



City of Pflugerville

Minutes - Final - Draft

City Council

Tuesday, August 14, 2018

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:00 p.m. Councilmembers Doug Weiss, Jeff Marsh, Mike Heath and Jim McDonald were in attendance. Councilmember Rudy Metayer entered the meeting at 7:03 p.m. Mayor Pro Tem Omar Peña was absent. City employees attending: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Assistant City Manager; Lauri Gillam, Assistant City Manager; Karen Thompson, City Secretary; Amy Good, Finance Director; Rhonda McLendon, Animal Welfare Services Director; James Hemenes, Parks Director; Amy Giannini, City Engineer; Jacquelyn Smith, Capital Improvement Program Manager; Manny Duarte, Acting Development Engineering Director; Robert Polanco, Building Official; Emily Barron, Planning Director; Erin Sellers, Senior Planner; Jessica Robledo, Police Chief; Jason Smith, Assistant Police Chief; Chad Wood, Senior Traffic Engineer; Wiley Webb, Utility Superintendent; Maggie Holman, Events Coordinator.

2. Opening

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

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: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

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. City Council Announcements

Mayor Gonzales welcomed Sereniah Breland, City Manager.

Items were addressed in the order as recorded in the minutes.

4. Presentation

- 4A. [2018-6963](#) Invitation to all Pflugerville citizens to sign-up for the chili cook-off at Pfall Chili Pfest.

Ms. Holman provided information on the Pfall Chili Pfest. Mayor Gonzales provided comments.

5. Public Hearings

- 5A. [ORD-0416](#) Conduct the first public hearing for an annexation ordinance with the caption: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TWO TRACTS OF LAND TOTALLING APPROXIMATELY 229.992 ACRES OF LAND SITUATED IN THE ALEXANDER WALTERS SURVEY NO. 67, ABSTRACT NO. 791, TRAVIS COUNTY, TEXAS OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY; GENERALLY LOCATED ALONG THE NORTH AND SOUTH SIDES OF E. WELLS BRANCH PARKWAY, EAST OF THE INTERSECTION OF E. WELLS BRANCH PARKWAY AND IMMANUEL ROAD; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE / CONSERVATION (A); TO BE KNOWN AS THE LISSO TRACT 2018 ANNEXATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE. (ANX1806-01)

Mayor Gonzales opened the public hearing. Ms. Barron provided information. There were no requests to speak at the public hearing. Mr. Marsh made a motion to close the public hearing. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

6. Public Comment

Melody Ryan, 1012 Ripley Castle Cove, spoke against the Austin Community College (ACC) proposed annexation of the Pflugerville Independent School District area. She explained that she thinks that property tax should be for necessities only and that there are other choices other than ACC. She stated that total cost savings to Pflugerville students would be much lower than the property tax generated. She stated that she thinks that it is a bad deal for Pflugerville.

Jennifer Sandifer spoke against the Austin Community College (ACC) proposed annexation of the Pflugerville Independent School District area. She stated that she is concerned about increasing property taxes and ACC tax would cost \$10 million and only provide \$3 million in benefit.

Amanda Gould, 6107 Jesse Bohls, stated that she is a teacher in the Pflugerville ISD and a city constituent. She voiced her concerns regarding roads in Pflugerville: Pflugerville Parkway being shut down before school was out, Weiss Lane construction and very poor condition damaging vehicles. She asked Council to consider before closing Kelly Lane for construction due to very few routes being available.

Angela Garcia, 1422 Crete Lane, stated that she lives in Pflugerville Estates and has concerns for the development of the adjacent watershed at Wells Branch Parkway and Dessau Road. She stated that her home is now in the flood plain and that they have experienced water on their property. She stated that the property owners of the adjacent property were removing trees and the city delivered a cease and desist order and city officials were threatened. She stated that she wished to make the Council know of the severity of the matter. She stated that she would like to ensure that proper water management is required for the property.

Reading of the Consent Agenda

Ms. Thompson read the consent agenda to include the caption of the ordinance under consideration.

7. Approval of Minutes

- 7A. [2018-6944](#) Approval of the minutes of the July 24, 2018 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

8. Ordinances Second Reading

- 8A. [ORD-0408](#) Approving an ordinance on second and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE THIRD AMENDMENT TO THE FISCAL YEAR 2018 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE (3rd quarter amendments).

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

9. Other Actions

- 9A. [2018-6946](#) Approving the appointment of Rodney Blackburn as a regular member of the Board of Adjustment (BOA) for an unexpired term ending December 31, 2019.

The item was approved on the consent agenda.

- 9B. [2018-6950](#) Authorizing the City Manager to execute a Special Warranty Deed accepting the donation and conveyance of real property from CESM Investments, LLC to the City of Pflugerville legally described as BEING

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND PART OF THE JOHN VAN WINKLE SURVEY NO. 70, ABSTRACT 787, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO RGT/CHARLESTON PARTNERS, LTD. IN DOCUMENT NO. 2003116960 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING 2.722 ACRES OF LAND AND MORE FULLY DESCRIBED BY METES AND BOUNDS.

The item was approved on the consent agenda.

Action on the Consent Agenda

Mayor Gonzales made a motion to approve the consent agenda. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

10. Ordinances Second Reading

- 10A. [ORD-0415](#) Discuss and consider action to approve an ordinance on second and final reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS (PFENNIG LANE) TO ESTABLISH PRIMA FACIE MAXIMUM SPEEDS FOR CONSTRUCTION OR MAINTENANCE WORK ZONES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$400.00; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Gonzales read the item to include the caption of the ordinance under consideration. Ms. Giannini provided information regarding the ordinance to reduce the speed limit to 30 mph during construction and the traffic control and communications plan for the project. Mr. Heath made a motion to approve the ordinance as read. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

11. Resolutions

- 11A. [RES-0532](#) Discuss and consider action to approve a resolution specifying a proposed maximum fiscal year 2019 property tax rate of \$0.4976/\$100 valuation and scheduling the dates for the public hearings.

Ms. Gillam provided information and answered questions of the Council. Mr. McDonald made a motion to approve the resolution as presented. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**Supp [RES-0529](#)
1A.**

Resolution ordering a General Election for November 6, 2018 for the election of Councilmembers for Place 3 and Place 5.

Mayor Gonzales read and opened the item for consideration. Mr. Heath made a motion to approve the resolution. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

[RES-0530](#)

Resolution ordering a Special Bond Election for November 6, 2018 for THE ISSUANCE OF TAX BONDS FOR STREET IMPROVEMENTS TO COLORADO SAND DRIVE, KELLY LANE, OLD AUSTIN HUTTO ROAD AND EAST PFLUGERVILLE PARKWAY.

Ms. Giannini provided information regarding the proposed bond projects and answered questions of the Council. She recommended approving the resolution ordering the election with one proposition for the issuance of \$21,100,000 tax bonds for street improvements to Colorado Sand Drive, Kelly Lane, Old Austin Hutto Road and East Pflugerville Parkway. Mr. Weiss made a motion to approve the resolution with one proposition. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

**Supp [RES-0531](#)
1C.**

Resolution ordering a Special Election for November 6, 2018 for consideration of amendments to the City's Charter.

Subsequent to the agendas being posted, the City Attorney determined that the City has not met the 2-year wait requirement for considering amendments to the City Charter as the last amendments to the City Charter were approved at an election on November 8, 2016 and this year's election will occur on November 6, 2018.

Mayor Gonzales stated that they received word from the City Attorney that they have fallen short on the ability to consider this resolution. No action was taken on the item.

12. Discuss only**12A. [2018-6973](#)**

Discussion regarding the Fiscal Year 2019 budget and strategic plan.

Ms. Gillam provided information on the proposed utility budget and answered questions of the Council. Mr. Webb provided input in the discussion.

12B. [2018-6952](#)

Discussion regarding an update for SH 45 Frontage Road project.

Mr. Fletcher reported that he has been coordinating with City of Round Rock and they are waiting for feedback from the toll authority.

12C. [2018-6949](#)

Discussion regarding the Athletic Field Use Policy development process.

Mr. Hemenes stated that sports fields use and user fees are a complex subject. He stated that space is still limited and resources are valuable. He provided an updated draft field use policy to the Council. He reviewed the recommendations to limit time on the fields to 16 hours per week except allowed tournaments, with practice pods being used only for practices, except 4 tournaments per year. He stated football fields would be for games only, and

not available for football practice or soccer practice. He stated that those fields are not lighted and the available hours are limited in the fall. He discussed sports organization hierarchy with regard to resident vs. non-resident organizations, youth vs. adults, and residents vs. non-resident participation. He recommended that resident organizations and youth be given priority and allocation priority be given to City of Pflugerville residents. He presented on cost recovery and recommended that rates be set at the market rates. He answered questions and discussed with Council. Mr. Hemenes concluded his recommendations to look at market plus for the recovery and to work with priority groups to set annual agreements. He stated for smaller groups, if space is still available, they could rent without an annual agreement.

12D. [2018-6972](#)

Discuss and provide direction to staff regarding city fee increases.

Mr. Fletcher introduced the item. Ms. Barron presented recommendations for increase in fees for Traffic Impact Analysis (TIA) review and Board of Adjustment applications. Mr. Duarte provided information on TIA review. Mr. Polanco presented recommendations regarding building permit and inspection fees. There was discussion with Council. Mr. Marsh stated that he would like to make it easy for builders to be able to estimate their costs and that he likes the idea of a square footage cost. Mr. Marsh asked if the fee increase could allow the City to hire another inspector, stating that he prefers a city inspector over contracting out to provide consistency. He stated that he wants the City of Pflugerville to be a user-friendly place to build.

12E. [2018-6976](#)

Discussion regarding the City of Pflugerville's legislative agenda.

Mr. Fletcher introduced Brandon Aghamalian of Focused Advocacy. Mr. Aghamalian presented information regarding the next legislative session starting January 8, 2019 and adopting a legislative agenda. Mayor Gonzales provided comments on his speaking today at the Capitol.

13. Discuss and consider action

13B. [2018-6900](#)

Discuss and consider action to approve a Transit Development Plan (TDP).

Mr. Fletcher provided information. Capital Metro representatives Eric M. Bustos, Government Relations Manager; and Michelle Meaux, Regional Coordination Manager, were in attendance. Mr. Fletcher answered questions of Council and there was discussion.

Mr. Fletcher recommended adopting the TDP and seeking solutions for transit. He stated that it maybe the pilot that is in here or something different. He stated he would like to integrate it in our planning and see how we can move forward. Mr. Heath stated a need to focus on people we can best serve. Mr. Metayer spoke on the growth of the senior population.

Ernest Tomes, 16701 Heatherwilde Boulevard, stated that he is glad to see that they are getting into the adoption of the transit plan. He stated that he wanted to stress that they do need a door to door plan for transit for himself, his dad and the blind. He stated that it is hard to get rides from people to the bus stop where service can pick you up. He asked the Council to consider funds for door to door transit service. Mr. Marsh asked where he is typically travelling.

Mr. Tomes stated in Pflugerville and in Austin. Mr. Tomes stated that he would prefer called-based service as opposed to application-based service so he can talk to a person or an automated service with an option to talk to a person.

Serita Lacasse, Executive Director of Senior Access, stated that there is a need for more door to door for disabled persons. She stated that fixed routes are great, but you have to consider how to get people there. She stated that they will need to look at routes that go outside of Pflugerville. She stated that she worries about the pilot, that if you start something, you can't stop. She recommended thinking more about a long-term plan. She stated a need for door to door to assist people to the car.

Mr. Fletcher stated there can be funds identified in the Fiscal Year 2019 budget, but funding is not identified in future years.

Mr. Metayer stated a need to take baby steps and define what expectations and when. He stated that they know Pflugerville has a growing senior population and differently-able persons in the community. He stated that adoption of the TDP does not tie us to anything specifically but allows staff to look at it.

Mr. Metayer made a motion to approve. Mayor Gonzales seconded the motion. Mr. McDonald asked to add to give staff direction to focus on door to door. Mr. Metayer recommended getting a true analysis. Mr. Heath recommended letting the study provide the information. All voted in favor. The motion carried.

13C. [2018-6957](#)

Discuss and consider action regarding corridor zoning districts along State Highway 130 and State Highway 45 Corridors.

Mr. Heath recommended pulling item 13C. Mayor Gonzales announced they would pull item 13C. There was no discussion or action on the item.

13A. [2018-6956](#)

Discuss and consider action related to the City's Capital Improvement Program Transportation Projects and Studies and direct the City Manager to begin preparation for an issuance of Certificates of Obligation (COs).

Ms. Giannini provided information on \$7.4 million in proposed operational improvement and design projects as well as project management to be funded through Certificates of Obligation (CO) in 2019/2020 and answered questions of the Council.

Melody Ryan, 1012 Ripley Castle Cove, indicated that she is confused why these projects would not be included in the bond proposition. She stated that she thinks that it is better to give the taxpayers a say in it and better to have voter approval.

Mr. Weiss stated that he tried to. Mr. Marsh explained that the thought was that design funds were more appropriate for CO funds. Mr. Heath stated that it gives the city the ability to leverage other funds. Mr. Weiss stated that \$1.5 million in construction projects is included and he thought it was appropriate that those be completed as soon as possible and there is a dramatic amount of design dollars.

Mr. Metayer made a motion to approve the staff recommendation as is, to direct staff to proceed with the notice of intent and bring back to Council for consideration. Mr. Marsh seconded the motion. The vote was Mr. Weiss-no, Mr. Marsh-yes, Mr. Heath-yes, Mr. Metayer-yes, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

- 13D. [2018-6945](#) Discuss and consider action regarding future agenda items.

Mayor Gonzales stated that they would forgo this item this evening. There was no discussion or action on the item.

14. Discuss only - Executive Session

- 14A. [2018-6974](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance and duties of the City Manager. 2.) Open Session Item: Discussion regarding performance and duties of the City Manager.

Discussion on the item took place in the earlier worksession. There was no discussion on the item at the regular meeting.

15. Adjourn

Mr. Marsh made a motion to adjourn. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mr. Metayer-no, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried. The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on August 28, 2018.