



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, February 2, 2021

6:00 PM

201 East Pecan Street

Special Joint Meeting hosted by Travis County Emergency Services District No. 2

Notice is hereby given that a special joint meeting of the Board of Commissioners of Travis County Emergency Services District No. 2 (the District), the Travis County Commissioners Court, the City Council of Pflugerville, and the Pflugerville Professional Firefighters Association Local 4137 Board of Officers will be held on Tuesday, February 2, 2021 at 6:00 p.m. at the Travis County Emergency Services District No. 2 Headquarters located at 201 East Pecan Street, Pflugerville, Texas, for the following purposes.

Due to the state of emergency and/or local disaster caused by the COVID-19 pandemic, this meeting may be held via telephone conference call because of the difficulty and risks of convening a quorum in one location. If initiated, the call will be broadcast at the meeting location and recorded as required by the Texas Open Meetings Act. The public may participate in the meeting via the internet at www.zoom.us/join and entering meeting ID 831-848-643.

This meeting is being hosted by the Travis County Emergency Services District No. 2 Board of Directors (the Board). Individual members of the public wishing to address the Board at a meeting held over telephone/video conference must register to speak at least 2 hours in advance of the Board Meeting by email to info@pflugervillefire.org or calling (512) 251-2801. For telephone/video conference meetings, those individuals must be on the phone line or logged into the video conference at least 15 minutes prior to the start of a meeting to sign-in and prepare to speak. Individual members of the public wishing to submit written comments must submit them by email to info@pflugervillefire.org or calling (512) 251-2801 at least 2 hours in advance of the meeting. Individual members of the public may address the Board for a maximum of 3 minutes on any matter. Members of the public may collectively address the Board for a total of 30 minutes on any single matter. Individuals may address the Board once per item. No formal action, discussion, deliberation, or comment will be made for items not on this agenda.

1. Call to order

Mayor Victor Gonzales called the special meeting to order at 6:00 p.m. The meeting was held by telephone/videoconference and hosted by the Travis County Emergency Services District No. 2. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Ceasar Ruiz, Rudy Metayer, Mike Heath and David Rogers were in attendance. City employees attending: Sereniah

Breland, City Manager; Megan Santee, Assistant City Attorney; Trey Fletcher, Deputy City Manager; James Hartshorn, Assistant City Manager; Terri Toledo, Communications Director; Karen Thompson, City Secretary.

Travis County Emergency Services District No. 2 Representatives in attendance:
Board of Commissioners: Mike Bessner, April Griffin, Mike Howe, Robert Turner, Rico Reyes.
Staff: Ron Moellenberg, Nick Perkins, Jessica Frazier, John Carlton.

Pflugerville Professional Firefighters Association representatives in attendance: Josh Stubblefield, Trevor Stokes.

2. Public Comment

Registration for public comment was taken by the Travis County Emergency Service District No. 2. Mike Bessner read a letter from Karen Cunningham, Pflugerville resident, in support of holding an election for the creation of the Travis County Emergency Services District No. 17 overlay.

Mr. Bessner recognized the following speakers providing public comment:

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

Joshua Stubblefield, President, Pflugerville Professional Firefighters Association, spoke in support of holding an election for the creation of the Travis County Emergency Services District No. 17 overlay.

Jim McDonald, Pflugerville resident, stated that he knows that there are alternative solutions, but they have a concrete solution to put before the voters and he thinks that is a good start. He stated that it does not preclude them from continuing to look at additional solutions.

Mr. Bessner called for Kevin Parkharr, but he did not respond to provide public comment.

Discuss and consider action

3. [2021-0139](#) Discuss and consider strategic planning for the District related to financial and operational projections, reviewing projected growth in revenue, population, service demand, and impact on response times and provision of service, and take any related action.

Ms. Griffin stated that they held a joint meeting in September and a lot has transpired. She stated that they are here for the benefit of the citizens and here to see how the citizens are going to be served. Mr. Heath and Mayor Pro Tem Peña provided comments regarding having a dialogue to find a possible solution. Ms. Griffin asked what the other options are. Mr. Rogers stated that one of the ideas would be to dissolve the ESD and to have the City take over the fire department. He stated that he thinks that is just one of the options, that there are a wide variety of hybrid options as well. He asked why Austin-Travis County is no longer providing any service at all. Ms. Griffin stated that they

have a petition to vote on the ESD 17 overlay in May and they have raised a solution. Mr. Rogers stated that there are clearly other solutions. He asked why Austin-Travis County EMS is not providing service. Mr. Bessner stated that is a question to ask the Travis County Commissioners. He provided information on the ESD2 District and spoke on the support for the request for the ESD 17 overlay. He stated that he thinks they need to allow the people to vote. Mr. Heath stated that it is a fiduciary responsibility to understand the financial forecast. He stated this is the basis for the decision making and has not occurred. He stated that the fiscal impact does not hit until 2023 and imminent need is not shown in their numbers. He stated that is the basis of the questions and they would like to have the answers. Chief Moellenberg stated that this is not something new, it just keeps getting kicked down the road. He stated that the ESD2 has limited taxing authority and they budget for the worst case scenario. Discussion followed. Mr. Weiss spoke on growth. Mr. Rogers stated that the ESD2 could go to the voters each year to go above the 3.5%.

Discussion followed regarding ambulance service. Mr. Bessner explained that the ESD2 has 5 transporting units and 2 unstaffed backups. Assistant Chief Perkins explained that over 160 times in calendar year 2020 they received back up from Austin/Travis County EMS. There was continued discussion.

Mr. Reyes stated that they have made a proactive solution for fire-based EMS. He stated that if they could have done it cheaper, that they would have, but they want to provide excellent service. He asked that they let the voters decide.

Mr. Heath stated that this is not date certain and critical for May. He stated that partnership and talking does not take an inordinate amount of time. He stated he wants fiscal and operations information to make good decisions. Mayor Pro Tem Peña asked what breaks if this goes to November instead of May. Mr. Reyes asked how they would adjust what they would be doing without the City and ETJ. Mr. Howe asked Mr. Carlton to provide information on the need for a May election. Mr. Carlton stated that if it is created prior to July 1, it is treated as if it is current year and after July 1, then it is treated as if it were created January 1 of the next year. Discussion continued.

Mr. Metayer indicated that Travis County is not giving back to the ESD2 for these services. There was continued discussion regarding EMS and the costs. Mr. Reyes provided information stating that Austin and private services are more expensive, that they have looked at those options. He stated that they have looked at many options.

Mayor Pro Tem Peña asked about waiting until November and the need for funding, when it would be imminent; when they would run out of money. Mr. Howe stated that they would dip into their reserves at the end of this fiscal year. He explained that if they delay, they are into reserves and they have capital projects with the equipment that goes into that. Mr. Howe stated that the long-term solution to balance the ESD2 fire and ESD 17 EMS, is the overlay. He stated that they can't dip into reserves for any length of time and they don't have unlimited taxing authority. He stated that it will be difficult to get to the full 10 cents after the next fiscal year. There was continued discussion.

Mr. Metayer stated that maybe it is on the City to also go to the County for assistance. Mr. Howe stated that he does not see that solution coming in the

short term. He stated that it could be multiple years before there is a solution that works. Mr. Reyes explained that the City does many things for its citizens and the ESD2 does one thing for a broader section. He stated that Travis County says they have to balance their resources. Mr. Metayer asked what the right answer is. Mr. Weiss stated that he appreciates how much the ESD has been able to do. He stated that he does not share the same SB2 concern with the ESD. He stated that he thinks that if they had to hold an election that it would be a safe bet to hold an election to take it to 10 cents. Mr. Weiss stated that he thinks that they are all on the same page when it comes to level of service and that he is on board with paying for that level of service. He stated that he hears that this is the level of service that our citizens want and we need to find a way to pay for that. He stated that Council believes that growth should pay for itself. He stated that he has heard that ESDs are restricted in issuing debt. He stated that maybe that is a way the City can work together with the ESD to create a lease-back option. He stated that could be a way to pay for those items instead of saving up to pay for them. He asked that the ESD work with the City on the RFP study to vet out the other options.

Mr. Howe spoke on how going to the Legislature had not been successful to not cap taxes. Mr. Carlton spoke on the legal limitations. He stated that they went to 10 cents this year, but in future years, if they get back to assessing values, they will have a declining tax rate. He stated that they can never go above 10 cents as the constitution limits ESDs to 10 cents.

Mr. Carlton spoke regarding holding elections, that there is a date in November, but that is not their regular date for election. He stated that May 2022 is not an option for the County. Mr. Weiss asked about the limit on indebtedness. Mr. Carlton provided information on the limits on loans. Mr. Weiss stated that the City would like ESD2 to help the City out with the study they have commissioned. Ms. Griffin asked for the timeline of the study. Mr. Weiss stated that he thinks it will be complete in late May. He stated that data collection would be the lengthy part. Mr. Heath stated it would be a great opportunity to partner on that. Mr. Metayer stated that they need to find viable solutions and this might be a good starting point.

Mr. Bessner invited the representatives of the Pflugerville Professional Firefighters to speak.

Mr. Stubblefield stated that they have a petition filed and a timeline on that. He stated that the City has until February 8, 2021 to give their consent or not and then that is moving forward. He asked that the Council allow the citizens to vote.

Mr. Stokes provided comments on the discussions. He stated that all EMS units were committed 160 times last year and that's once every third day. He spoke on ESD2 coverage. He stated that the City is trying to suppress the vote. Ms. Breland and Mr. Rogers provided comments in response to Mr. Stokes.

Mayor Gonzales stated that they have listened to a lot of information and that he thinks that the message that needs to be conveyed is that the City Council is asking a lot of questions because they are accountable to the voters. He stated that he understands that there is a petition. He stated he would like to look at additional options. He stated that ultimately, he thinks the City will have its own fire department through a mutual agreement. He stated that he doesn't

want to take anything away from the ESD2. He stated that he thinks we are crossing a new threshold in the relationship that we have with the fire department. He stated that we are still on a fast growth pace and it is time to come together. He recommended to maybe extend the time frame to November, that he is open to any opportunities and options to pursue.

Mr. Stokes asked for commitment from the Council to stop meddling with other cities. Mayor Gonzales stated that would be a discussion they would have to have. Mr. Rogers stated that he hasn't talked to other cities, but will now as he has free speech and Mr. Stokes does not get to deny those rights. Mr. Bessner stated that he thinks his point is that they are talking to other cities where they have no authority. Mr. Bessner stated that they have done studies on the costs and they know that they are more cost effective. He spoke on their ISO 1 rating and providing a tremendous service.

Mr. Bessner stated that he appreciated the Council and Professional Firefighters being in attendance. He stated he does not know if the Council would like to close the meeting at this time.

4. [2021-0140](#)

Discuss and consider the District's statement of services in light of the proposed overlay district, and take any related action.

Mr. Bessner asked if there was a need for discussion on the item. Mr. Carlton recommended to table the item until the City has taken action on the resolution. Mr. Weiss asked for the ESD's commitment to participating in the study and assurance they can work together. Mr. Heath asked Ms. Breland to provide information on the scope. Ms. Breland provided information and reviewed some of the documents that they may need. Mr. Bessner stated that they have not discussed the topic as a board but they would have a meeting later this week.

5. **Adjourn**

Mayor Gonzales moved to adjourn the meeting at 7:47 p.m. Mr. Bessner concurred. The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on February 23, 2021.