



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, August 25, 2020

7:00 PM

100 East Main Street, Suite 500

Regular Meeting (Telephone/Video Conference)

The City Council is scheduled to hold a Worksession starting at 5:00 p.m. Please see the Worksession Agenda for a list of items for discussion at the Worksession and how to connect to the Worksession telephone/video conference meeting.

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=e4fef0f3754c9fcb787ee7a09ab1ab552>

Meeting Code/Number: 146 293 9362

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. 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.

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 Victor Gonzales called the regular meeting to order at 7:00 p.m. The meeting was held as a video/telephone conference. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer and Jim McDonald were in attendance. Councilmember Mike Heath entered the meeting at 7:01 p.m. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Assistant City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Karen Thompson, City Secretary; Terri Toledo, Communications Director; Wade Maness, Videography Multimedia Specialist; Gwen Holford, Digital Content Web Specialist; Maggie Holman, Public Information Officer; Shane Mize, Parks and Recreation Director; Patricia Davis, City Engineer; Emily Barron, Planning Director.

2. Items of Community Interest

Mayor Gonzales provided reminders to wear a face mask, maintain six feet of social distancing and to limit gatherings to 10 people or less in compliance with State and County orders and asked that all trail users practice social distancing and properly dispose of trash. He announced that the City has partnered with the Pflugerville Community Development Corporation (PCDC) and Pflugerville Chamber of Commerce to launch the Pflugerville Cares Small Business grant program. He announced that Erin Byrne was the winner of the virtual employee talent show for her custom song and video, "Pflugerville Rawks." The video was played.

Mr. Metayer thanked the Pflugerville Police Officers that participated in the regional response to the shooting incident in Cedar Park.

3. Public Hearing

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

3A. [2020-8597](#) Conduct a public hearing on the proposed property tax rate of \$0.4863.

Mayor Gonzales read the item and opened the public hearing. Ms. Nations presented information on the proposed budget and property tax rate and answered questions of Council. There was discussion. Mr. Fletcher answered questions regarding the proposed transit program.

Mayor Gonzales stated that registration to speak at the public hearing was taken until 5:00 p.m. and that one written comment was received from Bob Reichenbach, Saxony resident. Mayor Gonzales read the written comments. Mr. Reichenbach indicated support for item 3A with the lower property tax rate for residents but concern for approval of a bond election, which if passes, would roughly double the city's debt. He asked that the Council vote no tonight on item 5A on the budget and to do a more detailed review before they pass it and cut out or reduce the amount for those items that have increased by 10%.

Mayor Gonzales stated that there were no additional written comments or requests to speak at the public hearing. Council discussion followed with input from Ms. Breland and Ms. Nations.

Mr. Metayer made a motion to close the public hearing. Mr. Marsh seconded the motion. All vote in favor. The motion carried.

4. Public Comment

Mayor Gonzales stated that registration to speak under public comment item was taken until 5:00 p.m. and there were no written comments or requests to speak under the item.

5. Ordinances First and Final Readings

- 5A. [ORD-0534](#) 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 2021 Budget for the City of Pflugerville, Texas.

Mayor Gonzales read the item to include the caption of the ordinance for consideration. He stated that they reviewed the proposed budget and the property tax rate under the public hearing item. He asked if there was additional discussion. Mr. Heath stated that he would like to consider postponing the transit pilot program until next year to coincide with the opening of Amazon in late 2021. He stated he would also like to postpone the merit raises for six months in the budget to provide at savings of approximately \$716,000 and to lower the property tax rate to .4755. Mr. McDonald stated that they have been planning for the transit pilot program since he started on the dais. He stated that he does not think that it should be based on the Amazon opening. Mr. Heath stated that it is not just that, but it is also a COVID time and people will not be comfortable riding a bus now. Mr. Marsh stated that he is supportive of delaying the transit program but not the raises. He spoke to his concerns for lowering the property tax further. Mayor Gonzales indicated to agree. There was Council discussion. Mr. Weiss made a motion to approve the ordinance adopting the Fiscal Year 21 budget as presented. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

- 5B. [ORD-0536](#) Discuss and consider action to approve an ordinance on first and final reading with the caption reading: Tax Levy Ordinance of the City of Pflugerville, Texas for Fiscal Year 2021.

Mayor Gonzales read the item to include the caption of the ordinance for consideration. He asked if there was additional discussion. Mr. McDonald made a motion to approve the ordinance adopting the tax levy ordinance on first and final reading as presented. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

6. Resolution

- 6A. [RES-0747](#) Discuss and consider action to approve a Resolution Ratifying the Property Tax Increase Reflected in the City's Fiscal Year 2021 Operating Budget.

Mayor Gonzales opened the item for consideration. Mr. McDonald made a motion to approve. Mr. Weiss seconded the motion. There was Council discussion on the item with input from Ms. Breland, Ms. Thompson and Ms. Nations. Mr. McDonald restated his motion to approve the resolution as presented. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

Reading of the Consent Agenda

Item 10E was removed from the consent agenda. Ms. Thompson read the items to include the caption of the ordinance under consideration.

7. Ordinances Second Reading

- 7A. [ORD-0535](#) Approving an ordinance 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 (FY21 Fee Schedule).

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

8. Approval of Minutes

- 8A. [2020-8600](#) Approval of the minutes of the August 11, 2020 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

9. Resolutions

- 9A. [RES-0750](#) Approving a resolution authorizing the City Manager to execute renewal of an Interlocal Cooperation Agreement for Public Health Services between the City of Austin and the City of Pflugerville.

The resolution was approved on the consent agenda.

- 9B.** [RES-0739](#) Approving a resolution with the caption: A resolution of the City Council of the City of Pflugerville, Texas, authorizing the City Manager to enter into a Landscape Maintenance License Agreement for the Verona Subdivision pursuant to the First Amended and Restated Development Agreement for New Cele Subdivision (Creekside Park) to allow for landscaping improvements within the public rights-of-way to be installed and maintained by the homeowner's association; and providing an effective date.

The resolution was approved on the consent agenda.

- 9C.** [RES-0752](#) Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting a Stormwater Facilities Maintenance Covenant, License and Agreement for Rowe East Pond Maintenance between Rowe Land Development Partners, LP ("Owner") and the City of Pflugerville ("City").

The resolution was approved on the consent agenda.

- 9D.** [RES-0753](#) Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting a Stormwater Facilities Maintenance Covenant, License and Agreement for Rowe West Pond Maintenance between Rowe Land Development Partners, LP ("Owner") and the City of Pflugerville ("City").

The resolution was approved on the consent agenda.

- 9E.** [RES-0755](#) Approving a resolution authorizing an updated Municipal Maintenance Agreement with the Texas Department of Transportation (TxDOT) and authorizing the City Manager to execute the same.

The resolution was approved on the consent agenda.

- 9F.** [RES-0751](#) Approving a resolution amending authorized representatives for the Texas Local Government Investment Pool "Texpool".

The resolution was approved on the consent agenda.

10. Other Actions

- 10A.** [2020-8599](#) Authorizing the City Manager to execute documents approving Trey Fletcher, Assistant City Manager and Lauren Henkes, Assistant Finance Director, as authorized signers for the Lone Star Investment Pool.

The item was approved on the consent agenda.

- 10B.** [2020-8551](#) Approving an Economic Development Performance Agreement (EDPA) between Pflugerville Community Development Corporation (PCDC) and

Football Fit Pflugerville, LLC, not to exceed \$150,000 for the purpose of marketing and advertising the City of Pflugerville.

The item was approved on the consent agenda.

- 10C. [2020-8610](#) Approving the Pflugerville Community Development Corporation (PCDC) FY21 Budget.

The item was approved on the consent agenda.

- 10D. [2020-8493](#) Approving an agreement with Kimley-Horn and Associates, Inc. in the amount of \$99,987.00 for professional engineering services associated with Phase 1 of the Signal System Improvements Plan Implementation and authorize the City Manager to execute the same.

The item was approved on the consent agenda.

- 10F. [2020-8603](#) Approving an Amended And Restated Agreement For The Transfer Of Water Certificate Of Convenience And Necessity Service Area (Property Within City Limits) with Manville Water Supply Corporation (WSC) and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

Action on the Consent Agenda

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

Other Actions - Removed from the Consent Agenda

- 10E. [2020-8574](#) Approving a City of Pflugerville and Pflugerville Independent School District Interlocal Agreement for Administration of CRF Funding under the CARES Act and authorize the Mayor to execute said agreement.

Mayor Pro Tem Peña indicated concerns for having the agreement as an "up to" amount instead of a specific dollar amount. Mr. Hartshorn provided information. Council discussed their concerns. Mr. Hartshorn stated that the Pflugerville ISD is willing to do the interlocal agreement will the promise of receiving any amount of money that would be available. There was continued discussion. Mr. Weiss made a motion to approve 10E as presented. Mr. McDonald seconded the motion. Mr. Marsh confirmed with Mr. Hartshorn that they are still seeking city opportunities. 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. Mr. Hartshorn was to provide an update to Council at the end of September.

11. Discuss and consider action

- 11A. [2020-8541](#) Discuss and consider action to approve the selection of Freese and Nichols, Inc. for professional engineering services associated with the

preparation of an Industrial Pre Treatment Program and authorizing the City Manager to execute a professional services agreement in the amount of \$399,509.

Mayor Gonzales read the item for consideration. Mayor Pro Tem Peña abstained on the item due to a possible conflict of interest in that he has a family member employed with Freese and Nichols. He exited the meeting. Mr. Pritchett presented on the item and answered questions of Council. There was discussion. Mr. Heath made a motion to approve as presented. Mr. McDonald seconded the motion. Mayor Pro Tem Peña abstained from all discussion on the item and did not participate in the vote on the item. All others voted in favor. The motion carried.

11B. [2020-8546](#)

Discuss and consider action to approve a professional services supplemental agreement with Garver in the amount of \$1,220,657.00 to provide owner representative services associated with the Surface Water Treatment Plant Expansion Project and authorizing the City Manager to execute same.

Mayor Gonzales read the item for consideration. Mayor Pro Tem Peña rejoined the meeting. Ms. Giannini presented and answered questions of the Council. There was discussion. Ms. Giannini stated that she has very limited staff and this is important for this critical project. Mr. Metayer made a motion to approve as presented. Mr. McDonald seconded the motion. Mr. Heath stated that next time he would like the agreement to include the audited overhead rate to show that the profitability of the company is fair. All voted in favor. The motion carried.

12. Adjourn

Mayor Gonzales adjourned the meeting at 8:23 p.m.

Respectfully submitted,

**Karen Thompson
City Secretary**

Approved as presented on September 8, 2020.