# AMENDED
# City of Hutto

**Agenda**
**Special Called City Council Meeting**
**Thursday, July 30, 2020 at 7:00 PM**
**City Council Chambers**

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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

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1. CALL SESSION TO ORDER
2. ROLL CALL
3. INVOCATION
4. PLEDGE OF ALLEGIANCE
5. CITY COUNCIL COMMENTS
   - 5.1. General Comments from City Council
6. PUBLIC COMMENT

Public Comments will be allowed via email, phone conference call and walk into Council Chambers for public comment. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues).

Any citizen wishing to speak during public comment may do so after completing the required registration form. Comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on July 30, 2020. The email must include name, address, phone # and email to be recognized properly.

Citizens wishing to comment by phone may call:
One tap mobile
+16699009128,,86594513869#
OR
Manual Dial +1 346 248 7799
US Toll-Free: 888 475 4499
Toll-free Meeting ID: 865 9451 3869

Those appearing for public comment will be seated in the lobby until called into Council Chambers for comment and then exit the opposite door.

Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes.

*[Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits the Board from fully discussing, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the City Staff for action may be placed on the agenda of a future meeting.]*

7. RESOLUTIONS

7.1. Consideration and possible action on a resolution authorizing the City Manager to execute renewal contracts for employee health benefit coverage with United Health Care for Medical, Dental and Vision, and CIGNA services for Group Life & AD&D, Voluntary Life, STD and LTD, and other additions to the employee benefits plan.

8. ORDINANCES

8.1. Consideration and possible action on amending Section 2.02.190 B. 3. of Ordinance No. O-2020-021 Establishing a Diversity and Inclusion Commission to require that each candidate for appointment as a member of the Diversity and Inclusion Commission to be at least eighteen (18) years old. 4 - 8

Ord. O-2020-021 Diversity and Inclusion Commission

9. EXECUTIVE SESSION

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].

9.1. Deliberate the appointment or employment of a City Manager from the applications submitted for the position of City Manager pursuant to Texas Government Code Section 551.074, Personnel Matters.

9.2. Receive legal advice pursuant to Texas Government Code Section 551.071(1) and (2) relating to the Hutto Sports, Health and Entertainment District; the Multi-Party Development Agreement; the Preston Hollow Capital, LLC Loan Agreement with Cottonwood Development Corporation and 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 pursuant to Texas Government Code Section 551.072.

9.3. Receive legal advice from the City Attorney in accordance with Tex. Gov't Code § 551.071 (1) about pending litigation, to wit: Legacy Hutto, LLC. V. City of Hutto , pending in the District Court of Williamson County, Texas.

10. ACTION RELATIVE TO EXECUTIVE SESSION

10.1. Deliberate the appointment or employment of a City Manager from the applications submitted for the position of City Manager pursuant to Texas Government Code Section 551.074, Personnel Matters.

10.2. Discuss and possible action relating to the Hutto Sports, Health and Entertainment District; the Multi-Party Development Agreement; the Preston Hollow Capital, LLC Loan Agreement with Cottonwood Development Corporation and deliberations regarding Economic Development pursuant to Tex. Govt. Code § 551.087; and the purchase or

sale of real property within the Hutto Sports, Health and Entertainment District pursuant to Texas Government Code Section 551.072.

10.3. Discuss and possible action relating to Legacy Hutto, LLC. V. City of Hutto , pending in the District Court of Williamson County, Texas.

11. OTHER BUSINESS

11.1. Deliberate the duties of the Mayor and City Council Members pursuant to Texas Government Code Section 551.074, Personnel Matters.

12. ADJOURNMENT

13. CERTIFICATION

I certify that this notice of the **July 30, 2020** Special City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on **July 24, 2020** at **1:00 P.M.** Amended and reposted 7/27/20 @ 3:16 PM

Holly Nagy

The City of Hutto is committed to comply with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made 48 hours prior to the meeting. Please email the City Secretary's office at City.Secretary@huttox.gov or call (512) 759-4033 for assistance.

ORDINANCE NO. O-2020-021

**AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING THE CITY OF HUTTO CODE OF ORDINACES CHAPTER 2-ADMINISTRATION AND PERSONNEL-ARTICLE 2.02 BOARDS, COMMISSIONS AND AUTHORITIES TO ADD DIVISON 8- SECTION 2.02.187: ESTABLISHING A DIVERSITY AND INCLUSION COMMISSION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE AND REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Hutto acknowledges that the history of discrimination in the United States of America continues to affect the privilege and/or lack of opportunity for people in the City; and

**WHEREAS**, the City of Hutto acknowledges that equity occurs when differences such as race, ethnicity, religion, gender, economic status, sexual orientation/gender identification, veteran status, marital status, language, age, disability, etc. do not determine a person's economic, social, or political access; and

**WHEREAS,** the City of Hutto now holds a majority-minority status, i.e., no racial or ethnic groups comprises a majority of the City's population; and

**WHEREAS,** the City of Hutto is committed to recognizing and undoing discrimination of any type; and

**WHEREAS,** providing opportunities for the City and residents to engage, participate and support their community through unified and collaborative activities, programs, and collective citizen engagement, culturally diverse programs, business services, trades and entertainment is valued; and

**WHEREAS,** all members of the Hutto community offer distinct perspectives, e.g., life experiences, cultural backgrounds, ideas, and interpretations, that foster creativity, innovation, and economic growth; and

**WHEREAS,** the City of Hutto will benefit from the identification of potential inequities in City services, programs, human resource practices, and decision-making processes; and from encouraging and empowering multicultural appreciation on the City; and

**WHEREAS,** the City of Hutto will benefit from establishing a Commission of diverse residents to address inequities that impact quality of life for identifiable communities in the City, e.g., race, ethnicity, religion, gender, economic status, sexual orientation/gender identification,

veteran status, marital status, language, age, disability, etc., as well as low-income communities in the City with regards to resource allocation, representation, health outcomes, and other disparities; and

**WHEREAS,** the City Council of the City of Hutto now finds it appropriate to amend the City of Hutto Code of Ordinances Chapter 2 Administration and Personnel Article 2.02 Boards Commissions, and Authorities to add Division 8 establishing a Diversity and Inclusion Commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2. Amendment to Municipal Code of Ordinances.** The Code of Ordinances of the City of Hutto, Texas, is hereby amended by amending **Chapter 2 Administration and Personnel and adding Division 8- Diversity and Inclusion Commission. (Departments, Boards and Commissions), Section 31.60 Equity Commission** as follows:

**§ 2.02.187 DIVERSITY AND INCLUSION COMMISSION.**

**§ 2.02.188 SHORT TITLE.**

This subchapter shall be known, and may be cited, as the Diversity and Inclusion Commission Ordinance of the City of Hutto, Texas.

**§ 2.02.189 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*COMMISSION*. The Diversity and Inclusion Commission of the city.

*CITY*. The City of Hutto.

**§ 2.02.190 CREATION; MEMBERSHIP REQUIREMENTS.**

(A) Creation. There is hereby created the Diversity and Inclusion Commission of the City.

(B) Membership.

1. All Commission members shall be appointed by the City Council and shall serve without compensation.
2. The Commission shall be composed of seven members to serve three-year terms.
3. Each candidate for appointment as a member of the Diversity and Inclusion Commission shall be at least eighteen (18) years old and shall have resided within the corporate city limits, or within territory annexed prior to the appointment, for at least twelve months preceding the appointment. The Diversity and Inclusion Commission shall, to the extent possible, be broadly representative of economic status, race, color, religion, gender, national origin, ancestry, marital status, physical or mental disability, sexual orientation and gender identity.

4. Commission members shall serve without compensation and shall not be employed by or hold any other position in city government. In addition to any other requirements prescribed by the City Council, members shall maintain the qualifications established by this section while in office.
5. Members of the Commission shall be limited to three consecutive full terms in office. A person who has served three consecutive full terms as a regular member may not again hold the same office until at least one term out of office has passed.
6. The term of office of Commission members is three years and shall commence on the last day of July. Initial appointments for establishment of the Commission shall be staggered and with partial terms, with three (3) members appointed with terms ending June 30, 2023 and four (4) members appointed with terms ending June 30, 2024.

**§ 2.02.191 ORGANIZATION.**

(A) Officers. The Commission shall elect from its members, at the first meeting of the Commission held on or after January 1 of each year, a chairman and a vice-chair, and may elect a secretary. Such officers shall hold office for terms of one year, or until their successors take office.

(B) The Commission shall establish rules of procedure consistent with city ordinances, resolutions, and regulations.

**§ 2.02.192 DISMISSAL FROM COMMISSION.**

(A) Commission members shall actively participate in the Commission's activities, and any member who is absent for three consecutive regular meetings of the Commission without valid excuse, as determined by the Commission, or moves one's residence outside the city limits, shall automatically be dismissed from membership.

(B) No member of the Commission shall remain in his/her position after being elected or appointed to city, county or state board or office.

**§ 2.02.193 COMMISSION MEETINGS.**

(A) The Commission shall hold at least one regular meeting each month and shall fix regular meeting dates at a regular meeting place. Special meetings may be called as necessary. A majority of the Commission members serving shall constitute a quorum to do business.

(B) All meetings shall be held in accordance with the Texas Open Meeting Act (TEX. GOV'T CODE, §§551.001 et seq.), as it now exists, or as same may hereafter be amended or codified, to the extent of its applicability to the Commission.

(C) Every regular or special meeting of the Commission shall be open to the public, except as may be authorized by the Texas Open Meetings Act.

**§ 2.02.194 DUTIES OF THE COMMISSION.**

(A) The Commission shall serve in an advisory capacity and render recommendations upon request of the City Council to include, without limitation, as follows.

(1) Create focused recommendations specific to Hutto related to equity and empowerment issues.
(2) Actively promote community awareness and education on the value of diversity.
(3) Promote equity on the basis of economic status, race, color, religion, gender, national origin, ancestry, marital status, lawful source of income, physical or mental disability, familial status, sexual orientation and gender identity.
(4) Develop recommendations for actions to strengthen policies, practices, services and programs.
(5) Create a culture and framework of community equity, diversity and inclusion awareness efforts, programs and activities that are available and accessible to all community members.

(B) The Commission shall provide upon request of the City Council coordination, collaboration, innovation and focus to development effective solutions to address equity and empowerment issues.

(C) The Commission shall provide an annual report to the City Council by January 31 of each year and may be required to provide additional reports upon request of the City Council.

**Section 3. Repealer.** This Ordinance shall be cumulative of all other ordinances of the City of Hutto, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Hutto except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

**Section 4. Severability.** If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

**Section 5. Effective Date.** That this Ordinance will become effective on its adoption and passage by the City Council in accordance with Section 3.13 of the City Charter.

PASSED AND APPROVED this _____ day of _____, 2020.

CITY OF HUTTO, TEXAS

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By: Doug Gaul, Mayor

ATTEST:

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Holly Nagy, City Secretary