



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, January 14, 2020

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

The City Council is scheduled to hold a Worksession starting at 5:00 p.m. Please see the Worksession agenda for a list of items for discussion at the Worksession.

1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:00 p.m. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer and Jim McDonald were in attendance. Councilmember Mike Heath was absent. City employees attending: Sereniah Breland, City Manager; Charles Zech, City Attorney; Trey Fletcher, Assistant City Manager; James Hartshorn, Assistant City Manager; Karen Thompson, City Secretary; Vicky Rudy, Interim Public Works Director; Brandon Pritchett, Utility Superintendent; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer, Amy Good, Finance Director; Patricia Davis, City Engineer; Jennifer Coffey, Library Director; Emily Barron, Planning Director; Jessica Robledo, Police Chief; Jason Smith, Assistant Police Chief.

2. Opening

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

Mayor Gonzales lead those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

B. Pledge of Allegiance to the Texas State Flag

Mayor Gonzales lead those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

C. Moment of Silence

Mayor Gonzales observed a moment of silence.

3. Items of Community Interest

Mr. McDonald announced the Rotary's upcoming Casino Night on February 22, 2020. Mr. Weiss challenged the other Councilmembers to participate in the Deutschen Pfest Pfun Run.

4. Presentations

- 4A.** [2020-8128](#) Presentation of a Mayor's proclamation recognizing Gloria J. Hidalgo as recipient of the College Board's 2019 State Advanced Placement Scholar Award.
- Mayor Gonzales read the proclamation and presented it to Ms. Hidalgo. Mayor Gonzales recognized Vernagene Mott in attendance, President of the Pflugerville ISD School Board. Ms. Mott provided comments.**
- 4B.** [2020-8122](#) Presentation of a Mayor's proclamation recognizing Jean Taylor as the Texas Animal Control Association's Volunteer of the Year.
- Mayor Gonzales read the proclamation and presented it to Ms. Taylor. Ms. Taylor thanked the Texas Animal Control Association for the honor of the award and stated that she is just one of many volunteers. She thanked City staff and she thanked Rhonda McLendon for her outstanding way of looking forward.**
- 4C.** [2020-8118](#) Presentation of First Responder Award to Chief Jessica Robledo.
- Mayor Gonzales announced that Chief Robledo is the recipient of the "Everyday Hero Award" by the Institute for Law Enforcement Administration for her leadership in producing the video "Smash the Stigma" along with the City Communications team. He stated that the video addressed Police Officer depression and suicide prevention and it has been widely distributed throughout the law enforcement networks in Texas. Chief Robledo came forward and the video was played. Mayor Gonzales provided comments commending the work of Chief Robledo.**

5. Public Hearing and Ordinance First Readings

- 5A.** [ORD-0499](#) 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 changing the zoning designation of approximately 416.634 acres out of the W. Caldwell Survey, Section No. 66, Abstract No. 162 and out of the E. Kirkland Survey, Abstract No. 458 of Travis County, Texas, from Agriculture/Development Reserve (A), Urban (Level 4: CL4), and Urban Center (Level 5: CL5) to Planned Unit Development (PUD) district; to be known as the Lakeside Meadows PUD Rezoning (REZ1906-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.
- Mayor Gonzales read the item to include the caption of the ordinance under consideration and opened the public hearing and consideration of the ordinance on first reading. Ms. Barron provided information and answered questions of Council. James Kerby, applicant, stated that they started this process 14 months ago and that he thinks that they have worked very well with city staff. He stated that they worked with the neighbors first. He provided further comments stating that they are looking for a live, work and play development. He answered questions of the Council. Ms. Barron answered questions regarding the Transportation Impact Analysis (TIA). Mr. Kerby**

answered questions regarding his company and their projects. There were no requests to speak at the public hearing. Mr. Weiss made a motion to close the public hearing. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

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

5B. [ORD-0500](#)

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 changing the zoning designation of approximately 93.559 acres out of the Sefrin Eiselin Survey No. 4, Abstract No. 265 of Travis County, Texas, from Agriculture/Development Reserve (A) to Planned Unit Development (PUD) district; to be known as the Project Charm PUD Rezoning. (REZ1911-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

Mayor Gonzales read the item to include the caption of the ordinance under consideration and opened the public hearing and consideration of the ordinance on first reading. Ms. Barron provided information on the request for rezoning. Ms. Amanda Swor and Jonathon Stites, representing the applicants, provided information and answered questions of Council.

Mayor Gonzales invited those in attendance to speak at the public hearing.

Victoria Smith, 403 Plumbago, indicated on the public comment form that she did not wish to speak but requested that the Mayor announce her opposition for the record. Concerns she noted: impact on traffic, noise and easements, driveways, streets from neighborhood.

Ryan Hibbeler, 1204 Firebush Dr, spoke in opposition. He indicated concerns for cut-through traffic, traffic in the neighborhood and traffic at all hours. He stated that they have no information on the zoning around it.

Cristine East, 815 Plumbago Dr, spoke in opposition. She indicated concerns for a large warehouse being so close to downtown and that she would want something there to attract people downtown. She stated concerns regarding employee injuries at Amazon and lack of quality jobs. She stated concerns for traffic and kids and pedestrians crossing the street.

Jeff Lopez, 813 Plumbago Dr, spoke in opposition. He stated concerns for insufficient notice. He stated that there was no opposition at the Planning and Zoning Commission, because they did not know about it. He indicated concerns for lighting and sound issues and what they would be seeing. He asked the Council to go to other communities and see how they were affected, that this is a warehouse headquarters.

Carol Teitelman, 504 Bellaire Oaks, spoke in opposition. She stated to ditto what others had said. She indicated concerns for how this would affect quality of life and noted concerns for noise and light pollution.

Gail Bell, 702 Honeysuckle Ln, spoke in opposition. She stated that they are ignoring how much more this will impact Immanuel and Pecan. She indicated concerns for kids crossing and pedestrian safety. She stated that with Amazon there is a push for speed and they use a lot of third party people. She stated that it is close to downtown and an Amazon warehouse does not showcase Pflugerville. She stated that an Amazon warehouse across from our only hotel is a turnoff. She stated that she thinks this will bring down property values.

Christa Neumann, 605 Greenfield Cove, spoke in favor. She stated that she understands the concerns but from the perspective of Pflugerville as a whole, she thinks the benefits outweigh the concerns. She noted the jobs, additional businesses and support services that would contribute to the tax base.

Howard LeNoble, 711 Oxford Dr, spoke in opposition. He stated concerns regarding quality of life. He stated that he lives in Cambridge Estates and finds the traffic like a parking lot. He stated that he sees the roads as unable to accommodate the extra traffic. He stated that he would want to look at the traffic impact and how many vehicles this would add. He stated that he does not like a 24-hour facility with light and noise.

Amanda Aguilera, 1126 Bryce Canyon, spoke in opposition. She stated that they need to think about the city as a whole. She stated that Google maps will take people through the neighborhood. She stated that the distribution center does not provide quality jobs and has poor working conditions. She stated that Amazon is famous for dodging taxes.

Miriam Crellin, 1409 Sweet William Lane. Mayor Gonzales called for Ms. Crellin, but she was not in attendance.

Nick Crissy, 2302 Hayfield Square, spoke in favor. He thanked the Council for working on this project and stated that he believes it is a great opportunity for more jobs and recognition to the community. He stated that he hopes the City can work on the concerns of the community. He stated that Pflugerville should continue to grow. He stated that it has many needs and Pflugerville depends too much on rooftops. He stated that this type of development will make more money and bring more shopping and dining. He stated that he would like to know the incentives offered. He stated there were also concerns with the development of Costco but it has been a good neighbor. He stated that we have needs for public transportation and to be more attractive for businesses and this type of development will increase the ability to provide these things.

Jon Oelrich, 111 Sunflower Dr, indicated to represent the Bohls neighborhood as Vice President of the Bohls Neighborhood Association. He stated that they oppose the passage and ask the Council to reject or to at least postpone until questions are answered. He stated that they believe this will diminish the quality of life of their residents. He spoke on their concerns for traffic, workforce, city infrastructure, emergency services, pollution, noise, light, air traffic, incentives to be given and the process.

Laura Foster, 1506 Hollyhock Ct, spoke in opposition, stating that nothing has brought their neighborhood out before like this. She stated concerns for the jobs not being high-paying and the workers not being able to afford to live in their neighborhood. She stated concern for a decrease in property values and

the number of suicides of Amazon employees. She stated that if Pflugerville wants to look at this, there are better areas for it. She indicated concerns for kids that walk to school.

Erin Snider, 1404 Firebush Dr, spoke in opposition. She noted concerns for those living in 2-story homes being able to see the development, concerns for traffic in the neighborhood and high schoolers having to drive by it to get across SH130 to Weiss High School. She stated that she wants Pflugerville to grow and development, but it comes down to what we want to develop. She stated that she wants a vibrant, diverse and safe community, one that is able to stop commuting for careers. She stated that we don't need hourly, seasonal jobs. She stated that she does not want to live in a light industrial, trucking area. She asked if we are greenlighting without looking at it fully. She asked about an environmental impact study. Mayor Gonzales asked the applicant to come forward to answer the question.

Mr. Stites stated that they have a done a complete review of a noise study, that they look at it just like traffic, that it is not required, but they do it. Ms. Swor stated that lighting is cut off and shielded and is within the development standards. They provided additional information. Mr. Stites stated that the project will conduct full environmental studies.

Dorian Snider, 1404 Firebush Dr, stated that he has done some searching and found little information on Project Charm, but has found similar projects throughout the country. He stated that they hire mostly seasonal and none could afford housing next door, but it would dominate the neighborhood. He stated that the loading docks would pour sound to the Bohls neighborhood. He indicated light concerns and concerns for the amount of traffic. He asked how many parking spaces. Mr. Weiss stated 1826. Mr. Snider stated that he does not think this has been thought through well enough.

Mark Gibson, 605 Greenfield Cove, stated that he has seen the impact of growth in Central Texas and there is no stopping the momentum of this. He stated that his heart goes out to those worrying about this project. He noted the traffic mitigation and improvements that they are putting up the money to address with the project. He stated that he loves living in Pflugerville, that it is a great place and he thinks this project will make it even better. He stated he is hearing that they may address some of these concerns and that there may be an opportunity to negotiate. He stated that he thinks this will be good.

Mayor Gonzales read the list of those that had indicated on the public comment form that they did not wish to speak but requested that the Mayor announce their opposition for the record:

James Foster, 1506 Hollyhock Ct.
Mitchell Kettrick, 903 Lavender Cv
Manny Mancias, 1305 Honeysuckle Ln
Patrick Woods, 1303 Honeysuckle Ln
Phillip Hunsey, 1307 Honeysuckle Ln
Danny McDaniel, 1301 Honeysuckle Ln
Nancy Wildberger, 501 Plumbago
Steven and Katherine Richter, 1500 Hollyhock Ct
Adriana Kettrick, 903 Lavender Cv
Cristina Lopez, 813 Plumbago Dr

Doris Berninger, 811 Plumbago Dr
Victoria Smith, 403 Plumbago

Mayor Gonzales asked if there were any additional people wishing to speak at the public hearing.

Jose Valdez, 1202 Firebush Dr, spoke in opposition with concerns for flooding and child safety due to traffic.

Mayor Gonzales thanked the community for coming out to speak. Mr. Weiss asked the applicant if there would be improvements to Pecan and Immanuel. Ms. Swor stated that the TIA is still in review but that they can work with staff and have an answer by second reading. Mr. Weiss asked regarding the scheduling of the employees. Mr. Stites stated that they typically staff so not all employees are coming and going at the same time. There was continued discussion.

Laura Foster, 1506 Hollyhock Ct, asked about the roadway plans and Ms. Barron provided information. Council discussion continued.

Mayor Gonzales stated that Maria del Rocio Luper, 1211 Honeysuckle Ln, indicated on the public comment form that she did not wish to speak but requested that the Mayor announce her opposition for the record.

Julie Brown, Plumbago Dr, spoke in opposition. She stated that it is beautiful to look at the land. She stated that she is not sure this is what she wants to look at. She stated that she is worried about the traffic. She asked if there would be a stoplight.

Mitchell Kettrick, 903 Lavender Cv, asked if the TIA would take into account that it is already congested and take into account the other project that was just approved. He asked why it has to be so close to downtown. He stated that he thinks that there should be a CIA, Community Impact Study. He asked how it would impact them moving forward. He indicated concerns for noise and traffic. He asked Council to do additional due diligence and vote critically and to keep the adjacent neighbors in mind.

Christian and Adrienne Russell, 1417 Firebush Dr., indicated on the public comment form that they did not wish to speak but requested that the Mayor announce their opposition for the record.

There were no additional requests to speak at the public hearing. Mr. Weiss made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

Mayor Gonzales provided comments on the concerns noted and the continuing growth of Pflugerville. Mr. Marsh provided comments and stated that he appreciates their input. Mr. Weiss stated that he appreciates all the input from the community and that he is impressed with the applicant's listening to the concerns and making a commitment to \$10,000,000 in improvements. He stated that it is impressive that they are willing to do so much for the project. Mr. Weiss made a motion to approve the ordinance on first reading. Mr. McDonald provided comments and stated that we recognize there is a traffic issue and the Council is looking at mitigating it. He stated that we have heard the concerns and the answers by the developer that sound like they could

mitigate. He stated that we need to move forward, get more answers and have more conversations. Mr. McDonald seconded the motion. All voted in favor. The motion carried. Mayor Gonzales announced that consideration on second reading would take place on January 28, 2020.

5C. [ORD-0503](#)

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 changing the zoning designation of an approximate 0.20-acre tract from Agriculture/Development Reserve (A) District to Single Family Mixed Use (SF-MU) District; an approximate 0.05-acre tract from Single Family Residential (SF-R) District to Single Family Mixed Use (SF-MU) District; an approximate 5.0-acre tract, an approximate 0.22-acre tract, and an approximate 0.22-acre tract from Agriculture/Development Reserve (A) District to Single Family Residential (SF-R) District, all of which are within portions of the John Leisse Survey No. 18, Abstract No. 496, and the Joseph Wiehl Survey No. 8, Abstract No. 802 of the real property records of Travis County, Texas; to be known as the Carmel West Phase 3, Section 1 & 2 Rezoning (REZ1911-03); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

Mayor Gonzales read the item to include the caption of the ordinance under consideration and opened the public hearing and consideration of the ordinance on first reading. Ms. Barron provided information on this ordinance to apply conforming zoning. There were no requests to speak at the public hearing. Mayor Pro Tem Peña made a motion to close the public hearing. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. McDonald asked for clarification from Ms. Barron. Mr. Weiss stated that this looks like it is a clean up ordinance. Ms. Barron stated that this is a clean up ordinance to correct lot lines. Mayor Pro Tem Peña made a motion to approve the ordinance on first reading. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

6. Public Comment

There were no requests to speak under the public comment item.

Reading of the Consent Agenda

Items 8A and 9A were removed from the consent agenda. Ms. Thompson read the items to be considered on the consent agenda.

7. Approval of Minutes

7A. [2020-8097](#)

Approval of the minutes of the December 10, 2019 Worksession and Regular Meeting and December 17, 2019 Special Meeting.

The minutes were approved on the consent agenda.

10. Other Actions

- 10A. [2020-8120](#) Authorizing the City Manager to execute the Third Amendment to Retail Sales Agreement, an interlocal agreement for electric service, between the City of Pflugerville and the General Land Office.

The item was approved on the consent agenda.

Action on the Consent Agenda

Mr. McDonald made a motion to approve the consent agenda. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

8. Ordinance First Reading

- 8A. [ORD-0504](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the second amendment to the FY20 Budget for the City of Pflugerville; and providing an effective date (vacation accrual adjustment, police grant, treatment plant maintenance, new and reclassification of positions).

Mayor Gonzales read the item to include the caption of the ordinance for consideration on first reading. Mayor Pro Tem Peña indicated a concern for adding a third Assistant City Manager position. Ms. Breland provided information on the proposed organizational structure. Mr. Marsh indicated support for the approach. Mr. Weiss stated that he does not think it makes sense to delay action. Mr. Weiss made a motion to approve item 8A on first reading. There was continued Council discussion with Ms. Breland. Mayor Pro Tem Peña again stated his concerns in having a third Assistant City Manager instead of a Public Works Director. Mr. Metayer stated that he would want to make sure the person is well versed in Public Works. Ms. Breland indicated a need for high level management. Mr. Marsh seconded the motion. Mayor Pro Tem Peña stated that he is still struggling with this. Ms. Breland noted that the City used to have three Assistant City Managers. Mr. Weiss stated that it seems appropriate. Mayor Gonzales noted a need for a solid Public Works background. Mr. Metayer indicated agreement. There was continued discussion. Mayor Gonzales called for a vote on the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

9. Resolutions

- 9A. [RES-0690](#) Approving a Resolution to authorize the disposal of real property owned by City of Pflugerville located at 102 S. 3rd Street, being Lot 1 Blk 1 Pfluger Ernest Addn.

There was Council discussion with Ms. Breland. Ms. Breland stated that this would allow the City Manager to place the property on the market and to come back to Council for consideration. Mr. Zech provided information on the rules for selling property. Discussion followed. Mr. Marsh made a motion to approve the resolution. Mr. McDonald seconded the motion. All voted in favor. The

motion carried.

11. Discuss and Consider Action

- 11A. [2020-8126](#) Discuss and consider action to approve a Pflugerville Community Development Corporation contract with Cox Commercial Construction in the amount of \$956,625.90 for Water Park access modification and intersection improvements located at FM685 and Town Center Drive. (Presentation by Vivek Deshpande, Kimley-Horn)

Amy Madison, PCDC Executive Director, was in attendance. Vivek Deshpande, Kimley-Horn, presented on the item and answered questions of the Council. Mr. Weiss made a motion to approve. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

12. Discuss only

Mayor Gonzales announced that the City Council was retiring to executive session on items 12A and 12B. He read the items and retired to executive session. The time was 10:17 p.m.

- 12A. [2020-8099](#) 1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding economic development agreement for Project Charm.

Discussion on the item took place in executive session. No action was taken.

- 12B. [2020-8130](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Local Government Code regarding legal liability with regards to the TCEQ violations concerning the City's Water Treatment Plant.

Discussion on the item took place in executive session. No action was taken.

Executive Session Closed

Mayor Gonzales reconvened in open session at 10:57 p.m. No action was taken.

13. Adjourn

Mr. Weiss made a motion to adjourn. Mr. McDonald seconded the motion. Mayor Gonzales declared the meeting adjourned at 10:57 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on January 28, 2020.