



City of Pflugerville

Minutes - Final

City Council

Wednesday, February 3, 2021

6:00 PM

100 East Main Street, Suite 500

Special Meeting (Telephone/Videoconference)

NOTICE IS HEREBY GIVEN in accordance with order of the Office of the Governor issued March 16, 2020, the City Council will conduct this 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 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=e927772691ce4b49defcdf93d8c4332df>

Meeting Code/Number: 146 490 3951

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

Public comment will be allowed via telephone/video conference at the Meeting scheduled to begin at 6:00 p.m. All speakers must register to speak at least 2 hours in advance of the Meeting. Public comment on all items will occur under the Public Comment item. Speakers must call in at least 15 minutes prior to the start of the 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 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.

1. Call to order

Mayor Victor Gonzales called the special meeting to order at 6:00 p.m. The meeting was held by telephone/video conference. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Ceasar Ruiz, Mike Heath and David Rogers were in attendance. Councilmember Rudy Metayer joined the meeting at 6:02 p.m. City employees attending: Sereniah Breland, City Manager; Charlie Zech,

City Attorney; Scott Tschirhart; Assistant City Attorney; Trey Fletcher, Deputy City Manager; Amy Giannini, Assistant City Manager; Karen Thompson, City Secretary; Patricia Davis, City Engineer; Melissa Moore, Finance Director; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer; Gwen Holford, Application and Web Developer; Wade Maness, Videography and Multimedia Specialist; Jessica Robledo, Police Chief.

2. Public Comment

Mayor Gonzales announced that registration for public comment was taken until 4pm today and there were 2 written comments and 4 requests to speak.

Ms. Thompson read the written public comments from Connie Creech, Meadows of Blackhawk resident, requesting that the City require development to have berms and trees planted 10-feet in front of property to soften the landscape and that the City make it illegal to pander at intersections; and from Rebekah Calabuig, Swenson Farms resident, indicating opposition to the resolution consenting to the creation of the proposed Travis County Emergency Services District No. 17.

Mayor Gonzales called for Kevin Parkharr to provide public comment, but he was not in attendance.

Mayor Gonzales recognized the following speakers providing public comment:

Melody Ryan, Highland Park North resident, spoke in opposition to consenting to the creation of the Travis County Emergency Services District No. 17 overlay.

Joshua Stubblefield, President, Pflugerville Professional Firefighters Association, spoke in support of consenting to the creation of the Travis County Emergency Services District No. 17 overlay.

Trevor Stokes, Representative for Pflugerville Professional Firefighters Association, spoke in support of consenting to the creation of the Travis County Emergency Services District No. 17 overlay.

Mr. Heath asked Mr. Stubblefield if he is familiar with the financials of the ESD2. Mr. Stubblefield stated that he does not do the forecasting, that he is a firefighter.

3. Discuss and consider action

- 3A. [RES-0821](#) Discuss and consider action on a resolution consenting to creation of the proposed Travis County Emergency Services District No. 17.

Mayor Gonzales opened the item for consideration. Mayor Gonzales stated that he thinks there are a lot of unanswered questions and he hopes the consultant will help them get a clearer picture and that he looks forward to the results of the study.

Mr. Ruiz thanked the Council, ESD2 Board, and firefighters association for holding the meeting together last night. He stated that he has always felt that the right to vote is a democratic right but that he knows that there are a lot of people that did not sign the petition. He asked in also speaking for the ETJ, if

the City can only allow the ETJ to vote. Mr. Zech stated that he interprets the statute to say that the City could consent to both, neither or one or the other.

Mr. Weiss stated that he thinks that the Council should hold regular joint sessions with the ESD2 Board. He stated as for the idea of splitting the City and ETJ in the vote, he does not support that idea, that he thinks it would tie their hands in the future. Mr. Heath asked if the election passed in the ETJ, what would happen if the City annexed the ETJ, with the ESD17 in place, but not in the City limits. Mr. Zech stated that there is a process to remove ETJ area from the district upon annexation. Mr. Heath asked if the City was not to go with the ESD17 at this time, could the City hold another election later to join the ESD17. Mr. Zech stated that he does not think the City would have authority to join an existing district, that they could create another district, if the area is not being provided EMS by ESD2. Mr. Weiss stated that he thinks the consultant's survey could answer some of the questions. Mr. Heath noted the complexity of the situation. He stated that they still haven't seen the financial forecasts that show the need. He stated that he does not see the imminent need. He indicated concern that the taxing would not go away. Mr. Rogers stated that he thinks that last night was the last time they got any light. He stated that there was a comment last night that the Council was totalitarian. He explained that he thought that was reckless and that they should consider what a totalitarian government really is. He stated the more dishonest the representation is, the less he is inclined to support it. He stated that they have seen a lot of dishonesty at the national level and it is not good for the country and he would hate to see that in Pflugerville. He stated that free speech is not totalitarianism. He stated that he has not seen an indication of totalitarianism on the Council. He stated that kind of dishonest, heated communication cannot be rewarded. He stated that he thinks there is some merit to the argument that the people in the ETJ should get another consideration, but he is not going to raise that due to the dishonesty.

Mr. Metayer stated that he thinks that they should have had last night's conversation a long time ago. He stated that he is a little melancholy but is taking in the conversation and wondering the options. He stated that they gave us a price point for EMS and we know we need to work together.

Mayor Pro Tem Peña commended the ESD2 Board for coming together last night. He stated that he does not like concerning people that EMS service will end. He stated that we talked around that last night and the numbers don't lead the dire situation painted by the ESD2. He stated if they put a tax in, it's a forever tax. He stated that he asked questions of Mr. Bessner and he was able to provide some clarity, but there are some things he can't get his head around. He stated a need for continued collaboration and a need to address the future not by scaring citizens. He stated that is implorable and embarrassing.

Mr. Zech stated that there appears to be a statute provision allowing the consolidation of districts.

Mayor Pro Tem Peña asked to hear anything additional the city manager would like to provide.

Ms. Breland stated that staff recommends consenting to the election but has concern on the financials and will have the consultant report in the future.

Mr. Rogers made a motion to approve the resolution consenting to the creation of the proposed Travis County Emergency Services District No. 17 in the City limits and ETJ. Mayor Gonzales seconded the motion. The vote was: Mr. Weiss-no, Mr. Ruiz-yes, Mayor Pro Tem Peña-no, Mr. Metayer-no, Mr. Heath-no, Mr. Rogers-no, Mayor Gonzales-no. The motion failed.

Mr. Ruiz made a motion to approve the resolution consenting the to the creation of the proposed Travis County Emergency Services District No 17 in the ETJ only. Mr. Metayer seconded the motion. The vote was: Mr. Weiss-no, Mr. Ruiz-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. Heath-yes, Mr. Rogers-no, Mayor Gonzales-no. The motion failed.

Mr. Metayer asked Ms. Breland for the timeframe on hearing from the consultant. Ms. Breland stated mid-May, provided that everyone provides information when requested. There was discussion regarding a need for participation in order to find a solution. Mayor Gonzales provided comments that today we have opened a new chapter and the City will continue to work with the ESD. He stated that he sincerely believes we can get there and he looks forward to the positive role that we will all take. There were additional Council comments.

4. Discuss only

4A. [2021-0150](#)

Executive Session: In accordance with Texas Government Code, Section 551.071 - Consultation with Attorney regarding pending or contemplated litigation or a settlement offer, or on any matters in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law, to wit: Regarding legal issues and claims related to certain conduct and communications with a city department.

Mayor Gonzales announced that the City Council was retiring to executive session on the item. He read the item and retired to executive session. The time was 6:57 p.m. He reconvened in open session at 8:13 p.m. No action was taken.

5. Adjourn

Mayor Gonzales adjourned the meeting at 8:13 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on February 23, 2021.