



City of Hutto

MINUTES

City Council Meeting Thursday, April 1, 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 huttotx.gov

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

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

Absent: Councilmember Patti Martinez

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

3. INVOCATION
4. PLEDGE OF ALLEGIANCE
5. CITY COUNCIL COMMENTS

5.1. General Comments from City Council

Councilmember Villarreal Salvo: I first wanted to thank our City Manager, Assistant Manager, Police Department and Public Works team for investigating a request that I put out last week for a stop sign at a four-way intersection Carmel Creek. I made the request Thursday morning, y'all got it and y'all took care of it by Friday morning and it was amazing. The whole neighborhood was super pumped about it and just really impressed by the responsiveness so thank you guys so much. Our Charter Committee this past weekend did a forum out at Fritz Park to talk about all the propositions that are coming up on the May 1 ballot and I want to say thank you to all of the members of the Charter Committee that came out on Saturday and answered a lot of questions from the community and they've also been extremely responsive online and accessible to answer questions about the proposition language and how it goes back to the Charter and why we're making those decisions. Finally, the Black Families of Hutto inviting the community to come out again to Shiloh Black Cemetery and help with the cleanup assistance. It was really great to see so many people there this past Sunday, I hadn't seen that many volunteers there at the previous cleanup and the

progress that's been made from the last cleanup to this cleanup is just immense and they're getting ready to start doing the ground penetration survey to look for graves that haven't been marked and it's just really beautiful to see the community really coming together for that so just loving all the stuff going on in Hutto this past week, thank you guys.

Councilmember Sutton: So, I am actually looking to get an item on the agenda regarding internet service in Hutto. I keep getting repeat requests on the fact that Spectrum is the only service that they can get and yet their service with Spectrum is spotty at best. They're paying a hundred dollars a month and they may not have internet for three hours and they're told that they can't get internet service anywhere else because there's a contract with the City of Hutto so I'd like to get some answers on that at some point as to can we alleviate that for some of the citizens and give them more options.

Mayor Snyder: Are you okay with the May 20th meeting?

Councilmember Sutton: Yes.

5.2. Council Commission Liaison Reports

- None.

6. PUBLIC COMMENT

*- Sharon Parker *email
- Nicole Calderone
- Sheldon Oscar*

7. CITY MANAGER COMMENTS

City Manager Hutmacher gave an update regarding City Hall being closed to the public and potential schedule of opening City Hall and the library back up to the public.

City Manager Hutmacher and Dr. Thomas with the Hutto HISD presented the winners for the Hutto Hippo Design contest.

8. CONSENT AGENDA ITEMS

Councilmember Villarreal Salvo moved to approve items 8.1, 8.2, 8.4 and 8.5 presented. Councilmember Gordon seconded the motion. The motion passed (6:0)

Mayor Snyder requested to move item 8.3 after item 9.3. No objections.

8.1. Consideration and possible action on approving the March 16, 2021 Special Called City Council Canvassing & Swearing In meeting minutes.

8.2. Consideration and possible action on approving the March 16, 2021 Special Called City Council meeting minutes.

- 8.4. Consideration and possible action on Ordinance No. O-2021-015 providing a budget amendment to adjust the FY 2020-21 budget for Holidays in Hutto contract with CDC. (Second Reading)
- 8.5. Consideration and possible action on Ordinance No. O-2021-016 amending Appendix A, Fee Schedule, Article A4.000, Public Facility Rentals, of the Hutto Code of Ordinances to establish the fee schedule for Brushy Creek Amphitheater and related facilities (Second Reading) (City Attorney)

Councilmember Gordon requested to move item 11.5 next in the agenda. No objections.

11. OTHER BUSINESS

- 11.5. Consideration and possible action on establishing an Emergency Preparedness Task Force. (Councilmember Gordon)

Councilmember Gordon made a motion to create a Citizen Emergency Preparedness Task Force and ask City Staff and City Manager to prepare a criteria for who can serve on this Task Force to be brought back for Council review. Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

9. ORDINANCES

- 9.1. Consideration and possible action on Ordinance No. O-2021-018 opening a public hearing on the levy of assessments on property within Emory Crossing Public Improvement District Improvement Area #1 and Approving Levying Special Assessments For, And Apportioning The Costs Of, Certain Improvements To Property In And For The Emory Crossing Public Improvement District Improvement Area #1; Fixing A Charge And Lien Against All Properties Within The District, And The Owners Thereof; Providing For The Manner And Method Of Collection Of Such Assessments; Making A Finding Of Special Benefit To Property In The District And The Real And True Owners Thereof; Approving A Service And Assessment Plan; Providing A Severability Clause; And Providing An Effective Date. (First Reading)(City Attorney)

Public hearing opened: 7:57 PM

No one signed up to speak.

Public hearing closed: 7:57 PM

Councilmember Gordon made a motion to accept 9.1 as presented.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

Councilmember Gordon made a motion to dispense of the second reading.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

- 9.2. Discussion and possible action on Ordinance No. O-2021-017 Authorizing The Issuance Of The "City Of Hutto, Texas Special Assessment Revenue Bonds, Series 2021 (Emory Crossing Public Improvement District Improvement Area #1 Project)"; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, An Offering Memorandum, A Continuing Disclosure Agreement, A Landowner Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date. (First Reading)(City Attorney)

Councilmember Gordon made a motion to accept 9.1 as presented.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

Councilmember Gordon made a motion to dispense of the second reading.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

- 9.3. Consideration and possible action on Ordinance No. O-2021-014 amending Ordinance No. O-18-07-19-9A Exhibit B Schedule 2 the Transportation Impact Fee Collection Rate Per Service Unit. (First Reading)(Samuel Ray)

Councilmember Villarreal Salvo requested to table item 9.3 until the April 15, 2021 City Council meeting and for staff to bring back more information with comparable cities. No objections.

8. CONSENT AGENDA ITEMS

- 8.3. Consideration and possible action on the acceptance of the street, drainage, sidewalk, ADA ramps and wastewater improvements of Emory Crossing Phase I Subdivision.

Councilmember Villarreal Salvo made a motion to approve item 8.3 as presented.

Councilmember Sutton seconded the motion. The motion passed (6:0)

10. RESOLUTIONS

- 10.1. Consideration and possible action on Resolution No. R-2021-051 supporting the proposed Low-Income Housing Tax Credit project by the Roers Companies on a tract of land zoned Planned Unit Development (PUD) Zoning District. (Ashley Lumpkin)

Item tabled until April 15, 2021 City Council meeting to include Public Hearing notice.

- 10.2. Consideration and possible action on Resolution No. R-2021-050 authorizing the City Manager to execute a Professional Services Agreement for a Utility Rate Study. (Samuel Ray)

Councilmember Thornton made a motion to accept item 10.2 as presented.

Councilmember Villarreal Salvo seconded the motion. The motion passed (5:1) with Mayor Snyder against.

- 10.3. Consideration of the continuation of a public hearing and possible action on Resolution No. R-2021-029 authorizing and creating the Cottonwood Creek Public Improvement District pursuant to Chapter 372 of the Texas Local Government Code. (City Attorney)
Public hearing that was open from the March 18, 2021 meeting received no one to speak and was closed at 9:29 PM.

*Councilmember Gordon made a motion to accept item 10.3 as presented.
Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)*

- 10.4. Consideration and possible action on Resolution No. R-2021-041 authoring the City Manager to execute an Amended and Restated Development Agreement between the City of Hutto and Hutto 372, Ltd. for the Cottonwood Creek development, formerly known as Hutto 372. (City Attorney)
Councilmember Gordon made a motion to accept item 10.4 with the amendment that the term in item 4.8 and 4.9 for the school site and regional park be changed to five (5) years. Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

- 10.5. Consideration and possible action on Resolution No. R-2021-052 authorizing the City Manager to negotiate and execute a Development Agreement by the City of Hutto for the development of the Gola Tract (Ashley Lumpkin)
*Councilmember Rose made a motion to accept item 10.5 as presented.
Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)*

*10-minute recess taken at 9:10 PM
Returned from break at 10:11 PM*

11. OTHER BUSINESS

- 11.1. Presentation of the CDC Quarterly Report. (Chairman Steven Harris)
Presentation by Steven Harris.

No action.

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

Public comment by Nicole Calderone.

No action.

- 11.3. Consideration and possible action on Senior Tax Exemption. (Misti Hancock)

Mayor Snyder requested the City Attorney to prepare an Ordinance regarding the Senior Tax Exemption being reduced to \$30,000 this year and \$0 next year and an Ordinance regarding Disabled Tax Exemption.

- 11.4. Consideration and possible action on appointing a Mayor Pro Tem. (Mayor Snyder)

Mayor Snyder requested the City Attorney to bring back an Ordinance regarding the Mayor Pro Tem appointment to the April 15, 2021 City Council meeting. No objections.

- 11.6. Consideration and possible action regarding amending Ordinance No. O-18-07-05-8B- Altering the Term of Certain Members of Boards and Commissions. (Mayor Snyder)

Public comment by Krystal Kinsey.

Mayor Snyder requested the City Attorney to bring back the amended Ordinance to reflect an update to attendance, adjusting a shot clock language, ETJ Members, adding Parks and Historic Preservation Commission for review at the April 15, 2021 City Council meeting.

- 11.7. Discussion and Possible Action regarding Possible Appointments, Re-appointments and/or Removals to City Boards, Commissions, Task Forces, Economic Development Corporations, Local Government Corporations and Tax Increment Reinvestment Zone Boards.

Public comment by Randall Clark.

Mayor Snyder recalled item 11.7 after Executive Session. Mayor Snyder made a motion to appoint Councilmember Villarreal Salvo to the Tax Reinvestment Zone Board. Councilmember Thornton seconded the motion. The motion passed (6:0)

12. EXECUTIVE SESSION: *12:14 AM*

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

- 12.2. 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. (City Attorney)

- 12.3. Receive legal advice pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to an Economic Development Agreement with AEND Industries.

- 12.4. Receive legal advice pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to an Economic Development Agreement with Hutto Mezz Holdings.

13. ACTION RELATIVE TO EXECUTIVE SESSION: *1:06 AM*

- 13.1. Consideration and 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 taken.

- 13.2. 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. (City Attorney)

No action taken.

- 13.3. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to an Economic Development Agreement with AEND Industries.

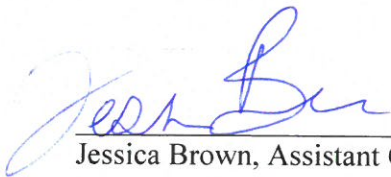
No action taken.

- 13.4. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to Economic Development Agreement with Hutto Mezz Holdings.

No action taken.

14. ADJOURNMENT: *1:07 AM*

ATTEST:



Jessica Brown, Assistant City Secretary



Mike Snyder, Mayor