



# City of Pflugerville

## Minutes - Final - Final

### City Council

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Tuesday, April 27, 2021

7:00 PM

100 East Main Street, Suite 500

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#### 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=eac133729992231cd33d804efcf91183a>

Meeting Code/Number: 187 583 6696

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

Public comment 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. 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](mailto: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 by telephone/video conference. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Cesar Ruiz, and David Rogers were in

attendance. Councilmember Mike Heath joined the meeting at 7:05 p.m. Councilmember Rudy Metayer joined the meeting at 7:14 p.m. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Deputy City Manager; James Hartshorn, Assistant City Manager; Amy Giannini, Assistant City Manager; Karen Thompson, City Secretary; Brandon Pritchett, Utility Director; Cody Collins, IT Director; Melissa Moore, Finance Director; Patricia Davis, City Engineer; Maggie Holman, Public Information Officer; Jason Smith, Acting Police Chief; Gwen Holford, Application and Web Developer; Wade Maness, Videography Multimedia Specialist; Evan Groeschel, Public Works Operations Director; Emily Barron, Planning and Development Services Director; Jeremy Frazzell, Assistant Planning Director; Shawn Cooper, Parks Development Manager; Shane Mize, Parks and Recreation Director; Derek Klenke, Assistant City Engineer.

## 2. Items of Community Interest

Mayor Gonzales announced that the Chief of Police community survey is online and the hours of the downtown Pflugerville COVID-19 testing site have changed. Mr. Rogers provided comments on the importance of open communications with the Travis County Emergency Services District No. 2 (ESD2).

## 3. Presentations

- 3A. [2021-0394](#) Proclamation declaring May 2021 as Motorcycle Safety and Awareness Month in the City of Pflugerville.

Mayor Gonzales announced that he had issued a proclamation for Motorcycle Safety and Awareness Month in May. He welcomed the members of the motorcycle clubs attending the meeting and asked all motorists to exercise extra caution around motorcyclists.

- 3B. [2021-0407](#) Proclamation declaring May 3-7, 2021 as Air Quality Awareness Week in the City of Pflugerville.

Mayor Gonzales announced that he had issued a proclamation for Air Quality Awareness Week and provided comments. He noted that Mr. Heath serves as the City's Representative on the Clean Air Coalition.

- 3C. [2021-0410](#) Proclamation declaring May 9-15, 2021 as Economic Development Week in the City of Pflugerville.

Mayor Gonzales announced that he had issued a proclamation declaring Economic Development Week. He provided comments and thanked the Pflugerville Community Development Corporation (PCDC) for their dedication in promoting economic development.

- 3D. [2021-0387](#) Presentation of the quarterly report and discussion about the City's Capital Improvement Program and 2020 Bond Program Status.

Ms. Davis and Chris Trevino, Freese and Nichols, presented on the item and answered questions of Council.

## 4. Public Comment

Mayor Gonzales stated that registration for public comment was taken until 5:00 p.m. today and Mike Bessner and Rico Reyes of the Travis County Emergency Services District No. 2 (ESD2) Board of Commissioners had requested to speak under public comment and item 13A. He noted that staff had requested that item 13A be postponed until May 11, 2021. Mayor Gonzales opened 13A.

### 13. Discuss only

- 13A. [2021-0421](#) Discuss Request for Information (RFI) responses and direct staff for options to pursue for City of Pflugerville to continue Emergency Medical Services.

Mr. Metayer made a motion to postpone the item until May 11, 2021 at the earliest. Mr. Rogers seconded the motion. Mayor Pro Tem Peña stated that he would like the item on the May 11, 2021 agenda. Mr. Metayer and Mr. Rogers indicated to accept the amendment. All voted in favor. The motion carried.

### 4. Public Comment

Mayor Gonzales resumed the Public Comment item.

Rico Reyes stated that he was there as a gesture of good will and that they appreciated having Councilmember Weiss speak at their meeting and wanted to reciprocate. He stated that whatever the City decides regarding Emergency Medical Services (EMS) the ESD2 will explore, consider and work together with the City to move forward in good faith.

Mike Bessner thanked Mr. Weiss and the Mayor for reaching out. He stated that their Board looks forward to meeting with the Council after the May 1 election. He stated it is their intention to continue ambulance and ALS services thru their fiscal year. He stated that they are confident that they can continue to provide the most responsive service at the best cost.

### 5. Public Hearing and Ordinance First Readings

- 5A. [ORD-0578](#) 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 Wireless Telecommunication Facility on an approximately 4-acre tract of land zoned Urban Center Corridor Level 4 (CL4) district located east of Old Austin Hutto Road north of Sweet William Lane situated in the S. Eiselin Survey NO. 4, Abstract NO. 265, Pflugerville, TX to be known as the Verizon at Heritage Park Specific Use Permit (SUP2103-01); providing a cumulative and repealer clause; providing for a non-severability clause; 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 and answered questions of Council. Vincent Huebinger,

representing the applicant, answered questions and provided information. Mr. Metayer and Mr. Ruiz indicated concerns regarding the design and aesthetics of the tower. There was continued Council discussion with Ms. Barron and Mr. Huebinger. Mr. Rogers made a motion to close the public hearing. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

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

## Reading of the Consent Agenda

Items 9B, 10A, and 10C were removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

### 6. Ordinances First Reading

- 6A. [ORD-0579](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, Amending the City of Pflugerville, Texas Code Of Ordinances Title VII Traffic Code, Chapter 71 Parking Regulations, Section 71.05 Parking Prohibited in certain designated areas by removing Temporary No Parking Zones required by Construction Where Said Construction Has Been Completed; Providing for a penalty for a violation of Chapter 71 as a Class C Misdemeanor and a fine in an amount not to exceed \$200.00; Providing that this Ordinance shall be cumulative; Repealing all Ordinances to the extent they are in conflict; Providing for severability; and Providing an effective date.

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

- 6B. [ORD-0549](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting to One Gas, Inc., acting by and through its Texas Gas Service Company Division, and its successors and assigns, for a period of fifteen (15) years from approval and acceptance of this ordinance, a non-exclusive franchise and right to enter the public ways to install, operate and maintain a distribution system within, along, across, over and under the public ways of the City of Pflugerville, Travis County, Texas for the transportation, distribution and/or sale of gas to customers and the public generally in the city; defining the words and phrases therein; providing for assignment, sale or lease of the franchise; providing that the city may enact an ordinance charging persons transporting gas through grantee's distribution system a fee on the calculated value of such transported gas; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; establishing rights and duties in the movement and alteration of pipelines; providing for indemnification of the City of Pflugerville; providing for grantee's rules and regulations; providing for inspection of grantee's records; requiring grantee to pay a

franchise fee; providing for conditions of the franchise; providing for construction of this ordinance upon the invalidity of any part thereof; providing for acceptance of this franchise by grantee and both an effective and an operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; and publication.

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

## 7. Ordinances Second Reading

- 7A. [ORD-0576](#) Approving an annexation ordinance on second reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a tract of land totaling approximately 1.416 acres of land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, in Travis County, Texas, of the Real Property Records of Travis County, generally located south of E. Pecan Street and west of SH 130 and Biltmore Avenue; extending the boundaries of the City to include land; and to be zoned Agriculture / Development Reserve (A); to be known as the Hagn Timmerman 2021 Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; providing for severability; and providing an effective date.
- The ordinance was approved on second and final reading on the consent agenda.**
- 7B. [ORD-0577](#) Approving an ordinance on second reading with the 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 33 acres, of unplatted land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, in Travis County, Texas, from Agriculture/Development Reserve (A) district to Campus Industrial (CI) district; to be known as the RNDC Inc. Rezoning (REZ2101-03); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- The ordinance was approved on second and final reading on the consent agenda.**
- 7C. [ORD-0574](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting the lease of City property by easement totaling approximately 3.105 acres of land out of the J. Bray survey, abstract no. 373, in Travis County, Texas; more specifically described in four deeds to the City of Pflugerville, of record in document numbers 2006060407tr, 2012195160tr, 2019169055, and 2015165200 of the official public records of Travis County, Texas. (Granting an extended Temporary Easement to Atmos)
- The ordinance was approved on second and final reading on the consent agenda.**

- 7D. [ORD-0580](#) Approving an Ordinance on second reading with the caption reading: An Ordinance of the City Of Pflugerville, Texas Granting the use of City Property by Easement totaling approximately 0.045 Acres (1,959 Square Foot) of land out of the Nathan Moore Survey No.45 In Travis County, Texas; Being a portion of said 19.71 Acre Tract Of Land Described In Warranty Deed To The City Of Pflugerville, Texas Recorded in Volume 9482, Page 894 Of The Real Property Records Of Travis County, Texas Said 0.045 Acre (1,959 Square Foot) Parcel.

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

- 7E [ORD-0581](#) Approving an Ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, amending the City of Pflugerville, Texas Code of Ordinances, by amending Title VII Traffic Code, Chapter 71 Parking Regulations, Section 71.05 Parking Prohibited in certain designated areas by establishing an additional No Parking Zone on East Pflugerville Parkway; Providing for a violation of Section 71.05 as a Misdemeanor and a Fine amount not to exceed \$500.00; Providing that this Ordinance shall be cumulative; Repealing all Ordinances for Severability; and providing an effective date.

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

## 8. Approval of Minutes

- 8A. [2021-0401](#) Approval of the minutes of the April 7, 2021 Worksession and April 13, 2021 Worksession and Regular Meeting.

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

## 9. Resolutions

- 9A. [RES-0856](#) Approving a resolution authorizing the submission of an application and application fee in the amount of \$100,000 for financial assistance from the Water Infrastructure Finance and Innovation Act (WIFIA) for the Surface Water Treatment Plant Expansion project and authorizing a designated City representative for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the WIFIA program.

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

- 9C. [RES-0868](#) Approving a resolution opposing proposed HB 4447 legislation expanding the 30-day development approval requirements.

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

**10. Other Actions**

- 10B.** [2021-0390](#) Approving a professional services supplemental agreement with Plus Six Engineering, LLC in the amount of \$88,527.19 to provide Owner's Representative Services associated with the Central Wastewater Treatment Plant Expansion Phase 2 project.

The item was approved on the consent agenda.

- 10D.** [2021-0416](#)

Approving an Economic Development Performance Agreement ("EDPA") made by and between Pflugerville Community Development Corporation ("PCDC"), a Texas Type B Economic Development Corporation and Project GT Distributors, Inc., a Texas Corporation ("GT"), not to exceed \$300,000, for the purpose of relocation and primary jobs.

The item was approved on the consent agenda.

**Action on the Consent Agenda**

Mayor Gonzales made a motion to approve the consent agenda. Mr. Heath seconded the motion. All voted in favor. The motion carried.

**9. Resolutions - Removed from the Consent Agenda**

- 9B.** [RES-0864](#) Approving a resolution providing denial of application for approval of a rate change submitted by Oncor Electric Delivery Company, LLC and authorization to participate in proceedings at the Public Utility Commission of Texas.

Mayor Gonzales opened the item for consideration. Mayor Pro Tem Peña indicated that he had removed the item from the Consent Agenda by mistake. He made a motion to approve the resolution. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**10.**

- 10A.** [2021-0409](#) Approving a Professional Services Agreement with Austin Traffic Signal Construction Co., Inc. for a not to exceed amount of \$200,000 for Traffic Signal Maintenance for fiscal year 2021 and authorizing the City Manager to execute same.

Mayor Gonzales opened the item for consideration. Mayor Pro Tem Peña indicated that he had questions on how we would know when we are close to the limit of \$200,000. Mr. Groeschel provided information on the tracking of monthly invoices. Mr. Heath asked about the specific activities. Mr. Groeschel provided information on the activities and estimated costs. Mayor Pro Tem Peña made a motion to approve. Mr. Weiss seconded the motion. All voted in



favor. The motion carried.

- 10C.** [2021-0406](#) Authorizing expenditures for repairs to the Scott Mentzer Pool facility due to winter storm impact in the amount of \$171,648.15 by Progressive Commercial Aquatics, Inc through the Buy Board Purchasing Cooperative.

Mayor Gonzales opened the item for consideration. Mayor Pro Tem Peña stated that they have the general aquatics discussion further down the agenda. He questioned the estimated completion date of mid-June and asked if there would be an opportunity to accelerate. Mr. Metayer and Mr. Weiss stated that they would also like to see it expedited. Mr. Weiss stated that he thinks this needs to be done regardless of the other aquatics item on the agenda. Mr. Hartshorn stated that they would do their best to expedite the project. Mr. Metayer asked how likely it is to expedite. Mr. Mize stated that there is a current shortage of plaster for pools and the vendor states mid-June as the earliest and it could be July. Mr. Mize answered questions and there was continued discussion. Mayor Pro Tem Peña stated that he would like an update in one month at Council. Mr. Metayer made a motion to approve. Mr. Heath seconded the motion. All voted in favor. The motion carried.

## 11. Ordinances Second Reading

- 11A.** [ORD-0564](#) Discuss and consider action to approve an ordinance on second reading with the 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 multi-family mixed-use development on approximately 15-acres zoned Urban Center Corridor Level 4 (CL4) district located at the southwest corner of the E Pflugerville Parkway and Weiss Lane intersection, to be known as the Tacara at Weiss Ranch Specific Use Permit (SUP2009-01); providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date.

Mayor Gonzales opened and read the item to include the caption under consideration. Mr. Frazzell provided information stating that if Council would like the addition of fencing in right of way along Pflugerville Parkway to create a barrier between sidewalk and roadway, that staff recommends adding a condition. Mr. Frazzell and Ms. Barron answered questions of Council. Council discussion with Paul Linehan, representing the applicant, followed. Council discussed safety concerns for pedestrians and placement of fencing. Mr. Metayer asked Ms. Barron what the developers are willing to do in the park across the street. Ms. Barron provided information on the parkland dedication and the elements being proposed to be constructed at the lake for public use and stated that they would also have private amenities in their development. Mr. Metayer stated that this project has come pretty far. Mr. Metayer made a motion to approve 11A as presented. Mayor Gonzales seconded the motion. Mr. Rogers asked for clarification on what is "as presented." Mr. Metayer indicated as presented, the same as approved on first reading without the fence. Ms. Barron provided input and answered questions. Mr. Rogers asked for clarification from applicant regarding safety measures. Mr. Linehan stated that there would be fencing around the project, signage to pedestrian crossing



at Weiss and Pflugerville Parkway and they would work with staff on the pedestrian crossing. He stated that water quality ponds and landscaping would also provide barriers. Mr. Rogers asked for his diligence. The vote on the item was: Mr. Weiss-yes, Mr. Ruiz-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. Heath-yes, Mr. Rogers-yes, Mayor Gonzales-yes. The motion carried.

## 12. Discuss and consider action

- 12A. [2021-0403](#) Discuss and consider action to approve a professional services supplemental agreement with Garver, the City's owner representative associated with the Surface Water Treatment Plant Expansion Project, in the amount of \$311,132 for professional engineering services related to an evaluation of future water supply alternatives and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item for consideration. Ms. Giannini provided information and answered questions of Council. Mr. Heath stated that he talked with Cedar Park who reported on their smooth process but it took two years. He asked if we could leverage off their activities. Ms. Giannini provided information. Mayor Pro Tem Peña asked regarding LCRA increases. Ms. Giannini provided information on the timing of additional resources coming on line and discussed with Council. She provided information the project scope and discussed with Council. Mayor Pro Tem Peña asked if there were any other options other than LCRA and stated that he would like to look at alternative solutions. Ms. Giannini stated that these were the recommended options after evaluation. Ian Toohey, Garver USA, provided information on the expansive study of options and the benefits of the recommended options to protect the long-term water supply. Mr. Metayer recommended a future worksession. Discussion followed regarding the drought cycle in Texas. Mayor Pro Tem Peña asked regarding the timeline. Ms. Giannini stated a need to move forward with the item but that they could go over the evaluation which was done previously. Mr. Heath stated that this provided the best resiliency for the cost. Ms. Giannini stated that she thinks they should always evaluate our options. She recommended approval of item 12A. Mayor Pro Tem Peña made a motion to approve the item. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

- 12B. [2021-0382](#) Discuss and consider action to approve a Professional Service Supplemental Agreement with Freese and Nichols, Inc. in the amount of \$1,528,933 for professional engineering services associated with the Central Wastewater Treatment Plant Expansion Phase 2 Project.

Mayor Gonzales opened the item for consideration. Mayor Pro Tem Peña announced that he was recusing himself on the item due to a possible conflict of interest (in that his brother in law is employed with Freese and Nichols). Ms. Davis provided information and answered questions of Council. Mr. Weiss made a motion to approve the item. Mr. Metayer seconded the motion. Discussion followed regarding the possible need for a budget amendment. All voting voted in favor. Mayor Pro Tem Peña abstained did not participate in discussions or in the vote on the item. The motion carried.

- 12C. [2021-0386](#) Discuss and consider action to award a construction contract for the Lake Pflugerville Park Phase 1 Project to Terra Path, Inc. the lowest

responsible bidder of ten (10) accepted bids received on April 15, 2021, in the amount of \$1,547,102.44 and authorizing the City Manager to execute same.

Mayor Gonzales opened the item for consideration. Mayor Pro Tem Peña returned to the meeting. Mr. Cooper provided information and answered questions of Council. Ms. Davis provided information on Terra Path, stating it is related to QA, as QA is the general contractor for Terra Path. Ms. Giannini spoke on issues with the Wilbarger Park Project being related to the City's management of the project and that she would not put that on the contractor. Discussion followed. Mr. Heath stated concern for the difference in the bids. There was continued discussion. Mayor Pro Tem Peña made a motion to approve the item. Mr. Heath and Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**12D.** [RES-0858](#)

Discuss and consider action to approve a resolution supporting the dignity and respect of all people.

Mayor Gonzales opened the item for consideration. He stated that he believes they had an amended document. Mr. Weiss requested to task the Equity Commission with reviewing and drafting the language. Mayor Pro Tem Peña asked what was driving this. Mr. Heath stated that there were some issues in the City painted in an ill-light and he wanted to make sure they establish a clear policy. Mayor Pro Tem Peña asked how this relates to the employee handbook. Ms. Breland provided information. Mayor Pro Tem Peña stated that he would like to include in the personnel handbook verbatim. Ms. Breland stated that she is happy to add whatever is adopted as an appendix. There was continued discussion. Mayor Pro Tem Peña made a motion to approve as read. The motion died due to lack of a second. Mr. Rogers suggested allowing more time to draft language. Mr. Heath made a motion to postpone until May 11, 2021 to allow for Mr. Metayer and Mr. Rogers to bring it back. Mr. Ruiz stated that he would expect of Council as well. Mr. Weiss suggested to add to the Code of Conduct. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

**12E.** [RES-0857](#)

Discuss and consider action to approve a resolution amending rules of order and procedure for City Council meetings.

Mayor Gonzales opened the item for consideration. Mr. Heath asked regarding special meetings, stating that he thinks that it would be appropriate for the mayor to call special meetings as well. Mr. Weiss stated that he does not think that they need a future agendas item and provided information. He stated that he is not recommending adding that back. Mr. Heath asked if the mayor should be able to call a special meeting. Mr. Weiss asked if the mayor wants that. Mayor Gonzales stated that he does not believe that the City Manager would deny the request, so it is just a matter of having it in writing and he would be okay with having it in there. Mr. Ruiz requested to add the future agenda item to allow them to be able to request items while it is fresh on their minds. Mr. Heath agreed that he likes the expediency of it and the opportunity to get a second from another councilmember at the time. Mr. Weiss stated that he appreciates the intent but thinks the effect is opposite. He provided information. There was continued discussion. Mr. Heath made a motion to approve the resolution with the addition of the mayor being able to call a special meeting. Mayor Pro Tem Peña seconded the motion. The vote was: Mr. Weiss-no, Mr. Ruiz-yes, Mayor Pro Tem Peña-yes, Mr. Metayer-yes, Mr.

Heath-yes, Mr. Rogers-yes, Mayor Gonzales-yes. The motion carried.

### 13. Discuss only

- 13A. [2021-0421](#) Discuss Request for Information (RFI) responses and direct staff for options to pursue for City of Pflugerville to continue Emergency Medical Services.

Action was taken on the item earlier in the meeting to postpone the item until May 11, 2021.

- 13B. [2021-0398](#) Discussion regarding the creation of a Maintenance and Operation Public Improvement District (PID) for the Bohls Place Subdivision for the purpose of updating and maintaining the perimeter fence.

Mayor Gonzales opened the item for discussion. Ms. Barron stated that the item had been placed on the agenda to receive feedback from Council on a proposal from the Bohls neighborhood to establish a PID to provide for fence maintenance. There was discussion. George van de Werken, representing the Bohls Neighborhood Association, provided information and discussed with Council. Mayor Pro Tem Peña asked regarding the City's administration of the PID. Jon Snyder, P3 Works, stated that the City would hire a PID administrator and the costs would be allocated to the PID. He estimated the costs at \$5,000 per year and spoke on the options of having a Homeowners Association (HOA) or PID and the pros and cons. He explained that he has another City that was in a similar situation and they set up a PID and that they would not do it again. Mr. van de Werken spoke on the issue that many moved to the Bohls neighborhood to avoid being in an HOA. He provided additional information. Mr. Rogers stated that he believes that getting the signatures of over half of the neighborhood will be a challenge. He stated if they have signatures for over half of the neighborhood, that is something he would be in favor of. Mr. Metayer asked Mr. Syder why it was a nightmare for the other city. Mr. Snyder stated that they had a PID Advisory Board and even the Board wanted to do away with it. He stated that they were unable to issue bonds and could only recoup the unpaid assessments when houses were sold. He stated that it is pay as you go. He stated that the City ended up paying with Certificates of Obligation (CO's) and getting repaid by the PID. He stated that there was an HOA by that point to turn it over to. Discussion followed regarding the cost and life of fencing. Mr. van de Werken stated that they want a solution to maintain fencing in perpetuity so they don't have to revisit it over and over. Mr. van de Werken stated that they don't have a lot of resources and need help crafting the petition legally and putting together a budget in order to answer questions. He stated that they need help here and that's why they are turning to the City. Mr. Metayer indicated concerns and stated maybe there are other options. Mr. Ruiz agreed maybe there are other options. He suggested working together with the neighborhood and maybe establishing a limited HOA. There was continued discussion. Mr. Weiss stated that he thinks what we really want is an HOA, not a PID. He stated that he doesn't think the City wants to own the fence and thinks they need to find out if the neighborhood will support an HOA for fencing improvements. Mr. Ruiz asked if the City can assist with legality. Ms. Breland stated that the City cannot expend resources on private fence issues. Mr. Heath asked if the City could provide sample HOA documents. Ms. Breland stated that they could do that. Mr. van de Werken stated that they would be appreciative of any information. There was continued discussion.

**13C.** [2021-0413](#)

Discussion regarding City aquatic facilities and future planning.

Mayor Gonzales opened the item for discussion. Mr. Hartshorn provided information on overall resident access to aquatic facilities. He stated that they are asking for direction if staff should bring back a request for a parks master plan with aquatics assessment study. Mr. Mize provided information and discussed with Council. Mr. Hartshorn stated regarding the request for parks master plan and aquatics assessment study that they could have study results to inform decisions on the Gilleland Creek pool for FY23. Mr. Heath stated that they have the drainage study. Ms. Giannini stated that they would finalize that this fall. Mr. Weiss stated that he does not feel this is urgent, that they have a stop gap solution. He stated the long-term viability is more his concern. He stated that he is wondering what is the actual usage of the pool, the value of the pool. He stated concern for investing \$1 million in this pool. He stated that he is not convinced we need additional lap pool facilities. Mr. Rogers indicated that he has doubt of the long-term viability. He stated that they think that they need to look at replacing with another aquatic facility in the southeast quadrant of the city. Mr. Weiss stated that he sees a lot of people swimming at the lake. Mr. Ruiz asked if they are getting value out of this pool. He stated if they want a lap pool, a natatorium, maybe they need to reach out to the school district. There was continued discussion. Mr. Hartshorn stated that it seems there is a general consensus for the need for the parks master plan with aquatics assessment. He stated he can bring back in May or the next budget year. Mr. Heath stated that he thinks that Mr. Weiss is right, that there is no urgency and the drainage master plan is coming in November. Discussion continued. Mayor Pro Tem Peña stated he would like to see more traction. Mr. Metayer stated he also wants the same and asked why not try to get it earlier and front load, to get information. Mr. Rogers stated that he likes front loading the aquatic plan. Ms. Giannini provided information on what they will bring regarding the pool with the drainage master plan. Mr. Rogers stated that re-channeling could cost more than moving the pool. Mr. Metayer asked to front load the plan. Discussion regarding the timing and cost followed with Mr. Hartshorn. Mr. Rogers indicated he would like on the next meeting. Mr. Metayer agreed. Mr. Heath stated to agree with Doug, not need to move faster. Mr. Metayer stated to disagree.

**13D.** [2021-0392](#)

Discussion regarding timing and plans to resume in-person City Council, board, commission and committee meetings.

Mayor Gonzales opened the item for discussion. Ms. Breland stated that Suite 500 is set up for in-person Council meetings with dividers installed on the dais. She stated that the room can hold 22 people without any overflow. She stated that with the technical constraints, they are unable to do a hybrid system yet. She stated that they are unable to stream and do Pftv if using WEbex. She stated if they go that way, they can upgrade for \$100,000 and use PEG funds. Council discussion with Ms. Breland followed. Mr. Weiss stated that he is not convinced that they can keep citizens safe in that room and doesn't think the hybrid system works well. He recommended to keep with the virtual as long as it is allowed. Mr. Metayer stated that he has been impressed with the hybrid system at the Legislature. He stated he thinks when they go back, it will need to be hybrid. Mr. Ruiz stated that he does not want to spend \$100,000 to be hybrid, that the Governor could change the orders and we don't have a plan. He stated that he thinks they need to have a plan and work towards it. Mr. Rogers stated that he thinks citizens have a right to see them in person and

that they should come back in June. Mr. Metayer asked how long the hybrid would take to set up. Ms. Breland indicated it would not be ready in one month. Mayor Pro Tem Peña stated that they need to return when staff returns and he thinks it is a bigger discussion. Mr. Weiss stated that he doesn't like the hybrid option and thinks they should return when Governor Abbott takes the virtual option away.

**13E.** [2021-0400](#)

Discussion regarding future agenda items.

Mayor Gonzales opened the item for discussion. The After Action Report for the severe weather event was to be placed on the May 11, 2021 worksession and regular meeting. Mr. Rogers requested the swim pool and in-person items again next time.

**14. Adjourn**

Mayor Gonzales adjourned the meeting at 11:40 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on May 11, 2021.