



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, July 9, 2024

7:00 PM

1611 Pfennig Lane

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#### Regular Meeting

#### 1. Call to Order

Mayor Victor Gonzales called the meeting to order at 7:00pm. Mayor Pro Tem Doug Weiss and Councilmembers Cesar Ruiz, Kimberly Holiday, Rudy Metayer, Jim McDonald, and David Rogers were 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; Charles Zech, City Attorney; Trista Evans, City Secretary; Terri Toledo, Director of Management Services; Jeremy Frazzell, Planning and Development Services Director; Brandon Pritchett, Public Utility Director; Shane Mize, Parks and Recreation Director; Breanna Higgins, Special Projects Manager; Katie Kam, Assistant Director of Traffic and Transportation; Robert Polanco, Building Official; Abby Morrison, Public Works Services Director; Tracy Waldron, Finance 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. Public Comment

There was no one present wishing to make public comment.

#### 4. Presentation

- 4A. [2024-0600](#) Presentation of Texas Municipal Clerks Association (TMCA) Municipal

Clerk's Office Achievement of Excellence Award.

**Mayor Gonzales introduced Alice Holloway, City Secretary of Joshua and Trustee on the TMCA Board to present the Texas Municipal Clerk Association Municipal Clerk's Office Achievement of Excellence Award to Ms. Evans.**

- 4B. [2024-0053](#)** Proclamation designating July 2024 as Parks and Recreation Month in the City of Pflugerville.

**Mayor Gonzales read the proclamation and presented it to Mr. Mize and Parks and Recreation staff.**

- 4C. [2024-0141](#)** Conduct a presentation on the Parks and Recreation Department.

**Mayor Gonzales opened the item. Mr. Mize reviewed what the department manages and provides. Mr. Mize discussed the job opportunities, events throughout the year, and discussed what the department has been working on including facilities and parks. Mr. Mize discussed the program to bring goats into the parks to clear brush and reviewed what is coming next with the department. Mayor Gonzales talked about the growth of the city and the parks system and stated it is exciting to see the enormous opportunities.**

## **Reading of the Consent Agenda**

### **5. Other Actions**

**Ms. Evans stated items 5C., 5N. 5U., and 5V. were pulled from the consent agenda, read the captions of the ordinances, and stated all items remaining on the consent agenda may be acted upon in a single motion.**

- 5A. [ORD-0775](#)** Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, tracts of land totaling approximately 150.180 acre of land lying within the William Caldwell Survey, abstract No. 162, survey No.66 and being all of a 40.001 acre tract of land described by deed 7C Cameron LLC, recorded in document No.2022057890, official public records of Travis County, Texas. Generally located at 16544 Cameron Road. Extending the boundaries of the City to include the land; and to be zoned Agriculture/Development Reserve (A); to be known as 16544 Cameron Road Annexation (ANX2024-00011); 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 reading on the consent agenda.**

- 5B. [ORD-0774](#)** Approving the second 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 105.18 acre tract of land situated in the William Caldwell Survey, Abstract No.162, Survey No.22, both in Travis County, Texas, from Agriculture/Development

Reserve (A) to Single-Family Residential (SF-R), Single-Family (SF-MU), Neighborhood Services (NS), and Parks, Facilities and Open Space (PF); to be known as the 16544 Cameron Road Rezoning (REZ2024-00030); Providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

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

**5D. [ORD-0776](#)**

Approving an ordinance on second reading with a caption reading: An ordinance of the City of Pflugerville, Texas, amending and updating Chapter 53, Water and Sewers, Drought Contingency Plan and providing that violations of this ordinance are class C misdemeanors subject to fines not to exceed \$2,000.00; providing cumulative, repealer and severability clauses; providing for open meeting and establishing an effective date.

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

**5E. [2024-0654](#)**

Approving the minutes of the June 25, 2024 Worksession and Regular Meeting.

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

**5F. [2024-0609](#)**

Approving a professional services agreement with Garver, LLC in the amount of \$498,115 to provide engineering services associated with the Water Master Plan update, and authorizing the City Manager to execute the same.

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

**5G. [2024-0638](#)**

Approving a professional services agreement with K Friese & Associates, LLC in the amount of \$542,787.27 for design and bid phase services associated with the 15-inch Gilleland Wastewater Interceptor Project, and authorizing the City Manager to execute the same.

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

**5H. [2024-0650](#)**

Approving a professional services agreement with CP&Y, Inc. dba STV Infrastructure, in the amount of \$258,847 to provide professional engineering services associated with the Northwest Wilbarger Wastewater Line Extension Project, and authorizing the City Manager to execute same.

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

**5I. [2024-0662](#)**

Approving a professional services agreement with CP&Y, Inc. dba STV Infrastructure, in the amount of \$597,230 to provide professional engineering services associated with the Wastewater Master Plan Project and authorizing the City Manager to execute the same.

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

- 5J.**     [2024-0661](#)     Approving a construction contract with CFG Industries in the amount of \$405,000 associated with the 2024 Water Tank Rehabilitation Project and authorizing the City Manager to execute the same.

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

- 5K.**     [2024-0644](#)     Approving a conditional purchase agreement and associated conveyance documents between ARS Crossing, LLC (Parcel No.2) and the City of Pflugerville as necessary to acquire real property interests for the 15-inch North Wilbarger Wastewater Interceptor Project, and authorizing the City Manager to execute the same.

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

- 5L.**     [2024-0651](#)     Approving a conditional purchase agreement and associated conveyance documents between Gloria Kuempel Trustee of the Charles William Kuempel Family Trust (Parcel No.1) and the City of Pflugerville as necessary to acquire real property interests for the Cottonwood West Lift Station & Force Main Project, and authorizing the City Manager to execute the same.

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

- 5M.**     [2024-0656](#)     Approving a conditional purchase agreement and associated conveyance documents between Travis County (Parcel 54 & 55) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project and, authorizing the City Manager to execute the same.

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

- 5O.**     [2024-0664](#)     Approving a professional services supplemental agreement with Quiddity Engineering, LLC in the amount of \$397,696 for the design of reclaimed water line to 1849 Park, and authorizing the City Manager to execute the same.

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

- 5P.**     [2024-0668](#)     Approving designating Veterans Day as an official City of Pflugerville holiday.

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

- 5Q.**     [2024-0659](#)     Approving an amendment to a professional services agreement with Lakeside Municipal Utility District # 5, and authorizing the City Manager to execute the same.

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

- 5R.**    [2024-0557](#)       Approving a change order in the amount of \$485,194 for Capital Excavation Company associated with the Kelly Lane Phase 2 roadway improvements project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 5S.**    [2024-0673](#)       Approving a change order to the construction contract with PLW Waterworks, LLC., in the amount of \$675,563.30 associated with the Water Treatment Plant Expansion Project, and authorizing the City Manager to execute same.
- The item was approved on the consent agenda.
- 5T.**    [2024-0502](#)       Approving a change order in the amount of \$336,977.75 and 90 additional days to the construction contract for the Wilbarger Creek Park Phase 2 (Base Bid and Alternate B) project with Patin Construction, LLC, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 5W.**    [2024-0633](#)       Approving an agreement between City of Pflugerville and Travis County for the billing and collection of the Lakeside Meadows Public Improvement District assessments, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 5X.**    [RES-1243](#)       Approving a resolution selecting Weaver and Tidwell, LLP, to provide independent auditing services.
- The resolution was approved on the consent agenda.
- 5Y.**    [RES-1239](#)       Approving a resolution authorizing payment to the Travis County for tree mitigation fees in the amount of \$60,400 associated with the Secondary Colorado River Raw Water Pipeline project.
- The resolution 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 8.

## **6.    Public Hearing**

- 6A. [RES-1236](#) Conduct the second public hearing regarding the 2024-2028 Community Development Block Grant (CDBG) program Consolidated Plan and Action Plan.

Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell reviewed the process for the consolidated plan and the needs assessment survey. Mr. Frazzell reviewed the project goals, funding allocation, and projects. Mr. Frazzell discussed the schedule of next steps. 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.

## 7. Regular Agenda

- 7A. [2024-0647](#) Discuss and consider action to approve a construction contract with Patin Construction in the amount of \$6,614,688 associated with the Colorado Sand Extension project, and authorize the City Manager to execute the same.

Mayor Gonzales opened the item. Ms. Kam reviewed the Colorado Sand Drive extension plans and reviewed the schedule. Mayor Pro Tem Weiss asked if all utilities and rights-of-way are complete to turn dirt. Ms. Kam stated one right-of-way is still pending but the project can start while that is completed. Mayor Pro Tem Weiss moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 7B. [2024-0665](#) Discuss and consider action to approve a construction contract with SA Smart Solutions in the amount of \$358,457 associated with the Historic Elevated Tank Lighting project, and authorize the City Manager to execute same.

Mayor Gonzales opened the item for discussion. Mr. Pritchett reviewed the rehab project on the historic elevated tank and discussed the base bids and alternative options for the lighting. Mr. Pritchett reviewed the staff recommendation for changing color lights, lights along the support beams, a mock up of the lighting, and four additional lights. Mr. McDonald asked about the resiliency of the lights. Mr. Rogers asked about outreach to the neighborhood. Mayor Gonzales asked about how many other communities have similar water tanks. Andrew Berteaux with SA Smart Solutions provided information about the kind of lights used that usually have a five year manufacturer's warranty and around 15 years of life. Discussion followed regarding the installation of lights. Mayor Gonzales moved to approve the item as staff recommended. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 7C. [RES-1240](#) Discuss and consider action to approve a resolution authorizing the City Manager to execute a renewal of the Interlocal Cooperation Agreement for Public Health Services between the City of Austin and the City of Pflugerville.

Mayor Gonzales opened the item for discussion. Mr. Polanco reviewed the history of the interlocal agreement and timeline. Mr. Polanco reviewed the

average annual fees from three entities and stated the City incurs no cost with Austin Public Health (APH) and discussed consistency. Mr. Rogers asked about APH working on the temporary permit fees. Todd Mers, Program Manager with APH, provided information about their work to look at the cost of service and stated it is now with the corporate budget and they will learn on Friday what the upcoming budget will be. Mr. Mers answered questions regarding revenues for APH. Mr. McDonald stated he is making sure the City is not missing the opportunity to set up its own department. Mr. Ruiz asked what might be different this year from last year when looking at the temporary fees. Discussion followed regarding the timing for the City of Austin process. Mr. Metayer stated his frustration about waiting through the process again to look at the temporary permit fees. Discussion followed regarding the timing for the agreement. Mr. Mers stated the City of Austin needs the agreement by August 10th. Mr. McDonald moved to approve the item. Mayor Pro Tem Weiss seconded the motion. The vote was as follows: Mayor Pro Tem Weiss - yes, Mr. Ruiz - yes, Mr. McDonald - yes, Mayor Gonzales - yes, Mr. Metayer - no, Mr. Rogers - no, Ms. Holiday - no. The motion carried.

**7D. [RES-1242](#)**

Discuss and consider action to approve a resolution making additional appointments to the Mobility Master Plan Technical Advisory Committee.

Mayor Gonzales opened the item for discussion. Mr. Frazzell reviewed the committee and stated staff contacted Pf101 graduates and has five more individuals who are willing to serve: Brittany Mann, Shawn Mann, Joan Clark, Fawn Spencer, and Lisa Wright. Mr. McDonald stated he will be appointing Rachel Martin and Yvonne Thomas. Mr. Metayer moved to approve the resolution for the committee to include the four appointed at the last meeting along with the additional seven. Mayor Pro Tem Weiss seconded the motion. All voted in favor. The motion carried.

**7E. [RES-1238](#)**

Discuss and consider action to approve a resolution of the City Council of the City of Pflugerville, Texas, directing the City Manager or the City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of land situated for temporary construction and utility easements in Pflugerville, Travis County, Texas and directing the City Attorney to initiate condemnation proceedings associated with the 15-inch North Wilbarger Wastewater Interceptor Project.

Mayor Gonzales opened the item. Ms. Morrison reviewed the location for the placement of the manhole and reviewed discussed with the property owner. Ms. Morrison stated this is the final easement needed before construction. Mr. Rogers moved to approve the resolution. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

**7F. [2024-0617](#)**

1.) Executive Session Item: Deliberations in accordance with Sections 551.071 and 551.087 of the Texas Government Code to discuss economic development negotiations and financial information received from businesses expanding or relocating in the City of Pflugerville and to seek legal advice regarding such projects, incentives, and negotiations for Project Top Floor. 2.) Open Session Item: Discuss and consider action to authorize the PCDC President to enter into an Economic

Development Performance Agreement (EDPA) between Pflugerville Community Development Corporation and Project Top Floor not to exceed \$1,950,000 for the purpose of co-workspace and entrepreneurial training to foster primary job creation and economic growth.

**Mayor Gonzales stated city council was retiring to executive session for discussion on items 7F. and 7G. at 8:34pm. Mayor Gonzales reconvened the meeting in open session at 9:31pm. No action was taken.**

**7G. [2024-0669](#)**

Discuss and consider action regarding sales tax elections and special districts.

**Discussion on the item occurred in executive session. No action was taken.**

**7H. [2024-0671](#)**

Discussion regarding FY25 budget preparations and budget assumptions for Utility Funds, and Master Fee Schedule recommendations.

**Discussion on the item occurred during the previously posted worksession.**

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

**5C. [ORD-0781](#)**

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 32.6197 acres of land out of the C.S. Parish Survey No. 2, Abstract No. 621, and the Sefton Survey No. 1, Abstract 265, both in Travis County, Texas from Planned Unit Development (PUD), General Business 1 (GB1) and Agriculture/Conservation (A) to Planned Unit Development (PUD) District; to be known as the Downtown East Project Planned Unit Development (PUD2024-00142); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

**Mayor Gonzales opened item and read the caption of the ordinance. Mr. Frazzell reviewed the clarification needed within the PUD document to allow a maximum height of 80 feet for Parcel 2. Mr. Frazzell stated if approved as amended the ordinance will come back for a third reading. Mr. Metayer moved to approve the ordinance as amended on second reading. Ms. Holiday seconded the motion. All voted in favor. The motion carried.**

**5N. [2024-0660](#)**

Approving an agreement for the Transfer of Water Certificate of Convenience and Necessity Service Area (Property Within City's Extraterritorial Jurisdiction) between the City and Manville Water Supply Corporation, and authorizing the City Manager to execute same.

**Mayor Gonzales opened the item for discussion. Mr. Pritchett reviewed the location and stated the City is capturing the CCN. Mr. Pritchett provided clarification regarding the process based on the location. Mr. McDonald moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**

- 5U.**    [2024-0674](#)       Approving the purchase and installation of a new playground, fitness equipment, shade, safety surfacing, and trail conversion at Zola Park, located at 17401 Zola Ln, in the amount of \$571,785.71, and authorizing the City Manager to execute the same.

**Mayor Gonzales opened items 5U. and 5V. together. Mr. Mize stated Zola Park is a 12 year old park and reviewed the current setup. Mr. Mize stated the gravel trail is not approved in the ADA plan and the play equipment will also be updated to be a complete ADA facility. Discussion followed regarding running surface types. Ms. Holiday moved to approve items 5U. and 5V. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**

- 5V.**    [2024-0675](#)       Approving the purchase and installation of a new playground, shade, and safety surfacing at Falcon Pointe Splash Park, located at 1813 Tranquility Ln, in the amount of \$138,155, and authorizing the City Manager to execute the same.

**Mayor Gonzales opened items 5U. and 5V. together. Mr. Mize stated the park is 15 years old and reviewed the improvements. Ms. Holiday moved to approve items 5U. and 5V. Mr. Metayer seconded the motion. All voted in favor. The motion carried.**

## **9.    Adjourn**

**Mayor Gonzales adjourned the meeting at 9:49pm.**

**Respectfully submitted,**

**Approved as \_\_\_\_\_ on August 13, 2024.**