



City of Pflugerville

Minutes - Final

City Council

Tuesday, July 13, 2021

7:00 PM

100 East Main Street, Suite 500

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.

Public comment will be allowed in person at the Regular Meeting scheduled to begin at 7:00 p.m. Written comments may also be submitted 2 hours in advance of the Regular Meeting. To submit written comments, please email citysecretary@pflugervilletx.gov at least 2 hours in advance of the Regular Meeting. Name and address must be included. Written comments are limited to 250 words.

1. Call to order

Mayor Gonzales called the meeting to order at 7:00pm. Mayor Pro Tem Omar Peña, Councilmembers Ceasar Ruiz, Doug Weiss, David Rogers, Rudy Metayer, and Mike Heath were in attendance.

City staff in attendance: Sereniah Breland, City Manager; Trey Fletcher, Deputy City Manager; James Hartshorn, Assistant City Manager; Stephanie Nations, Budget Analyst; Karen Thompson, City Secretary; Patricia Davis, City Engineer; Cody Collins, Director of Information Technology; Commander Jason O'Malley; Brandon Pritchett, Public Utility Director; Billy Gibbens, Administrative Director; Bonita Hall, Director of People and Culture; Daniel Wilson, Streets and Drainage Superintendent; Jennifer Griswold, Library Director; Caroline Davis, Associate Municipal Judge; Trista Evans, Deputy City Secretary; Emily Barron, Planning and Development Services Director; Lauren Henkes, Assistant Finance Director; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer; Charles Zech, City Attorney; Melissa Moore, Finance Director; Rhonda McLendon, Animal Welfare Services Director; Shane Mize, Parks Director; Jeremy Frazzell, Assistant Planning Director.

2. Opening

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

Mayor Gonzales led 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 led 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

Mayor Gonzales stated that on July 3rd Backpack Friends were able to raise \$37,000 that will go directly towards purchasing food for youth in need in the Pflugerville community and surrounding areas. He thanked Tom Cottar and the team for all their work for the youth in the Pflugerville community.

Mayor Gonzales reminded everyone to always lock the doors and keep the windows up when their vehicle is unattended and follow the Police Department's 9pm routine on social media for reminders.

Mayor Gonzales stated the Pfarmer's Market is weekly on Tuesdays at the First United Methodist Church from 3-7pm. More information can be found at pflugervilletx.gov/pfarmersmarket.

Mayor Gonzales stated a few weeks ago the City was presented with a birds nest from Pfluger Park that had litter, he reminded everyone to find a trash can and put litter in its place.

Mr. Heath stated he had an opportunity to walk with Quinn along the waterway and was disappointed to see all the trash pile up and would hope to look for volunteer opportunities.

Mr. Ruiz thanked the City staff and Typhoon Texas for their work on the Fourth of July, stating it was a memorable experience and was grateful for staff for working to make it happen. Mr. Ruiz also thanked the ESD for inviting council to their retreat. Mr. Ruiz stated he received an email from a citizen thanking Ms. Margaret in dispatch for keeping her calm and informed during a nearby police event and recommended everyone sign up for Nixle.

Mr. Rogers stated one of the Pflugerville High School alumni, Mario Ramos, is being inducted into Rice University's Athlete Hall of Fame and congratulated him for all of his work in and out of athletics.

4. Presentations

- 4A. [2021-0637](#) Presentation of the book "The History of the Pfluger Family and Genealogy from 1803 to 2020."

Vernagene Mott gave a presentation of the book "The History of the Pfluger Family and Genealogy from 1803 to 2020" to be given to the Library for everyone to enjoy. Ms. Mott also provided a copy for the Heritage House Museum and presented to Glenn Schiller. She stated appreciation for the work in front of the Heritage House Museum.

- 4B. [2021-0614](#) Equity Commission Update to the Council.

James Matlock, Equity Commission Chair gave a presentation about the Equity

Commission and their charter. Mayor Pro Tem Peña commended Mr. Matlock for his passion and effort stating it embodied a lot of what council hoped for from the commission. Mayor Gonzales thanked Mr. Matlock and the commission for their work and creating the road map for opening the door and charting the new course for Pflugerville. Mayor Pro Tem Peña asked Mr. Matlock what the commission needed to achieve its goals. Mr. Matlock stated more members and a budget, but he wanted details before asking for anything. Discussion followed regarding members.

4C. [2021-0678](#) Parks and Recreation Department annual presentation.

Mr. Mize gave a presentation about the Parks and Recreation department including facilities, programs, and events, and answered questions from council.

4D. [2021-0667](#) Presentation on the PurpleAir particulate matter sensor.

Mr. Frazzell gave a presentation on the PurpleAir Particulate Matter Sensor at the library to identify local air quality that measures different levels of particulate matter like dust and pollen. He answered questions from the council and discussion followed.

5. Public Comment

Mayor Gonzales announced that several written comments were received and Ms. Evans read the comments:

Pamela Larcom stated appreciation that the \$10 million in certificates of obligation were removed from the ordinance and stated she hoped it would not be added back in and it will go to a vote.

Robert Edgin stated he did not want the \$10 million in certificates of obligation back in the ordinance and it should be voted on.

Jill Graves, Pear Court, stated that there should not be any major investments that obligate tax payers to any major tax increase.

Bernice Lara stated she would like the \$10 million certificate to go to the voters.

Lisa Hall thanked the council for taking the \$10 million out of the ordinance and asked that council not put it back in.

6. Public Hearings

Each person providing public comment at a public hearing will be limited to 3 minutes.

6A. [RES-0880](#) Conduct a second public hearing regarding the Community Development Block Grant (CDBG) Annual Action Plan for Program Year 2021.

Mayor Gonzales stated that the public hearings and discussion on items 6A and 6B would take place at the same time. He read the items and opened the public hearings. Ms. Barron gave a presentation regarding the CDBG Annual Action Plan for Program Year 2021 and the 3rd Amendment to the Annual

Action Plan for Program Year 2020. She provided information regarding the project priority for both and answered questions from the council. Mr. Heath made a motion to close the public hearing. Mr. Weiss seconded the motion. There were no requests to speak. All voted in favor. The motion carried.

- 6B. [RES-0891](#) Discuss and Consider the Community Development Block Grant (CDBG) 3rd Amendment to the Annual Action Plan for Program Year 2020.
- Mr. Heath made a motion to close the public hearing. Mr. Weiss seconded the motion. There were no requests to speak. All voted in favor. The motion carried.

Reading of the Consent Agenda

Items 11A and 12A were pulled from the consent agenda. Ms. Evans read the items to include the captions of the ordinances under consideration.

7. Ordinances First Reading

- 7A. [ORD-0591](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending the City of Pflugerville Code of Ordinances Title III Administration, Chapter 31 Departments, Boards and Commissions, Section 31.60 Equity Commission, to amend Section 31.63 to establish an alternate member position; providing that this ordinance shall be cumulative and repealing all ordinances in conflict; providing for severability; and declaring an effective date.

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

8. Ordinances Second Reading

- 8A. [ORD-0590](#) Approving an ordinance on second reading as amended with the caption reading: An Ordinance of the City of Pflugerville, Texas, amending the City of Pflugerville, Texas Code of Ordinances Title VII Traffic Code, Chapter 71 Parking Regulations, Section 71.05 parking prohibited in certain designated areas by adding additional temporary no parking zones required by construction; providing for a penalty for a violation of Chapter 71 as a Class C Misdemeanor and a fine in an amount not to exceed \$200.00; providing that this ordinance shall be cumulative; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date. Portions of the Highland Park North Subdivision will be effected due to construction activities related to the installation of HA5 as a pavement preservation application and part of the Pavement Maintenance Program.

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

9. Ordinances Fourth Reading

- 9A. [ORD-0587](#) Approving an ordinance as amended on fourth reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the first amendment to the FY21 Budget for the City of Pflugerville; and providing an effective date. (This ordinance was amended on second reading and again on third reading.)
- The ordinance was approved on fourth reading on the consent agenda.

10. Approval of Minutes

- 10A. [2021-0655](#) Approval of the minutes of the June 21, 2021 Worksession, June 22, 2021 Worksession and Regular Meeting, and June 29, 2021 Special Meeting.
- The minutes were approved on the consent agenda.

Action on the Consent Agenda

Mayor Gonzales made a motion to approve the consent agenda. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

11. Resolutions - Removed from the Consent Agenda

- 11A. [RES-0892](#) Approving a resolution authorizing the City Manager to execute a roadway participation agreement with Hill Country Bible Church to establish terms for the future extension of Wilke Ridge Lane through the church property.
- Mr. Ruiz stated he pulled the item because he wanted to provide more information to the public. Mr. Fletcher provided background information and answered questions from council. Mr. Metayer made a motion to approve the item as presented. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.

12. Other Actions - Removed from the Consent Agenda

- 12A. [2021-0666](#) Approving the appointment of Trista Evans as City Secretary.
- Mayor Pro Tem Peña recognized Ms. Thompson for her years of service and commended Ms. Evans for stepping into the role. Mayor Pro Tem Peña made a motion to approve the appointment of Trista Evans as City Secretary. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

13. Discuss and consider action

- 13A. [2021-0660](#) Discuss and consider action regarding the Fire & EMS Assessment / Service Options for the City report prepared by AP Triton.
- Mayor Gonzales read the item and stated council was moving to executive session at 8:06pm. Mayor Gonzales called the meeting back to order at 8:30pm.

No action was taken during executive session. Mr. Metayer made a motion to postpone the item. Mr. Heath seconded the motion. All voted in favor. The motion carried and the item was postponed until the next meeting.

13B. [2021-0665](#)

Discuss and consider a proposal from AP Triton to conduct an EMS Valuation Study.

Mr. Heath asked if the scope could include a consultant item with AP Triton to coordinate with ESD2 to evaluate operations of organization. Ms. Breland stated that could be included in the scope. Mr. Heath made a motion to approve the item with the addition of scope to help with coordination. Mr. Ruiz seconded the motion. All voted in favor. The motion carried.

13C. [2021-0669](#)

Discuss and consider action to approve a professional services supplemental agreement with Ardurra Group, Inc. in the amount of \$5,203,529.00 for professional engineering services associated with the Water Treatment Plant Facility Expansion Project and authorizing the City Manager to execute the same.

Ms. Davis gave a presentation about the Water Treatment Plan Expansion supplemental agreement with Ardurra and provided background on the item. Ms. Davis and Yue Sun, Project Manager with Ardurra answered questions from the council. Mr. Heath made a motion to approve the item. Mayor Pro Tem Peña seconded the motion. Mr. Metayer was not present at the time of voting. All others voted in favor. The motion carried.

13D. [2021-0679](#)

Discuss and consider action to award a contract for delinquent municipal court fines and fees collection services to McCreary Veselka Bragg & Allen P.C. Attorneys at Law (MVBA) and authorizing the City Manager to execute same.

Mr. Rogers stated there was little information about metrics with the last vendor and no information for the current. He stated that metrics are needed so the vendor has to meet them to keep the contracts. Steve Whigham with MVBA stated that since they do not know what kind of data they are getting they cannot make any guarantee. Ms.C. Davis and Mr. Whigham answered questions from the council regarding data and the collections process. Mr. Heath made a motion to approve the item as presented. Mayor Pro Tem Peña seconded the motion. The vote was as follows: Mr. Weiss - no, Mr. Ruiz - no, Mayor Pro Tem Peña - yes, Mayor Gonzales - yes, Mr. Metayer - yes, Mr. Heath - yes, Mr. Rogers - no. The motion carried.

13E. [RES-0889](#)

Discuss and consider action to approve a resolution appointing a bond committee.

Mr. Metayer asked if it was possible to appoint more than one person apiece. Ms. Breland provided information on the size and make up of previous bond committees. Mr. Weiss stated he did not come prepared for two appointments. Discussion followed regarding the timing of appointing a bond committee. Mr. Heath appointed Terry Newsom. Mr. Metayer appointed Jason Kemp. Mr. Ruiz appointed Jonathan Kamenicky. Mr. Weiss appointed Amanda Maedgen. Mayor Pro Tem Peña appointed Brad Hickman. Mr. Rogers appointed Lisa Hall. Mayor Gonzales appointed Pat Epstein. Mr. Metayer made a motion to adopt the resolution with the appointees as stated. Mr. Heath seconded the motion.

All voted in favor. The motion carried.

Mr. Heath made a motion to add another member for each councilmember. Mr. Metayer seconded the motion. Mr. Rogers made a motion to reconsider the last motion for an amendment. Mr. Metayer seconded the motion. Mr. Weiss voted no. All others voted yes. The motion carried. Mr. Rogers made a motion to amend the resolution so that each councilmember appoints two individuals and the previously named individuals would be the first appointee and they would all get a second one. Mr. Metayer seconded the motion. Mr. Weiss voted no. All others voted yes. The motion carried.

Mr. Rogers appointed Melody Ryan. Discussion followed regarding the process to appoint the second person and scheduling. Mr. Rogers made a motion to approve the resolution with all eight names listed. Ms. Breland stated a special meeting could be set to appoint the second person prior to the first bond committee meeting. Mr. Rogers withdrew his motion.

13F. [2021-0694](#)

Discuss and consider action regarding adding Charter amendment propositions to the November 2, 2021 special election ballot.

Mr. Metayer provided information on his proposed amendment to Section 8.02 to add "Where not otherwise disallowed by law all City Council appointed boards and commissions shall include an ex officio non-voting member who shall be a resident of the City's extraterritorial jurisdiction. Discussion followed. Mr. Rogers made a motion to postpone the item until the next meeting. Mr. Metayer seconded the motion. Mr. Heath - no. All others voted in favor. The motion carried and the item was postponed.

13G. [2021-0693](#)

Discuss and consider action to provide staff direction regarding procedure for written public comments submitted prior to meetings.

Mayor Pro Tem Peña asked City Attorney Zech what he sees in other cities. Mr. Zech stated he estimates about 25% allow written comment. Ms. Evans provided information on the process, stating that written comment was implemented with the virtual meetings and prior to that written comments were provided to council but not read at the meetings. Mr. Ruiz stated if someone wanted a statement read during the meeting they should come to the meeting. Discussion followed regarding the process. Mr. Ruiz made a motion to go back to the previous process where written comments are provided to council electronically and not read at the meeting. Mr. Weiss seconded the motion. Mr. Rogers voted no. All others voted yes. The motion carried.

13H. [2021-0696](#)

1.) Executive Session Item: Deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the purchase, exchange, lease, and/or value of real property regarding a purchase and sale agreement for property for possible location of a city hall and other uses. 2.) Open Session Item: Discuss and consider action approving a purchase and sale agreement for property for possible location of a city hall and other uses.

Mayor Gonzales read the item and announced that council was retiring to executive session at 9:43pm. Mayor Gonzales reconvened the meeting in open session at 9:53pm. Mayor Gonzales stated that the purchase and sale agreement does not obligate the city to make a decision on purchase until

after the election date. Mr. Rogers thanked the council for coming along with him to take this to voters. Mr. Rogers made a motion to approve the purchase and sale agreement for the property and delegate to city manager authority to negotiate final deal points and allow fine tuning of contract and to execute the contract. Mr. Metayer seconded the motion. The vote was as follows: Mr. Rogers - yes, Mr. Heath - no, Mr. Metayer - yes, Mayor Gonzales - yes, Mayor Pro Tem Peña - no, Mr. Ruiz - yes, Mr. Weiss - no. The motion carried.

14. Discuss only

- 14A. [2021-0670](#) Discussion and update regarding the Central Wastewater Treatment Plant Current Operations.

Mr. Pritchett provided information stating the plant is currently over capacity which causes challenges. Mr. Metayer asked if it endangers the citizens at all. Mr. Pritchett stated it does not. Mr. Pritchett discussed plans moving forward and answered questions from the council.

- 14B. [2021-0627](#) Presentation and discussion regarding the proposed FY22 budget.

This item was discussed at the earlier worksession. There was no discussion on the item at the regular meeting.

- 14C. [2021-0646](#) Request to place item on future agenda.

Mr. Ruiz requested an update on the Deutschen Pfest Committee.

Discussion followed regarding the bond committee resolution, a virtual special meeting to be held Saturday July 17 at 10am to complete appointments.

15. Adjourn

Mayor Gonzales adjourned the meeting at 10:09pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as _____ on July 27, 2021