



City of Pflugerville

Minutes - Final

City Council

Tuesday, February 27, 2024

7:00 PM

1611 Pfennig Lane

Regular Meeting

1. Call to Order

Mayor Victor Gonzales called the regular meeting to order at 7:00pm. Mayor Pro Tem Doug Weiss and Councilmembers Ceasar 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; Trista Evans, City Secretary; Charles Zech, City Attorney; Jeremy Frazzell, Planning and Development Services Director; Brandon Pritchett, Public Utility Director; Evan Groeschel, Operations Director; Jason O'Malley, Policy Chief; Makeba Lewis, Commander; Flip Romero, Communications Director; Tracy Waldron, Finance Director; Jeff Dunsworth, City Engineer; Terri Toledo, Director of Management Services; Katie Kam, Assistant Director of Transportation Services; Abby Morrison, Public Works Services 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 speak under public comment.

Reading of the Consent Agenda

Ms. Evans stated items 4F., 4G., 4J., 4M., and 4O. 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-0764](#) Approving an ordinance on second reading with a caption: An Ordinance of the City of Pflugerville, Texas, Amending Ordinance No. 1203-15-02-24 of the City of Pflugerville, Texas, as amended, by changing the zoning designation of approximately 243.7-acre tract of land situated in the William Caldwell Survey No. 66, Abstract No. 162 and the John Liesse Survey No. 18, Abstract No. 18, locally addressed 16430 Cameron Road from Agriculture/Development Reserve (A) to Parks Facilities and Open Space (PF); to be known as 1849 Park Rezoning (REZ2023-00240). 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.**
- 4B. [ORD-0765](#) Approving an ordinance on second 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 changing the zoning designation of approximately 153.239-acre tract of land known as Lot 1, Block 1 of the Wilbarger Creek Regional Wastewater Treatment Facility subdivision, locally addressed 10100 Gregg Lane from Agriculture/Development Reserve (A) to Parks Facilities and Open Space (PF); to be known as the Wilbarger Creek Rezoning (REZ2023-00233).
- The ordinance was approved on second reading on the consent agenda.**
- 4C. [2024-0202](#) Approving the minutes of the February 13, 2024 Worksession and Regular Meeting.
- The item was approved on the consent agenda.**
- 4D. [2024-0165](#) Approving a construction contract with G2 CSi in the amount of \$882,000 for construction services associated with Lake Pflugerville dam repairs and material storage building, and authorizing the City Manager to execute the same.
- The item was approved on the consent agenda.**
- 4E. [2024-0191](#) Approving the FY24 Q1 Investment Report.
- The item was approved on the consent agenda.**
- 4H. [2024-0196](#) Approving a contract renewal for Utility Billing statement production and processing services from DataProse utilizing the Interlocal Agreement with the City of Baytown, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 4I. [2024-0203](#) Approving an electrical easement to Oncor Electric Company for permanent power relocation associated with the Surface Water Treatment Plant Expansion Project, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 4K. [2024-0217](#) Approving a professional services agreement with Kimley-Horn and Associates, Inc in the amount of \$399,700 for professional services associated with preparing an update to the Transportation Master Plan, to be known as a mobility master plan, and authorizing the City Manager to execute the same.

The item was approved on the consent agenda.

- 4L. [2024-0211](#) Approving a professional services agreement with Terracon Consultants, Inc. in the amount of \$80,000.00 for Construction Materials Testing Services associated with the Street Reconstruction Projects Package 1B Improvements, and authorizing the City Manager to execute same.

The item was approved on the consent agenda.

- 4N. [RES-1193](#) Approving a resolution of the City of Pflugerville, Texas, and the State of Texas approving an Advance Funding Agreement with the Texas Department of Transportation for the Intersection Improvements project associated with the ADA Projects Implementation: Signalized Intersections project, and authorizing the City Manager to execute the same.

The resolution was approved on the consent agenda.

- 4P. [RES-1192](#) Approving a resolution of support by the City of Pflugerville, Texas, approving the submittal of an application for project funding under the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant funding for safety and multimodal projects along E. Pecan Street from Central Commerce Drive to Cameron Road.

The resolution was approved on the consent agenda.

Action on the Consent Agenda

Mr. Rogers moved to approve the consent agenda. Mayor Gonzales seconded the motion. All voted in favor. The motion carried.

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

5. Public Hearings and Ordinances

- 5A. [ORD-0762](#) Conduct a public hearing and consider approving the first reading of an ordinance with a 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 approving a Specific Use Permit for Industrial Uses (light) and Office/Warehouse on approximately 42.23-acre property generally located north of Cameron Road, east of the Northeast Metro Park, south of the Pecan Street, and west of State Highway 130, situated in the William Caldwell Survey Abstract No. 162, City of Pflugerville, Travis County, Texas, to be known as the Scannell Specific Use Permit (SUP2023-00055); providing a cumulative and repealer clause; providing for a non-severability clause; and providing an effective date.

Mayor Gonzales read the item and opened the public hearing. Mr. Frazzell reviewed the property location and summary of request for the specific use permit. Mr. Frazzell reviewed the districts in the area and the existing zoning. Mayor Pro Tem Weiss asked what kind of use is allowed. Mr. Frazzell provided information and discussed the criteria for approval. Mr. Metayer asked about screening on the property. Ethan Harwell with Kimley Horn provided information about the project and answered questions from council regarding the appearance of the buildings. Developer Charles Nolton provided information about the project. Mayor Gonzales stated council was retiring to executive session at 7:23pm. Mayor Gonzales reconvened the meeting in open session at 7:26pm.

Mr. Harwell discussed the development of the site and answered questions from council. Mayor Gonzales asked how many employees are anticipated. Mr. Harwell stated there is not currently a tenant and discussed the design process.

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

Mayor Pro Tem Weiss asked what is allowed by right on the property. Mr. Frazzell provided information about what is allowed stating it does not include light industrial. Mr. Rogers moved to approve the ordinance on first reading. Mayor Pro Tem Weiss seconded the motion. The vote was as follows: Mayor Pro Tem Weiss - no, Mr. Rogers - yes, Mayor Gonzales - yes, Mr. Metayer - no, Mr. McDonald - yes, Ms. Holiday - no, Mr. Ruiz - no. The motion failed.

6. Regular Agenda

- 6A. [2024-0201](#) Presentation and submission of the 2023 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 Gonzales opened the item for discussion. Dr. Eric Fritsch, Ph.D. with

Justice Research Consultants provided information about the law that requires the data and stated Pflugerville Police Department is fully in compliance. Mr. Metayer asked about participation of other cities in Texas. Discussion followed regarding the requirements. Dr. Fritsch reviewed the number of stops conducted by race/ethnicity compared to population. Mayor Gonzales discussed the difficulty of using population as a benchmark as not everyone stopped in the city lives in the city. Discussion followed regarding external benchmarking. Dr. Fritsch stated about 60% of the stops were non-residents. Discussion followed regarding stops identified as pre-existing knowledge.

Dr. Fritsch reviewed traffic stop outcomes. Discussion followed regarding the City's standard operating procedure for traffic stops. Dr. Fritsch reviewed reasons for searches and stated in 2023 there were no complaints for Pflugerville Police Department for racial profiling in traffic stops. Chief O'Malley provided information about weekly random audits and discussed the new body cam capability. Mayor Gonzales asked council what they would like to see next year. Mr. Metayer asked Dr. Fritsch how he would change it. Dr. Fritsch discussed moving towards peer to peer analysis. Mr. Rogers stated he would like to see more longitudinal comparisons.

- 6B.** [2024-0206](#) Presentation and discussion regarding the implementation of the City of Pflugerville Comprehensive Drainage Master Plan and Drainage Utility Fee.

The item was discussed during the earlier posted worksession.

- 6C.** [2024-0218](#) Conduct a presentation on the Engineering Department.

This item was discussed during the earlier posted worksession.

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

- 4F.** [2024-0192](#) Approving a conditional purchase agreement and associated conveyance documents between 23 Acres Hwy 290, LLC (Parcel No. 24) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project, and authorizing the City Manager to execute the same.

Mayor Gonzales opened items 4F. and 4G. together. Mr. Metayer stated he wanted to emphasize the cost of providing water. Ms. Morrison reviewed the project and the 15 miles of water line. Mr. Metayer discussed the cost of the temporary easements.

Mr. Metayer moved to approve items 4F. and 4G. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

- 4G.** [2024-0193](#) Approving a conditional purchase agreement and associated conveyance documents between DCI Developers, LLC (Parcel No. 64d) and the City of Pflugerville as necessary to acquire real property interests for the Secondary Colorado River Raw Water Line Project, and authorizing the City Manager to execute the same.

Minutes of discussion on the item are included under item 4F.

Mr. Metayer moved to approve items 4F. and 4G. Mr. Rogers seconded the motion. All voted in favor. The motion carried.

4J. [2024-0205](#)

Approving a professional services supplemental agreement with Burditt Consultants, LLC in the amount of \$271,663 for professional services associated with the 1849 Park, and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item for discussion. Mayor Pro Tem Weiss stated the agreement looks to be for the same service of a previously approved agreement. Ms. Kam discussed the phasing of 1849 Park with different agreements. Mayor Pro Tem Weiss asked about the process to get to the agreement. Discussion followed regarding the current status and the overall project for the park. Mr. Metayer moved to approve the item. Mr. McDonald seconded the motion. The vote was as follows: Ms. Holiday - yes, Mayor Pro Tem Weiss - no, Mr. Metayer - yes, Mr. Rogers - no, Mr. Ruiz - yes, Mr. McDonald - yes, Mayor Gonzales - no. The motion carried.

4M. [2024-0215](#)

Approving a professional services agreement with Triun, LLC in the amount of \$421,250.00 for civil work associated with the Community Development Block Grant infrastructure projects to add streetlights to the Skyview Manor and Windermere subdivisions, and authorizing the City Manager to execute the same.

Mayor Gonzales opened the item for discussion. Mr. Frazzell stated staff has been working diligently with Oncor to move forward with streetlights and provided information about the process. Mr. Rogers moved to approve the item. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

4O. [RES-1190](#)

Approving a resolution for the Annual Investment Policy.

Mayor Gonzales opened the item for discussion. Mayor Pro Tem Weiss discussed concerns about one of the changes on removing the year limit for locking in investments. Ms. Waldron provided information about the intent of the change, rates, and the added flexibility it provides. Mayor Pro Tem Weiss discussed if there would be project delays due to funds being locked. Ms. Waldron provided information about the process to keep that from happening and answered questions from council. Jamie Hobbs with Valley View Consulting discussed the policy investment strategies and answered questions from council regarding industry standards. Ms. Hobbs reviewed the proposed changes and provided an example of an investment strategy for a three year project. Mr. McDonald moved to approve the item. Ms. Holiday seconded the motion. The vote was as follows: Ms. Holiday - yes, Mr. Ruiz - no, Mayor Pro Tem Weiss - no, Mr. Rogers - no, Mr. Metayer - yes, Mayor Gonzales - yes, Mr. McDonald - yes. The motion carried.

8. Adjourn

Mayor Gonzales adjourned the meeting at 9:36pm.

Respectfully submitted,

Trista Evans, City Secretary

Approved as submitted on March 12, 2024.