



City of Hutto

Agenda

City Council Meeting Thursday, May 19, 2022 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

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. CITY MANAGER COMMENTS

6. PROCLAMATION

6.1. Public Works Week 2022

6.2. National Police Week 2022

7. CITY COUNCIL COMMENTS

Pursuant to Texas Government Code Sec. 551.0415, a member of the governing body may make an announcement about items of community interest during a meeting of the governing body without given notice of the subject of the announcement. Items of Community Interests include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedule; (3) an honorary or salutary recognition of public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition of the subdivision; (4) a reminder regarding social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and (5) announcements involving imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

7.1. Election of Mayor Pro Tem (City Council)

7.2. General Comments from City Council

7.3. City Council Liaison Reports

8. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. 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). 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. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on 5/19/22. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

9. CONSENT AGENDA ITEMS

- 9.1. Consideration and possible action on Ordinance No. O-2022-019 amending the budget for the fiscal year of October 1, 2021 through September 30, 2022, by appropriating and setting aside the necessary funds for additional expenditures, in accordance with existing statutory requirements; finding municipal purposes; providing for a severability clause; and providing for an effective date. (Second Reading) (Angie Rios)
- 9.2. Consideration and possible action on Ordinance No. O-2022-018 prescribing certain fees for the City of Hutto, Texas, amending all applicable ordinances and other instruments; providing for a schedule of fees and charges. (Second Reading)(Angie Rios)
- 9.3. Consideration and possible action on Ordinance No. O-2022-021 amending Chapter 1, Article 1.07, Division 2, Part II, of the Code of Ordinances to provide for a completeness review period for special event permit applications. (Second Reading) (Cristian Rosas-Grillet, Kristi Robich)
- 9.4. Consideration and possible action on Resolution No. R-2022-047 approving an agreement for a Restroom at Hutto Community Park with Restroom Facilities LTD for an amount not to exceed \$93,616.00 through BuyBoard Contract No. 592-19; and authorizing the Interim City Manager to execute the Agreement. (Jeff White)
- 9.5. Discussion and possible action on Resolution No. R-2022-048 authorizing the receipt of a grant from the Texas Office of the Governor, Criminal Justice Division, Rifle-Resistant Body Armor Grant Program, to provide funding for the Police Department, to purchase forty-five sets of rifle-resistant body armor for Police Officers, with a total grant value of \$85,950. (Chief Jeff Yarbrough)
- 9.6. Consideration and possible action on Ordinance No. O-2022-022 granting to SiEnergy, its successors and assigns ("Company"), a franchise to construct, maintain, and operate pipelines and equipment in the City of Hutto, Williamson County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said city for all purposes; reserving municipal authority; providing for indemnity to the municipality and insurance by company; requiring book and record keeping; providing for the payment of a fee or charge for the use of the city rights-of-way; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; providing an effective date and term; and repealing all previous gas franchise ordinances. (First Reading) (Legal)
- 9.7. Consideration and possible action on Ordinance No. O-2022-023 granting to Universal Natural Gas, LLC (d/b/a Universal Natural Gas, Inc.), its successors and assigns ("Company"), a franchise to construct, maintain, and operate pipelines and equipment in the City of Hutto, Williamson County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said city for all purposes; reserving municipal authority; providing for indemnity to the municipality and insurance by company; requiring book and record keeping; providing for the payment of a fee or charge for the use of the city rights-of-way; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; providing an effective date and term; and repealing all previous gas franchise ordinances. (First Reading) (Legal)

10. RESOLUTIONS

- 10.1. Consideration and possible action on Resolution R-2022-045 approving the Second Amendment to the Management Agreement with the YMCA of Greater Williamson County; authorizing the Interim City Manager to execute the Agreement. (Angie Rios)

- 10.2. Consideration and possible action on Resolution No. R-2022-046 amending the City Council Protocol Policy to establish and clarify procedures for appointments, reappointments and/or removals of members of City boards, committees, and commissions. (Councilmember Peter Gordon, Councilmember Krystal Kinsey)

11. ORDINANCES

- 11.1. Hold a public hearing and consider action for the proposed Future Land Use Map revision request for the property known as the Ironwood Tract, 117.64 acres, more or less, of land, located off of Highway 79, from Commercial and High Density Residential to Light Industrial/Business Park. (First Reading) (Ashley Lumpkin)
- 11.1. (a) Consideration and possible action on Ordinance No. O-2022-024 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 11.2. Hold a public hearing and consider action on Ordinance No. O-2022-025 approving the proposed annexation request for the Ironwood tract, approximately 117.64 acres, more or less, of land, described as being out of the Martin Strouse Survey, Abstract No. 587, in Williamson County, Texas and to establish base zoning as General Commercial (B-2) located off of Highway 79. (First Reading) (Ashley Lumpkin)
- 11.2. (a) Consideration and possible action on Ordinance No. O-2022-025 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 11.3. Hold a public hearing and consider action for the zoning change request for the property known as the Ironwood Tract, 117.64 acres, more or less, of land, located off of Highway 79, from (ETJ) to LI (Light Industrial). (First Reading) (Ashley Lumpkin)
- 11.3. (a) Consideration and possible action on Ordinance No. O-2022-026 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 11.4. Hold a public hearing and consider action for UDC Amendment, amending the Code of Ordinances (2020 Edition, as amended), Chapter 4 Section 10.403.3 Lot Dimensions and Area and 10.406.3 Single household detached and two to four household residence design to amend requirements for garage door width and to add language for residential alleys. (First Reading) (Ashley Lumpkin)
- 11.4. (a) Consideration and possible action on Ordinance No. O-2022-027 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 11.5. Consideration and possible action on Ordinance No. O-2022-015 amending Article 14.03, Noise, of the Code of Ordinances to establish regulations for permits for concrete installation during non-construction hours. (First Reading) (Ashley Lumpkin)
- 11.5. (a) Consideration and possible action on Ordinance No. O-2022-015 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 11.6. Consideration and possible action on Ordinance No. O-2022-028 establishing an Outside Agency Funding Advisory Committee; and providing for related matters. (City Council)
- 11.6. (a) Consideration and possible action on Ordinance No. O-2022-028 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)

12. OTHER BUSINESS

- 12.1. Consideration and possible action regarding possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, Local Government Corporations and Tax Increment Reinvestment Zone Boards, City Council Liaisons, and Area Government appointments.

- 12.2. Consideration and possible action to direct staff to amend the TIRZ 2 Project and Financing Plan. (Legal)

13. 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).

- 13.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 13.2. Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberate pursuant to Texas Government Code Sections 551.087 and 551.072 regarding economic development negotiations in and around the Megasite and consideration and conveyance of assignment and assumption agreements conveying Option to Purchase Real Property Agreements to promote economic development.
- 13.3. Deliberate the appointment, employment, evaluation, reassignment, or duties of the Interim City Manager pursuant to Texas Government Code Section 551.074, Personnel Matters.
- 13.4. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to *Brooklands Partners, Ltd. v. City of Hutto*, Cause No. 22-0500-C425 pending in the 425th Judicial District Court in Williamson County, Texas.
- 13.5. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to releasing McGinnis Lochridge memorandums regarding the hiring of Larry Gonzales as a consultant for the City dated March 4 (x2), 6 (x2), April 1, July 30, 2019 and executed engagement letter March 6, 2019.
- 13.6. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to waiving the Attorney Client/Attorney Work Product Privilege relating to emails dated November 9 and 17, 2021 from former Council Member Villareal-Salvo to the City Attorney.
- 13.7. Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberate regarding economic development pursuant to Texas Government Code Section 551.087 to deliberate the offer of a financial or other incentive to business prospects; including deliberations regarding the purchase, sale, exchange or value of real property pursuant to Texas Government Code Section 551.072.

14. ACTION RELATIVE TO EXECUTIVE SESSION

- 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 and City Council Legal Requests.
- 14.2. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 relating to *Brooklands Partners Ltd. v. City of Hutto*, Cause No. 22-0500-C425 pending in the 425th Judicial District Court in Williamson County, Texas.
- 14.3. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 and deliberations regarding economic

development pursuant to Texas Government Code Section 551.087 to deliberate the offer of a financial or other incentive to business prospects; including deliberations regarding the purchase, sale, exchange or value of real property pursuant to Texas Government Code Section 551.072.

- 14.4. Consideration and possible action related to legal advice pursuant to Texas Government Code Section 551.071 relating to releasing McGinnis Lochridge memorandums regarding the hiring of Larry Gonzales as a consultant for the City dated March 4 (x2), 6 (x2), April 1, July 30, 2019 and executed engagement letter March 6, 2019.
- 14.5. Consideration and possible action related to legal advice pursuant to Texas Government Code Section 551.071 relating to waiving the Attorney Client/Attorney Work Product Privilege relating to emails dated November 9 and 17, 2021 from former Council Member Villareal-Salvo to the City Attorney.

15. ADJOURNMENT

16. CERTIFICATION

I certify that this notice of the Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on May 16, 2022 at 5:00 P.M.



Angela Walton

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 Angela.Walton@huttotx.gov or call (512) 759-4033 for assistance.