



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, November 12, 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; Terri Toledo, Director of Management Services; Trista Evans, City Secretary; Charles Zech, City Attorney; Breanna Higgins, Special Projects Manager; Norma Martinez, Right of Way Manager; Brandon Pritchett, Public Utility Manager; Jeff Dunsworth, Assistant Director Utility Engineering; 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.

#### Reading of the Consent Agenda

Ms. Evans stated items 4F., 4R., 4X., and 4Y. 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.

#### 4. Other Actions

- 4A. [ORD-0797](#) Approving an ordinance on first reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, Amending the City's Code of Ordinances Chapter 152, Subchapter B, Roadway Impact Fees, Assessment of Impact Fees, to include provisions for newly annexed areas; containing severability and repealer clauses; and providing for an effective date.

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

- 4B. [ORD-0800](#) Approving an ordinance on first reading with the caption reading: An ordinance authorizing the lease of City property located at 101 East Pecan, Pflugerville; providing cumulative, repealer and severability clauses; providing for open meeting and establishing an effective date.

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

- 4C. [2024-1058](#) Approving the minutes of the October 22, 2024 Worksession and Regular Meeting.

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

- 4D. [2024-1029](#) Approving a construction contract with Patin Construction in the amount of \$5,244,846 for construction services associated with the Neighborhood Street Reconstruction Package 3 Project, and authorizing the City Manager to execute the same.

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

- 4E. [2024-1030](#) Approving a professional services supplemental agreement with Cobb, Fendley & Associates, Inc. in the amount of \$147,998 to add Construction Material Testing Services associated with the Neighborhood Street Reconstruction Package 3, and authorizing the City Manager to execute same.

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

- 4G. [2024-1051](#) Approving an extension to the agreement with Wells Fargo Bank for depository services, and authorizing the City Manager to execute the same.

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

- 4H. [2024-1053](#) Approving the FY24 Quarter 4 Investment Report.

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

- 4I. [2024-1060](#) Approving a professional services supplemental agreement with CP&Y, Inc., dba STV Infrastructure in the amount of \$128,494 to provide additional design and construction phase services for the Weiss Lane/Pecan Street Water Line project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 4J. [2024-1065](#) Approving a work authorization with Seven Arrows Land Staff, LLC in the amount of \$77,600 for right-of-way and appraisal services associated with the New Sweden Lift Station and Force Main Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 4K. [2024-1079](#) Approving an application from Blue Cross and Blue Shield of Texas (BCBSTX) for medical and prescription benefits and an application from Dearborn Life Insurance Company for Voluntary Life/Accidental Death and Dismemberment (AD&D) and Long-Term Disability benefits in 2025, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 4L. [2024-1086](#) Approving a service agreement contract with Parkhill for services associated with the City's Facility Master Plan in the amount of \$324,840, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 4M. [2024-1087](#) Approving a professional services supplemental agreement with Walker Partners, LLC in the amount of \$957,358 for professional services associated with SH 130 Waterline Project, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 4N. [2024-1096](#) Approving a conditional purchase agreement and associated conveyance documents between Kevin B. Finley (Parcel No.1) 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.
- 4O. [2024-1094](#) Approving the procurement of water treatment membranes in the amount of \$122,459, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 4P. [2024-1106](#) Approving the procurement of one-hundred and ten (110) Motorola APX NEXT radios and required service and accessories utilizing City of

Austin Contract No. 80116\_NS160000056, in the amount of \$1,363,158.45 to be paid over 5 years at a cost of \$318,344.71 per year and authorizing the City Manager to execute the same.

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

- 4Q.** [2024-1028](#) Approving a professional services agreement with Kleinfelder, Inc., in the amount of \$606,850, for construction management and inspection services associated with the 1849 Park Phase 2 Project and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 4S.** [2024-1124](#) Approving a memorandum of understanding with Griffin Swinerton, LLC establishing the terms for the conveyance of approximately 10,500 gross square feet of retail space to be located within the Multi Generational Recreation Center within Downtown East, for such retail space to be managed and leased by Griffin Swinerton, LLC or an affiliate thereof, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 4T.** [2024-1099](#) Approving a Purchase and Sale Agreement (PSA) with Griffin Swinerton, LLC for infrastructure construction within Downtown East, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 4U.** [2024-1105](#) Approving a License Agreement with Griffin Swinerton, LLC for the development of Downtown East, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 4V.** [2024-1122](#) Approving a first amendment to the Preliminary Development Agreement (PDA) with Griffin Swinerton, LLC for the development of Downtown East and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 4W.** [RES-1285](#) Approving a resolution approving an Advanced Funding Agreement with the Texas Department of Transportation for Locally Funded intersection improvements on-system projects (Main Street at FM 685) in the City of Pflugerville, and Authorizing the City Manager to Execute the same.
- The item was approved on the consent agenda.**
- 4Z.** [RES-1280](#) Approving a resolution appointing City of Pflugerville representatives to the Technical Advisory Committee of the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board.

The item was approved on the consent agenda.

- 4AA** [RES-1282](#) Approving a resolution allocating the City of Pflugerville's 60 votes to Elizabeth Montoya for the Travis Central Appraisal District (TCAD) Board of Directors appointment.

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. All voted in favor. The motion carried.

Items pulled from the consent agenda will be addressed under Item 7.

### 5. Public Hearing

- 5A.** [RES-1283](#) Conduct a public hearing regarding the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2023.

Mayor Gonzales read the item and opened the public hearing. Ms. Barron reviewed the Consolidated Annual Performance and Evaluation Report and discussed the Program Year 2023 accomplishments including infrastructure and programs. Ms. Barron reviewed the next steps to finalize the approval of the report through Planning and Zoning Commission and Council final approval. 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.

### 6. Regular Agenda

- 6A.** [2024-1113](#) Discuss and consider action to approve the appointment of Carolyn Perez as Communications Director.

Mayor Gonzales opened the item for discussion. Ms. Toledo introduced Carolyn Perez. Ms. Perez introduced herself, provided information about her background, and stated she enjoys doing communication work at the local level and seeing how much of an impact it makes. Ms. Perez answered questions from council. Mayor Pro Tem Weiss moved to approve the appointment of Carolyn Perez as Communications Director. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 6B.** [2024-1092](#) Discuss and consider action to approve a construction contract with McKee Utility Contractors, LLC in the amount of \$21,343,000 associated with the Wilbarger Wastewater Interceptor project, and authorize the City Manager to execute the same.

Mayor Gonzales opened the item for discussion. Mr. Dunsworth reviewed the project with fiberglass reinforced pipe. Mayor Pro Tem Weiss asked about the anticipated completion date. Mr. Dunsworth discussed coordinating the timing

with the Wilbarger Wastewater Treatment Facility. Mr. Metayer asked what can delay the project. Mr. Dunsworth stated weather can impact the construction time, but pipe materials and manholes are manufactured in state so there is no anticipated delay in materials. Mr. Metayer moved to approve the item. Ms. Holiday seconded the motion. All voted in favor. The motion carried.

- 6C. [RES-1288](#) Discuss and consider action to approve a resolution approving a logo for Downtown Pflugerville.

Mayor Gonzales opened the item for discussion. Ms. Higgins discussed Downtown Pflugerville including its events and community. Ms. Higgins discussed having a logo that symbolizes the core heartbeat of the city emphasizing the city's welcoming spirit and reviewed the two logo options. Discussion followed regarding each logo and the differences between them. Mr. McDonald moved to approve the version 1 logo. Mr. Metayer seconded the motion. Mr. Rogers voted no. All others voted in favor. The motion carried.

- 6D. [2024-1107](#) Discussion regarding Equity Commission listening sessions, objectives, and duties.

The item was discussed during the previously posted worksession.

- 6E. [2024-1108](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Section 551.071 of the Texas Government Code regarding filing of suit against Arch Insurance Company and 123 Builders Co. 2.) Open Session Item: Discuss and consider action regarding filing of suit against Arch Insurance Company and 123 Builders Co.

Mayor Gonzales opened the item for discussion. Mr. Rogers moved to approve the filing of suit against Arch Insurance Company and 123 Builders Co. Mayor Pro Tem Weiss seconded the motion. All voted in favor. The motion carried.

- 6F. [2024-1111](#) 1.) Executive Session Item: Discussion in accordance with Texas Government Code Section 551.072 Deliberation regarding real property and section 551.071 consultation with attorney related to Downtown East development. 2.) Open Session Item: Discuss and consider action related to Downtown East development.

Discussion on the item occurred in executive session during the previously posted worksession.

## 7. Discuss and Consider Action on Items Pulled from the Consent Agenda.

- 4F. [2024-1095](#) Approving a construction contract with G2 Construction Services, Inc. in the amount of \$540,000 for Lake Pflugerville Spillway repairs, and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item for discussion. Mr. Rogers asked for information about the spillway repairs. Mr. Pritchett provided information about the repairs stating it has been in service for 20 years. Mayor Pro Tem Weiss asked when construction is expected to start. Mr. Pritchett stated likely the start of the calendar year. Mr. Rogers moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 4X.**    [RES-1287](#)            Approving a resolution committing the use of up to \$8,000,000 from Reinvestment Zone #1 for the purpose of funding a multi-level public parking structure for the Downtown East Project; Repealing all resolutions or parts of resolutions in conflict herewith; Providing a severability clause; Providing a savings clause; Finding and determining that the meeting at which the resolution is passed is open to the public as required by law; and providing an effective date.

Mayor Gonzales opened the item for discussion. Mr. Rogers asked about the use of TIRZ funds. Ms. Barron provided information about the expansion of the TIRZ and discussed opportunities for a parking structure. Ms. Barron discussed use of the funds to support city facilities which council approved through the amendments. Mr. Rogers asked about the statutory purpose for TIRZ. Ms. Barron provided information. Mr. McDonald moved to approve the item. Mayor Gonzales seconded the motion. Mr. Rogers voted no. All others voted in favor. The motion carried.

- 4Y.**    [RES-1271](#)            Approving a resolution authorizing the City Manager to execute all stormwater infrastructure maintenance and license agreements.

Mayor Gonzales opened the item for discussion. Mr. Rogers stated the item is broad. Mr. Hunter stated only the standard agreements are included and if there are any exceptions they are not included in this. Mr. Hunter discussed the process of the agreement. Discussion followed regarding what the agreement allows. Mr. Zech provided information stating no exceptions are provided in the agreement to procurement requirements. Mayor Pro Tem Weiss moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

- 4R.**    [2024-1093](#)            Approving the purchase and installation of a replacement pedestrian bridge at Windermere Park with G2 CSi General Contractor in the amount of \$108,000.00, and authorizing the City Manager to execute the same.

There was no discussion or action on the item.

## **8.    Adjourn**

Mayor Gonzales adjourned the meeting at 7:49pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as \_\_\_\_\_ on November 26, 2024.