



# City of Pflugerville

## Minutes - Final - Final

### City Council

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Tuesday, February 11, 2020

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

The City Council is scheduled to hold a Worksession starting at 6:00 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, Mike Heath and Jim McDonald were in attendance. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Assistant City Manager; James Hartshorn, Assistant City Manager; Karen Thompson, City Secretary; Emily Barron, Planning Director; Amy Good, Finance Director; Terri Toledo, Communications Director; Jessica Robledo, Police Chief; Jason Smith, Assistant Police Chief; Jennifer Coffey Griswold, Library Director; Patricia Davis, City Engineer; Wayne Granger, Streets and Drainage Superintendent; Aileen Dryden, Parks Development Manager; Shane Mize, Parks Director; Vicky Rudy, Interim Public Works Director; Tracy Hibbs, Utility Business Manager. Dustin Traylor, RBC Capital Markets, City Financial Advisor; and Richard Donoghue, McCall, Parkhurst and Horton LLP, City Bond Counsel, were in attendance.

#### 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. Marsh provided a reminder regarding the upcoming Lions Club Chili Supper on February 21, 2020. Mr. Weiss provided a reminder regarding the

upcoming Rotary Casino Night on February 22, 2020. Mr. Metayer provided information regarding the Travis County Expunction Clinic on February 29, 2020.

#### 4. Presentations

- 4A. [2020-8215](#) Mayor's proclamation declaring February 2020 as Black History Month.

Mayor Gonzales read the proclamation and presented it to Jeff Travillion, Travis County Commissioner; Tony Hanson, Pflugerville Independent School District Board of Trustees; Pastor Richard Coaxum, St. Mary Baptist Church; Sheldon Lamey, Pflugerville Black Business Builders; and Alicia Jackson, Black Pflugerville.

- 4B. [2020-8188](#) Presentation and discussion about the 2019 Pavement Management Services Pavement Condition Report.

Ms. Davis introduced Scot Gordon with Data Transfer Solutions to present the findings and recommendations of the 2019 Pavement Condition Report. Mr. Gordon presented and answered questions of Council. There was discussion on the item.

#### 5. Public Comment

Kelly Weitkemper and Judy Pfiel, Pflugerville Circle of Giving, addressed the Council regarding their concerns that the lawn signs to advertise their fundraising bingo are being picked up by Code Compliance. Ms. Weitkemper stated that they are asking for guidance on how they can put the signs out and remain in compliance.

### First Supplemental Agenda Item

#### 1. Resolutions

- 1A. [RES-0702](#) Receive report of final recommendations from the Bond Committee and discuss and consider action to approve a resolution ordering a May 2, 2020 special bond election.

Bond Committee members Geoff Guerrero, Melody Ryan, Chris Callahan, Erin Crespo, Urcha Dunbar-Crespo, Pat Epstein and Amanda Maedgen were in attendance.

Mr. Fletcher introduced Jeff Barton and Kara Buffington, Gap Strategies, consultants that facilitated the Bond Committee discussion and community survey. Mr. Barton and Ms. Buffington provided information.

Mr. Guerrero presented on the Bond Committee's recommendation for a transportation bond proposition and reviewed the proposed projects: 1.) Innovative Intersections, 2.) Neighborhood Street Reconstruction, 3.) Immanuel Road, 4.) FM 685 Corridor Improvements, 5.) SH 45 Frontage Roads, 6.) Kelly Lane Phase 3, 7.) Pfluger Farm Lane North, 8.) Main Street, 9.) Central Commerce Drive, 10.) Picadilly Drive, 11.) Cameron Road Realignment, 12.)

Pflugerville Parkway (Colorado Sand to Weiss Lane), 13.) Pecan Street (Weiss to Cameron Lane) in the amount of \$101,700,000. Mr. Guerrero answered questions of the Council and there was discussion with input from Mr. Barton, Mr. Fletcher and Ms. Davis.

Mr. Barton provided an introduction to the Bond Committee's recommendation for parks bond projects. Ms. Ryan presented on the bond committee's recommendation for two parks bond propositions. One proposition for parks projects: 1.) Trail Improvements, 2.) Neighborhood Parks, 3.) Land Acquisition, 4.) Lake Pflugerville Phase 2, 5.) 1849 Park Phase 2, and 5.) Destination Play Space in the amount of \$41,200,000. And a separate proposition for a Recreation/Senior Center in the amount of \$45,900,000. Ms. Ryan answered questions of the Council and there was discussion with input from Ms. Breland, Mr. Mize and Ms. Maedgen.

Mr. Barton provided a summary of the Bond Committee's work and recommendations. Ms. Good provided financial information and noted that Mr. Traylor was in attendance. Council discussion followed regarding the need for action by February 14 to call a May 2020 election and option of postponing to November.

Mayor Gonzales called forward those that had signed up to provide public comment on the item.

Ryan Burkhardt, 301 Meadow Creek Drive, spoke regarding his concerns for the Main Street extension. He stated concerns for the environment, noise and the \$6,000,000 cost.

Adeline Bui stated that she is on schedule to submit a project in late spring to break ground in the summer on the Gin Property. She stated that she is in discussions to provide right of way with hopes that the Main Street extension does occur.

Bob Reichenbach, 309 Cottonwood Lane, stated that he sees his property taxes going up and up and this is going to make it hard on the seniors. He indicated concern that there are more questions than solutions. He stated that he sees legitimate requests with the roads, like Immanuel. He asked that they only go forward with what is ready. He stated that the City is not ready for a \$190 million bond.

Rob Koschade, 405 Mountain View Drive, stated that it was a good presentation by the Bond Committee. He stated that he would like to know on the previous bonds how they have been accomplished and if the projects were completed. He stated if they were not executed, then we have failed the citizens. He recommended that they wait until November for great voter turnout.

Russell Seguin, 300 Meadow Creek Drive, had signed up to speak regarding the negative impact of Main Street extension on the creek and neighborhood, but was not in attendance when called to speak by the Mayor.

Urcha Dunbar-Crespo assisted Earlie Dixon in stating his concern for his taxes increases and the size of this bond package and how it will increase his taxes. Mr. Dixon spoke on his concerns regarding the increase in the assessed value of his property.

Tim Bradberry spoke of the importance of getting the full participation of the citizens and encouraged the Council to hold the election in November.

Mr. Traylor provided information on the evaluation of the City's bond capacity. He stated that they looked at what the average homeowner with a home valued at \$254,000 could expect. He stated that a \$10 increase to the average homeowner would generate \$188,000,000 which would provide \$173,000,000 additional capacity, since the city has approved bonds not yet issued. He stated that a \$15 increase to the average homeowner would generate \$227,000,000, or \$212,000,000 in additional capacity. Mr. Traylor reviewed and discussed with Council.

Council discussion followed regarding the projects. Mr. Heath stated that they could hold an election for the top six transportation projects in May and look at the rest for November. Mr. Heath indicated concerns with the timing of the Main Street extension project. Mr. Marsh noted that it is in the Downtown Action Plan as one of the action items. Mr. Heath stated that he does not think that it is a must have at this time and that he thinks it will diminish the capacity of FM 685 by adding another intersection. Mr. Weiss stated that he would be good with leaving in the design and engineering of Main Street. Ms. Breland provided comments.

Mr. Weiss recommended holding the bond election in November. Council discussion followed. Mayor Pro Tem Peña made a motion to push to a November election. Mr. Metayer stated concerns for missing out on CAMPO matching funds for transportation projects. Mr. Weiss seconded the motion. Mr. Heath indicated to agree with Mr. Metayer. The vote was Mr. Weiss-yes, Mr. Marsh-no, Mayor Pro Tem Peña-yes, Mr. Metayer-no, Mr. Heath-no, Mr. McDonald-no, Mayor Gonzales-yes. The motion failed.

Ms. Ryan spoke on how the Bond Committee came to a consensus.

Mr. McDonald made a motion to approve the transportation projects as presented for a May bond election. Mr. Marsh seconded the motion. Mr. Heath stated to support except for Main Street. Mr. McDonald commented on its importance for the economic vitality of the downtown and east-west connectivity. Mr. Heath indicated concerns for the added time delay on FM 685 to result from a new intersection with Main Street. Mr. Weiss proposed that they pull the construction from the Main Street project and keep the engineering and design. Council discussion followed. Mr. McDonald indicated to remove his motion and to make a new motion to accept the recommended transportation projects and to deduct from Main Street the construction cost of \$5,000,000 and allow for complete engineering and estimates for the right of way acquisition. Mr. Heath seconded the motion. The vote was: Mr. Weiss-no, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Gonzales-no. The motion carried.

Mr. McDonald asked if there is a same driver to hold a bond election for parks projects in May. Council discussion followed. Mr. Heath made a motion that they consider the parks list at a later time. Mr. Metayer stated that they know they need a Senior Center. The motion died for lack of a second. Mr. McDonald made a motion to approve the parks projects and Recreation/Senior Center propositions as presented by the Bond Committee for a May bond election. The motion died for lack of a second. Mr. McDonald made a motion

to approve Proposition B (parks projects without Recreation/Senior Center) for a May bond election as presented by the Bond Committee. The motion died for lack of a second. Mr. Weiss indicated concern for the maintenance costs of Lake Pflugerville and 1849 Park. Mr. Mize addressed questions. Council discussion followed. Mr. Metayer stated that he would like to move forward with the Recreation Center/Senior Center and have people vote on it. He stated that he is fine with everything else. There was continued Council discussion. Mr. Metayer made a motion to move the parks projects and the Recreation Center/Senior Center to the November election. Mr. Heath seconded the motion. The vote was: Mr. Weiss-no, Mr. Marsh-no, Mayor Pro Tem Peña-yes, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

Mr. Donoghue requested the City Council to take action on the resolution calling a bond election for May 2020 for Proposition A for transportation projects as presented with reduction of \$5,000,000, in the amount of \$96,700,000. Mr. Heath made a motion to approve. Mr. Metayer seconded the motion. The vote was: Mr. Weiss-no, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Gonzales-no. The motion carried.

Mayor Gonzales called for a break. The time was 10:26 p.m. Mayor Gonzales reconvened the meeting at 10:36 p.m.

## Reading of the Consent Agenda

The ordinance for first reading on item 7A was amended following its official posting on February 4, 2020 and is correct as shown in the packet. An amended agreement for item 10F was provided on the dais for consideration. Items 9B, 9C and 10A were removed from the consent agenda. Ms. Thompson read the items along with the captions of the ordinances under consideration.

### 6. Approval of Minutes

- 6A. [2020-8184](#) Approval of the minutes of the January 28, 2020 Worksession and Regular Meeting.
- The minutes were approved on the consent agenda.

### 7. Ordinance First Reading

- 7A. [ORD-0512](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville, Texas Adopting the Pflugerville Fee Schedule; Amending Certain Fees and Establishing Costs and Fees Charged by the City of Pflugerville; Providing for a Penalty for a Violation of Section 10.99 of the City Code of Ordinances; and Declaring an Effective Date (solid waste fees).
- The ordinance was approved as amended on the consent agenda.

### 8. Ordinances Second Reading

- 8A. [ORD-0505](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the third amendment to the FY20 Budget for the City of Pflugerville; and providing an effective date (water treatment plant maintenance).

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

## 9. Resolutions

- 9A. [RES-0703](#) Approving a resolution for a Shared Service Arrangement for Participation in the Goodbuy Purchasing Cooperative and authorizing the City Manager to execute an Interlocal Participation Agreement for same.

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

## 10. Other Actions

- 10B. [2020-8181](#) Approving a professional services agreement with Halff Associates, Inc. in the amount of \$233,890 for professional engineering services associated with the Historic Colored Addition Subdivision Streets: Russell Street, Caldwells Lane, Taylor Street and Lincoln Avenue project and authorizing the City Manager to execute same.

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

- 10C. [2020-8182](#) Approving the award of a construction contract for the installation of a traffic signal at the intersection of Biltmore Avenue and Pecan Street to Austin Traffic Signal Construction Company, Inc., the lowest responsible bidder of two (2) bids received on January 15, 2020 in the amount of \$261,457.75 and authorizing the City Manager to execute same.

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

- 10D. [2020-8196](#) Approving a utility relocation agreement with Atmos Energy in the amount not to exceed \$69,539.20 for the SH 45 Water and Wastewater Line Project and authorizing the City Manager to execute same.

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

- 10E. [2020-8216](#) Approving the 2019 Pavement Management Services Pavement Condition Report.

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

- 10F. [2020-8217](#) Approving an Agreement between the Pflugerville Community Development Corporation (PCDC) and the City of Pflugerville regarding administrative and support services.

The item was approved as amended on the consent agenda.

### Action on the Consent Agenda

Mayor Gonzales and Mr. Metayer exited the dais during the reading of the consent agenda. Mayor Pro Tem Peña called for a vote on the consent agenda. Mayor Gonzales and Mr. Metayer were absent from the dais and did not participate in the vote. All present voted in favor. The motion carried.

### Resolutions - Removed from the Consent Agenda

- 9B. [RES-0700](#) Approving a resolution of the City of Pflugerville, Texas, rejecting all bids received for the El Malino Drive and Bellemeade Boulevard Pavement Rehabilitation Project and authorizing the project to rebid.

Ms. Breland stated that this was a timing issue. Ms. Barron explained that this is being funded by CDBG funds and the grant agreement was delayed and the bids expired. Council discussion followed with Ms. Barron and Ms. Breland. Ms. Davis provided information on the bid process. Mr. McDonald made a motion to approve the resolution as presented. Mr. Weiss seconded the motion. Mr. Metayer was absent from the dais and did not participate in the vote. All present voted in favor. The motion carried.

- 9C. [RES-0704](#) Approving a resolution of the City of Pflugerville, Texas, rescinding the Notice of Award to S.J. Louis, Rejecting all bids received for the West SH-130 Wastewater Interceptor Project and Authorizing the Project to be Rebid.

Mr. Zech stated that there were inconsistencies with the bidding process and the City Attorney's Office recommends rebidding the project. Mr. Heath requested to discuss in executive session for attorney consultation. Mayor Gonzales announced that the Council was retiring to executive session. Ms. Thompson announced that the Council was retiring to executive session for consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code. The time was 10:47 p.m. Mayor Gonzales reconvened in open session at 10:49 p.m. Mr. Heath made a motion to approve the resolution as presented. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

### Other Actions - Removed from the Consent Agenda

- 10A. [2020-8073](#) Approving an Interlocal Agreement with University of Texas Aquatics to use 6 lanes at Gilleland Creek for the 2020 spring season and 8 lanes in the summer aquatic season and authorizing the City Manager to execute the same.

Mr. Weiss indicated concerns that the City is subsidizing the program. Ms. Breland explained that staff felt comfortable with anticipating a rate increase next year. Council discussion followed. Mr. Mize answered questions. Mayor Gonzales stated that he would like to know if residents are swimming in this program. Mr. McDonald stated that then they could look at resident and non-resident rates. Mr. Marsh stated that would be a great idea for next year.

Mr. McDonald made a motion to approve the item as presented. Mr. Marsh seconded the motion. The vote was: Mr. Weiss-no, Mr. Marsh-yes, Mayor Pro Tem Peña-yes, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

**11. Discuss and Consider Action**

- 11A. [2020-8007](#) Discuss and consider action to approve a professional services agreement with CP&Y Inc., in the amount of \$479,944.00 to provide owner representative services associated with the Wilbarger Wastewater Treatment Plant Project and authorizing the City Manager to enter into negotiations as needed regarding future scope of work and fee proposals.

Ms. Davis provided information and answered questions. There was discussion on the item. Mr. Marsh made a motion to approve the item as presented. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**12. Adjourn**

Mayor Gonzales adjourned the meeting at 11:08 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on February 25, 2020.