



City of Hutto

MINUTES

City Council Meeting

Thursday, February 25, 2021 at 6:00 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

1. CALL SESSION TO ORDER: 6:00 PM

2. ROLL CALL

Members of City Council present: Councilmember Robin Sutton, Councilmember Dan Thornton, Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Tanner Rose and Councilmember Patti Martinez (via video conference).

Members of staff that were present: Warren Hutmacher, City Manager; Stacy Schmitt, Assistant to City Manager; Anthony Host, Executive Director of Community Services; ~~Holly Nagy, City Secretary~~; Jessica Brown, Assistant City Secretary and Cristian Rosas-Grillet, City Attorney.

3. PLEDGE OF ALLEGIANCE

4. CITY COUNCIL COMMENTS

4.1. General Comments from City Council

Mayor Pro Tem Snyder presented a Proclamation recognizing Hutto Residents, Businesses & City Staff for a job well done during Winter Storm Uri.

5. PUBLIC COMMENT

None.

6. CITY MANAGER COMMENTS

Another beautiful day in Hutto.

7. CONSENT AGENDA ITEMS

Councilmember Martinez made a motion to accept the consent agenda items 7.1, 7.2, 7.3, 7.4 and 7.5 as presented. Councilmember Thornton seconded the motion. The motion passed unanimously.

7.1. Consideration and possible action on approving the February 4, 2021 City Council meeting minutes.

- 7.2. Consideration and possible action on approving the February 10, 2021 Special Called City Council meeting minutes.
- 7.3. Consideration and possible action on Resolution No. R-2021-030 approving the Highlands North Section 4 Final Plat, 21.298 acres, more or less, of land, 83 residential lots, located on Milano River Road. (Ashley Lumpkin)
- 7.4. Consideration and possible action on Resolution No. R-2021-031 approving the Highlands North Section 5 Final Plat, 11.859 acres, more or less, of land, 43 residential lots, located on Milano River Road. (Ashley Lumpkin)
- 7.5. Consideration and possible action on Resolution No. R-2020-148A approving a Consent Agreement between the City of Hutto, Texas and Harris & Straub, LLC creating Williamson County Municipal Utility District No. 35 and authorizing the City Manager to execute the Consent Agreement. (Wallin Tract)(City Attorney)

*Councilmember Gordon made a motion to move up items 10.1 and 10.2.
Councilmember Rose seconded the motion. The motion passed unanimously.*

10. OTHER BUSINESS

- 10.1. Discussion and possible action on amending the lease agreement between the City of Hutto and YMCA of Greater Williamson County dated December 15, 2011, as amended, for operation of the Hutto Family YMCA. (Jeff Andresen)(City Attorney)

Councilmember Gordon made a motion to direct staff to amend the current lease agreement between the City of Hutto and YMCA of Greater Williamson County and bring it back to council for review and approval. Councilmember Sutton seconded the motion. The motion passed unanimously.

- 10.2. Discussion and possible action on amending the management agreement between the City of Hutto and YMCA of Greater Williamson County dated December 15, 2011, regarding the lease of a building constructed by the City for recreational purposes. (Jeff Andresen)(City Attorney)

Councilmember Gordon made a motion to direct staff to amend the current management agreement between the City of Hutto and YMCA of Greater Williamson County and bring it back to council for review and approval. Councilmember Martinez seconded the motion. The motion passed unanimously.

8. ORDINANCES

- 8.1. Consideration and possible action on Ordinance No. O-2021-006, confirming and extending the Mayor Pro Tem's declaration of local disaster due to severe winter weather. (City Attorney)

Councilmember Martinez made a motion to approve item 8.1 as presented.

Councilmember Sutton seconded the motion. The motion passed unanimously.

- 8.2. Consideration and possible action on Ordinance No. O-2021-007, waiving the imposition or collection of late fees for municipal water utility accounts and waiving the disconnection of such services; and providing that such waivers shall expire after twenty-five (25) days. (City Attorney)

Councilmember Sutton made a motion to approve item 8.2 as presented.

Councilmember Martinez seconded the motion. The motion passed unanimously.

- 8.3. Consideration and possible action on Ordinance No. O-2021-008 amending Appendix A, Fee Schedule, Article A5.000, Section A5.004, of the Hutto Code of Ordinances to update the fee schedule with the impact fees adopted by Ordinance No. O- 2021-003 for plats recorded after February 4, 2021. (First Reading)(City Attorney)

Councilmember Gordon made a motion to approve item 8.3 as presented.

Councilmember Martinez seconded the motion. The motion passed unanimously.

Councilmember Rose made a motion to dispense of the second reading of Ordinance No. O-2021-008. Councilmember Thornton seconded the motion. The motion passed unanimously.

9. RESOLUTIONS

- 9.1. Consideration and possible action on Resolution No. R-2021-029 setting the public hearing for March 18, 2021 on the creation of the Cottonwood Creek Public Improvement District within the City of Hutto, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of the notice of the public hearing in accordance with Chapter 372 of the Texas Local Government Code. (City Attorney)

Presentation by Kevin Pierce.

Councilmember Gordon made a motion to approve item 9.1 as presented.

Councilmember Sutton seconded the motion. The motion passed unanimously.

- 9.2. Consideration and possible action on Resolution No. R-2020-141A for the first of two readings as required by Texas Local Government Code Section 505.158(b) authorizing the establishment of the K Tonic, LLC Project after two separate readings; providing for repeal; providing for severability; and providing an effective date. (First Reading)(City Attorney)

Councilmember Rose made a motion to approve item 9.2 as presented.

Councilmember Thornton seconded the motion. The motion passed unanimously.

- 9.3. Consideration and possible action on Resolution No. R-2020-141A for the second of two readings as required by Texas Local Government Code Section 505.158(b) authorizing the establishment of the K Tonic, LLC Project after two separate readings; providing for repeal; providing for severability; and providing an effective date. (Second Reading)(City Attorney).

Councilmember Sutton made a motion to approve item 9.3 as presented.

Councilmember Gordon seconded the motion. The motion passed unanimously.

Councilmember Rose requested for staff to bring back information regarding the PUD.

- 9.4. Consideration and possible action on Resolution No. R-2020-110A for the first of two readings as required by Texas Local Government Code Section 505.158(b) authorizing the establishment project for the Funding and Partial Assignment of the City's rights and obligations under the Hotel Occupancy Tax Funding Agreement between the City of Hutto and GAR Broadcasting, LLC, for KOKEFEST after two separate readings; providing for repeal; providing for severability; and providing an effective date. (First Reading)(City Attorney)

Councilmember Snyder requested to table items 9.4, 9.5 and 9.6 until the next regularly scheduled meeting at the advice of counsel. No objections.

- 9.5. Consideration and possible action on Resolution No. R-2020-110A for the second of two readings as required by Texas Local Government Code Section 505.158(b) authorizing the establishment project for the Funding and Partial Assignment of the City's rights and obligations under the Hotel Occupancy Tax Funding Agreement between the City of Hutto and GAR Broadcasting, LLC, for KOKEFEST after two separate readings; providing for repeal; providing for severability; and providing an effective date.(Second Reading)(City Attorney)

- 9.6. Consideration and possible action on Resolution No. R-2021-032 approving the Amended and Restated Hutto-KOKEFEST Agreement between the City of Hutto, Texas, and Texas Music Network d/b/a Austin Radio Network.

10. OTHER BUSINESS

- 10.3. Presentation of Financial Statement Audit and CAFR Preparation – What to Expect (Lupe Garcia, Whitley Penn)

Presentation given by Lupe Garcia.

No action taken.

- 10.4. Discussion and possible action on amending the Economic Development Corporation By-Laws to Require recording of EDC Executive Sessions.
(Councilmember Rose)

No action taken.

- 10.5. Consideration of and possible appointments, re-appointments and/or removals to Government Corporations. (City Secretary)

Councilmember Sutton made a motion to appoint Marquette Grant to the EDC Board. Councilmember Rose seconded the motion. The motion passed unanimously.

Councilmember Thornton made a motion to reappoint Laurie Pruser Stockman to the ADA Task Force. Councilmember Sutton seconded the motion. The motion passed unanimously.

11. EXECUTIVE SESSION: *8:26 PM*

- 11.1. Receive legal advice pursuant to Texas Local Government Code Section 551.071 relating to the Master Development Agreement for the Co-Op District dated August 17, 2017, as amended, between the City of Hutto and MA Partners, LLC and related agreements.

- 11.2. Executive Session in accordance with Texas Open Meetings Act Section 551.074. PERSONNEL MATTERS: CLOSED MEETING to deliberate employment and evaluation of a public officer or employee - City Manager.

- 11.3. 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.

- 11.4. Receive legal advice pursuant to Texas Government Code Section 551.071(2) relating to confidential information received in City Council executive sessions or Hutto CDC executive sessions.

- 11.5. Receive legal advice pursuant to Texas Local Government Code Section 551.071 relating to the request by property owners of 1551 Red Bud Lane, 1561 Red Bud Lane and 3800 Doris Lane for sewer CCN release to the City of Round Rock.

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

12. ACTION RELATIVE TO EXECUTIVE SESSION: *10:52 PM*

- 12.1. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 related to the Master Development Agreement for the Co-Op District dated August 17, 2017, as amended, between the City of Hutto and MA Partners, LLC and related agreements.

No action taken.

- 12.2. Discussion and Appropriate Action on Executive Session in accordance with Texas Open Meetings Act Section 551.074, PERSONNEL MATTERS: CLOSED MEETING to deliberate the employment and evaluation of a public officer or employee - City Manager.

No action taken.

- 12.3. 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.

Councilmember Rose made a motion to direct the City Attorney's office to research and share the findings with appropriate parties regarding the potential release of confidential and/or privileged information that has not been made public. Councilmember Sutton seconded the motion. The motion passed unanimously.

- 12.4. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071(2) relating to confidential information received in City Council executive sessions or Hutto CDC executive sessions.

No action taken.

- 12.5. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 relating to the request by property owners of 1551 Red Bud Lane, 1561 Red Bud Lane and 3800 Doris Lane for sewer CCN release to the City of Round Rock.

Councilmember Rose made a motion to authorize the City Manager to sign the release letter for the three properties for Sewer CCN. Councilmember Gordon seconded the motion. The motion passed unanimously.

- 12.6. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.

No action taken.

13. ADJOURNMENT: *10:57 PM*

ATTEST:


Jessica Brown, Asst. City Secretary


Mike Snyder, Mayor Pro-Tem