily Barron, Assistant City Manager; Thomas Hunter, Assistant City Manager; Trista Evans, City Secretary; Charles Zech, City Attorney; Jason O'Malley, Police Chief; Jeff Dunsworth, City Engineer; Jeremy Frazzell, Planning and Development Services Director; Flip Romero, Communications Director; Cassie Balderas, Public Information Officer; Evan Groeschel, Operations Director; Brandon Pritchett, Public Utility Director; Robyn Miga, Assistant Planning and Development Director; Tracy Waldron, Finance 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 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. Public Comment

Pat McCord stated past councils have promised seniors their own senior center and is hearing now there will be a multi generational recreation center. Mr. McCord stated they need their own space and thinks there should be some reconsideration. Mr. McCord stated there needs to be someone helping people across the street during council meetings when people have to park at the WalMart parking lot.

AJ Stacer, Assistant Chief with Travis County ESD2 stated he thinks it is a good idea to have management and oversight of emergency medical services. Mr. Stacer stated there are differences between public and private systems and stated he hopes there are clear metrics involved and discussed the differences in management structure.

Nick Perkins, Fire Chief with Travis Council ESD2, stated ESD2 responds to all calls and helps and intervenes with procedures. Mr. Perkins discussed Allegiance not being able to comment on a patient dying and wanted to make sure everyone was aware of it. Mr. Perkins stated there was a request to remove ESD from medical calls and discussed concerns.

Ron Thrower discussed the item for consideration for code amendments and provided concerns about it moving forward. Mr. Thrower stated the way they are currently listed will strip the client of development rights and will be forced to go before City Council for a PUD.

4. Presentations

- 4A. [2023-0073](#) Mayor's proclamation declaring September 15, 2023 to October 15, 2023 as Hispanic Heritage Month in the City of Pflugerville.

Mayor Gonzales read the proclamation and presented it to Angela Silvas.

- 4B. [2023-0839](#) Mayor's proclamation declaring September 12, 2023 as Pfood Pfairness Day in the City of Pflugerville.

Mayor Gonzales read the proclamation. John Amador stated they started the program in response to witnessing peers having their lunch taken away and stated it is an ongoing program at pfoodpfairness.org.

Public Comment

Stuart Shaw stated he is requesting a 90 day extension for the UDC matter, he stated he would like more time than the proposed two week postponement. Mr. Shaw stated he thinks they can make it better for the city and have something that will work for developers and discussed the company they have asked to help bring some good ideas.

Reading of the Consent Agenda

Ms. Evans read the consent agenda stating that item 5I. was removed and all remaining items may be acted upon in a single motion.

5. Other Actions

- 5A. [ORD-0745](#) Approving an ordinance on first reading for the 2023 Annual Update to the Service and Assessment Plan and Assessment Roll for the Martin Tract Public Improvement District including the collection of the 2023 annual installments.

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

- 5B. [ORD-0725](#) Approving an ordinance on second 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 unplatted land situated in the Jacob Casner Survey No. 9, Abstract No. 2753, in Travis County, Texas from Agriculture/Development Reserve (A) to Retail (R); to be known as the 1718 Rowe Lane Rezoning (2023-5-REZ); 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.

- 5C. [ORD-0732](#) Approving an ordinance on second reading with the caption reading: An Ordinance amending the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 153, Planning, by repealing and replacing the 2021 Updated Water Master Plan and 2021 Updated Wastewater Master Plan adopted by Ordinance No. 1438-20-04-14 and as referenced in the adoption of the Aspire Pflugerville 2040 Comprehensive Plan by Ordinance No. 1545-22-04-26; providing for a severability; and providing an effective date.

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

- 5D. [ORD-0739](#) Approving an ordinance on second reading with the caption reading: An Ordinance amending Chapter 153 of the Code of Ordinances for the City of Pflugerville, Texas, by amending the Aspire Pflugerville 2040 Comprehensive Plan and adopting the Drainage Master Plan dated August 2022; Providing for severability; and providing an effective date.

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

- 5E. [ORD-0740](#) Approving an ordinances on second 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 1.21- acres of platted land known as Lot 2, Block A of the Springbrook II Business Park, Travis County, Texas, from Light Industrial (LI) to General Business 2 (GB2); to be known as the 1950 Picadilly Drive Rezoning (2023-6-REZ); 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-0743](#) Approving an ordinance on second reading with a caption reading: An Ordinance of the City of Pflugerville adopting the 2014 Engineering Design Manual and Construction Standards to include Construction Standard Details, as previously adopted by City Council by Ordinance

No. 1206-15-02-24, as amended; replacing all engineering and construction standards in conflict; providing a savings clause; providing for severability; and providing an effective date.

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

5G. [ORD-0735](#)

Approving an ordinance on second reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a 15.84-acre tract of land situated in the Zimpelman & Bergen Survey, Section No. 285, Abstract No. 2370, in Travis County, Texas. The property is located at 17409 Cameron Road. Extending the boundaries of the city to include the land; and to be zoned Agriculture/Development Reserve (A); to be known as Meadowlark Preserve Annexation (2023-2-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 was approved on second reading on the consent agenda.

5H. [ORD-0737](#)

Approving an ordinance as amended 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 as amended on second reading on the consent agenda.

5J. [2023-0832](#)

Approving the minutes of the August 22, 2023 Worksession, August 22, 2023 Regular Meeting, and August 28, 2023 Special Meeting.

The minutes were approved on the consent agenda.

5K. [2023-0792](#)

Approving a conditional purchase agreement and associated conveyance documents between Vera Lee Witte Hamann (Parcel No. 24) and the City of Pflugerville as necessary to acquire real property interests for the Kelly Lane Phase 3 Project and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

5L. [2023-0793](#)

Approving a conditional purchase agreement and associated conveyance documents between The Madison Family Trust (Parcel No. 37 & 38) and the City of Pflugerville as necessary to acquire real property interests for 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.

- 5M.** [2023-0838](#) Approving the Enterprise Fleet Management Purchase vehicle bill of sale in the amount of \$61,195.56 and authorizing the City Manager to execute same.
- The item was approved on the consent agenda.**
- 5N.** [2023-0840](#) Approving an encroachment agreement and related documents with Enterprise Products for a natural gas line 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.**
- 5O.** [2023-0845](#) Approving an Interlocal Agreement between City of Pflugerville and City of Austin for emergency medical services oversight and authorizing the City Manager to execute same.
- The item was approved on the consent agenda.**
- 5P.** [2023-0846](#) Approving a five-year agreement in the amount \$219,180 with Canon for the leasing of multifunctional copiers utilizing DIR contract DIR-CPO-4437 and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 5Q.** [RES-1139](#) Approving a resolution authorizing the Chief of Police to officially retire police canine Lubo and transfer ownership of canine Lubo to his handler, Officer Glenn Hodgson for the customary price of one dollar and providing an effective date.
- The resolution was approved on the consent agenda.**
- 5R.** [RES-1138](#) Approving an extension of the required 60-day public hearing period required by Subchapter 3.4 for a proposed Comprehensive Plan Amendment known as the NewGrowth Comprehensive Plan Amendment (2022-2-CPA) for property located at the northeast corner of Immanuel Rd and Wells Branch Pkwy.
- The resolution was approved on the consent agenda.**

Action on the Consent Agenda

Mr. Rogers moved to approve the consent agenda. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Items pulled from the consent agenda will be addressed under Item 10.

10. Discuss and Consider Items Pulled from Consent Agenda

- 5I.** [ORD-0742](#) Discuss and consider approving an ordinance on first reading with a

caption reading: An Ordinance of the City of Pflugerville, Texas, Amending Title XV, Land Usage, Chapter 157, Unified Development Code, adopted by Ordinance No. 1073-11-04-12 of the City of Pflugerville, Texas, as amended, by repealing and replacing Subchapter 4.4, Corridor Districts (CL3, CL4, CL5); amending Subchapter 9, Architectural, Site Design, and Layout Provisions, creating 9.10 Corridor District Design Standards; amending Subchapter 11, Landscaping and Screening Standards; and amending Subchapter 20, Definitions, as shown in Exhibits A, B, C, and D; to be known as the Corridor District Text Amendments; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date.

Mayor Gonzales opened the item for discussion. Mr. Rogers asked Mr. Shaw about the design firm they have speaking to and timeline of discussions. Mr. Shaw provided information. Mr. Rogers provided comment about previous work with the Texas Supreme Court and stated he hopes the architects and attorneys review what other cities are doing.

Mr. Rogers moved to approve the item with the amendment to postpone to the first meeting in December. Mr. Ruiz seconded the motion. Mayor Pro Tem Weiss stated he would like to look at it again before waiting three months to see if more time is needed. Mr. McDonald stated staff has been working hard on the item and asked staff about considerations. Ms. Breland discussed multifamily requirements, mixed use requirements, and structured parking. Mr. Frazzell provided information about the requirements and answered questions from council. Mr. McDonald discussed the remedies in the UDC to the developer's concerns. Mr. Ruiz stated he sees a different attitude and does not see the rush. Mr. McDonald stated it has been in progress for about a year. Mayor Gonzales called for the vote: Mayor Gonzales - no, Mayor Pro Tem Weiss - no, Mr. Ruiz - yes, Ms. Holiday - no, Mr. McDonald - no, Mr. Rogers - yes. The motion failed.

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

6. Budget and Finance

- 6A. [2023-0733](#) Conduct a public hearing on the proposed property tax rate of \$0.5362.

Mayor Gonzales read the item and opened the public hearing.

Melody Ryan provided recommendations about how to adjust the budget. Ms. Ryan stated the general fund requirement is 25% and the current budget has 42% and discussed bond ratings. Ms. Ryan stated these funds should be used first. Ms. Ryan discussed an increase in staffing costs and discussed vacancy rates that could be adjusted to impact the property tax rate.

Mayor Pro Tem Weiss moved to close the public hearing. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.

- 6B.** [ORD-0736](#) 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 2024 Budget for the City of Pflugerville, Texas.

Mayor Gonzales read the item. Mr. Rogers asked about Ms. Ryan's recommendations. Mr. Hartshorn discussed the use of the fund balance for one time expenses versus recurring expenses. Mr. Hartshorn provided information about tax rate and long term expectations. Mayor Pro Tem Weiss asked about what information was provided to the voters about tax rate when they voted for the bonds. Mr. Hartshorn provided information. Mr. Rogers discussed increase in property valuations. Mr. Rogers discussed keeping the fund balance at 38% instead of 42%. Ms. Waldron provided information about what changing the fund balance would impact. Mr. McDonald moved to approve the item as presented. Ms. Holiday seconded the motion. Mr. Rogers voted no. All others voted in favor. The motion carried.

- 6C.** [RES-1136](#) Discuss and consider action to approve a resolution ratifying the property tax increase reflected in the City's FY24 operating budget.

Mayor Gonzales opened the item for discussion. Mr. Rogers moved to ratify the tax rate at \$0.4962. The motion failed for lack of a second. Mayor Gonzales moved to approve the item as presented. Mayor Pro Tem Weiss seconded the motion. Mr. Rogers voted no, all others voted in favor.

- 6D.** [ORD-0738](#) 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, Tax Levy Ordinance of the City of Pflugerville, Texas for Fiscal Year 2024.

Mayor Gonzales opened the item for discussion. Mayor Pro Tem Weiss moved that the property tax rate be increased by the adoption of a tax rate of \$0.5362 which is effectively a 24 percent increase in the tax rate. Ms. Holiday seconded the motion. The vote was as follows: Mr. Rogers - no, Mayor Pro Tem Weiss - yes, Mayor Gonzales - yes, Ms. Holiday - yes, Mr. McDonald - yes, Mr. Ruiz - no. The motion failed due to need of a 60% approval.

Mr. Ruiz moved that the property tax rate be increased by the adoption of a tax rate of \$0.5362 which is effectively a 24 percent increase in the tax rate. Mayor Pro Tem Weiss seconded the motion. Mr. Rogers voted no. All others voted in favor. The motion carried.

7. Public Hearings and Ordinances

- 7A.** [ORD-0744](#) 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 approximately 97.882-acre tract of land and an approximately 0.224-acre tract of land generally located at the southeastern intersection of Cameron Road and Jesse Bohls Road from the Agriculture/Development Reserve (A) district to Planned Unit

Development (PUD) district, with a base zoning designation of Single-Family Residential and Single Family Mixed-Use, to be known as the Meadowlark Preserve PUD (2023-1-PUD); 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 reviewed the summary of the request and background of the property. Mr. Frazzell answered questions about greenway connections and discussed the property zoning district. Mayor Pro Tem discussed the lack of commercial development but stated he likes the style. Mr. McDonald discussed the expansion of the road. Mr. Frazzell discussed the road plans in the area. Mr. Rogers asked about connectivity in the area. Mr. Frazzell provided information about the plan.

There was no one present wishing to speak under the public hearing. Mr. Rogers moved to close the public hearing. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mayor Pro Tem Weiss moved to approve the ordinance on first reading. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

7B. [ORD-0749](#)

Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An Ordinance amending the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 153, Planning, by repealing and replacing the 2011 Parks, Recreation, and open space master plan adopted by resolution No. 1285-11-05-24-0037 with the 2023 Parks, Recreation, and Open Space Master Plan; providing for severability; and providing an effective date.

Mayor Gonzales read the item and opened the public hearing. Mr. Mize provided an introduction to the master plan and provided a magazine style executive summary. Jason Genck with BerryDunn discussed the plan purpose to serve as a staff support guide that focuses on the next ten years of parks and recreation. Mr. Genck thanked staff and the community for their engagement. Mr. Genck reviewed the key benefits and reviewed highlights of the master plan. Mr. Genck stated the city received three awards for their engagement efforts and has never seen this level of engagement from a community. Mr. Mize answered questions from council regarding long term goals.

There was no one present wishing to speak under the public hearing. Mr. McDonald moved to close the public hearing. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.

Mr. McDonald moved to approve the item on first reading. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.

8. Supplemental Agenda

[RES-1137](#)

Discuss and consider action to approve a resolution canceling the General Election for November 7, 2023 and electing the candidates without opposition for the positions of Councilmember Place 2, Place 4,

and Place 6.

Mayor Gonzales opened the item for discussion. Mr. McDonald stated the general election is being canceled due to no one signing up for the ballot or as a write in to run against the incumbents who signed up for the ballot. Mr. McDonald moved to approve the item. Mayor Pro Tem Weiss seconded the motion. All voted in favor. The motion carried.

9. Regular Agenda

9A. [2023-0844](#)

Discuss and consider action regarding food trucks on city leased property at 103 N. Railroad.

Mayor Gonzales opened the item for discussion. Mr. McDonald recused himself from the item and left the dais. Ms. Holiday asked who would be managing the food trucks. Mr. Rogers stated concerns about the city managing. Mr. Ruiz asked for staff's take about the food trucks. Ms. Breland stated there is a list of considerations and discussed intent. Discussion followed regarding consideration of location. Mayor Pro Tem Weiss discussed downtown vibrancy. Mr. Rogers moved not to move forward with allowing food trucks on the property. Ms. Holiday asked if there is a way to benefit from food trucks downtown. Mr. Rogers asked for an agenda item to discuss downtown in general. Mr. Zech provided an overview of the situation. Mr. Rogers moved to direct staff not to draft an amendment to the lease. Ms. Holiday stated the food trucks are already there. Ms. Breland discussed an amendment to the lease was also needed for special events. Mr. Rogers moved to direct staff to go forward with the lease amendment to allow use of the city leased property for food trucks for special city sponsored events. Mayor Gonzales seconded the motion. Mr. McDonald did not vote. All others voted in favor. The motion carried.

9B. [2023-0841](#)

1.) Executive Session Item: Discussion in accordance with Texas Government Code Section 551.072 Deliberation regarding Real Property and Section 551.071 Consultation with Attorney related to Downtown East development. 2.) Open Session Item: Discuss and consider action regarding Downtown East development.

Mayor Gonzales stated city council was retiring to executive session for discussion on items 9B., 9C., 9D. at 9:17pm. Discussion on the item occurred in executive session. No action was taken.

9C. [2023-0865](#)

1.) Executive Session Item: Discussion in accordance with Texas Government Code Section 551.072 Deliberation regarding Real Property related to acquisition of right of way. 2.) Open Session Item: Discuss and consider action regarding acquisition of right of way.

Discussion on the item occurred in executive session. No action was taken.

9D. [2023-0867](#)

1.) Executive Session Item: Discussion in accordance with Texas Government Code 551.071 Consultation with City Attorney regarding contractor performance under the Allegiance Mobile Health Agreement. 2.) Open Session Item: Discuss and consider action regarding

Allegiance Mobile Health agreement.

**Discussion on the item occurred in executive session. No action was taken.
Mayor Gonzales reconvened the meeting into open session at 9:59pm.**

9E. [RES-1144](#) Discussion regarding the proposed Transit Development Plan Study.

The item was discussed during the previously posted worksession.

9F. [2023-0791](#) Discussion regarding the 2020 General Obligation Bond Transportation and Parks projects.

The item was discussed during the previously posted worksession.

9G. [2023-0736](#) Conduct a presentation from Allegiance Mobile Health.

The item was discussed during the previously posted worksession.

9H. [2023-0672](#) Conduct a presentation from Waste Connections Lone Star, Inc.

The item was discussed during the previously posted worksession.

11. Adjourn

Mayor Gonzales adjourned the meeting at 9:59pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as submitted on September 26, 2023.