



# City of Pflugerville

## Minutes - Final

### City Council

---

Tuesday, May 9, 2023

7:00 PM

1611 Pfennig Lane

---

#### Regular Meeting

#### 1. Call to Order

Mayor Pro Tem Doug Weiss called the meeting to order at 7:00pm. Councilmembers Cesar Ruiz, Kimberly Holiday, and Jim McDonald were in attendance. Councilmembers Rudy Metayer and David Rogers joined the meeting at 7:03pm. Mayor Victor Gonzales was not in attendance.

City staff 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; Breanna Higgins, Assistant to the City Manager; Jason O'Malley, Police Chief; Terri Toledo, Director of Management Services; Roger Heaney, Assistant Communications Director; Melissa Moore, Finance Director; Andrea Brinkley, CIP Director; Jeff Dunsworth, City Engineer; Jeremy Frazzell, Planning and Development Services Director; Issac Espinoza, Project Manager; Jennifer Coffey Griswold, Library Director; Robyn Miga, Assistant Planning and Development Services Director; Brandon Pritchett, Public Utility Director; Evan Groeschel, Operations Director; Shane Mize, Parks and Recreation Director.

#### 2. Opening

##### A. Pledge of Allegiance to the Flag of the United States of America

Mayor Pro Tem Weiss 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 Pro Tem Weiss led those in attendance in the Pledge of Allegiance to the Texas State Flag.

##### C. Moment of Silence

Mayor Pro Tem Weiss led those in attendance in a moment of silence.

#### 3. Items of Community Interest

Mayor Pro Tem Weiss stated PCDC was awarded the Economic Development Organization of the Year for populations under 100,000 by Business Facilities Magazine.

Mayor Pro Tem Weiss stated that Environmental Cleanup Day is Saturday May 13th from 8:30am-11:30am.

Mayor Pro Tem Weiss stated applications for the Youth Advisory Council are now open.

Mayor Pro Tem Weiss encouraged the community to Light Pflugerville Blue in support of National Police Week.

Mr. McDonald stated it is also Teacher's Appreciation Week. Mr. McDonald stated June 10th is the second annual Pflugerville Pride Festival.

Ms. Holiday stated May is mental health month and wanted to remind everyone to take care of themselves and be willing to have courageous and difficult conversations.

Mr. Rogers stated Mother's Day is coming up and it is a good time to thank mothers.

Mr. Metayer discussed mental health stating taking a chance to decompress and relax is part of being a person. Mr. Metayer discussed tragic events having an impact on everyone. Mr. Metayer discussed setting an example for kids and thanking the first responders who are out there for everyone and asked everyone to watch out for each other.

## 5. Presentation

- 5A. [2023-0076](#) Mayor's proclamation declaring May 14 through May 20, 2023, as Police Week in the City of Pflugerville.

Mayor Pro Tem Weiss read the proclamation and presented it to Chief O'Malley and police staff in attendance.

- 5B. [2023-0078](#) Mayor's proclamation declaring May 2023 as Asian American and Pacific Islander Heritage Month in the City of Pflugerville.

Mayor Pro Tem Weiss read the proclamation and presented it to Lana Nguyen, President of the Vietnamese Community of Austin.

- 5C. [2023-0288](#) Mayor's proclamation declaring May 22 through May 26, 2023 as Search and Rescue Week in the City of Pflugerville.

Mayor Pro Tem Weiss read the proclamation and presented it to Melinda Demincky with Texas Search and Rescue.

- 5D. [2023-0077](#) Mayor's proclamation declaring May 21 through May 27, 2023 as National Public Works Week in the City of Pflugerville.

Mayor Pro Tem Weiss read the proclamation and presented it to Mr. Pritchett, Mr. Groeschel, Ms. Brinkley, and Public Works staff in attendance.

- 5E. [2023-0108](#) Conduct a presentation on the Public Works Department.

Mayor Pro Tem Weiss opened the item. Mr. Groeschel gave a presentation about Streets and Drainage, Fleet Services, Facilities Maintenance, and Recycling. Mr. Groeschel discussed incident response for things such as winter

events and flooding. Mr. Groeschel reviewed the variety of responsibilities including traffic signal maintenance and drainage maintenance. Mr. Rogers asked about how they handle debris after storms. Mr. Groeschel provided information about the process and routine inspections to make sure debris is not causing any clogging.

Mr. Pritchett reviewed utility services stating a lot of people are needed to maintain the equipment. Mr. Pritchett discussed Automated Metering Infrastructure and pressure monitors. Mr. Pritchett provided information about GoAigua Water Twin to integrate with SCADA and GIS into one platform. Ms. Holiday asked how the system can be used. Mr. Pritchett stated it can be used to identify how to improve systems and to respond to an event with a real time alert. Mr. Rogers asked if the water sampling is TCEQ regulated. Mr. Pritchett stated some of it is regulated by TCEQ, and some of it is for the City's data collection and preventative sampling. Mr. Metayer asked if other municipalities come to Pflugerville for advice. Mr. Pritchett provided information about coordinating with other cities and giving tours.

Mr. McDonald asked if school zone flashing lights are the City or ISD's responsibility. Mr. Groeschel stated the city maintains those lights.

Mr. Pritchett discussed water conservation and rebate programs and answered questions from Mr. Metayer about rain harvesting to provide resources to the community. Mr. Pritchett discussed water and wastewater plan expansions. Ms. Holiday stated she was proud to attend the TML meeting for utilities and learn more about all of the things the public works department does.

#### 4. Public Comment

There was no one present wishing to speak under public comment.

#### Reading of the Consent Agenda

Ms. Evans stated items 6I., 6K., and 6M. were pulled from the consent agenda. Item 6M. was postponed to a future agenda upon developer request. Ms. Evans read the captions of the ordinances and stated all remaining items may be acted upon in a single motion.

#### 6. Other Actions

- 6A. [ORD-0704](#) 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 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.

The ordinance as approved on second reading on the consent agenda.

- 6B.** [ORD-0711](#) 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 as approved on second reading on the consent agenda.**
- 6C.** [ORD-0706](#) 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 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.  
**The ordinance as approved on second reading on the consent agenda.**
- 6D.** [ORD-0707](#) Approving an ordinance on second 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 as approved on second reading on the consent agenda.**
- 6E.** [ORD-0705](#) 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 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.  
**The ordinance as approved on second reading on the consent agenda.**
- 6F.** [2023-0408](#) Approving the minutes of the April 25, 2023 Worksession and April 25, 2023 Regular Meeting.  
**The minutes were approved on the consent agenda.**
- 6G.** [2023-0419](#) Approving a professional services supplemental agreement with

Rodriguez Transportation Group, Inc. in the amount of \$606,106 for additional professional engineering services associated with the Immanuel Road Improvements project and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

- 6H. [2023-0420](#) Approving a professional services supplemental agreement with Freese and Nichols, Inc. in the amount of \$135,593 to provide additional construction administration phase services associated with the Central Wastewater Treatment Plant Expansion Phase 1 project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.

- 6J. [2023-0422](#) Approving a memorandum of understanding with the Texas Department of Transportation associated with the City Intersection Improvement projects at the intersection of FM 685 and E. Pflugerville Parkway and intersection of FM 685 at Copper Mine Overpass, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.

- 6L. [2023-0426](#) Approving an agreement with Pflugerville Community Development Corporation (PCDC) for the purchase of approximately 17.693 acres of land located on SH130 just south of 130 Commerce Park.
- 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. Mr. Metayer was not present for the vote. All others voted in favor. The motion carried.

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

## 7. Public Hearings

- 7A. [RES-1101](#) Conduct a public hearing and consider action to approve a resolution regarding the Community Development Block Grant (CDBG) 4th Amendment to the Annual Action Plan for Program Year 2020.
- Mayor Pro Tem Weiss opened items 7A. and 7B. at the same time, reading the items and opening the public hearings. Mr. Frazzell provided information about the 2020 Action Plan and discussed the CARES Act funding. Mr. Frazzell discussed the two projects originally funding being Senior Access and Utility Billing Assistance Programs with the assistance program ending at the end of the month. Mr. Frazzell discussed an additional project for streetlight funding and stated the city is working with Oncor on three difference neighborhoods. Mr. Rogers asked how much was spent on the utility assistance program. Mr.

Frazzell stated less than 10% of what was originally planned. Mr. Metayer asked about Workforce Solutions and seeing if there is something we can do with them. Mr. Frazzell discussed putting Workforce Solutions into future programs.

Lana Nguyen stated in the Vietnamese community she has heard about a lot of hardships especially when dealing with the aftermath of the storms. Ms. Nguyen stated she is hearing there is some funding available and would like to be able to collaborate and connect the community with the city.

Mr. Metayer moved to close the public hearing. Mr. McDonald seconded the motion. Ms. Holiday was not present for the vote. All others voted in favor. The motion carried.

Mr. McDonald moved to approve the resolution. Mr. Ruiz seconded the motion. The vote was as follows: Mr. Ruiz - yes, Ms. Holiday - absent, Mr. McDonald - yes, Mr. Metayer - no, Mayor Pro Tem Weiss - yes, Mr. Rogers - yes. The motion carried.

**7B.** [RES-1099](#)

Conduct a public hearing regarding the Community Development Block Grant (CDBG) Annual Action Plan for Program Year 2023.

Mr. Frazzell discussed 2023 project priorities including infrastructure, programs, and administration. Mr. Metayer discussed funding for scholarships for summer camps. Mr. Ruiz asked if we have reached out to the ISD about the scholarships. Mr. Frazzell stated the city has in the past. Mr. Rogers discussed having people available who speak multiple languages to make sure the city is connecting with everybody in the community. Mayor Pro Tem Weiss discussed how valuable street reconstruction projects and are for uplifting the community. Mr. Metayer discussed sidewalks in Gatlinburg and the specific requirements needed for CDBG. Discussion followed regarding Gatlinburg eligibility and work that can be done.

Alicia Jackson asked if the city has any room for a community garden. Mayor Pro Tem Weiss stated staff will get in contact with her about the community gardens the city currently has.

Mr. McDonald moved to close the public hearing. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

**8. Regular Agenda**

**8A.** [2023-0451](#)

Discuss and consider action regarding a subsidy request for Black Pflugerville's Juneteenth Event.

**8B.** [2023-0428](#)

1.) Executive Session Item: Deliberation regarding the purchase of real property pursuant to Texas Government Code Section 551.072. 2.) Open Session Item: Discuss and consider action regarding the purchase of real property.

Mayor Pro Tem Weiss read the item and stated City Council was retiring to executive session at 8:51pm. Mayor Pro Tem Weiss reconvened the meeting at 9:05pm. Mr. McDonald moved that the city move forward with purchasing the

property known as the Old Gin Tract located between the TxDOT right of way and Methodist Church for \$2.3 million. Ms. Holiday seconded the motion. The vote was as follows: Mayor Pro Tem Weiss - yes, Ms. Holiday - yes, Mr. Ruiz - yes, Mr. McDonald - yes, Mr. Metayer - yes, Mr. Rogers - no. The motion carried.

**8C.** [2023-0435](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the Municipal Judge. 2.) Open Session Item: Discuss and consider actions regarding performance evaluation of the Municipal Judge.

The item was discussed in executive session during the previously posted worksession.

**8D.** [2023-0436](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the Associate Municipal Judge. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the Associate Municipal Judge.

The item was discussed in executive session during the previously posted worksession.

**8E.** [2023-0437](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Attorney. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the City Attorney.

The item was discussed in executive session during the previously posted worksession.

**8F.** [2023-0391](#)

Joint meeting and discussion with the Planning and Zoning Commission regarding the 5-year Capital Improvement Plan for FY 2024-2028 related to drainage, information technology, facilities, parks, transportation, reclaimed water, water, and wastewater projects.

The item was discussed during the previously posted worksession.

**9. Discuss and Consider Items Pulled from Consent Agenda****6I.** [2023-0421](#)

Approving a professional services supplemental agreement with CP&Y, Inc. in the amount of \$2,187,985 to provide Owner's Representative Pre Construction and Construction Phase Services associated with the Wilbarger Creek Regional Wastewater Treatment Facility (WCRWWTF) Phase 1 Construction project, and authorizing the City Manager to execute the same.

Mayor Pro Tem Weiss opened the item for discussion. Mr. McDonald asked how the services differ from what is being provided by Garver and how they were selected. Ms. Brinkley provided information about the process and project packages. Ms. Brinkley discussed positive experiences with the team and their role in the whole project package. Mr. Metayer asked about the

alternative model as the best choice and asked about staff experience. Ms. Brinkley provided information about the selection process with the original RFQ. Mr. McDonald moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 6K. [2023-0423](#) Approving a professional services supplemental agreement with Quiddity Engineering, LLC in the amount of \$903,768 to provide Owner's Representative Services associated with the 2020 General Obligation Bond Parks Projects and authorizing the City Manager to execute the same.

Mayor Pro Tem Weiss opened the item for discussion. Mr. McDonald asked how the services provided differ from services provided by Vanir and how they were selected. Mr. Dunsworth provided information about the selection process stating they were a subconsultant to Vanir in the original RFQ. Mr. Dunsworth stated they are providing a scope of services that was not in the original contract. Mr. Dunsworth stated the contract with Vanir lapsed and Quiddity will be picking the project up. Mayor Pro Tem Weiss asked why these services were not in the original contract. Ms. Brinkley provided information about the project stating it will bring them through the construction phase as well. Discussion followed regarding Vanir's project scope. Mr. McDonald asked how the cost was determined. Mr. Dunsworth provided information stating it was a negotiated amount. Mr. McDonald moved to approve the item. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

- 6M. [RES-1096](#) Approving a resolution with the caption: A resolution of the City Council of the City of Pflugerville, Texas, authorizing the acceptance, in accordance with City parkland dedication requirements and through special warranty deed, of certain real property described as Lots 4 and 5, Pflugerville Farms Apartments, a subdivision in the Travis County, Texas, recorded in document No. 202000161 of the Official Public Records of Travis County, Texas, and directing the City Manager and City Attorney, or their respective designees, to take all necessary actions to complete the land conveyance to the City.

The item was postponed at the developer's request.

## 10. Adjourn

Mayor Pro Tem Weiss adjourned the meeting at 9:23pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as \_\_\_\_\_ on May 23, 2023.