



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, May 28, 2019

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Gonzales called the regular meeting to order at 7:00 p.m. Mayor Pro Tem Omar Peña and Councilmembers Doug Weiss, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. City employees in attendance: Sereniah Breland, City Manager; Trey Fletcher, Assistant City Manager; Brian McDougal, Interim Assistant City Manager; Charlie Zech, City Attorney; Karen Thompson, City Secretary; Jennifer Coffey, Library Director; Emily Barron, Planning Director; Maggie Holman, Public Information Officer; Elizabeth Taplin, Human Resources Director; Jessica Robledo, Police Chief; Jason Smith, Assistant Police Chief; Sheila Wiora, Assistant Parks Director; Patricia Davis, City Engineer; Amy Good, Finance Director; Jennifer Stubbs, Human Resources Assistant; Aileen Dryden, Park Development Manager; Matt Woodard, Water Conservation and Regulatory Manager; Wiley Webb, Utility Superintendent; Max Walther, Utility Superintendent.

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

Mr. Metayer thanked the American Legion and Mayor Gonzales for visiting cemeteries in the area on Memorial Day. Mayor Gonzales noted that Mr. Metayer and Mr. Weiss were also there. Mr. Weiss congratulated all on a successful Deutschen Pfest. Mayor Gonzales announced that Bidi Bidi Banda, a Selena tribute, was taking place on Friday at music in the park and that Univision would also be there. Mr. McDonald announced that there is a new mural in downtown, "You're My Pfavorite" at the El Rincon Patio. He stated

that it is unique and free to the public to enjoy. Mr. Metayer congratulated all graduates. He stated to the graduates that you will make a difference in the world and that you never feel older, you just have more perspective.

4. Presentation

4A. [2019-7604](#) Youth Advisory Council presentation.

Mayor Gonzales provided comments on the Youth Advisory Council (YAC). Ms. Sydney Stogel, YAC President, presented on the activities and experience of participating on the Youth Advisory Council. Mayor Gonzales presented certificates to the Youth Advisory Council participants.

5. Public Hearing and Ordinance First Readings

5A. [ORD-0454](#) 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 changing the zoning designation of an approximate 40.360-acre unplatted tract in the Thomas G. Stuart Survey, Abstract No. 689 of the real property records of Travis County, from Corridor Urban Level 4 (CL4) District to Planned Unit Development (PUD), to be known as the Pflugerville Farms PUD Rezoning (REZ1810-01); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

Mayor Gonzales read the item to include the caption of the ordinance under consideration and opened the public hearing. Ms. Barron presented on the item. Misty James, 18401 Bandelier Drive, spoke in favor and explained that the developer had worked with the adjacent homeowners association. Ms. Barron answered questions of the Council. There were no additional requests to speak at the public hearing. Mr. Metayer made a motion to close the public hearing. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

Mr. McDonald made a motion to approve the ordinance on first reading. Mr. Metayer seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-no, Mr. Metayer-yes, Mr. Heath-yes, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

5B. [ORD-0460](#) Conduct the second public hearing and consider an annexation ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a tract of land totaling approximately 14.09 acres of land situated in the John Liesse Survey No. 18, Abstract No. 406, Travis County, Texas of the Real Property Records of Travis County and annexing a tract of land totaling approximately 6.57 acres of land being a portion of a 43.52 acre-tract of land out of the John Liesse Survey No. 18, Abstract No. 496, in Travis County, Texas, described as Tract 1 in Document No. 2017099889 of the Real Property Records of Travis County, Texas less and except property

previously annexed as described in annexation Ordinance No. 899-07-08-14; both tracts being generally located south of Jesse Bohls Road, east of Weiss Lane, and north and west of Cameron Road; extending the boundaries of the City to include the land; and to be zoned Agriculture/ Development Reserve (A); to be known as the Carmel West Addition 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. (ANX1904-01)

Mayor Gonzales read the item to include the caption of the ordinance under consideration and opened the public hearing. Ms. Barron presented on the item. There were no requests to speak at the public hearing. Mr. Metayer made a motion to close the public hearing. Mr. Heath seconded the motion. All voted in favor. The motion carried.

Mr. Weiss made a motion to approve the ordinance on first reading. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

6. Public Comment

There were no requests to speak under the public comment item.

Reading of the Consent Agenda

Items 10A, 10B and 10C were removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

7. Approval of Minutes

- 7A. [2019-7602](#) Approval of the minutes of the May 7, 2019 Worksession and May 14, 2019 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

8. Ordinances Second Reading

- 8A. [ORD-0459](#) Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville Readopting Code of Ordinances Title IX General Regulations, Chapter 95 Parks and Recreation Subchapter 95.50 Youth Programs Standards of Care; Replacing all ordinances in conflict; containing a savings clause and declaring an effective date.

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

- 8B. [ORD-0461](#) Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the second amendment to the Fiscal Year 2019 Budget for the City of Pflugerville; and providing an effective date. (tenant improvements, merit redistribution).

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

9. Resolutions

- 9A. [RES-0622](#) Approving a resolution approving the Amended and Restated Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5 and authorizing the City Manager to execute the agreement.
- The resolution was approved on the consent agenda.

Action on the Consent Agenda

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

10. Other Actions - Removed from the Consent Agenda

- 10A. [2019-7603](#) Approving a Pflugerville Community Development Corporation (PCDC) FY2019 budget amendment of \$130,000 to purchase up to \$150,000 in specialized equipment to meet the necessary criteria to receive a matching Workforce Solutions Capital Area Board High Demand Job Training grant award of up to \$150,000 to enhance an existing emergency medical technician training program operated by the Pflugerville Independent School District and the Pflugerville Fire Department Emergency Services District #2.

Ms. Amy Madison, PCDC Executive Director, presented and answered questions of Council. Mr. Metayer provided information on the Capital Workforce Solutions and stated that they create jobs for people in the community. Mr. Marsh made a motion to approve the item. Mr. Heath asked if this is the best use of tax dollars. Ms. Madison provided additional information. Mr. Metayer stated that this program has made a difference in the community. Ms. Madison stated that this is to expand the program. She answered additional questions. Mr. Marsh indicated that his motion to approve stands. Mr. Weiss seconded the motion. The vote was Mr. Weiss-yes, Mr. Marsh-yes, Mayor Pro Tem Peña-yes, Mr. Metayer-yes, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

- 10B. [2019-7600](#) Approving the appointment of Suzette Robinson as Public Works Director.

Mayor and Council welcomed Ms. Robinson. Mr. Weiss made a motion to approve the appointment of Suzette Robinson as Public Works Director. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

- 10C. [2019-7601](#) Approving the appointment of James Hartshorn as Assistant City Manager.

Mayor and Council welcomed Mr. Hartshorn. Mr. McDonald made a motion to approve the appointment of James Hartshorn as Assistant City Manager. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

11. Discuss and consider action

- 11A.** [RES-0621](#) Discuss and consider action to approve a resolution denying application for approval of a rate change submitted by Oncor Electric Delivery Company, LLC and providing authorization to participate in proceedings at the Public Utility Commission of Texas.

Ms. Good provided information. Brennan Foley, Herrera Law & Associates, PLLC, coalition attorney, answered questions and stated that they expect a settlement at a reduced amount. Council discussion followed with Mr. Foley. Mr. Heath made a motion to approve the resolution. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

- 11B.** [2019-7558](#) Discuss and consider action to authorize the City Manager to execute a purchasing agreement with Public Restroom Company in the amount of \$128,469.00 for the furnishing and installation of a restroom facility for the Wilbarger Creek Park project.

Ms. Wiora provided information. Ms. Dryden answered questions and discussed with Council. Mr. Marsh asked in the future to look at a larger unit built on site if they are spending this much money. Mayor Pro Tem Peña made a motion to approve. Mr. Weiss seconded the motion. The vote was: Mr. Weiss-yes, Mr. Marsh-no, Mayor Pro Tem Peña-yes, Mr. Metayer-yes, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motion carried.

- 11C.** [RES-0624](#) Discuss and consider action to approve a resolution establishing a code of conduct for elected and appointed officials.

It was noted that Mayor Pro Tem Peña and Mr. Weiss had requested the item. Mayor Pro Tem Peña stated that they have edited the document some since it was last discussed at the November 18, 2018 worksession and they have put this before the Council for additional comments and approval. Mr. Heath stated that he would like it to include staff. Ms. Breland stated that she will be bringing forward an employee handbook in a month or so and that the employee requirements will be more strict. Mr. Heath stated that he thinks that councilmembers should not use social media to post about city business. Mr. Metayer indicated concerns when limiting free speech of elected officials. Mr. Heath stated a need to have a free speech environment. Mr. Heath noted regarding 10. Use of Alcohol that this could also include drugs, mental illness, other causes of impairment. Mr. McDonald suggested not using specific Charter section numbers in 25 in case those change. Council was to send their additional comments on the document to the City Manager for continued discussion at the next Council meeting. No action was taken.

12. Adjourn

Mr. Weiss made a motion to adjourn. Mr. Marsh seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on June 11, 2019.