



City of Hutto

MINUTES

City Council Meeting
Thursday, March 4, 2021 at 7:00 PM
City Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at www.huttotx.gov

1. CALL SESSION TO ORDER: 7:00 PM
2. ROLL CALL

Members of City Council present: Councilmember Robin Sutton, Councilmember Dan Thornton, Councilmember Mike Snyder, Councilmember Peter Gordon and Councilmember Tanner Rose.

Absent: Councilmember Patti Martinez

Members of staff present: Warren Hutmacher, City Manager; Stacy Schmitt, Assistant to City Manager; Holly Nagy, City Secretary; Ashley Lumpkin, Executive Director of Business and Development; Jessica Brown, Assistant City Secretary and Cristian Rosas-Grillet, City Attorney.

3. INVOCATION: Led by Marshall Hammond, Church of Christ and Latter Day Saints
4. PLEDGE OF ALLEGIANCE
5. CITY COUNCIL COMMENTS
 - 5.1. General Comments from City Council
Mayor Pro-Tem Snyder gave an update regarding the Governor's Executive Order and the City of Hutto's response.
 - 5.2. Council Commission Liaison Reports.
Mayor Pro-Tem Snyder gave an update on the EDC.
6. PUBLIC COMMENT
 - Krystal Kinsey
 - Thomas Quoms
 - Jerica Lawyer (via email)
7. CITY MANAGER COMMENTS

8. CONSENT AGENDA ITEMS

Councilmember Gordon made a motion to approve consent agenda items 8.1, 8.2 and 8.3. Councilmember Sutton seconded the motion. The motion passed (5:0)

- 8.1. Consideration and possible action on the February 25, 2021 Special Called City Council meeting minutes.
- 8.2. Consideration and possible action on Ordinance No. O-2021-002 providing a budget amendment to accommodate the Pro-Rata Share Agreement for Mustang Creek – HISD Improvements between the City of Hutto and Hutto ISD (Second Reading) (Misti Hancock)
- 8.3. Consideration and possible action on Ordinance No. O-2021-004 providing a budget amendment to accommodate the Professional Services Agreement between the Hutto CDC and the City of Hutto. (Second Reading)(Misti Hancock)

9. ORDINANCES

- 9.1. Consideration and possible action on Ordinance No. O-2021-009 providing a budget amendment to transfer an authorized position and funding to accommodate a proposed organizational change. (First Reading) (Misti Hancock)
Councilmember Gordon made a motion to approve item 9.1 as presented. Councilmember Thornton seconded the motion. The motion passed (5:0)

10. RESOLUTIONS

- 10.1. Consideration and possible action on Resolution No. R-2020-110A for the first of ~~two readings as required by Texas Local Government Code Section 505.158(b)~~ authorizing the establishment project for the Funding and Partial Assignment of the City's rights and obligations under the Hotel Occupancy Tax Funding Agreement between the City of Hutto and GAR Broadcasting, LLC, for KOKEFEST after two separate readings; providing for repeal; providing for severability; and providing an effective date. (First Reading)(City Attorney)
Councilmember Gordon made a motion to approve item 10.1 as presented. Councilmember Thornton seconded the motion. The motion passed (5:0)
- 10.2. Consideration and possible action on Resolution No. R-2020-110A for the second of two readings as required by Texas Local Government Code Section 505.158(b) authorizing the establishment project for the Funding and Partial Assignment of the City's rights and obligations under the Hotel Occupancy Tax Funding Agreement between the City of Hutto and GAR Broadcasting, LLC, for

KOKEFEST after two separate readings; providing for repeal; providing for severability; and providing an effective date.(Second Reading)(City Attorney)
Councilmember Sutton made a motion to approve item 10.2 as presented.
Councilmember Gordon seconded the motion. The motion passed (5:0)

- 10.3. Consideration and possible action on Resolution No. R-2021-032 approving the Amended and Restated Hutto-KOKEFEST Agreement between the City of Hutto, Texas, and Texas Music Network d/b/a Austin Radio Network.
Councilmember Rose made a motion to approve item 10.3 as presented.
Councilmember Thornton seconded the motion. The motion passed (5:0)

11. OTHER BUSINESS

- 11.1. Discussion and possible action on the selection of a consultant in response to the City of Hutto's Request for Qualifications for the Hutto 2040 Comprehensive Plan. (Ashley Lumpkin)
Councilmember Sutton made a motion to approve item 11.1 as presented.
Councilmember Gordon seconded the motion. The motion passed (5:0)

- 11.2. Presentation of the last two years of Economic Development Corporation expenses and Return on Investment for these expenses. (Councilmember Rose)
Item tabled.

- 11.3. Consideration of and possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, and Local Government Corporations.(City Secretary).
Public Comment by Jon Stephenson.

Councilmember Thornton made a motion to appoint Jon Stephenson to the Historic Preservation Commission. Councilmember Sutton seconded the motion.
The motion passed (5:0)

- 11.4. Consideration and possible action for Capital Improvement Projects relating to the recommendations from the Water Supply Study. (Samuel Ray)
Public Comment by Norman Gearhart.

Councilmember Thornton made a motion to approve item 11.4 as presented.
Councilmember Gordon seconded the motion. The motion passed (5:0)

- 11.5. Discussion and possible action related to water customer bills for storm related damages. (Misti Hancock)
City Manager Hutmacher presented.

City Manager Hutmacher: What I'm recommending for Council at this point is, for the customers that had 50% or more increases on their consumption that we go ahead and go to their average bill per month for previous months plus 10% to account for any increase in their general water consumption. I think that negates the issue of whatever the bill would've been now it's going to be similar to what their average bill will be.

It said between commercial and residential it will cost around \$60,000. We will also account for the sewer, as you probably know the sewer is on a floating average. In April they will be calculating the sewer bill rate based on the average consumption up to that point. I've been told we can make an adjustment into the system that average sewer consumption won't be impacted by the leaks. So, it will not come back to haunt them in April. We are going to be able to prepare and settle before they even get the bill. We will not have customers seeing huge bills they will be seeing what their average is and it will be crediting back basically the cost of that.

My recommendation to Council is to go ahead authorize me to credit bills on folks that had more than 50% increase in their consumption for the month of February, and we will adjust their sewer bills to reflect that reduced consumption on that side.

Councilmember Gordon made a motion to authorize the City Manager to move forward with is plan to adjust water bills as presented. Councilmember Thornton seconded the motion. The motion passed unanimously. (5:0)

12. EXECUTIVE SESSION: 8:32PM

- 12.1. Receive legal advice from the City Attorney in accordance with Tex. Gov't Code § 551.071 (2) relating to a proposed development agreement for the Mansions of Hutto located in the Extraterritorial Jurisdiction of the City of Hutto. (Ashley Lumpkin)
- 12.2. Receive legal advice from the City Attorney in accordance with Tex. Gov't Code § 551.071 (2) relating to an Amended and Restated Development Agreement for the Cottonwood Creek Development.
- 12.3. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to the release of confidential and/or privileged information that has not been made public.
- 12.4. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to the municipal regulation of solicitation and peddling.

- 12.5. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.

13. ACTION RELATIVE TO EXECUTIVE SESSION

- 13.1. Possible action related to legal advice received from the City Attorney in accordance with Tex. Gov't Code § 551.071 (2) relating to a proposed development agreement for the Mansions of Hutto located in the Extraterritorial Jurisdiction of the City of Hutto.

No action.

- 13.2. Possible action related to legal advice from the City Attorney in accordance with Tex. Gov't Code § 551.071 (2) relating to an Amended and Restated Development Agreement for the Cottonwood Creek Development.

No action.

- 13.3. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 relating to the release of confidential and/or privileged information that has not been made public.

Item tabled.

- 13.4. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 related to the municipal regulation of solicitation and peddling.

No action.

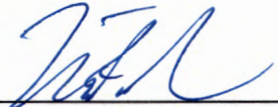
- 13.5. Possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.

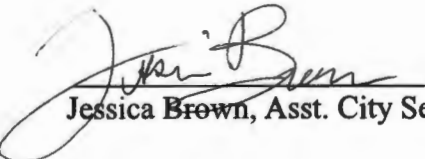
No action.

14. ADJOURNMENT: 9:58 PM

ATTEST:




Mike Snyder, Mayor Pro-Tem


Jessica Brown, Asst. City Secretary