



City of Pflugerville

Minutes - Final - Final

City Council

Tuesday, August 13, 2019

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.

1. Call to order

Mayor Victor Gonzales called the regular meeting to order at 7:00 p.m. Councilmembers Doug Weiss, Rudy Metayer and Jim McDonald were in attendance. Councilmembers Jeff Marsh and Mike Heath entered the meeting just after the call to order. Mayor Pro Tem Omar Peña was absent. The following City employees attended: Sereniah Breland, City Manager; Charlie Zech, City Attorney; Trey Fletcher, Assistant City Manager; James Hartshorn, Assistant City Manager; Karen Thompson, City Secretary; Emily Barron, Planning Director; Terri Toledo, Communications Director; Maggie Holman, Public Information Officer; Amy Good, Finance Director; Patricia Davis, City Engineer; Jennifer Coffey, Library Director; Jessica Robledo, Police Chief; Jason Smith, Assistant Police Chief; Shane Mize, Parks and Recreation Director; Suzette Robinson, Public Works Director; David Bunch, Chief Information Officer; Brian Bennight, IT System Administrator; Kurt Widdows, IT System Administrator; Chris Lee, IT Field Technician; Andrey Babkov, IT System Administrator.

2. Opening

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

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

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. Items of Community Interest

Mr. McDonald thanked Mayor Gonzales for inviting him to participate in the

golf tournament for Camryn's Relentless Battle. He recognized Blue Guardians and the organizers of the event. Mr. McDonald expressed gratitude for Ashley "Flash Gordon" who recently passed away. He announced that a celebration of her life would be held on Sunday, August 18, 2019 at the Historic Colored Addition Cemetery. He thanked Riley Smith, his intern for the summer.

Mr. Heath provided a reminder to remember pets and to leave no one in a car; to be mindful of the heat.

4. Presentations

- 4A. [2019-7720](#) Proclamation recognizing Jeff Coleman as a Community Builder in the City of Pflugerville.

Mayor Gonzales read and presented Jeff Coleman with the proclamation and a Key to the City. He provided comments and noted that representatives of Senior Access were in attendance, to include Councilmember McDonald who serves on their board. Mr. Coleman noted to those that might be looking for a great organization to volunteer with, that Senior Access is an incredible organization.

- 4B. [2019-7723](#) Information Technology Division annual presentation.

Mr. Bunch presented on the item.

5. Public Comment

Ernest Tomes, 16701 Heatherwilde #515, stated that he is glad it is included in the budget. He asked the Council to please not forget him or other people with disabilities; that they need door to door transportation service.

Reading of the Consent Agenda

Items 7A and 7B were removed from the consent agenda. Ms. Thompson read the item under consideration.

6. Approval of Minutes

- 6A. [2019-7724](#) Approval of the minutes of the July 23, 2019 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

Action on the Consent Agenda

Mr. Weiss made a motion to approve the minutes remaining on the consent agenda. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

7. Resolutions - Removed from the Consent Agenda

- 7A. [RES-0636](#) Approving a resolution approving personnel policies in accordance with

the City Charter.

The item was removed from the consent agenda by city staff. There was no discussion or action on the item.

7B. [RES-0638](#)

Approving a resolution adopting the ES&S® Express Vote Universal Voting System as the voting system to be used in City of Pflugerville elections.

Ms. Thompson provided information. Mr. McDonald stated that he was gratified to find that this system combined both a touchscreen and backup paper ballot. He stated to applaud the selection. Mr. McDonald made a motion to approve the resolution adopting the ES&S® Express Vote Universal Voting System as the voting system to be used in City of Pflugerville elections. Mr. Heath seconded the motion. All voted in favor. The motion carried.

Sup Supplemental Agenda - Resolutions

1.

[RES-0634](#)

Resolution ordering a General Election for November 5, 2019 for the election of Mayor and Councilmember Place 1.

Mayor Gonzales opened and read the item for consideration. Mr. Heath made a motion to approve the resolution ordering a General Election for November 5, 2019 for the election of Mayor and Councilmember Place 1. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

8. Ordinances First Reading

8A. [ORD-0470](#)

Discuss and consider action to approve an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending the City of Pflugerville, Texas Code of Ordinances, by amending Title VII (titled Traffic Code), Chapter 72 (titled Traffic Schedules), Schedule III (titled Stop Signs on Public Streets) by establishing additional stop sign locations at Kelly Lane and Falcon Pointe Boulevard and Kelly Lane and Vilamoura Street; providing for a violation of Chapter 72 as a class C misdemeanor and a fine in an amount not to exceed \$200.00; providing for severability; and providing an effective date.

Mayor Gonzales opened and read the item to include the caption of the ordinance under consideration. Ms. Davis stated that staff recommends to deny the ordinance under item 8A and approve the resolution under item 9A.

Mayor Gonzales opened and read item 9A for simultaneous discussion with item 8A. Ms. Davis provided information and answered questions of Council.

Mr. Weiss stated that the city has done a lot of evaluation and not a lot of action. He asked what would be immediate action. Ms. Breland provided information. Mr. Heath stated that the evaluation of Kelly needs to be the full length from FM 685 to Weiss Lane. Mr. Marsh asked what the immediate need is for the four-way stop. Mr. Weiss stated that he thinks that the accidents have

intensified. Mr. Heath asked for the full corridor study, stating that we want to be safe and to have mobility. Mr. Weiss asked regarding the timing to evaluate. He stated that he is hearing that it would be an additional 15-18 months for a temporary signal. Mr. Heath suggested looking at near-term, mid-term and long-term solutions. Mr. Weiss indicated concern for the traffic volumes and accidents intensifying. Mr. Metayer asked what real solutions they could come up with and what they could do now that would make a difference. Ms. Breland introduced Jake Gutekunst, Engineer and Transportation Planner with Kimley-Horn, to provide information. Mr. Gutekunst stated that he had done a quick analysis of the Vilamoura and Kelly Lane intersection and recommended against a four-way stop or traffic signal at the location due to the significant east and west traffic volume. Council discussion with Mr. Gutekunst followed. Mr. Metayer asked what pragmatic solutions they could put into place now. Mr. Gutekunst stated that flashing beacons and rumbles strips are an option. Mr. Metayer stated he would like to get something done. Mr. Heath recommended that they do a safety study now and put something into place short term and do a full corridor study for long-term solutions. Mr. Marsh recommended moving forward with the interim improvements now and continuing on with the study. Mr. McDonald asked regarding the correlation of accident data and the type of accidents. Ms. Breland stated that the crash data would be part of the evaluation. Ms. Breland stated that we are doing a corridor study now. Mr. Heath stated a need to address the short term. Mr. Fletcher stated that DKS is looking at SH 45, SH 130, FM 685 and Kelly Lane in their study which is complementing the Master Transportation Plan that Kimley Horn is preparing. He stated that he will review the scope of the MIS and will make sure it includes Kelly Lane all the way to Weiss Lane. He provided information on the Kelly Lane Phase 2 widening. He spoke on driver warnings and other temporary measures that they could put into place.

Daryl Krause, 19408 Vilamoura St., stated that they have been told for years regarding the 5-year plan for Kelly Lane. He reported that there was a bad accident recently at the intersection. He asked what it is going to take. He stated that it doesn't seem to get better. He stated that there is a lot of traffic. He stated that it is not a visibility issue, but is impatience. He asked the Council to please do something.

Dave Rotheroe, 19409 Vilamoura St., stated that it is a problem and he echoes what Mr. Krause said. He stated that something needs to be done now. He stated that continuing to do nothing will result in fatalities. He stated that the traffic is getting worse and worse. He asked that they please get the right answers quickly and implement something short term.

Mr. McDonald asked if lowering the speed limit is being considered. Ms. Davis stated that it is not. There was continued discussion. Mr. Marsh recommended that they initiate short term solutions and approve the resolution under 9A. Mr. Weiss conceded that the ordinance is not a great solution, but that it is a solution. He stated that they have sat here for years and made no solution and he is tired of not doing anything.

Mayor Gonzales stated that they have been lingering on this for years. He stated that he agrees with Mr. Weiss and they need to do something immediate.

Mr. Metayer stated that he is okay with rumble strips, flashing lights, etc. but if these are not working, we need to bring this back up. He stated that we can't have it the way it is.

Mr. Weiss made a motion to approve the ordinance under 8A as written. Mr. McDonald asked for clarification if they are looking to put in flashing LED stop sign lights as a temporary measure until we find out the results of the immediate study. Mr. Weiss stated that he is willing to revoke in the future. Mr. McDonald seconded the motion.

Mohamed Moussa, 18701 Falcon Pointe Blvd., stated that he did his own survey of traffic at the intersection on August 8, 2019 from 5:15 p.m. to 5:20 p.m. He reported his traffic counts were 114 travelling east and west on Kelly Lane and 6 travelling north and south on Vilamoura and Falcon Pointe. He stated that he thinks a four-way stop is not ideal and would slow down the east-west traffic.

Connie Howard, 19921 Ploughshores Ln., asked the Council to look at the peak times during the morning and evening. She recommended having a security officer guiding that intersection during the peak times.

Council discussion continued. Mayor Gonzales called for a vote on the motion to approve the ordinance under 8A as written. The vote was: Mr. Weiss-yes, Mr. Marsh-no, Mr. Metayer-no, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motion failed with a tie vote of 3 to 3.

Council discussion followed regarding the resolution under item 9A. Mr. Weiss stated that it is vaguely written. Mr. Heath recommended to approve the resolution under item 9A and to amend the scope to include an all way traffic count and crash analysis for Vilamoura and Kelly Lane intersection, have a draft report for consideration in four weeks that they can take action on. Mr. Metayer asked what could be done tomorrow. Ms. Breland reviewed solutions that could be put in place immediately and in the short term: increased law enforcement, improve visibility, install rumble strips, provide education information, improved pavement markings, flashing warning lights, additional warning signs. Ms. Breland stated that staff is prepared to implement immediate solutions with or without a vote.

Mr. Heath made a motion to approve the resolution under 9A with the change of making the limits from SH 130 to Weiss Lane, to look at a corridor evaluation of the signals along Kelly Lane to include a short term, immediate improvements along Kelly which includes a safety study and crash analysis to improve the safety and mobility for all motorists along the roadway for an immediate, 3-5 year time frame and 10+ year time frame, and with an immediate deliverable of a safety study for the Vilamoura and Kelly Lane intersection and to do the associated traffic counts of approach volumes and turning movement counts and crash data and allow the consultant to provide a list of improvements for improving safety at this location.

Mr. Metayer stated that he would like to include in that the immediate improvements that Ms. Breland conveyed to us.

Council discussion followed regarding the scope of the current MIS study which includes the Vilamoura intersection. Mr. Fletcher stated that he would

expand and coordinate for the MIS study. Ms. Breland asked for emphasis on this through approval of the resolution. There was continued discussion. Mr. Heath withdrew his motion. Mr. Weiss made a motion to direct staff to implement all reasonable and prudent immediate solutions including those available on this list (increased law enforcement, improved visibility, installation of rumble strips, provide education information, improved pavement markings, flashing warning lights, additional warning signs) and approve the resolution to engage a consultant to conduct a study, with specific emphasis on increasing law enforcement, adding flashing speed limit signs and flashing dangerous intersection signs or whatever is inappropriate and also to report back no later than the October 10, 2019 Council meeting. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. Weiss noted later in the meeting that he had stated "October 10, 2019" but had meant September 10, 2019. He indicated that he did not think that they needed to amend the action, that "no later than October 10, 2019" still met the criteria and he thinks staff is on board to bring back the report on September 10, 2019.

9. Resolutions

9A. [RES-0639](#)

Discuss and consider action to approve a resolution providing direction to staff regarding the evaluation of Kelly Lane intersections.

Mayor Gonzales opened and read item 9A for simultaneous discussion with item 8A. Ms. Davis provided information and answered questions of Council.

Mr. Weiss stated that the city has done a lot of evaluation and not a lot of action. He asked what would be immediate action. Ms. Breland provided information. Mr. Heath stated that the evaluation of Kelly needs to be the full length from FM 685 to Weiss Lane. Mr. Marsh asked what the immediate need is for the four-way stop. Mr. Weiss stated that he thinks that the accidents have intensified. Mr. Heath asked for the full corridor study, stating that we want to be safe and to have mobility. Mr. Weiss asked regarding the timing to evaluate. He stated that he is hearing that it would be an additional 15-18 months for a temporary signal. Mr. Heath suggested looking at near-term, mid-term and long-term solutions. Mr. Weiss indicated concern for the traffic volumes and accidents intensifying. Mr. Metayer asked what real solutions they could come up with and what they could do now that would make a difference. Ms. Breland introduced Jake Gutekunst, Engineer and Transportation Planner with Kimley-Horn, to provide information. Mr. Gutekunst stated that he had done a quick analysis of the Vilamoura and Kelly Lane intersection and recommended against a four-way stop or traffic signal at the location due to the significant east and west traffic volume. Council discussion with Mr. Gutekunst followed. Mr. Metayer asked what pragmatic solutions they could put into place now. Mr. Gutekunst stated that flashing beacons and rumbles strips are an option. Mr. Metayer stated he would like to get something done. Mr. Heath recommended that they do a safety study now and put something into place short term and do a full corridor study for long-term solutions. Mr. Marsh recommended moving forward with the interim improvements now and continuing on with the study. Mr. McDonald asked regarding the correlation of accident data and the type of accidents. Ms. Breland stated that the crash data would be part of the evaluation. Ms. Breland stated that we are doing a corridor study now. Mr. Heath stated a need to

address the short term. Mr. Fletcher stated that DKS is looking at SH 45, SH 130, FM 685 and Kelly Lane in their study which is complementing the Master Transportation Plan that Kimley Horn is preparing. He stated that he will review the scope of the MIS and will make sure it includes Kelly Lane all the way to Weiss Lane. He provided information on the Kelly Lane Phase 2 widening. He spoke on driver warnings and other temporary measures that they could put into place.

Daryl Krause, 19408 Vilamoura St., stated that they have been told for years regarding the 5-year plan for Kelly Lane. He reported that there was a bad accident recently at the intersection. He asked what it is going to take. He stated that it doesn't seem to get better. He stated that there is a lot of traffic. He stated that it is not a visibility issue, but is impatience. He asked the Council to please do something.

Dave Rotheroe, 19409 Vilamoura St., stated that it is a problem and he echoes what Mr. Krause said. He stated that something needs to be done now. He stated that continuing to do nothing will result in fatalities. He stated that the traffic is getting worse and worse. He asked that they please get the right answers quickly and implement something short term.

Mr. McDonald asked if lowering the speed limit is being considered. Ms. Davis stated that it is not. There was continued discussion. Mr. Marsh recommended that they initiate short term solutions and approve the resolution under 9A. Mr. Weiss conceded that the ordinance is not a great solution, but that it is a solution. He stated that they have sat here for years and made no solution and he is tired of not doing anything.

Mayor Gonzales stated that they have been lingering on this for years. He stated that he agrees with Mr. Weiss and they need to do something immediate.

Mr. Metayer stated that he is okay with rumble strips, flashing lights, etc. but if these are not working, we need to bring this back up. He stated that we can't have it the way it is.

Mr. Weiss made a motion to approve the ordinance under 8A as written. Mr. McDonald asked for clarification if they are looking to put in flashing LED stop sign lights as a temporary measure until we find out the results of the immediate study. Mr. Weiss stated that he is willing to revoke in the future. Mr. McDonald seconded the motion.

Mohamed Moussa, 18701 Falcon Pointe Blvd., stated that he did his own survey of traffic at the intersection on August 8, 2019 from 5:15 p.m. to 5:20 p.m. He reported his traffic counts were 114 travelling east and west on Kelly Lane and 6 travelling north and south on Vilamoura and Falcon Pointe. He stated that he thinks a four-way stop is not ideal and would slow down the east-west traffic.

Connie Howard, 19921 Ploughshores Ln., asked the Council to look at the peak times during the morning and evening. She recommended having a security officer guiding that intersection during the peak times.

Council discussion continued. Mayor Gonzales called for a vote on the motion

to approve the ordinance under 8A as written. The vote was: Mr. Weiss-yes, Mr. Marsh-no, Mr. Metayer-no, Mr. Heath-no, Mr. McDonald-yes, Mayor Gonzales-yes. The motion failed with a tie vote of 3 to 3.

Council discussion followed regarding the resolution under item 9A. Mr. Weiss stated that it is vaguely written. Mr. Heath recommended to approve the resolution under item 9A and to amend the scope to include an all way traffic count and crash analysis for Vilamoura and Kelly Lane intersection, have a draft report for consideration in four weeks that they can take action on. Mr. Metayer asked what could be done tomorrow. Ms. Breland reviewed solutions that could be put in place immediately and in the short term: increased law enforcement, improve visibility, install rumble strips, provide education information, improved pavement markings, flashing warning lights, additional warning signs. Ms. Breland stated that staff is prepared to implement immediate solutions with or without a vote.

Mr. Heath made a motion to approve the resolution under 9A with the change of making the limits from SH 130 to Weiss Lane, to look at a corridor evaluation of the signals along Kelly Lane to include a short term, immediate improvements along Kelly which includes a safety study and crash analysis to improve the safety and mobility for all motorists along the roadway for an immediate, 3-5 year time frame and 10+ year time frame, and with an immediate deliverable of a safety study for the Vilamoura and Kelly Lane intersection and to do the associated traffic counts of approach volumes and turning movement counts and crash data and allow the consultant to provide a list of improvements for improving safety at this location.

Mr. Metayer stated that he would like to include in that the immediate improvements that Ms. Breland conveyed to us.

Council discussion followed regarding the scope of the current MIS study which includes the Vilamoura intersection. Mr. Fletcher stated that he would expand and coordinate for the MIS study. Ms. Breland asked for emphasis on this through approval of the resolution. There was continued discussion. Mr. Heath withdrew his motion. Mr. Weiss made a motion to direct staff to implement all reasonable and prudent immediate solutions including those available on this list (increased law enforcement, improved visibility, installation of rumble strips, provide education information, improved pavement markings, flashing warning lights, additional warning signs) and approve the resolution to engage a consultant to conduct a study, with specific emphasis on increasing law enforcement, adding flashing speed limit signs and flashing dangerous intersection signs or whatever is inappropriate and also to report back no later than the October 10, 2019 Council meeting. Mr. McDonald seconded the motion. All voted in favor. The motion carried.

Mr. Weiss noted later in the meeting that he had stated "October 10, 2019" but had meant September 10, 2019. He indicated that he did not think that they needed to amend the action, that "no later than October 10, 2019" still met the criteria and he thinks staff is on board to bring back the report on September 10, 2019.

9B. [RES-0633](#)

Discuss and consider action to approve a resolution creating a Locally Preferred Alternative (LPA) for development of the MoKan right of way.

Ms. Barron provided information and discussion followed with the City Council. Mr. Heath stated that he would like a policy point of what we can support for the direction of the city. Mr. Heath suggested that the resolution be amended to resolve that the City of Pflugerville supports the use of the MoKan as a regional hike and bike facility to connect the City of Pflugerville to the City of Austin and to ask Travis County and the City of Austin to support our efforts to realize this important amenity to serve the citizens of the east side. There was continued discussion with input from Ms. Breland and Ms. Barron. Mr. Heath stated that the LPA is admirable, but we don't have the luxury of time in the process; that's why we need to state what we desire here and now. There was continued discussion.

Mr. Heath made a motion to approve the resolution with an amendment to resolve that the City of Pflugerville supports (the development of the MoKan right of way as) a hike and bike facility from the City of Pflugerville to the City of Austin and asks the City of Austin and Travis County to support said development of such hike and bike facility to be a regional intermodel facility that will support the health and wellness of our collective citizens and will provide the citizens along this corridor with a regional amenity that they severely lack. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

Executive Session

Mayor Gonzales announced that the City Council was retiring to executive session for discussion on items 10A, 10B, and 11A. He read the items and retired to executive session. The time was 8:56 p.m.

10. Discuss only

- 10A.** [2019-7743](#) 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 for a 0.7748-acre parcel in the Pflugerville Central Business District.

Discussion on the item took place in executive session. No action was taken.

- 10B.** [2019-7744](#) 1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding a Chapter 380 economic development agreement to facilitate expansion of office and industrial facilities.

Discussion on the item took place in executive session. No action was taken.

11. Discuss and consider action

- 11A.** [2019-7717](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager. 2.) Open Session Item: Discuss and consider action to approve First Amendment to the employee agreement between Sereniah Breland and the City of Pflugerville.

Discussion on the item took place in executive session. Action on the item took place in open session following the executive session.

Executive Session - Closed

Mayor Gonzales reconvened in open session. The time was 10:26 p.m.

[2019-7717](#)

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager. 2.) Open Session Item: Discuss and consider action to approve First Amendment to the employee agreement between Sereniah Breland and the City of Pflugerville.

Mayor Gonzales made a motion to approve the first amendment to the employment agreement between Sereniah Breland and the City of Pflugerville as amended. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

12. Adjourn

Mr. McDonald made a motion to adjourn. Mr. Metayer seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 10:27 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on August 27, 2019.