City of Hutto

MINUTES

City Council Meeting
Thursday, August 6, 2020 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

Page

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

2. ROLL CALL: Members of the City Council present were Mayor Doug Gaul, MPT Tom Hines, Councilmember Scott Rose, Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Patti Martinez, Councilmember Tanner Rose.

   Members of staff that were present were: Charles W. Daniels, Interim City Manager, Byron Frankland, Assistant City Manager; Stacy Schmitt, Assistant to the City Manager, Holly Nagy, City Secretary and; Dorothy Palumbo, City Attorney.

3. INVOCATION – Led by Mayor Doug Gaul

4. PLEDGE OF ALLEGIANCE

5. CITY COUNCIL COMMENTS

   5.1. General Comments from City Council

   Councilmember Snyder: Mayor, I would just like to see a couple of items that seem to have fallen off the track, that I would like to see on the agenda or on an agenda next month. One is to revisit where we are at on the 316 investigation it hasn't been on there for a couple of meetings. An item on waiving, discussion and possible action on waiving council privilege on the release of the 1200-page legal bill invoices.

   5.2. City Council Commission Liaison Reports- *None.*

6. PUBLIC COMMENT

-Nicole Calderone
-Robin Sutton
-Kathleen Cook - via email
-Pamela E. Moore - via email

7. CITY MANAGER COMMENTS

- Wilco Working Together video

- Misti Hancock, Director of Finance, presented a one-page slide regarding calculation of no new revenue and voter approved rates. Discussion ensued.

8. CONSENT AGENDA ITEMS

8.1. Consideration of a public hearing and possible action on the second reading of Ordinance No. O-2020-020 approving the zoning change request for the properties to be known as the Wahrmund/Dugger Tracts (3 tracts), 3.710 acres, more or less, of land, from SF-1 (Single Family Residential) to B-2 (General Commercial) zoning district, located on the northwest corner of Limmer Loop and CR 119. (Ashley Lumpkin)

8.2. Discuss and take action adopting an Ordinance amending the City of Hutto Code of Ordinances by amending Article 2.07 Claims Against the City.

Councilmember S.Rose made a motion to approve consent agenda as presented, MPT Hines seconded the motion. The motion passed. (6:1)

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 by a vote of 6 ayes to 1 nays.

9. ORDINANCES

9.1. Consideration and possible action on the first reading of Ordinance No. O-2020-018 approving a Community Development Corporation budget amendment and expenditure approved by the Community Development Corporation Board of Directors in the amount of $300,000 to fund program administration and loans made available through the Small Business Loan and Disaster Relief Project and $50,000 to fund General Counsel legal services to the Corporation; providing an effective date.

Steven Harris, Chair of CDC/EDC presented. Councilmember S. Rose made a motion to approve item 9.1 as presented. MPT Hines seconded the motion. The motion passed unanimously.

9.2. Consideration and possible action on the first reading of Ordinance No. O-2020-023 approving a Community Development Corporation budget amendment and Expenditure approved by the Community Development Corporation Board of Directors increasing the general counsel legal services line item by $50,000, from $5,000 to $55,000; providing an effective date.

City Attorney stated that since Council took action on Item 9.1, action on 9.2 was not necessary. Item 9.1 included the $50,000. This was placed on the agenda only in case Council did not approve item 9.1

Councilmember T. Rose made a motion to move up items 10.1 and 10.2, Councilmember Snyder seconded the motion. The motion passed unanimously.

10.1 Consideration and possible action on Resolution No. R-2020-067 for the first of two readings as required by Texas Local Government Code Section 501.158(b) approving a Resolution authorizing the Community Development Corporation's Small Business Loan and Disaster Relief Project.

MPT Hines made a motion to approve the first reading of item 10.1, Councilmember Martinez seconded the motion. The motion passed unanimously.

10.2 Consideration and possible action on Resolution No. R-2020-067 for the second of two readings as required by Texas Local Government Code Section 501.158(b) approving a Resolution authorizing the Community Development Corporation's Small Business Loan and Disaster Relief Project.

Councilmember S. Rose made a motion to approve item 10.2 as presented, Councilmember T. Rose seconded the motion. The motion passed unanimously.

9.3. Consideration and possible action on the first reading of Ordinance No. O-2020-024 granting to Oncor Electric Delivery Company, LLC, its successors and assigns, an electric power franchise to use the present and future streets, alleys, highways, public utility easements, and public ways of the City of Hutto, Texas, providing for compensation therefor, providing for an effective date and a term of said franchise, providing for written acceptance of this franchise, providing for the repeal of all existing franchise ordinances to Oncor Electric Delivery Company LLC, its predecessors and assigns, and finding that the meeting at which this ordinance is passed is open to the public; and providing for severability.

MPT Hines recused himself from this item as his spouse works for Oncor.

Discussion ensued.

Councilmember T. Rose made a motion to approve item 9.3. Councilmember S. Rose seconded the motion. The motion passed 6-0 with one recusal.

10. RESOLUTIONS

10.3. Consideration and possible action on Resolution No. R-2020-068 creating a Public Improvement District for an approximate 105 acre property, also known as Durango Farms.

Jon Snyder from P3 present to speak about the creation of the Public Improvement District.

Discussion ensued.

MPT Hines made a motion to approve Resolution No. R-2020-068, Councilmember S. Rose seconded the motion. The motion passed. (5:2)

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 by a vote of 5 ayes to 2 nays.

10.4. Consideration and possible action on Resolution No. R-2020-069 for a Development Agreement amendment between the City of Hutto and Jerry Wayne Roznovak and Nadine Carole Johnson, for a property being approximately 105 acres, also known as Durango Farms.

Councilmember T. Rose made a motion to table item 10.4. and to bring back with a redline copy of the agreement. Councilmember Snyder seconded the motion. The motion passed. (6:1)

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 by a vote of 6 ayes to 1 nays.

10.5. Consideration and possible action on Resolution No. R-2020-070 for a Development Agreement between the City of Hutto and Kalogridis and Kalogridis Development, LLC, for an approximately 56.797 acre property, also known as The Landing.

Councilmember T. Rose made a motion to table item 10.5. Councilmember Gordon seconded the motion. The motion passed. (6:1)

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 by a vote of 6 ayes to 1 nays.

11. OTHER BUSINESS

11.1. Discussion regarding the rejection of the application of Nicole Calderone for place on ballot council place 4.

Discussion ensued.

11.2. Discussion and possible action on canceling or removing the ability to use video conferencing access to meetings going forward. (Councilmember T. Rose)

MPT Hines made a motion to continue the ability to use teleconferencing as given to us by state law. Councilmember S. Rose seconded the motion. The motion passed unanimously.

Councilmember Gordon amended the motion to ask that the staff bring back a proposed a list of best practices, rules how to use zoom, expectations to follow. Councilmember Snyder seconded the motion. The motion passed unanimously.

12. EXECUTIVE SESSION *Entered: 8:45 PM*

12.1. Discussion and deliberation regarding a potential relocation project to the City of Hutto #1 551.087 [Deliberations regarding Economic Development negotiations].(Jennifer Burrington)

12.2. Discussion and deliberation regarding a potential relocation project to the City of Hutto #2 551.087 [Deliberations regarding Economic Development negotiations].(Jennifer Burrington)

12.3. 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.

13. ACTION RELATIVE TO EXECUTIVE SESSION *Reconvened: 10:37 PM*

13.1. Discussion and possible action relating to 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.

No action taken

14. ADJOURNMENT *10:38 PM*

PASSED and APPROVED this 17th day of September,2020.

Doug Gaul, Mayor

ATTEST:

Holly Nagy, City Secretary