



City of Hutto

Minutes

City Council Meeting

Thursday, August 18, 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 – 7:00 pm

2. ROLL CALL

Members of City Council present were Mayor Mike Snyder, Councilmember Robin Sutton, Councilmember Dan Thornton, Councilmember Randal Clark, Mayor Pro Tem Peter Gordon, Councilmember Krystal Kinsey, and Councilmember Amberley Kolar.

Members of staff that were present were James Earp, City Manager, Matt Wojnowski, Assistant City Manager, Angie Rios, CFO, Wade Benton, Consultant, Dottie Palumbo, Legal Counsel, George Hyde, Legal Counsel, Ashley Bailey, Executive Director of Development Services, Bob Farley, Executive Director, Economic and Development, Angela Walton, City Secretary; Kate Moriarty, Executive Management Assistant

3. INVOCATION – Led by Pastor Arthur Spence, Little Ebenezer Baptist Church

4. PLEDGE OF ALLEGIANCE

5. CITY MANAGER COMMENTS

- 5.1. City Manager James Earp commented on KokeFest and complimented staff on their work on the event. He also provided updates on (including but not limited to) the Hutto ISD Back to School Bash, the possibility of scheduling work sessions with City Council, weekly meetings with City Council and staff, school district request to partner with the City in an event called Hippo National Friday, Finance Department working a series called Story of Hutto to increase transparency in the budget process, and recurring events downtown and listed events.

6. CITY COUNCIL COMMENTS

6.1. General Comments from City Council

Councilmember Kinsey:

I want to say thank you to the Hutto PD and ISD. they kicked off school this week and I know there's always a lot of traffic and growing pains. There were not projected to hit 10,000 students for another year and they hit it this year. Thanks to the PD and all of those on the ISD and teachers and staff an extra help is that made as smooth as possible.

Councilmember Clark:

My only other thing is the City Manager brought it to my attention, we have a PSA coming out in conjunction with the Police Department and Hutto ISD Communication Team about jaywalking which will be very applicable there will go to school and walking going on. I want to make sure they get out the link for everyone to see. It is very important for safety and our citizens.

Mayor Pro Tem Gordon:

I just got one, there is a community event coming up this Saturday in a couple of days. it will be at Fritz Park from 10 am to 4 pm for the public. It will be at Little Ebenezer on behalf of Fred B. Warren, Jr. passed away a year ago this month. It was an opportunity for people from huddle to come and visit and there will be lots of things to do and programming. Hope to see everyone there was park 10 o'clock to 4 o'clock on Saturday.

6.2. City Council Liaison Reports

Councilmember Kolar:

I have mine for the Parks Advisory Board. Last Wednesday the Parks Advisory Board met and they had a great meeting. Two residents came out to the meeting to express the need for more native trees in our parks. The actually brought it to our attention that there is \$50,000 in the budget appropriated for trees. So the Board hopes to have a plan to plant trees by Texas Arbor Day which is in early November. Also, representatives from the County Commissioners Office were there to discuss the Veterans Memorial. The county is giving the city \$50,000 for the Memorial. Alex Ramirez is taking the lead on the design so if you have any input on the design, reach out to him or contact me and I can put you in touch with him. Also, residents of Hutto reach out to me; I can put you in touch with him if you want to put any input into the Veterans Memorial. Pretty much for the County, they just need basic framework for the Memorial before they gift us the money so the Parks Board is putting that together. They've already decided the Memorial will be at the Park and it will include all branches of the military. Also an update, the historical marker once its finished will be mounted on the Pavilion in the park.

Eventually coming up, the next thing is the Board approved changes to ordinances for our parks. We will be seeing that soon. It will be coming to Counsel next in the future. Also, Jeff and City staff actually finished up ten weeks of summer camp. That is a big thing. Ten weeks of Summer camp and now the kids are back to school.

They discussed having a protocol of standards of care and documents. They are working on that, also, the Parks Board discussed CIP projects that can be done with the 2018 Parks bond money. Voters in 2018 approved 50 million. To date there is 40.5 remaining. There is also a desire for a recreation center, athletic fields and things of that sort that can all be accomplished with that. Right now, there is kind of looking at the list and starting to prioritize. The list of what could be done for that and of course bringing it to City Council ultimately. Also, the Parks Foundation met last week. They're getting off the ground and a lot of exciting things come from that starting with the website but they would definitely do some great things. It will be for nonprofit raising money.

The last update is the lights at the basketball courts. The previous Council, most of you here before Randal and myself approved lighting the basketball courts, so there's finishing that out. Those will soon be open if they are not already working. Two more weeks? Okay two are done so one more. Also the basketball court at Fritz Park is getting repainted. There will be a new design by a local artist. It will be nice out there with the basketball courts and everything. That is it as far as the Advisory Board.

Councilmember Clark:

I already filled out and applied and accepted a free ticket to the (CAPCOG) September 14 meeting. The only other outlying action was we have to submit to the City formally the application for the City so they gave the application to Angela and she will bring it to the Mayor to sign. As part of the requirement, we have to have that done before the 14th of September.

6.3. Future Agenda Items - *None*

7. PRESENTATIONS

- 7.1. Recognition of Insurance Services Office (ISO) Rating (Fire Chief Scott Kerwood)
City of Hutto received a plaque in recognition of its ISO rating.

8. PUBLIC COMMENT

- Aurora Rucker

9. CONSENT AGENDA ITEMS

- 9.1. Consideration and possible action on approving the August 4, 2022 City Council meeting minutes. (Angela Walton)
- 9.2. Consideration and possible action on Resolution No. R-2022-073 authorizing the City Manager to execute a contract with Cigna for employee dental and vision insurance. (Irene Talioaga and Angie Rios)
- 9.3. Consideration and possible action on Ordinance No. O-2022-034 accepting and approving Annual Service and Assessment Plan Update to the Service and Assessment Plan and updated assessment rolls for Co-Op Public Improvement District; making and adopting findings; providing an effective date. (First Reading) (Legal)
- a. Consideration and possible action on Ordinance No. O-2022-034 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 9.4. Consideration and possible action on Ordinance No. O-2022-035 accepting and approving Annual Service and Assessment Plan Update to the Service and Assessment Plan and updated assessment rolls for Mustang Creek Public Improvement District; making and adopting findings; providing an effective date. (First Reading) (Legal)
- a. Consideration and possible action on Ordinance No. O-2022-035 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)

- 9.5. Consideration and possible action on Ordinance No. O-2022-036 accepting and approving Annual Service and Assessment Plan Update to the Service and Assessment Plan and updated assessment rolls for Cross Creek Improvement District; making and adopting findings; providing an effective date. (First Reading) (Legal)
- a. Consideration and possible action on Ordinance No. O-2022-036 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 9.6. Consideration and possible action on Ordinance No. O-2022-037 accepting and approving Annual Service and Assessment Plan Update to the Service and Assessment Plan and updated assessment rolls for Durango Farms Public Improvement District; making and adopting findings; providing an effective date. (First Reading) (Legal)
- a. Consideration and possible action on Ordinance No. O-2022-037 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 9.7. Consideration and possible action on Ordinance No. O-2022-038 accepting and approving Annual Service and Assessment Plan Update to the Service and Assessment Plan and updated assessment rolls for Emory Crossing Public Improvement District; making and adopting findings; providing an effective date. (First Reading) (Legal)
- a. Consideration and possible action on Ordinance No. O-2022-038 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 9.8. Consideration and possible action on Ordinance No. O-2022-039 accepting and approving Annual Service and Assessment Plan Update to the Service and Assessment Plan and updated assessment rolls for Cottonwood Creek Public Improvement District; making and adopting findings; providing an effective date. (First Reading) (Legal)
- a. Consideration and possible action on Ordinance No. O-2022-039 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 9.9. Consideration and possible action on Ordinance No. O-2022-040 amending Section 2.02.003 of the City of Hutto Code of Ordinances to provide for the annual appointment of the Chair and Vice-Chair of city boards and commissions. (Legal)
- a. Consideration and possible action on Ordinance No. O-2022-040 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)

Mayor Pro Tem Gordon moved to approve all consent agenda items as presented, and Councilmember Kolar seconded. The vote passed 7,0.

10. OTHER BUSINESS

- 10.1. 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.

Appointments: Mayor Pro Tem Gordon reported the Nominating Committee is recommending Jim Morris to Zoning Board of Adjustments, Seat 2, and Building Standards Commission, Seat 4, Ashley Lara to the Accessibility Task Force, Seat 4, and reappointing Rick Hudson to Building and Standards.

Mayor Pro Tem Gordon moved to approve all appointments, and Councilmember Kolar seconded. The vote passed 7,0.

- 10.2. Presentation and acceptance of the financial and investment report for the quarter ending June 30, 2022. (Angie Rios)

No action.

City Manager Earp requested hearing Items 10.3 and 10.4 simultaneously. City Council had no objection.

- 10.3. Fiscal Year 2023 Budget Presentation (Angie Rios)

- 10.4. Discuss and possible action on 2023 Capital Improvement Plan (Angie Rios)

Angie Rios, Chief Financial Officer, and Jim Sabonis, Bond Counsel, presented.

Mayor Snyder moved to direct staff to bring back cost estimates for several projects including Live Oak drainage and sidewalks, Limmer Loop/Exchange Boulevard signal upgrade, Ed Schmidt light, Truck Gate, Saul House walk-through, and pavement assessment. Councilmember Clark seconded. The vote passed 5,2 (Kinsey and Kolar dissenting).

- 10.5. Discussion and possible action to direct City Staff/City Attorney to prepare a resolution/ordinance regarding a November ballot measure for the public vote of bond sales for city improvements including, but not limited to, a municipal pool, a senior community meeting space and Fritz Park Improvements. (Mayor Mike Snyder)

Councilmember Sutton motioned to table, which after discussion was later withdrawn. No action.

- 10.6. Public Hearing, Discussion, and Council Instructions to Staff on the Draft Drought Contingency Plan Update (Wayne Watts)

Wayne Watts, Interim Public Works Director, introduced Adam Conner of Freese & Nichols who presented this item. No action.

Item 11.3 was heard before Item 11.2.

11. RESOLUTIONS

- 11.1. Consideration and possible action on Resolution No. R-2022-074 calling and setting a public hearing on September 1, 2022, at 7:00 PM on the proposed budget for fiscal year 2022-2023. (Angie Rios)

Mayor Pro Tem Gordon moved to approve Resolution No. R-2022-074, and Councilmember

Kolar seconded. The vote passed 7,0.

- 11.3 Consideration and possible action directing staff to provide notice of intent to issue General Obligation Bonds, Series 2022. (Angie Rios)

Councilmember Thornton motioned to approve a \$30 million dollar bond issuance, and Mayor Snyder seconded. City Manager Earp requested clarification on if the issuance itself would be \$30 million or if the net proceeds would be \$30 million. After discussion, Councilmember Thornton amended his original motion to approve a \$37 million bond issuance with Mayor Pro Tem Gordon seconding. Vote failed 2,5 (Kolar, Clark, Gordon, Sutton, Kinsey dissenting).

Councilmember Clark made a motion to approve a 44.5 million bond issuance, and Councilmember Kinsey seconded. Vote passed 5,2 (Snyder and Thornton dissenting).

- 11.2. Consideration and possible action on Resolution No. R-2022-075 calling and setting up a public hearing on September 1, 2022, at 6:00 PM on the proposed tax rate for fiscal year 2022-2023 and determining the proposed tax rate to be included in the hearing notice. (Angie Rios)

Mayor Snyder moved to Resolution No. R-2022-075, and Councilmember Thornton seconded to approve the tax rate at .421980. Councilmember Clark motioned to amend the motion to move the tax rate to .478429, and Councilmember Kinsey seconded. Vote passed 5.2 (Snyder and Thornton dissenting).

Councilmember Clark moved to hold the Special Meeting for public hearing on tax rate on September 8, 2022 and at the regular meeting on September 15 to set the tax rate, and Councilmember Kinsey seconded. The vote passed 5,2 (Snyder and Thornton dissenting).

12. EXECUTIVE SESSION – Time in: 11:47 pm

- 12.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Pending Litigation, Potential Claims and City Council Legal Requests.
- 12.2. 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 and receive legal advice pursuant to Texas Government Code Section 551.071 relating to special district financing, including but not limited to the creation of a Tax Increment Reinvestment Zone in and around the Megasite.
- 12.3. Receive legal advice pursuant to Texas Government Code Section 551.071 related to construction defects in the Brooklands Subdivision; including authorizing litigation and/or retaining a law firm for repair of construction defects.

13. ACTION RELATIVE TO EXECUTIVE SESSION – Reconvened at 12:42 am

- 13.1. 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. *No action.*

- 13.2. Consideration and possible action relating to legal advice received 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 and receive legal advice pursuant to Texas Government Code Section 551.071 relating to special district financing, including but not limited to the creation of a Tax Increment Reinvestment Zone in and around the Megasite.

City Council discussed a possible work session item in conjunction with the HEDC to discuss potential funding options for roads. No action.

- 13.3. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 related to construction defects in the Brooklands Subdivision; including authorizing litigation and/or retaining a law firm for repair of construction defects.

Mayor Snyder made a motion for legal counsel for bring to City Council options of legal firms to pursue claims and potential litigation against contractor and developer of Brooklands, and Mayor Pro Tem Gordon seconded. Vote passed 5,2 (Kinsey and Kolar dissenting).

14. ADJOURNMENT: 12:45 am



Mike Snyder, Mayor



Angela Walton, City Secretary

