



CITY OF HUTTO, TEXAS

CITY COUNCIL MEETING MINUTES JUNE 4, 2020

A Regular Session of the City Council of the City of Hutto, Texas was held on June 4, 2020 in the Council Chambers, City Hall, 500 W. Live Oak, Hutto, Texas 78634, for which proper notice was given.

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

2. **ROLL CALL:**

Members of the City Council present were Mayor Doug Gaul, Mayor Pro Tem Tom Hines (by video conference), Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Patti Martinez (by video conference), and Councilmember Tanner Rose.

Absent: Councilmember Scott Rose

Members of staff that were present were Charles W. Daniels, Interim City Manager; Michel Sorrell, Assistant City Manager and CFO, Jennifer Burrington, Economic Development Specialist; Samuel Ray, Director of Public Works and Engineering; Stacy Schmitt, Assistant to the City Manager; Holly Nagy, City Secretary and Dorothy Palumbo, City Attorney

3. **INVOCATION:** Bishop Alan Stewart

4. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Mayor Gaul.

5. **CITY COUNCIL COMMENTS:** Councilmember Snyder gave a shout out to the Hutto Seniors on graduation.

6. **PROCLAMATIONS:** There were no proclamations presented.

7. **PUBLIC COMMENTS:**

- Rudy Perez re: Code enforcement
- Robin Sutton re: infrastructure, taxes, corrupt government.
- Nicole Caulderone re: City Council 11 pm adjournment time.
- Rick Hudson re: boards and commissions appointments. *
- James Deeringer re: railroad quiet crossing. *
- * Submitted via email

8. **CITY MANAGER COMMENTS.** None.

9. **CONSENT AGENDA ITEMS**

Councilmember Snyder made a motion to move up item 11.4 and item 12.2, the motion was seconded by Councilmember T. Rose. The motion passed unanimously. (6:0)

- 11.4 Consideration and possible action on Resolution No. R-2020-031 consenting to the use of the power of eminent domain by Williamson County within the jurisdiction of Hutto for the Southeast Loop construction project.

Samuel Ray presented. Commissioner Boles answered questions.

MPT Hines made a motion to approve Resolution No. R-2020-031, Councilmember T. Rose seconded the motion. The motion passed unanimously (6:0)

- 12.2 Consideration and possible action on amendments to the City Council Protocols.

Dottie Palumbo, City Attorney presented.

Council Protocols- Adopted August 2019- State laws passed in the meantime that's not reflected.

Options: amend policy to fix inconsistencies or repeal policy.

Discussion ensued.

Councilmember Snyder made a motion to repeal city council protocol policy dated August 1, 2019 to tall in line with what most of the other cities in Texas are doing. Councilmember Gordon seconded the motion. The motion passed unanimously. (6:0)

- 9.1. Consideration and Possible Action on the April 2, 2020 Regular Called City Council Meeting Minutes.
- 9.2. Consideration and Possible Action on the May 7, 2020 Special Called City Council Work Session Minutes.
- 9.3. Consideration and Possible Action on the May 7, 2020 Regular Called City Council Meeting Minutes.
- 9.4. Consideration and Possible Action on the May 21, 2020 Special Called City Council Work Session Minutes.
- 9.5. Consideration and Possible Action on the May 21, 2020 Regular Called City Council Meeting Minutes.

Councilmember T. Rose made a motion to approve items 9.1 thru 9.5. MPT Hines seconded the motion. The motion passed unanimously. (6:0)

Councilmember T. Rose made a motion to move item 12.1 up. Councilmember Snyder seconded the motion. The motion passed unanimously. (6:0)

12.1 Update on Lakeside Estates Lift Station Decommissioning Project.

Samuel Ray presented the update.

Interim City Manager Daniels will bring back a report at the next meeting.

10. **OTHER BUSINESS**

10.1 Consideration and Possible Action on Ordinance No. O-2020-017 to Amend the Fiscal Year 2019-2020 Operations Budget. (Second Reading)

Misti Hancock briefed the Council on the proposed budget amendments.

Councilmember Snyder made a motion to approve Ordinance No. O-2020-017 to amend the FY 2019-2020 Operating budget and to add above 119 FTE to add a building inspector, one patrol officer, and one senior court clerk, (total of 122) and freeze any type of increase in salary until such point we are able to provide more services to the citizens. Councilmember T. Rose seconded the motion. The motion failed (3:3)

VOTE:

	Ayes	Nays	Abstain	Absent
Mayor Doug Gaul		x		
Mayor Pro Tem Tom Hines		x		
Councilmember Scott Rose				x
Councilmember Mike Snyder	x			
Councilmember Peter Gordon	x			
Councilmember Patti Martinez		x		
Councilmember Tanner Rose	x			

ACTION: The motion failed by a vote of 3 ayes to 3 nays.

MPT Hines made a motion to approve Ordinance No. O-2020-017 as presented. Councilmember Martinez seconded the motion. The motion passed. (4:2)

Councilmember T. Rose requested a graph/chart with every employee that's still employed with what their starting salary was at the beginning of the fiscal year and what their salary is currently set at for 2020.

VOTE:

	Ayes	Nays	Abstain	Absent
Mayor Doug Gaul	x			
Mayor Pro Tem Tom Hines	x			
Councilmember Scott Rose				x
Councilmember Mike Snyder		x		
Councilmember Peter Gordon	x			
Councilmember Patti Martinez	x			
Councilmember Tanner Rose		x		

ACTION: The motion passed by a vote of 4 ayes to 2 nays.

10-minute recess

11. ORDINANCES

Returned from recess at 10:02 PM

- 11.1 Consideration and possible action on Resolution No. R-2020-028 to adopt a policy for special financing districts, to include Public Improvement Districts (PIDs), Tax Increment Reinvestment Zones (TIRZs) and Municipal Utility Districts (MUDs). (Michel Sorrell)

Kevin Pearce attorney from Metcalf Wolf Stewart Williams signed up to speak. Mr. Pearce spoke on the proposed PID policy.

MPT Hines made a motion to table item 11.1. Councilmember T. Rose seconded the motion. The motion passed unanimously. (6:0)

The following will come back as three separate policies.

The Public Improvement District (PID)

Tax Increment Reinvestment Zone (TIRZ)

Municipal Utility District (MUD)

- 11.3 Consideration and possible action on Resolution No. R-2020-030 amending the Fiscal and Budgetary Policy.

Misti Hancock presented the amended policy.

Councilmember Snyder made a motion to table item 11.3 for amendments and City Attorney review. Councilman Gordon seconded the motion. The motion passed. (4:2)

This item with amendments will be on the June 18, 2020 consent agenda.

VOTE:

	Ayes	Nays	Abstain	Absent
Mayor Doug Gaul		x		
Mayor Pro Tem Tom Hines		x		
Councilmember Scott Rose				x
Councilmember Mike Snyder	x			
Councilmember Peter Gordon	x			
Councilmember Patti Martinez	x			
Councilmember Tanner Rose	x			

ACTION: The motion carried unanimously by a vote of 4 ayes to 2 nays.

- 11.2 Consideration and possible action on Resolution No. R-2020-029 approving agreement for Forensic Audit.

Councilmember Snyder made a motion to approve Resolution No. R-2020-029 with the amount not to exceed \$108,000. Councilmember T. Rose seconded the motion. The motion passed unanimously. (6:0)

13. EXECUTIVE SESSION: ENTERED: 10:33 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].

- 13.1 Receive legal advice regarding forensic audit, scope of work, and contract for services provided by Eide Bailly, LLP, in accordance with Tex. Gov't Code§ 551.071(2) (Pete Haskel, Jennifer Burrington)
- 13.2 Receive legal advice regarding Economic Development Negotiations concerning a new business prospect within the City of Hutto, Texas, pursuant to Texas Gov't. Code Section 551.087.(Jennifer Burrington, Economic Development Specialist)
- 13.3 Receive legal advice concerning the Hutto Sports, Health and Entertainment District in accordance with Tex. Govt. Code § 551.07: the Multi-Party Development Agreement; deliberations regarding Economic Development pursuant to Tex. Govt. Code § 551.087; and deliberate the purchase or sale of real property within the Hutto Sports, Health and Entertainment District.
- 13.4 Receive legal advice concerning legal representation of the City and Cottonwood Development Corporation.

13.1

14. ACTION RELATIVE TO EXECUTIVE SESSION: RECONVENE: 12:43 AM

- 14.1. Receive legal advice regarding forensic audit, scope of work, and contract for services provided by Eide Bailly, LLP, in accordance with Tex. Gov't Code § 551.071(2) (Pete Haskell, Jennifer Burrington) – **No action taken.**
- 14.2. Receive legal advice regarding Economic Development Negotiations concerning a new business prospect within the City of Hutto, Texas, pursuant to Texas Gov't. Code Section 551.087. (Jennifer Burrington, Economic Development Specialist) – **No action taken.**
- 14.3. Receive legal advice concerning the Hutto Sports, Health and Entertainment District in accordance with Tex. Govt. Code § 551.07: the Multi-Party Development Agreement; deliberations regarding Economic Development pursuant to Tex. Govt. Code § 551.087; and deliberate the purchase or sale of real property within the Hutto Sports, Health and Entertainment District. – **No action taken.**
- 14.4. Receive legal advice concerning legal representation of the City and Cottonwood Development Corporation.

Councilmember T. Rose made a motion to approve the legal agreement for Borjorquez Law Firm to serve as general counsel for the Cottonwood Development Corporation. The motion was seconded by MPT Hines. The motion passed unanimously. (6:0)

- 14.5. Receive legal advice pursuant to Tex. Gov't Code Sec. 551.071 related to the Hutto Economic Development Corporation Small Business Loan Project.

No action taken

- 14.6. Receive legal advice pursuant to Tex. Gov't Code Sec. 551.071 related to the River Creek Development Corporation and underlying public improvement districts and the engagement of Norton Rose Fulbright as bond counsel.

MPT Hines made a motion to approve engagement agreement of Norton Rose Fulbright as bond counsel on issues discussed on River Creek Development Corporation. The motion was seconded by Councilmember Martinez.

Councilmember Gordon made an amendment to bring back an Interlocal Agreement with Norton Rose Fulbright. MPT Hines seconded the motion. The motion passed unanimously. (6:0)

MPT Hines made a motion to approve the item with the amendment. The motion was seconded by Councilmember Martinez. The motion passed unanimously. (6:0)

- 14.7. Receive legal advice from the City Attorney on pending legal matters and Council legal requests pursuant Tex. Govt. Code § 551.071. – **No action taken.**

Councilmember T.Rose requested an agenda item for the next meeting for an update on the plan to update and improve parks as presented last year.

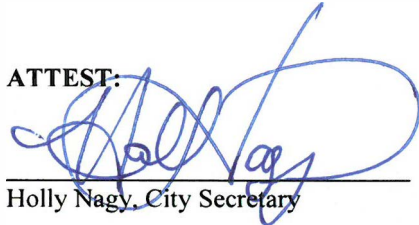
15. **ADJOURNMENT.** There being no further business, Mayor Gaul adjourned the meeting at 12:49 a.m. on Friday, June 5, 2020.

PASSED and **APPROVED** on the 18th day of June, 2020.

CITY OF HUTTO, TEXAS


Doug Gaul, Mayor

ATTEST:


Holly Nagy, City Secretary

