



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, April 25, 2023

7:00 PM

1611 Pfennig Lane

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#### Regular Meeting

#### 1. Call to Order

Mayor Victor Gonzales called the regular meeting to order at 7:00pm. Mayor Pro Tem Doug Weiss and Councilmembers Ceasar Ruiz, Jim McDonald, and David Rogers were in attendance. Councilmember Rudy Metayer joined the meeting at 7:27pm. Councilmember Kimberly Holiday 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; Jeremy Frazzell, Planning and Development Services Director; Erin Sellers, Innovation Strategist; Brandon Pritchett, Public Utility Director; Evan Groeschel, Operations Director; Sara King, Assistant Finance Director; Breanna Higgins, Assistant to the City Manager; Jason Haun, Emergency Management Coordinator; Jason O'Malley, Police Chief; Makeba Lewis, Commander; Cassie Balderas, Public Information Officer; Shane Mize, Parks and Recreation Director; Andrea Brinkley, CIP 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. Items of Community Interest

Mayor Gonzales introduced Talk the Walk program where councilmembers will be available to talk walking along city trails. Mayor Gonzales stated the first event is May 4th at Lake Pflugerville Park at 5:30pm.

Mayor Gonzales stated the Slice of Pflugerville event is Saturday, April 29th

from 11am to 6pm downtown.

Mayor Gonzales stated Pflugerville Farmers Market is back on Tuesdays, May 2 through October 31 at Heritage Park from 3 to 7pm.

Mr. Ruiz discussed Honor Flight to assist veterans to get to Washington D.C. to see some of the monuments erected in the honor. Mr. Ruiz stated it was recently announced that six Pflugerville area residents have been selected to join the next Honor Flight.

Mayor Pro Tem Weiss stated he and Mr. Metayer were honored to attend an event called Our Community Salutes and witness those who have chosen to serve their country following high school.

Mr. Rogers stated the Pflugerville High School cheer team went to competition in San Antonio and were grand champions at their competition.

#### 4. Public Comment

Adam Rosenfield stated he is an avid runner and Lake Pflugerville has not had water at the main area for the past four months. Mr. Rosenfield stated parks in east Pflugerville do not have a lot of shade which limits play. Mr. Rosenfield suggested conducting an audit every season to see if the parks are safe, have water, and have shade.

Chad Marsh discussed working on a plan in the SH45 corridor and Heatherwilde. Mr. Marsh stated one of the hurdles is the emphasis on corporate offices in the area. Mr. Marsh discussed work from home dynamic and size of corporate offices. Mr. Marsh provided information about office space in Austin and the current market.

Phillip Welch expressed concerns about limitations of the proposed TIRZ reimbursement policy and staff agreed to meet with him to discuss. Mr. Welch stated additional context should be added for flexibility and provided examples. Mr. Welch discussed infrastructure challenges and stated they are committed to investing.

Robert Wall shared his experience with tax increment financing in other cities. Mr. Wall discussed infrastructure improvements and meshing city goals with what the developer can do and market conditions. Mr. Wall discussed development and mutual goals stating the increment can be helpful in meeting those goals.

Rick Rosenberg stated TIRZ policies are most successful when they incorporate input from private sectors and expressed gratitude to staff for their cooperation. Mr. Rosenberg stated that broad and flexible processes are the most successful and market dynamics should be taken into account. Mr. Rosenberg discussed the impact of mixed-use projects and the role of developers.

Stuart Shaw stated he is looking forward to working with council staff on development of the land between SH130 and Heatherwilde. Mr. Shaw discussed needs for the area and the first phase of the development plan. Mr. Shaw discussed critical mass for the area and needing everything to go

together for the land.

Tim Timmerman stated the key takeaway is that the office market will take many years to change. Mr. Timmerman stated he thinks the TIRZ is a very good idea and the policy needs flexibility in land uses. Mr. Timmerman stated demand levels have changed and there is more work to be done.

Kasey Liva spoke about the Fairfield PUD Rezoning stating focus seems to be on zoning more than planning. Ms. Liva stated the developers have been great at communicating with the neighborhood. Ms. Liva discussed flooding in the land due to development and expressed concern about the intersection traffic that is already awful.

Alice Duerr spoke about the Steeds Crossing Mixed-Use proposal and discussed issues with the traffic in the area. Ms. Duerr stated the developer of the property has been very gracious and she would like some thing to help mitigate the traffic issues as adding more residents in the area will only make it worse.

## 5. Presentation

- 5A. [2023-0285](#) Mayor's proclamation declaring May 2023 as Motorcycle Safety and Awareness Month in the City of Pflugerville.  
Mayor Gonzales read the proclamation and presented it to David Rosenbaum.
- 5B. [2023-0400](#) Mayor's proclamation declaring the week of May 1 to May 5, 2023 as Air Quality Awareness Week in the City of Pflugerville.  
Mayor Gonzales read the proclamation and presented it to Bill Dyess, Environmental Specialist.
- 5C. [2023-0405](#) Mayor's proclamation declaring the week of May 8 to May 12, 2023 as Economic Development Week in the City of Pflugerville.  
Mayor Gonzales read the proclamation and presented it to Amy Madison, Pflugerville Community Development Corporation Executive Director.

## Reading of the Consent Agenda

Ms. Evans read the captions of the ordinances stating items 6L., 6N., and 6O. were removed from the consent and all remaining items on the consent agenda may be acted upon in a single motion.

## 6. Other Actions

- 6A. [ORD-0707](#) Approving an ordinance on first reading with the caption reading: an ordinance of the City of Pflugerville, Texas, amending Chapter 90 Animal Welfare Ordinance of the City of Pflugerville, Texas, Code of Ordinances, approving fees to be charged by Pflugerville Animal Welfare Services, as authorized by state statute; repealing all ordinances to the extent they are in conflict; providing severability; and providing an effective date.

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

- 6B.**    [ORD-0709](#)    Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville, Texas Vacating approximately 0.0057 acre tract of land situated in the H.W. Farley Survey, Abstract 288, Travis County, Texas, and being a portion of Russell Street, also known as 1st Street, in the City of Pflugerville, Texas; Authorizing the City Manager to execute any documents necessary; providing that this Ordinance shall be cumulative; repealing all Ordinances to the extent they are in conflict; providing for severability; and declaring an effective date.

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

- 6C.**    [2023-0359](#)    Approving the minutes of the April 11, 2023 Worksession, April 11, 2023 Regular Meeting, and April 17, 2023 Worksession.

**The minutes were approved on the consent agenda.**

- 6D.**    [2023-0382](#)    Approving a construction agreement with Andale Construction, Inc. in the amount of \$437,321 for placement of HA5, a pavement preservation application and part of the Pavement Maintenance Program, on designated City streets and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6E.**    [2023-0200](#)    Approving a professional services agreement with Garver in the amount of \$83,640 for professional engineering services associated with the Williamson County Return Flows Project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6F.**    [2023-0388](#)    Approving a Construction Manager at Risk contract with PLW Waterworks, LLC in the amount of \$1,502,344 for the Wilbarger Creek Regional Wastewater Treatment Facility Phase 1 construction Project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6G.**    [2023-0385](#)    Approving a professional services agreement with Ardurra Group in the amount of \$8,738,195 for Construction Management and Inspection Services associated with the Wilbarger Creek Regional Wastewater Treatment Facility Project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6H.**    [2023-0392](#)    Approving a professional services agreement with Terracon Consultants, Inc. in the amount of \$931,289 for Construction Materials Testing

services associated with the Wilbarger Creek Regional Wastewater Treatment Facility project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6I. [2023-0387](#) Approving a professional services supplemental agreement with Garver, LLC in the amount of \$6,881,860 for Professional Engineering services associated with the Wilbarger Creek Wastewater Treatment Plant project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6J. [2023-0384](#) Approving a professional services agreement with Carollo Engineers in the amount of \$6,942,173 for Construction Management and Inspection Services associated with the Water Treatment Plant Expansion to 30 MGD Project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6K. [2023-0389](#) Approving a Work Authorization with Seven Arrows Land Staff, Inc. in the amount of \$416,000 for right-of-way and appraisal services associated with 27-inch Kelly Lane Wastewater Interceptor Project, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

- 6M. [2023-0396](#) Approving the procurement of a replacement well pump in the amount of \$131,600, and authorizing the City Manager to execute the same.

**The item was approved on the consent agenda.**

### **Action on the Consent Agenda**

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

**Items pulled from the consent agenda will be addressed under Item 9.**

## **7. Public Hearings and Ordinance First Readings**

- 7A. [ORD-0703](#) 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 amending the Planned Unit Development (PUD) District designation as approved in Ord. 1396-19-06-11 of lots 1, 2, 3, 4, and 5 of the Pflugerville Farms Subdivision of the Real Property Records of Travis County, to be known as the Pflugerville Farms PUD (2022-6-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 provided information about the location and the request of amendments to the development regulations for Phase 2. Mr. Frazzell discussed the increase in maximum units from 473 to 583, allowance of four story buildings, and an increase in the height maximum. Mr. Frazzell answered questions from council about the location. Mr. Metayer provided comment about the look of the building stating he liked the design. Mayor Pro Tem Weiss asked if there was any additional traffic study. Mr. Frazzell stated as the development comes staff will be looking at roadway impact fees and a traffic impact analysis. Mr. Metayer asked if the ISD was informed. Mr. Frazzell stated they have been made aware of all the projects on the agenda. Mayor Pro Tem Weiss discussed building length and breezeway requirements asking why the requirement was changing. Mr. McDonald asked about how residents leave in emergency situations. Michelle Hausman, application representative and Tim Harris with Rosewood Development provided information about the design.

Mr. Harris discussed centralized parking in the parking garage and discussed visibility. Mr. Ruiz asked if the garage would be built to allow another level on top. Mr. Harris stated it will not be built that way. Mr. Metayer provided comment about building with adaptability. Mayor Pro Tem Weiss asked what the city gained with increased density. Mr. Harris discussed high quality units for the rent and stated they are dedicated to providing an exterior building facade the community can be proud of. Mayor Pro Tem Weiss stated when there is an increase in residential density, increase in commercial space is typical. Discussion followed regarding concerns over additional residential density without additional commercial space.

There was no one present wishing to speak under the public hearing. Mayor Pro Tem Weiss moved to close the public hearing. Mr. Metayer seconded the motion. All voted in favor the motion carried.

Mr. McDonald moved to approve the ordinance on first reading. Mr. Rogers seconded the motion. Discussion followed regarding procedure to postpone the item to allow the developers to return with amendments. Mr. McDonald withdrew his motion.

Mr. Metayer moved to postpone the item until the May 23rd council meeting. Mr. McDonald seconded the motion. The vote was as follows: Mr. Ruiz - yes, Mayor Gonzales - yes, Mr. McDonald - yes, Mr. Metayer - yes, Mr. Rogers - no, Mayor Pro Tem Weiss - yes. The motion carried.

**7B.**    [ORD-0704](#)

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 approximately 11.858 acres of unplatted land, out of the Jacob Casner Survey No. 9, Abstract No. 2753, in Pflugerville, Texas, from Agriculture/Development Reserve (A) District, to Planned United Development District with a base zoning district of Urban Corridor: Level 4 (CL4); to be known as the Fairfield PUD Rezoning (2022-5-PUD); Providing for Repeal of conflicting ordinances; providing for

non-severability; and providing an effective date.

**Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell provided background information on the area stating a previous PUD application was denied and this is a revised application. Mr. Frazzell provided information about the surrounding areas and stated the updated application includes more commercial space. Mr. McDonald discussed traffic in the area. Discussion followed regarding Williamson County work in the area. Mr. Frazzell reviewed the concepts of the development and walkability in the area. There was no one present wishing to speak under the public hearing. Mr. McDonald moved to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**

**Mr. Metayer moved to approve the ordinance on first reading. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.**

**7C. [ORD-0705](#)**

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 approving a Specific Use Permit for a Body Art Studio on approximately .03-acres zoned general business district located at the existing 2512 W Pecan St, Unit 110, to be known as the Vice and Virtue Body Art Studio, providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date.

**Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell provided information about the proposed body art studio location stating the zoning of the area allows it as long as they go through the specific use permit process. Mr. Frazzell stated the Planning and Zoning Commission approved it unanimously with conditions that the unit would contain the use and no modification of the suite to differentiate from others in the facilities. The applicant, Nathan Hebert, provided information about the business stating it would close at 7pm and the artists are booked out six months to a year. Mr. Hebert answered questions from council about the location stating looking for an environment like Pflugerville. 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. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.**

**Mr. Rogers moved to approve the ordinance on first reading. Mr. Ruiz seconded the motion. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.**

**7D. [ORD-0706](#)**

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 approximately 8.279 of platted land situated in the J. Casner Survey, Abstract No. 2753, Travis County, Texas, from Agriculture/Development Reserve (A) to Suburban (Level 3: CL3) and Urban (Level 4: CL4); to be

known as the Mixed-use Project at Steeds Crossing Rezoning (2023-1-REZ); 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 about the six lots along Steeds Crossing and reviewed the adjacent zoning and land use. Mr. Frazzell stated the intent is to provide additional opportunities for housing and development. Mr. Ruiz asked about the plan for the land. The owner's representative provided information about the plan for residential on top of commercial. Discussion followed regarding the market and viability of the plan options. 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.**

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

**7E. [ORD-0711](#)**

Conduct a public hearing and consider approving an ordinance on first 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.

**Mayor Gonzales read the caption of the ordinance and opened the public hearing. Mr. Mize stated there have been no changes from the last Youth Programs Standards of Care. There was no one present wishing to speak under the public hearing. Mr. Rogers moved to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried. Mr. Metayer moved to approve the ordinance on first reading. Mr. Rogers seconded the motion. All voted in favor. The motion carried.**

**8. Regular Agenda**

**8C. [2023-0403](#)**

Discuss and consider action regarding event funding for American Legion Memorial Day event.

**Mayor Gonzales opened the item for discussion. Representatives from American Legion Kerlin Lyerly Post 154 provided information about the event stating it is an inaugural event and would like help with the stage, chairs, podium, and sound system. Mr. Metayer the support the American Legion has provided the community. Discussion followed regarding detail and time of the event. Discussion followed regarding the stage rental policy and location of the stage for this event. Ms. Breland stated the location will need to approve the stage being present.**

**Mr. Metayer moved to approve waiver of fees for hanging the banner, 25 chairs, podium, sound system, and utilization of stage pending approval by the location. Mayor Pro Tem Weiss seconded the motion. All voted in favor. The motion carried.**

**8A. [2023-0342](#)**

Discuss and consider action regarding canceling the June 13, 2023 City



Council Worksession and Regular Meeting.

Mayor Gonzales opened the item for discussion. Ms. Breland provided information about other cities who cancel meetings and discussed the staff's budget schedule. Discussion followed regarding dates to cancel. Mr. Metayer moved to cancel the June 13, 2023 City Council Worksession and Regular Meeting. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.

**8B.** [RES-1102](#)

Discuss and consider action to approve a resolution in support of the "CROWN" Act.

Mayor Gonzales opened the item for discussion. Mayor Pro Tem discussed city policies, stating there are no dress codes or other policies that would restrict hair styles. Mr. Metayer stated he is proud of council and staff for working on this issue. Mr. Metayer stated this makes a big difference to some of the citizens who feel like they are not heard or are not addressed. Mr. Metayer moved to approve the resolution. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

**8D.** [RES-1103](#)

Discussion regarding adopting Tax Increment Reinvestment Zone No. 1 Reimbursement Policy.

The item was discussed in the previously posted worksession.

**8E.** [2023-0364](#)

Discussion regarding Black Pflugerville's Juneteenth event.

The item was discussed in the previously posted worksession.

**8F.** [2023-0394](#)

Discussion regarding After Action Review of Winter Storm Mara.

The item was discussed in the previously posted worksession.

**9. Discuss and Consider Items Pulled from Consent Agenda**

**6L.** [2023-0395](#)

Approving the procurement of water treatment membrane modules in the amount of \$625,335, and authorizing the City Manager to execute the same.

Ms. Evans read the item. Mr. Pritchett provided information about the current membranes stating they are currently slated for replacement. Mr. Pritchett stated ordering them before the contract expires will save the City over \$300,000. Mayor Pro Tem Weiss moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**6N.** [2023-0390](#)

Approving a resolution of support for projects to be considered for a proposed Williamson County Bond Election.

Ms. Evans read the item. Mr. Rogers asked about providing projects for consideration to Williamson County. Mr. Metayer stated Pflugerville is respected in the region and Williamson County came the city asked what Pflugerville would like to see in the projects. Mr. Metayer provided comment about the relationship with Williamson County and Pflugerville's vision. Mr. McDonald discussed providing support across entities. Mr. Rogers moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The

motion carried.

60. [2023-0381](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a Fiscal Year 2023 Bullet-Resistant Shield Grant award from the Office of the Governor's Criminal Justice Division in the amount of \$54,000 for the funding to purchase sixteen (16) bullet-resistant shields and authorizing the City Manager to purchase the shields upon award acceptance.

**Ms. Evans read the item. Mr. Rogers asked why these particular items were requested. Commander Lewis stated it is a grant funded opportunity that would fund equipment for officer safety. Commander Lewis the grant would fund 16 shields and they can be spread across the patrol shifts. Discussion followed regarding the grant funding and situations during which the shields would be used. Mr. McDonald moved to approve the item. Mr. Rogers seconded the motion. All voted in favor. The motion carried.**

## 10. Adjourn

Mayor Gonzales adjourned the meeting at 9:48pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as submitted on May 9, 2023.