



City of Pflugerville

Minutes - Final - Draft

City Council

Tuesday, May 26, 2020

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=e31e688f8868b9f9847824f9994260f3e>

Meeting Code/Number: 967 142 480
Dial-in number: (US toll): = +1-408-418-9388

Public comment under Public Hearing items will be allowed via telephone/video conference at the Regular Meeting scheduled to begin at 7:00 p.m. All speakers under Public Hearing items 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.

Public comment on all items other than Public Hearing items 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. Public comment on all items other than Public Hearing items will occur under the Public Comment item. 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.

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 Gonzales called the regular meeting to order at 7:00 p.m. The meeting took place as a telephone/video conference. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. City employees attending: Sereniah Breland, City Manager; Charles Zech, City Attorney; Trey Fletcher, Assistant City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Amy Good, Finance Director; Karen Thompson, City Secretary; Emily Barron, Planning Director; Jennifer Grizwold, Library Director; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer; Gwen Holford, Digital Content Web Specialist; Shane Mize, Parks and Recreation Director; Sheila Wiora, Assistant Parks and Recreation Director; Kaitlyn Neal, Special Events Coordinator; Patricia Davis, City Engineer; Rhonda McLendon, Animal Welfare Services Director; Jessica Robledo, Police Chief; Brandon Pritchett, Utility Director.

2. Items of Community Interest

Mayor Gonzales announced that on May 29, 2020, Chief Robledo will be recognized as a 2020 Capital of Texas Latina Industry Leaders Award Honoree for Public Service from the Greater Austin Hispanic Chamber of Commerce. He congratulated her.

Mayor Gonzales reported that last Friday, Councilmember McDonald and other volunteers joined city staff at the Welcome to Pflugerville sign on FM 1825 and that the letters received new paint, the brick was washed and the flowerbeds were updated.

Mr. Weiss congratulated the seniors graduating this year. He provided a public reminder that the CDC recommends continuing to wear a mask. He recognized the PCDC for their coordination with businesses to provide Protective Personal Equipment (PPE) to the City.

Mr. Metayer also commended the business community for providing PPE and praised the Pflugerville Public Library and PflISD for partnering together to provide free books to kids. He commended the Pflugerville Rotary Club along with the Circle of Hope for delivery of food to those in need.

Mr. Heath recognized his niece on her high school graduation this year.

3. Presentation

- 3A. [2020-8429](#) Proclamation declaring Emergency Medical Services week in the City of Pflugerville.

Mayor Gonzales announced that last week was National Emergency Medical Services Week and that he has continued the recognition again this week in Pflugerville. He stated that he would like to especially recognize the Travis County Emergency Services District No. 2 (TCESD2) for their partnership with the City and for their compassionate care of our sick and injured. Chief Ron Moellenberg, TCESD2, provided comments and stated on behalf of the fire department, they are honored to serve our community.

4. Public Hearing and Ordinance First Reading

Each person providing public comment at the public hearing will be limited to 3 minutes.

- 4A. [ORD-0519](#) 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 base zoning designation of the north 60 feet of south 80 feet of east 90 feet of Lot 4, Block 10 Pflugerville Subdivision, an approximate 5,400 sq. ft. lot locally addressed as 306 N. First Street, located generally southwest of the N. First Street and E. Wilbarger Street intersection from Single Family Suburban (SF-S) to Office (O) District; to be known as the 306 N. First Street Rezoning (REZ2004-01); providing for repeal of conflicting ordinances; providing for severability; 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. Ms. Barron provided information on the rezoning request and answered questions of the Council. Jeff Coleman, applicant, spoke on the request to rezone the property to allow for him to operate his State Farm Insurance office at the location. He provided information on his business and answered questions of Council. Ms. Barron answered additional questions of Council.

Registration for comment at the public hearing was taken in advance of the meeting until 5:00 p.m.

Mayor Gonzales read written comments that were received from the following residents:

Christine Davila, Old Town resident, indicating opposition to the rezoning.

Allan Thornton and Gail Norman, Old Town residents, indicating opposition to the rezoning.

Lee and Jo Ann Van Burkelo, Old Town residents, indicating opposition to the rezoning.

The following residents spoke at the public hearing:

Chuck Lesniak, Old Town resident, spoke in opposition to the rezoning.

Robert van de Geijn, Old Town resident, spoke in opposition to the rezoning.

Ms. Barron answered additional questions of Council. Mr. McDonald asked who is serving on the downtown subcommittee and asked if they have talked about the Central Business District boundaries. Mr. Weiss stated that he does not think that they will change the boundaries, but they need to make it clear where the boundaries are. It was noted that the Council had unanimously approved the Downtown Action Plan and that expectations need to be set. Ms. Barron noted that even if the boundaries change, it will not preclude someone from seeking a rezoning. Council discussion followed with Ms. Barron.

Mr. McDonald stated that the hours of Mr. Coleman's business are 8:30 a.m. to 5:00 p.m. and that he thinks that is a better buffer than townhomes. He stated that he cannot think of a better buffer area with only daytime hours and an occasional Saturday. There were no additional requests to speak at the public hearing. Mr. Heath made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

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

5. Public Comment

Registration for public comment was taken in advance of the meeting until 5:00 p.m.

Mayor Gonzales read written comments that were received from the following residents regarding item 11B:

Melanie Knox, resident of Settler's Ridge, requesting that Pfun Camp be opened.

Joetta Houghton, resident of Falcon Pointe, requesting that Pfun Camp be opened.

The following resident spoke under public comment:

Robert Romig, resident of Highland Park North, stated that he is on the Planning and Zoning Commission, but is speaking only as an individual. He indicated to speak on item 7B to speak to his concerns for the buffer zone and his concern with the request for CL4 when there is no plan in place. He stated that he believes the landowner will be selling the land to a developer and with CL4 there are no restrictions.

Reading of the Consent Agenda

Mayor Gonzales noted that item 7B is being removed from the agenda this evening with action to be considered on second reading on June 9, 2020. Items 7B and 9A were 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-0524](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the fourth amendment to the FY20 Budget for the City of Pflugerville; and providing an effective date (Membranes, Truck, WWTP Repairs, Solid Waste).
- The ordinance was approved on first reading on the consent agenda.

7. Ordinances Second Reading

- 7A. [ORD-0520](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville Readopting Code of Ordinances Title IX General Regulations, Chapter 95 Parks and Recreation Subchapter 95.50 Youth Programs Standards of Care; Replacing all ordinances in conflict; containing a savings clause and declaring an effective date.
- The ordinance was approved on second and final reading on the consent agenda.

8. Approval of Minutes

- 8A. [2020-8409](#) Approval of the minutes of the May 12, 2020 Regular Meeting.
- The minutes were approved on the consent agenda.

9. Resolutions

- 9B. [RES-0725](#) Approving a resolution denying application for approval of a rate change submitted by Oncor Electric Delivery Company, LLC and providing authorization to participate in proceedings at the Public Utility Commission of Texas.
- The resolution was approved on the consent agenda.

10. Other Actions

- 10A. [2020-8310](#) Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Cardinal Crossing Phase 3 Condo development located generally in between Black Locust and Pflugerville Parkway at 601 East Pflugerville Parkway and authorizing the City Manager to execute the agreement.
- The item was approved on the consent agenda.

Action on the Consent Agenda

Mr. Heath made a motion to approve the consent agenda as read. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

Ordinances Second Reading - Removed from the Consent Agenda

- 7B. [ORD-0502](#) 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 24.86 acre tract from Agriculture/Development Reserve (A) District to Suburban (Level 3: CL3) District and an approximate 131.55 acre tract from Agriculture/Development Reserve (A) District to Urban (Level 4: CL4) District, all out of the Seffrin Eiselin Survey No. 4, Abstract No. 265 of the real property records of Travis County, Texas; to be known as the Timmerman 2020 Rezoning (REZ1911-04); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

The item was removed from the consent agenda and there was no discussion or action on the item. The item was to be considered on second reading on June 9, 2020.

Resolutions - Removed from the Consent Agenda

- 9A. [RES-0720](#) Approving a resolution authorizing participation in the Texas Association of School Boards (TASB) Energy Cooperative and authorizing the City Manager to execute an Interlocal Participation Agreement and related Electricity Agreement.

Mayor Pro Tem Peña stated that it looked like this would save money and he wanted to receive some details. Ms. Good provided information and reported an estimated savings of \$50,000 to \$75,000 annually. Mayor Pro Tem Peña asked if this would be a variable rate or fixed rate agreement. Ms. Good indicated a fixed rate agreement. Mayor Gonzales asked if they might be locked in if better rates are available in the future. Ms. Good indicated yes. Mr. Heath asked if a risk assessment had been done. Ms. Good indicated no. Ms. Good answered additional questions of the Council and there was further discussion. Mr. Metayer made a motion to approve the item. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

12. Discuss only

- 12A. [2020-8424](#) Discussion regarding the 5-year Capital Improvement Plan for FY 2021-2025 related to transportation, parks, facilities, water, wastewater and reclaimed water.

Mayor Gonzales stepped away from the meeting and Mayor Pro Tem Peña was presiding. The time was 8:06 p.m. Mayor Gonzales returned to the meeting

during discussion on the item at 8:08 p.m. Ms. Giannini and Mr. Mize presented on the item and answered Council questions.

12B. [2020-8410](#)

Discussion regarding reestablishment of City services, programs and events.

Ms. Breland stated that she heard that there are currently 100 cars at the lake and people are fishing even though only the trail is open. Ms. Breland stated that Mr. Weiss has suggested a phased approach to reopening Lake Pflugerville and she thinks they could open the boating launch, fishing and field use.

Mayor Pro Tem Peña recommended just opening the lake, but keeping it within the Travis County guidelines.

Mr. McDonald stated that he is hearing what they are saying and understands their frustration, but stated it is their job to provide regulations to keep people safe.

Mr. Weiss stated that he thinks it would be irresponsible to open the north side.

Mr. Marsh recommended to open lake facilities with clear guidance.

Mayor Pro Tem Pena recommended mirroring Travis County. Ms. Breland explained there are still restrictions with Travis County and the restrictions are not the same across all their parks.

Ms. Breland explained that she tends to agree with Mr. Weiss's phased approach.

Mr. Marsh stated that he thinks if it is an open space that it is open. Mr. Heath stated that he thinks that is keeping with Mr. Weiss' recommendation.

Mr. McDonald asked about Pfun Camp. Ms. Breland stated that she is not recommending opening Pfun Camp. She stated that Round Rock has opened their summer camp, but Georgetown, Cedar Park and Hutto have cancelled their kids camps.

There was continued discussion regarding Lake Pflugerville.

Mr. Heath asked for further discussion regarding Pfun Camp due to the needs of working parents. He asked if there are other programs the parents could look at. Discussion followed. Mr. Weiss stated that he believes the school district has their extended day program. Mr. Marsh asked what if they opened and stayed outside all the time. Mayor Gonzales asked if we could staff and gear up at this time. Ms. Breland stated that it is possible but would be difficult. Ms. Breland stated that since the stay at home order is in effect, and children cannot social distance, city staff was not planning to open Pfun Camp. Mr. Marsh stated he is at the will of the Council regarding Pfun Camp but that he thinks they would have to keep them outside all the time and he is not sure that is a viable thing.

Mr. Metayer stated that he likes the phased approach that Mr. Weiss talked about for reopening of Lake Pflugerville. Mr. McDonald stated that he likes the way Mr. Marsh put it to look at activities that encourage open instead of closed

and to allow people to be outside and not be concentrated. He stated that he is still leery of opening the Recreation Center and the Library but he thinks the phased approach makes a lot of sense and gives us time as things are rolled out to put the proper safeguards in place. Mr. McDonald stated that he is concerned about Pfun Camp. He stated that he knows the community needs a place for kids to go, but he is trying to balance that with the warnings from Dr. Escott. He said that he is going to have to err on the side of caution and say that Pfun Camp is closed for 2020. Mr. Heath stated he thinks that it is a mute point now since staff may not be able to ramp up.

Ms. Breland indicated that she can provide the phased approach with playgrounds and restrooms still closed at Lake Pflugerville. She asked that Council allow her and the Mayor to make these decisions on the reopen plan. Council was in support of the plan to move forward.

11. Discuss and consider action

- 11A. [2020-8406](#) Approving a professional services agreement with Freese and Nichols, Inc. in the amount of \$257,470 for professional services associated with the preparation of a Comprehensive Plan and authorizing the City Manager to execute same.

Mayor Gonzales announced that Mayor Pro Tem Peña was abstaining from the item due to a potential conflict of interest in that his brother in law is employed with Freese and Nichols.

Mr. Heath made a motion to approve item 11A. Mr. McDonald seconded the motion. Mayor Pro Tem Peña did not participate in the vote on the item. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

- 12C. [2020-8412](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code for discussion regarding contractual issues relating to the Grand Avenue Parkway Pavement Project. 2.) Open Session Item: Discussion regarding the Grand Avenue Pavement Project.

Mayor Gonzales announced that the Council was retiring to executive session on item 12C. He read the item and retired to executive session. The time was 9:08 p.m. Mayor Gonzales reconvened in open session at 9:45 p.m. Mayor Gonzales, Mr. Weiss, Mr. Marsh and Mr. Metayer were in attendance, constituting a quorum. There was no discussion on the item in open session and no action was taken.

13. Adjourn

Mayor Gonzales adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on June 9, 2020.