



# City of Pflugerville

## Minutes - Final

### City Council

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Tuesday, February 22, 2022

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

Mayor Pro Tem Doug Weiss called the regular meeting to order at 7:00pm. Councilmembers Ceasar Ruiz, Kimberly Holiday, Jim McDonald, and David Rogers were in attendance. Councilmember Rudy Metayer joined at 7:45pm. Mayor Victor Gonzales was not in attendance.

City staff in attendance: Sereniah Breland, City Manager; Trey Fletcher, Deputy City Manager; Amy Giannini, Assistant City Manager; James Hartshorn, Assistant City Manager; Charles Zech, City Attorney; Trista Evans, City Secretary; Emily Barron, Planning and Development Service Director; Patricia Davis, City Engineer; Brandon Pritchett, Public Utility Director; Evan Groeschel, Operations Director; Jason O'Malley, Police Chief; Makeba Lewis, Commander; Breanna Higgins, Assistant to the City Manager; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer; Rhonda McLendon, Animal Shelter Director; Nicole Little, Business Process Analyst; Melissa Moore, Finance 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 there is a COVID-19 testing site at Heritage Park at 901 Old Austin Hutto Road. Registration and information can be found at [pflugervilletx.gov/virus](http://pflugervilletx.gov/virus).

Mayor Pro Tem Weiss stated the city is currently hiring for many positions and

information can be found at [pflugervilletx.gov/jobs](http://pflugervilletx.gov/jobs).

Mr. Rogers congratulated the Weiss Wolves lady basketball team for advancing to the playoffs and the Pflugerville High School cheer team for winning the grand championship and they will be advancing to the next round.

Mr. McDonald stated today's date is not only a palindrome, but also an ambigram.

#### 4. Public Comment

Cynthia Williams stated she is a retired nurse and lives in a retirement community. Ms. Williams stated before they got good response from the fire department but have not been happy with the new service. Ms. Williams stated they are not attentive and when someone calls 911 they do not want someone to just transport to the hospital and not do anything. She stated there is too much delay in response when the fire department shows up then the ambulance shows up ten minutes later. Ms. Williams stated she wants what is best for her community and asked council to help.

Ryan Burkhart stated he is concerned about the Main Street extension and is concerned about lack of transparency. He stated he is concerned about lack of transparency as the website says it was identified in the transportation plan but it was added in later. Mr. Burkhart stated that the Main Street extension will compromise FM 685 operations and crosses environmentally sensitive Gilleland Creek and asked for an environmental impact study to be performed. Mr. Burkhart discussed the level of needs stated in the citizen survey and stated that downtown is not large enough to justify the expense. Mr. Burkhart stated the use of tax dollars needs to be discussed openly.

#### Reading of the Consent Agenda

Ms. Evans read the consent agenda including the captions of the ordinances.

#### 5. Ordinances

- 5A. [ORD-0637](#) 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 amending the Lakeside Meadows Planned Unit Development (PUD) district approved in Ordinance No. 1427-20-01-28, by adjusting the boundary by adding and rezoning approximately 1.4 acres from Urban (Level 4: CL4) district to Planned Unit Development (PUD) district, removing and rezoning approximately 2.6 acres from Planned Unit Development (PUD) to Urban (Level 4: CL4) district, and amending the development regulations for the approximately 416 acres of land out of the W. Caldwell Survey, Section No. 66, Abstract No. 162, the E. Kirkland Survey, Abstract No. 458, and the J.P. Sherwood Survey, all in Travis County, Texas, to continue to be known as the Lakeside Meadows Planned Unit Development (PUD) district (REZ2106-03); 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.**

- 5B.** [ORD-0642](#) Approving an ordinance, as amended, on second 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 authorize an effective date.

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

- 5C.** [ORD-0644](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, finding that the provision of solid waste collection and recycling is not a public utility; amending an exclusive franchise agreement for the collection, hauling, recycling and disposal of municipal solid waste and recyclable materials; amending certain terms and conditions of the franchise grant; amending the term of the franchise; and providing an effective date.

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

## **6. Other Actions**

- 6A.** [2022-0208](#) Approving the minutes of the February 8, 2022 Worksession, and February 8, 2022 Regular Meeting, and February 15, 2022 Joint Worksession.

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

- 6B.** [2022-0205](#) Approving the procurement of repair and rebalancing services for a wastewater treatment plant dewatering centrifuge to GEA in the amount of \$80,241.87 and authorizing the City Manager to execute the same.

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

- 6C.** [2022-0196](#) Approving a contract renewal for Utility Billing statement production and processing from DataProse, Inc. through an interlocal agreement with the City of Baytown, Texas, in an amount not exceed \$95,000.00 for Fiscal Year 2022, and authorizing the City Manager to execute the same.

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

- 6D.** [2022-0231](#) Approving payment to Texas Security and Surveillance LLC in the amount of \$62,377 in conjunction with improvements to 100 W. Main Street (100 West), and authorizing the City Manager to execute the same.

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

- 6E.** [2022-0100](#) Approving the procurement of meter registers and components as well as construction services for the Automated Meter Infrastructure (AMI) project to Core and Main using their HGACBuy contract in the amount of \$1,563,691.73, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.
- 6F.** [RES-0966](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a State Homeland Security Program Grant award in the amount of \$172,681.00 from the Office of the Governor for the funding of equipment.
- The item was approved on the consent agenda.
- 6G.** [RES-0967](#) Approving a resolution authorizing the City Manager to apply for and to accept, if awarded, a Justice Assistance - Byrne Grant Program award in the amount of \$20,190.00 from the Office of the Governor for the purchase of equipment.
- The item was approved on the consent agenda.

### Action on the Consent Agenda

Mr. McDonald moved to approve the consent agenda. Ms. Holiday seconded the motion. All voted in favor. The motion carried.

Items pulled from the consent agenda will be addressed under Item 10.

### 7. Presentation

- 7A.** [2022-0207](#) Presentation of yearly report from the Equity Commission.
- Mayor Pro Tem Weiss opened the item. Pat Epstein, Equity Commission Chair, introduced the other members of the commission and thanked the city staff for their assistance with the commission. The Equity Commission gave a presentation about their work in 2021 defining the commission and some of the struggles. The Commission provided information about their goals for 2022 including growing more awareness and increasing outreach. Mr. McDonald discussed community outreach to include participation in city wide events. Mr. McDonald asked about more programs after school. Discussion followed regarding programs already run by the library, and other programs that need to be considered for the community. Mr. Ruiz asked if there was discussion about putting in a budget line item for the commission. Discussion followed regarding looking at what the commission determined to be a budgetary need.
- 7B.** [2022-0164](#) Aspire Pflugerville 2040 Comprehensive Plan Update.
- Mayor Pro Tem Weiss opened the item. Ms. Barron stated this is the last update before the adoption process begins for the Aspire 2040 Comprehensive Plan and the draft chapters were posted on the website today. Ms. Barron discussed the schedule, vision statement, and guiding principles. Ms. Barron discussed

the wellness wheel that is used throughout the plan and stated they will be visiting with a number of boards and commissions in March to highlight their areas of interest.

- 7C. [2022-0213](#) Presentation and submission of the 2021 Racial Profiling Data Report to the City Council as required by Texas Statute Code of Criminal Procedure, Chapter 2 General Duties of Officers, Art. 2.132 Law Enforcement on Racial Profiling.

Mayor Pro Tem Weiss opened the item. Chief O'Malley provided information about the requirements of the profiling analysis and the breakdown of the numbers. Chief O'Malley discussed the methodological issues as provided by the consultant stating that the driving population within the city is not necessarily in line with the city population as people drive through the city from everywhere. Mr. Metayer provided comment and asked Chief O'Malley for his thoughts. Chief O'Malley answered questions regarding officer training and stated that less than 1% of the time do officers know who they are pulling over when they make a stop.

- 7D. [2022-0178](#) Pflugerville Animal Welfare Services Department (PAWS) annual presentation.

Mayor Pro Tem Weiss opened the item. Ms. McLendon provided information about the FY21 intake numbers and save rate of 97.88% and the current FY22 numbers. Ms. McLendon stated the shelter continued to have programs through COVID with community partners and are continuing to host volunteer groups. Ms. McLendon provided information about education and community programs and the Friends of the Animal Shelter. Ms. McLendon stated the Friends of the Animal Shelter spent \$29,000 in medical costs this past year. Ms. McLendon answered questions from council regarding return to field for the feral cats that are spayed or neutered before being released.

## 8. Public Hearings

- 8A. [ORD-0645](#) Conduct a public hearing and consider approving a disannexation ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, disannexing, for full purposes, two tracts of land totaling approximately 11.706 acres of land situated in the John Leisse Survey No. 18, Abstract No. 496, in Travis County, Texas, of the Real Property Records of Travis County, generally located north and west of Cameron Road, east of Weiss Lane and south of Jesse Bohls Road; contracting the boundaries of the City to exclude land; to be known as the Carmel East Disannexation; providing for severability; and providing an effective date.

Mayor Pro Tem Weiss read the item and opened the public hearing. Ms. Barron provided information about the history of Carmel and the disannexation. Mr. Ruiz asked about the benefit to the city. Ms. Barron stated that otherwise this is an area that the city would have to maintain and helps future residents by avoiding taxation issues. Discussion followed regarding the history of the area. Kevin Flahive spoke on behalf of the developer providing additional background information about the district and the agreements

stating this is a clean up. Discussion followed regarding parkland and surrounding areas.

There was no one present wishing to speak under public comment. Mr. McDonald moved to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

Mr. Metayer moved to approve the ordinance on first reading. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

**8B.** [ORD-0646](#)

Conduct a public hearing and 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 to include an updated roadway impact fee service area map and provisions relating to appraisals for estimating fair market value for the dedication of right-of-way, and approving a Roadway Impact Fee Study 2022 Update incorporated herein; containing severability and repealer clauses; and providing an effective date.

Mayor Pro Tem Weiss read the item and opened the public hearing. Ms. Barron provided background information and introduced Jake Gutekunst with Kimley Horn. Mr. Gutekunst gave a presentation about the proposed update stating it is to clarify how right-of-way is to be considered and fix a typo. Mr. Gutekunst provided information about revisions to the city limits and service areas. Mayor Pro Tem Weiss asked if they needed to look at the rates for impact fees. Mr. Gutekunst stated he can look at a rate comparison with similar cities to provide in the future.

There was no one present wishing to speak under public comment. Mr. Rogers moved to close the public hearing. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. Rogers moved to approve the ordinance on first reading. Mayor Pro Tem Weiss seconded the motion. All voted in favor. The motion carried.

**9. Regular Agenda**

**9A.** [2022-0212](#)

Discuss and consider action on the spending of the remaining American Rescue Plan Act direct allocation.

Mayor Pro Tem Weiss stated this was covered during the worksession stating he heard council wanted to see the small business grant program implemented, focus the funds on items that would be funded from the M&O side of general fund, and have the emergency services coordinator evaluate other opportunities for emergency services shortcomings.

Mr. Ruiz moved to approve \$1 million for the small business grant. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

Mr. Rogers discussed postponing action on allocation for remaining funds until next meeting to get more detail. Mayor Pro Tem Weiss stated he wanted to be sure to provide staff direction to conduct research on what council would like to see. Discussion followed regarding what information would be needed to

discuss emergency preparedness. Mr. Ruiz asked how other cities have been allocating. Ms. Little stated most for general revenue loss and premium pay for police and other staff as the majority of cities were hit harder financially. Discussion followed regarding how the ARPA funds can be used.

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

No items were pulled from the consent agenda.

**11. Adjourn**

Mayor Pro Tem Weiss adjourned the meeting at 8:58pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as submitted on March 8, 2022.