



City of Hutto

Minutes

City Council Meeting

Thursday, September 2, 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 – 7:20 PM

2. ROLL CALL

Members of the Council present: Mayor Mike Snyder, MPT Tanner Rose Councilmember Robin Sutton, Councilmember Dan Thornton, Councilmember Mandi Villarreal Salvo, Councilmember Peter Gordon, Councilmember Krystal Kinsey.

3. INVOCATION – Led by Bishop K. Wilcox of The Church of Jesus Christ of Latter-day Saints

4. PLEDGE OF ALLEGIANCE

5. CITY COUNCIL COMMENTS

5.1. General Comments from City Council

Mayor Snyder:

-There is an upcoming town hall meeting discussion regarding the Diversity Inclusion Commission with the Black Families of Hutto. The meeting will be next Tuesday, September 7th at the Hutto Discovery United Methodist Church.

-Regarding community interest, Mayor Snyder advised that after budget, several items will need to be discussed involving the Police Department. There are several items that will be discussed with the City Attorney to determine which policies the Council body can and cannot address. The items will focus on increasing standards. He will discuss several boards including; a disciplinary review board, a promotion board, a citizen use of force board and a discussion regarding a policy on transfer and special duties assignments along with a policy review board. Mayor Snyder discussed the findings of a survey that was conducted at the Police Department.

5.2. City Council Liaison Reports

-Councilmember Sutton gave an update regarding HPC. There is a team being arranged, their objective is to document the history of Hutto. The goal is to have a report of their findings by the end of the month. She encouraged anyone with the City of Hutto family history to contact them, as they would be very interested to document it for future generations.

-Councilmember Gordon provided an update on the last Hutto Emergency Management meeting. They discussed creating a general incident objective report for the purpose of handling severe weather events including severe heat. They also discussed creating an emergency management coordinator position. There are currently four members on the committee. He encouraged citizens to get involved and to apply so that it can be fully staffed. In the event of a disaster, the committee can begin organizing efforts while awaiting assistance from other government agencies.

6. PUBLIC COMMENT - None

7. CITY MANAGER COMMENTS

- 7.1. Introduction of Autumn Speer, Planning Manager
- 7.2. Introduction of Gracie Perez, Assistant City Secretary

8. PROCLAMATIONS

- 8.1. Proclamation No. 2021-012: Proclaiming October 5, 2021 as National Night Out.

9. CONSENT AGENDA ITEMS

- 9.1. Consideration and possible action on approving the August 19, 2021 City Council meeting minutes.
- 9.2. Consideration and possible action on approval of the August 19, 2021 work session minutes.

Councilmember Villarreal Salvo made a motion to approve Items as presented. Councilmember Gordon pulled Item 9.3. Councilmember Villarreal Salvo made a motion to approve Items 9.1 and 9.2 as presented. Councilmember Kinsey seconded the motion. The motion passed unanimously. (7:0)

- 9.3. Consideration and possible action on Resolution No. R-2021-138 Opioid Settlement.

Councilmember Gordon made a motion to approve item 9.3 as presented. Councilmember Sutton seconded the motion. The motion passed unanimously. (7:0)

City Manager, Warren Hutmacher requested to move Item 12.1 up. Mayor Snyder added 12.2 to follow. There were no objections.

- 12.1. Discussion and possible action related to HNTB Master Services Agreement Supplemental Agreement No. 3 for ongoing Road Bond Projects.

Councilmember Gordon made a motion to approve item 12.1, in the amount of \$1,241,258.66 for the start of Agreement No. 3. (There was a two-minute recess). Meeting resumed. Mayor Snyder repeated the motion made by Councilmember Gordon. Councilmember Kinsley added that she would like to make the motion contingent upon monthly updates, Councilmember Villarreal Salvo agreed. Councilmember Gordon then made a motion to approve allocating \$1,241,258.66 to Master Services Supplemental Agreement No. 3 from the 2019 Streets and Drainage Bond with condition that HNTB provide monthly updates at meetings. The motion passed unanimously. (7:0)

- 12.2. Consideration and possible action amending an Ordinance on school zones. (Councilmember Villarreal Salvo)

Discussion ensued. No action taken.

10. ORDINANCES

- 10.12 Consideration and possible action on Ordinance No. O-2021-053 approving a negotiated settlement between Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the company's rate review mechanism. (First Reading)(Legal)

Councilmember Villarreal Salvo made a motion to approve Item 10.12 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously (7:0) Councilmember Villarreal Salvo requested to move up item 11.5. There were no objections.

- 11.5. Discussion and possible action on Resolution No. R-2021-140 authorizing the City Manager to execute an Impact Fee Credit or Reimbursement Agreement with Meritage Homes for the Cross Creek Development.(D.Palumbo)
- Councilmember Villarreal Salvo made a motion to approve item 11.5 as presented. Councilmember Sutton seconded the motion. Mayor Snyder added that this item will be discussed again at the September 16th City Council Meeting. The motion passed unanimously. (7:0)
- 10.1. Consideration and possible action on Ordinance No. O-2021-049 establishing a Comprehensive Plan Advisory Committee providing for the scope and authority of the committee, providing for the appointment of the members and providing for time of service. (First Reading)(Ashley Lumpkin)
- Councilmember Villarreal Salvo made a motion to approve item 10.1 as presented. MPT Rose seconded the motion. The motion passed unanimously. (7:0)
- 10.2. Consideration and possible action on Ordinance No. O-2021-049 to dispense with second reading pursuant to Hutto City Charter Article 3, Section 3.13.
- Councilmember Villarreal Salvo made a motion to approve item 10.2 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (7:0) Stacy Schmitt requested that item 10.6 be moved up. There were no objections.
- 10.6. Consideration and possible action on Ordinance No. O-2021-050 accepting and approving an Annual Service Plan Update to the Service and Assessment Plan for the Co-Op Public Improvement District.(First Reading)(D.Palumbo)
- Councilmember Villarreal Salvo made a motion to approve item 10.6 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (7:0)
- 10.7. Consideration and possible action on Ordinance No. O-2021-050 to dispense with second reading pursuant to Hutto City Charter Article 3, Section 3.13.
- Councilmember Villarreal Salvo made a motion to approve item 10.7 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (7:0)
- 10.8. Consideration and possible action on Ordinance No. O-2021-051 accepting and approving an Annual Service Plan Update to the Service and Assessment Plan for the Cross Creek Public Improvement District.(First Reading)(D.Palumbo)
- Councilmember Villarreal Salvo made a motion to approve item 10.8 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (7:0)
- 10.9. Consideration and possible action on Ordinance No. O-2021-051 to dispense with second reading pursuant to Hutto City Charter Article 3, Section 3.13.
- Councilmember Villarreal Salvo made a motion to approve item 10.9 as presented. Councilmember Kinsey seconded the motion. The motion passed unanimously. (7:0)
- 10.10. Consideration and possible action on Ordinance No. O-2021-052 accepting and approving an Annual Service Plan Update to the Service and Assessment Plan for the Mustang Creek Public Improvement District. (First Reading)(D.Palumbo)
- Councilmember Villarreal Salvo made a motion to approve item 10.10 as presented. Councilmember Gordon seconded the motion. The motion passed unanimously. (7:0)
- 10.11. Consideration and possible action on Ordinance No. O-2021-052 to dispense with second reading pursuant to Hutto City Charter Article 3, Section 3.13.
- Councilmember Villarreal Salvo made a motion to approve item 10.11 as presented. Councilmember Kinsey seconded the motion. The motion passed unanimously. (7:0)

- 11.3. Consideration and possible action on Resolution No. R-2021-137 approving a Second Amended and Restated Development Agreement between the City of Hutto and MA Durango, LLC for a property being approximately 105 acres, also known as Durango Farms.(D.Palumbo)

Item 11.3 tabled, will be discussed again at the meeting of September 16th, 2021.

- 11.4. Consideration and possible action on Resolution No. R-2021-131 authorizing the City of Hutto's execution and entering into the Durango Farms Public Improvement District Financing and Reimbursement Agreement; ordering other matters in connection with the foregoing and providing an effective date. (D.Palumbo)

Item 11.4 tabled, will be discussed again at the meeting of September 16th, 2021.

- 12.3. Consideration and possible action regarding filing a notice on the Electronic Municipal Market Access website, a service of the Municipal Securities Rulemaking Board, regarding past actions by City Officials and Administrators involving bond issuances and expenditure of bond proceeds. (D.Palumbo)

Mayor Snyder made a motion to approve item 12.3. as presented. MPT Tanner Rose seconded the motion. The motion passed unanimously. (7:0)

Recess at 10:17 PM, resumed at 10:26 PM.

- 10.3. Consideration of a public hearing and possible action on Ordinance No. O-2021-054 approving and adopting a budget for the City of Hutto for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022. (First Reading)(Angie Rios)

Public hearing opened: 10:26 PM.

Public hearing closed: 10:27 PM.

The following changes were made to the City Manager's Office budget:

Office Supplies - \$1000.00

Reference Books/Materials - \$0

Food/Meals - \$1500.00

Furniture & Office Equipment - \$0

Other Supplies & Materials - \$150.00

Professional Services - \$25,000.00

Outside Printing - \$50.00

Membership dues & subscriptions - \$10,000.00

Mayor Snyder made a motion to approve item 10.3 – City Manager's budget.

Councilmember Villarreal Salvo seconded the motion. The motion passed. (5:2)

Councilmember Villarreal Salvo and Councilmember Gordon opposed.

The following changes were made to the City Council's budget:

Office Supplies - \$250.00

Special Events/Awards - \$500.00

Food/Meals - \$1000.00

Other Supplies & Materials - \$250.00

Fuel & Mileage - \$0

Outside Printing - \$0

Contribution to Civic Programs - \$120,400.00:

Legends of Life - \$0

Meals on Wheels - \$0

Lutheran Feeding – budget increase of \$5k – new total \$15,000.00

HRC – budget increase of \$5k – new total \$65,400.00

Hutto Education Foundation -\$0

Mayor Snyder made a motion to approve item 10.3 – City Council budget.
Councilmember Villarreal Salvo seconded the motion. The motion passed. (7:0)

The following changes were made to the Human Resources Office budget:

Office Supplies - \$1000.00

Relocation Expenses - \$20,000.00

Mayor Snyder made a motion to approve item 10.3 – Human Resources budget.

Councilmember Kinsey seconded the motion. The motion passed. (6:1)

Councilmember Peter Gordon opposed.

The following changes were made to the Economic Development budget:

Salaries - \$150,000.00

Mayor Snyder made a motion to approve item 10.3 –Economic Development budget.

Councilmember Villarreal Salvo seconded the motion. The motion passed. (5:2)

Councilmember Peter Gordon and Councilmember Kinsey opposed.

The following changes were made to Finance budget:

Office Supplies - \$2,000.00

Furniture & Office Equip - \$0

Technology Equip. & Supplies - \$3,000.00

Mayor Snyder made a motion to approve item 10.3 –Finance budget. Councilmember Villarreal Salvo seconded the motion. The motion passed. (7:0)

13. EXECUTIVE SESSION- Entered: 11:58 PM

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 (Litigation/Consultation with Attorney), 551.072 (Deliberations regarding real property), 551.073 (Deliberations regarding gifts and donations), 551.074 (Deliberations regarding personnel matters) or 551.076 (Deliberations regarding deployment/implementation of security personnel or devices) and 551.087 (Deliberations regarding Economic Development negotiations).

Consideration of a public hearing and possible action on Ordinance No. O-2021-055 levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2021. (First Reading)(Angie Rios)

Consideration and possible action on Ordinance No. O-2021-056 prescribing certain fees for the City of Hutto, Texas, amending all applicable ordinances and other instruments; providing for a schedule of fees and charges. (First Reading)

- 13.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims Pending Litigation and City Council Legal Requests.
- 13.2. Deliberate and seek the advice of legal counsel regarding the pursuit of claims arising out the delivery of legal services rendered to the city, from 2017 to 2019, pursuant to Section 551.071 of the Texas Government Code.
- 13.3. Deliberate and seek the advice of legal counsel regarding the pursuit of claims arising out of Emergency Service District No. 17 operations as alleged by the City of Pflugerville in *Rogers, et. al v. Travis County ESD No. 17, et. al*, filed in Travis County District Court.

14. ACTION RELATIVE TO EXECUTIVE SESSION – Reconvened: 12:43 PM

- 14.1. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims Pending Litigation and City Council Legal Requests. - **No action taken.**
- 14.3. Consideration and possible action on legal advice received regarding the pursuit of claims arising out of Emergency Service District No. 17 operations as alleged by the City of Pflugerville in *Rogers, et. al v. Travis County ESD No. 17, et. al*, filed in Travis County District Court. - **No action taken.**
- 10.3. Consideration of a public hearing and possible action on Ordinance No. O-2021-054 approving and adopting a budget for the City of Hutto for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022. (First Reading)(Angie Rios)
Mayor Snyder made a motion to approve item 10.3 – Municipal Court's budget. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

The following changes were made to the Planning and Development Services budget:
Property Clean-up & Demolition reduced to \$0
Investigation Expenses reduced to \$0
Mayor Snyder made a motion to approve item 10.3 – Planning and Development budget. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

- 14.2. Consideration and possible action on legal advice received pursuant to Section 551.071 of the Texas Government Code regarding the pursuit of claims arising out the delivery of legal services rendered to the city, from 2017 to 2019.
- MPT Tanner Rose made a motion to direct the City Council to direct Special Counsel George Hyde to prepare an engagement letter to retain the Kassab Law Firm to pursue any and all claims against McGinnis and Lochridge and its attorneys in connection with their representation of the City and recommend each city create a corporation to take action to engage the firm for the same purpose. Councilmember Sutton seconded the motion. The motion passed unanimously. (7:0)**
- 10.3. Consideration of a public hearing and possible action on Ordinance No. O-2021-054 approving and adopting a budget for the City of Hutto for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022. (First Reading)(Angie Rios)

Mayor Snyder made a motion to approve item 10.3 –Construction Inspection budget as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

The following changes were made to the Streets and Drainage budget:
Special Events reduced to \$0
Clothing and Uniforms reduced to \$2,000.00
Small Tools and Equipment reduced to \$2500.00
Traffic Control Supplies reduced to \$1000.00
Other Supplies and Materials reduced to \$500.00
Sidewalk Repair and Maintenance reduced to \$50,000.00
\$100,000 was added for laser truck

Mayor Snyder made a motion to approve item 10.3 – Streets and Drainage budget. Councilmember Villarreal Salvo seconded the motion. The motion passed. (6:1). Councilmember Gordon opposed.

Mayor Snyder made a motion to approve item 10.3 –Hutto Police Department budget as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

Councilmember Villarreal Salvo made a motion to approve item 10.3 –City Secretary's budget as presented. Councilmember Gordon seconded the motion. The motion passed. (7:0)

The following changes were made to the Communications budget:

Longevity pay reduced to \$0

Councilmember Villarreal Salvo made a motion to approve item 10.3 –Communications' budget as presented. Councilmember Gordon seconded the motion. The motion passed. (7:0)

Councilmember Villarreal Salvo made a motion to approve item 10.3 –Library budget as presented. MPT Rose seconded the motion. The motion passed. (7:0)

The following changes were made to the Community Outreach & Programs budget:

BCA Event Management was reduced to \$100,000.00

Mayor Snyder made a motion to approve item 10.3 –Community Outreach & Programs budget. Councilmember Villarreal Salvo seconded the motion. The motion passed. (4:3) Councilmember Kinsey, Councilmember Gordon and Councilmember Sutton opposed.

Councilmember Villarreal Salvo made a motion to approve item 10.3 –Information Technology's budget as presented. Councilmember Gordon seconded the motion. The motion passed. (7:0)

Mayor Snyder made a motion to accept Item 10.3., the budget as presented, accepting proposed amendments. The remaining department budgets, beginning with Parks Maintenance will require further review by Council. The Community Outreach budget will also be reviewed again. Councilmember Villarreal Salvo seconded the motion. The motion passed. (5:2) Councilmember Peter Gordon and Councilmember Villarreal Salvo opposed.

- 10.4. Consideration of a public hearing and possible action on Ordinance No. O-2021-055 levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2021. (First Reading)(Angie Rios)

Public hearing open at 2:13 AM, closed at 2:14 AM.

MPT Rose made a motion to adopt the new revenue rate of .536448. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

- 10.5. Consideration and possible action on Ordinance No. O-2021-056 prescribing certain fees for the City of Hutto, Texas, amending all applicable ordinances and other instruments; providing for a schedule of fees and charges. (First Reading)

Mayor Snyder made a motion to charge a fee of \$500.00 for all masterplan submittals. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

- 10.13. Consideration of a public hearing and possible action on Ordinance No. O-2021-054

approving a zoning change request by Tex Mix 685 from SF-1, Single Family to General Commercial (B-2) for approximately 20.063 acres, more or less, generally located along Chris Kelley Blvd/FM 685. (First Reading)(Ashley Lumpkin)

Public hearing opened: 2:22 AM.

Public hearing closed: 2:23 AM.

Councilmember Sutton made a motion to approve item 10.13. as presented.

Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

- 10.14. Consideration and possible action on Ordinance No. O-2021-054 to dispense with second reading pursuant to Hutto City Charter Article 3, Section 3.13.

Councilmember Gordon made a motion to waive the second reading. Councilmember Villarreal Salvo seconded the motion. The motion passed unanimously. (7:0)

- 11.1. Consideration and possible action on Resolution No. R-2021-138 approving a Memorandum of Understanding by and among the Cities of Cedar Park, Georgetown, Round Rock, Taylor, Hutto, Leander, and Liberty Hill (collectively the "Cities") and the County of Williamson ("County") to proceed with identifying and evaluating the services Currently being provided by the Williamson County and Cities Health District.

Item 11.1. postponed.

- 11.2. Consideration and possible action on Resolution No. R-2021-139 approving an Amended and Restated Cooperative Agreement by and between Williamson County and the Cities of Cedar Park, Georgetown, Round Rock, Taylor, Hutto, Leander, and Liberty Hill under Chapter 121, Subchapter E of the Texas Health and Safety Code.

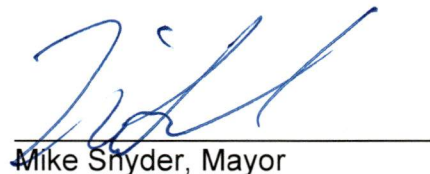
Item 11.2. postponed.

15. ADJOURNMENT – 2:26 AM

PASSED AND APPROVED this 7TH day of October, 2021.

ATTEST:


Gracie Perez, Assistant City Secretary


Mike Snyder, Mayor