



# City of Pflugerville

## Minutes - Final - Final

### City Council

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Tuesday, August 27, 2019

7:00 PM

100 East Main Street, Suite 500

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#### 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, Jeff Marsh, Rudy Metayer, Mike Heath and Jim McDonald were in attendance. Mayor Pro Tem Omar Peña joined the meeting at 7:05 p.m. City employees attending: 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; Mayo Neyland, Police Commander; Suzette Robinson, Public Works Director; Amy Good, Finance Director; Erin Sellers, Senior Planner; Jennifer Coffey, Library Director; Patrica Davis, City Engineer; Terri Toledo, Communications Director; Rhonda McLendon, Animal Welfare Services Director; Shane Mize, Parks and Recreation Director.

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

#### 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. Metayer extended good luck to all of the high school football teams in the Pflugerville ISD.

#### 4. Presentation

- 4A. [2019-7775](#) Proclamation recognizing the Pflugerville FC 2008 Girls team as the 2019 Directors Cup State Champions.

Mayor Gonzales read the proclamation and presented it to the coaches and players in attendance.

#### 5. Public Hearing and Ordinance First Readings

- 5A. [ORD-0465](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An ordinance amending the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 157 Unified Development Code, Subchapter 14 Parkland Standards, relating to credit for private park area and amenities and making other administrative revisions; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 157, Subchapter 14 as a class C misdemeanor and a fine in an amount not to exceed \$2,000; and declaring an effective date. (CA1908-02)

Mayor Gonzales opened the public hearings and read the items to include the captions of the ordinances under consideration on items 5A and 5B. Ms. Barron provided information and answered questions of Council. Mr. Heath requested information regarding the change in the required parkland now and with this ordinance in place. Ms. Barron explained that this would establish a minimum persons per unit of 1.75 persons for higher density developments. Ms. Barron was to provide additional information at the second reading. There were no requests to speak at the public hearings. Mayor Pro Tem Peña made a motion to close the public hearings. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

- 5B. [ORD-0466](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An ordinance amending the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 157 Unified Development Code, Subchapter 2 Administration, Section 2.5 regarding the role and responsibility of the Parks and Recreation Commission; replacing all ordinances in conflict; containing severability and repealer clauses; and declaring an effective date. (CA1908-01)

Mayor Gonzales opened the public hearings and read the items to include the captions of the ordinances under consideration on items 5A and 5B. Ms. Barron provided information and answered questions of Council. Mr. Heath requested information regarding the change in the required parkland now and with this ordinance in place. Ms. Barron explained that this would establish a minimum persons per unit of 1.75 persons for higher density developments. Ms. Barron was to provide additional information at the second reading. There were no requests to speak at the public hearings. Mayor Pro Tem Peña made a motion to close the public hearings. Mr. Weiss seconded the motion. All voted in favor. The motion carried.

- 5A.**     [ORD-0465](#)     Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An ordinance amending the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 157 Unified Development Code, Subchapter 14 Parkland Standards, relating to credit for private park area and amenities and making other administrative revisions; replacing all ordinances in conflict; containing severability and repealer clauses; providing for a penalty for a violation of Chapter 157, Subchapter 14 as a class C misdemeanor and a fine in an amount not to exceed \$2,000; and declaring an effective date. (CA1908-02)

**Mayor Pro Tem Peña made a motion to approve the ordinance on first reading under item 5A. 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.**

- 5B.**     [ORD-0466](#)     Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An ordinance amending the City of Pflugerville Code of Ordinances Title XV Land Usage, Chapter 157 Unified Development Code, Subchapter 2 Administration, Section 2.5 regarding the role and responsibility of the Parks and Recreation Commission; replacing all ordinances in conflict; containing severability and repealer clauses; and declaring an effective date. (CA1908-01)

**Mayor Pro Tem Peña made a motion to approve the ordinance on first reading under item 5B. Mr. Weiss seconded the motion. All voted in favor. The motion carried.**

## **Presentation**

- 4B.**     [2019-7772](#)     Presentation of the findings of the 2019 Citizen Survey conducted in partnership with Texas State University.

**Ms. Toledo provided an introduction. Dr. Longoria provided information on the results of the survey and answered questions of Council. Ms. Toledo spoke on ways the City is already addressing issues noted in the survey.**

## **6.     Public Comment**

**Herman Whitney, 12336 Zeller, President of Pflugerville Area Youth Soccer League (PAYSL), stated that PAYSL was created in 1982 and they want to continue what we they have started. He stated that the 1849 Park is pushing them out because it is costing them too much. He asked the Council to think about allowing them to continue to use 1849 Park at a reasonable price. He asked that they put 1849 Park on the agenda to talk about a sliding scale that fits both the city and PAYSL to make it economically possible for them to continue to grow and have more state championships.**

**Bobby Kopetsky, 2500 Amen Corner Road, stated concerns for safety due to the traffic on Kennemer Drive. He recommended that the City look at adding a four-way and three-way stop.**

Mr. Heath announced that the City would be holding a Transportation Open House on September 17, 2019 and encouraged all to attend.

### Public Hearing and Ordinance First Readings

- 5C. [ORD-0467](#) Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, approving the second amendment to the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number One, City of Pflugerville, Texas; authorizing the City Secretary to distribute such plans; containing various provisions related to the forgoing subject.

Mayor Gonzales opened the public hearing and read the item to include the caption of the ordinance under consideration on item 5C. Mr. Fletcher provided information and answered questions of Council. Council provided comments on the need for this transportation improvement. There were no requests to speak at the public hearing. Mr. Heath made a motion to close the public hearing. Mayor Pro Tem Peña seconded the motion. All voted in favor. The motion carried.

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

### Reading of the Consent Agenda

Item 8B was removed from the consent agenda. Ms. Thompson read the items to include the captions of the ordinances under consideration.

### 7. Approval of Minutes

- 7A. [2019-7761](#) Approval of the minutes of the August 13, 2019 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

### 8. Ordinances First Reading

- 8A. [ORD-0468](#) Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, approving the Fourth Amendment to the Development Financing Agreement for Reinvestment Zone Number One, City of Pflugerville, Texas, Authorizing the Mayor to execute said amendment; containing various provisions related to the forgoing subject.

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

- 8C. [ORD-0469](#) Approving 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 the definition of private real property; deleting the requirement to pay a fee for return of a

sign placed in the City rights of way; deleting Section 154.110 Political and Campaign Signs; repealing all ordinances to the extent they are in conflict; providing for severability; providing no penalty; and providing an effective date.

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

## **9. Resolutions**

- 9A.**     [RES-0642](#)     Approving a resolution amending the Youth Advisory Council to allow for automatic appointment of qualified applicants.

**The resolution was approved on the consent agenda.**

- 9B.**     [RES-0641](#)     Approving a resolution approving an agreement for benefits consulting services with HUB International and authorizing the City Manager to execute same.

**The resolution was approved on the consent agenda.**

## **Action on the Consent Agenda**

**Mr. Heath made a motion to approve the consent agenda. Mr. McDonald seconded the motion. Mr. Marsh was absent from the dais and did not participate in the vote. All others were present and voted in favor. The motion carried.**

## **Ordinances First Reading**

- 8B.**     [ORD-0473](#)     Approving an ordinance on first reading with the caption reading: An ordinance of the City of Pflugerville, Texas, adopting the third amendment to the Fiscal Year 2019 Budget for the City of Pflugerville; and providing an effective date. (utility system repairs).

**Mayor Gonzales read the item to include the caption of the ordinance under consideration. Mr. Heath stated that he asked to pull the item for transparency. He stated that this amendment is important to maintain safe drinking water. Mr. Weiss confirmed that the Council had already discussed these in the past. Mr. Heath made a motion to approve the ordinance on first reading. Mr. Weiss seconded the motion. All voted in favor. The motion carried.**

## **10. Discuss and consider action**

- 10A.**     [2019-7769](#)     Discuss and consider action to approve a professional services agreement with Johnson Mirmiran Thompson, Inc. (JMT) in the amount not to exceed \$1,157,068.88 for professional engineering services associated with the design of Kelly Lane Phase 2 and Phase 3 from Falcon Pointe Boulevard (East) to Weiss Lane.

**Ms. Davis provided information and answered questions of Council. Ms. Davis explained that they did six iterations of the contract and they feel comfortable**

with the hours and costs in the project. Council discussion followed regarding concerns for the Kelly Lane and Weiss Lane intersection. Mr. Weiss asked how they would change the T-intersection. Mr. Heath suggested adding as an alternative and to come back with a modified scope; a supplemental agreement. Mr. Fletcher stated that staff would be bringing forward to next meeting to include Cele in the Major Investment Study (MIS) and DKS Associates could add to their scope as well and the two firms could collaborate on that. Mr. Zech stated they would negotiate and have an amendment for the next meeting. Mr. Fletcher stated that he thinks it would provide an opportunity to see if they could do the Cele Road alignment. Mr. McDonald made a motion to approve with the understanding that they would have a change in scope at the next meeting. He stated to make a motion to approve item 10A. Mr. Metayer seconded the motion. All voted in favor. The motion carried.

**10B. [RES-0637](#)**

Discuss and consider action to approve a resolution specifying a proposed maximum FY20 property tax rate and scheduling the dates for the public hearings.

Ms. Good provided information. She requested approval of a proposed rate of the calculated rollback rate of \$0.5045/\$100 valuation. She announced that two public hearings would be required and the hearings are currently scheduled for September 10, 2019 at 7:00 p.m. and September 17, 2019 at 6:00 p.m. She answered questions of Council. Mr. Weiss made a motion to approve the resolution. Mr. Marsh seconded the motion. All voted in favor. The motion carried.

**11. Discuss only**

**11A. [2019-7718](#)**

1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Attorney.

Mayor Gonzales announced that the City Council was retiring to executive session on the item. He read the item and retired to executive session. The time was 8:21 p.m. Mayor Gonzales reconvened in open session at 8:39 p.m. No action was taken.

**12. Adjourn**

Mr. Marsh made a motion to adjourn. Mr. Heath seconded the motion. Mayor Pro Tem Peña was absent from the dais and did not participate in the vote to adjourn. All present voted in favor. The motion carried. The meeting was adjourned at 8:39 p.m.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as presented on September 10, 2019.

