



City of Hutto

MINUTES

City Council Meeting

Thursday, February 10, 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 www.huttotx.gov

1. CALL SESSION TO ORDER: *7:00 PM*
2. ROLL CALL

Members of City Council present: Mayor Mike Snyder, Councilmember Robin Sutton, Councilmember Mandi Villarreal Salvo, Councilmember Dan Thornton, Councilmember Krystal Kinsey, Councilmember Debbie Holland and Councilmember Peter Gordon.

Absent: None

Members of staff present: Issac Turner, Interim City Manager; Matt Wojnowski, Assistant City Manager; Stacy Schmitt, Assistant to City Manager; Angela Walton, Interim City Secretary; Padma Patla, Director of Engineering; Ashley Lumpkin, Executive Director of Business and Development, Dottie Palumbo, Legal Counsel, George Hyde, Legal Counsel, Angie Rios, Chief Financial Officer and Gracie Perez, Assistant City Secretary

3. INVOCATION - Led by Piet Van Waarde.
4. PLEDGE OF ALLEGIANCE
5. CITY MANAGER COMMENTS

5.1. General Comments from Isaac Turner, Interim City Manager

Mr. Mayor, Members of the Council, and Members of the Public- thank you for the opportunity to share a couple of items with you. We are very pleased that we have an Interim City Secretary that will be sworn in momentarily. We welcome Angela Walton to the city of Hutto and I look forward to working with her. She comes from California where she served as a Municipal Clerk. She also has a Master's of Business Administration and we're just excited to have her in this role and look forward to her helping us to do even better than what we're currently doing. Just personally, I also want to say thank you and welcome to Council Member Holland for her willingness to serve again. The Council broke her-- re-broke her back in again --which were January 28th and 29th Strategic Planning sessions-- that were two days. And I want to thank all of you for participating with that and to share with you that it's your next Council meeting, we will have

your pillars, your core values and expectations for you to formally adopt. So, thank you very much for spending that enormous amount of time working on those items on behalf of the Citizens of Hutto. Also, thank you to the staff members who worked very hard for this community during the ice storm, both in preparation for it as well as during the event itself. Particularly, I want to thank Police, Public Works and the Parks groups who are out on the streets. There was very good coordination for everyone's information, very good coordination with the County Office of Emergency Management--we certainly thank them and the Fire ESD. We all worked in coordination and that went extremely well. With that in mind, I would like to encourage citizens so that you get warnings during those events to sign up with WarnCentralTexas.org and you can receive emergency calls that will keep you up to date in the event of such an emergency. I look forward to my first celebration of World Hippo Day that I know you have a proclamation on it. I haven't had that privilege before, so I certainly look forward to that. And I will tell you your Library Director is extremely excited about the reaction to the extended library hours. We want to thank the public who has been so gracious to come out and take advantage of those hours and she's extremely grateful. We're glad to have the opportunity to spend more hours serving the Citizens and not have to close a library during lunch because of a shortage of staff. So, thank you, Council, and thank you Public for supporting that. At this time, I understand there's some swearing-ins that are supposed to happen, so I'll turn it back over to you, Mr. Mayor, and Judge Lucas.

6. PROCLAMATION – World Hippo Day

7. CITY COUNCIL COMMENTS

7.1. General Comments from City Council

Councilmember Peter Gordon

Mayor, I have one. It's a project or it's a cleanup effort that I think is of community interest. So, The Black Families of Hutto has arranged for the Journal of Texas Archaeology to come out to the Shiloh Black Cemetery sometime in the month of March to do what's called a Magnetometer. I don't know how you say that, but what they're trying to do is locate some unmarked graves. They've got roughly 150 graves out there, and only about a third of them are marked. And so, they're going to use this magnet machine that's going to try to detect whatever is underneath the ground. And so, in order to do that, they need help in cleaning up, getting everything cleared away from the land and marking it out, and making sure it's all ready for that. And so, on Saturday, February 19th, they're inviting the community to come out and help clean up. It's appropriate for all ages and all you really need is, you know, probably some closed-toe shoes and some gloves. If you've got some equipment to help clear some bushes and brushes out, you can do that too. But, we'd love to have you come. This project is posted on justserve.org and so I encourage you to go there, sign up so that they know how many people are going to be coming and be expected. And we really encourage you to come

out. So, if this is done on the 19th, then they will be able to schedule that group to come out and do that survey. So, I encourage the community to participate.

Councilmember Mandi Villarreal-Salvo

Coming off of what Councilmember Gordon just said. This month is Black History Month and we actually had the passing away of a local legend; Mr. Harold Kerley just passed away. And he will actually have the visitation and interment at the Shiloh Black Cemetery this weekend and the communities all have been invited to participate. It'll be in Taylor and then at the Hutto Cemetery afterwards this weekend. But you know, he was a big, big part of the Hutto legend and just his family being here in the community for many decades. In addition, there are a number of the families that are putting together different education opportunities for the community in regards to Black History Month, as well as our library. So, I definitely recommend the community coming out and looking at some of the literature-- asking questions. Just yesterday Lead Hutto had our second class and it was at the Tegmen Farmhouse --historic Tegmen house, here in Hutto. And our historian, Mr.--Former Mayor--Mike Fowler, actually, gave some talks about--our first settler that we have, Mr. Adam Orgain and talked about just some of the unfortunate history that we have here in Hutto. And I think it's a poignant time for us to reflect on Hutto's history, especially this month, and I look forward to opportunities for us to talk more in-depth about that --at some of the events that will be held later. This past week, this past weekend was the Hutto Resource Centers Super Bowl. I know a number of Council was there. Lots of members in the community. It was a great event. It was their Fourth Annual. And then the Hutto Resource Center and all of the coalition --it's called CIA-- Community and Impact--they are doing a March on Hutto event for Amplify Day Of Giving, and that's on March 2nd, it's going to be at Stockade Kitchen, so there'll be more information coming out about that. But yeah, good things going on in the community all of the time.

Councilmember Robin Sutton

I do have one. I just want to--you know, thank the staff for the month of January and what they endured here in City Hall, as a nation, and as a city, we were all impacted by COVID significantly. It was not a very fun Christmas or New Year's for a lot of people. I just want to say in City Hall there were 41 confirmed cases. So, if you weren't able to get the services that you were needing or looking for I just, you know, I just want to let the public know that and I do want to applaud all the people who stepped up into jobs that maybe they weren't hired to do. Thank you.

Mayor Mike Snyder

So I'd like to thank Misty from the Hutto Flower Market for these flower arrangements. They feature the Orange Crush Daylily and that is the Hutto flower. And so with Misty's help, we're able to kind of further the National Hutto Hippo Day coming up.

- 7.2. Council Commission Liaison Reports.
- Councilmember Villarreal Salvo reported on Parks Advisory Board and Capital Area Council of Governments.
 - Councilmember Sutton reported on the Historic Preservation Committee.
 - Councilmember Gordon reported on the Communications Task Force.
 - Mayor Snyder reported on the Economic Development Corporation.
 - Councilmember Kinsey reported on the Diversity and Inclusion Commission and ADA Task Force.
8. PUBLIC COMMENTS
- Brian Byrd, Titan Development
 - James Weaver
 - Roberto Vasquez
9. CONSENT AGENDA ITEMS
- Mayor Snyder requested moving Item 9.3 out of consent, moving 11.8 to consent agenda, and moved Items 11.5 and 11.9 up in the agenda.*
- 11.5. Staff updates on park improvement projects. (Jeff White) *No action.*
- 11.9 Consideration and possible action on presentations by outside agencies not receiving funding in the Annual Budget for Fiscal Year 2021/2022. (Councilmember Villareal Salvo, Councilmember Gordon). *Tabled/No action taken.*
- 9.1. Consideration and possible action on approving the January 6, 2022, City Council meeting minutes.
- 9.2 Consideration and possible action on approving the January 20, 2022, City Council meeting minutes.
- 9.4 Consideration and possible action on Ordinance No. O-2022-004, amending Article 10.04, Fireworks, of the Code of Ordinances by removing the extraterritorial jurisdiction from the scope of the regulations, consistent with state law. (Second Reading) (Chief Jim Stuart, Legal).
- 9.5 Consideration and possible action on Ordinance No. O-2022-003 ordering a general election for the position of Mayor and Council places 3 and 6 to be held on May 7, 2022; providing for the publication and posting of notice; providing for early voting and election day voting; providing for performance of required administrative duties; making provisions for the conduct of such election; certifying provision of required accessible voting systems; and providing for other matters related to such election. (Second Reading) (Legal).

- 9.6 Consideration and possible action on Resolution No. R-2022-011 acknowledging the assignment of the Groundwater Lease dated September 14, 2004, between Verna M. and Adolph A. Grieger, Sr. and Heart of Texas Suppliers, LP, the City of Hutto's predecessor in interest, from Verna M. Grieger and Adolph A. Grieger to Randolph W. Thiem and Jeannette Thiem. (Legal)
- 11.8 Consideration and possible action on a Resolution No. R-2022-010 terminating the 380 Economic Development Agreement between the City of Hutto and Flix Brewhouse VI, LLC, alternatively declaring the 380 Economic Development Agreement between the City of Hutto and Flix Brewhouse VI, LLC void. (Legal - D. Palumbo)

Motion to approve was made by Councilmember Villarreal Salvo, seconded by Councilmember Holland. Motion passed 7, 0.

Discussion on pulled item:

- 9.3 Consideration and possible action on Ordinance No. O-2022-001 for the proposed Planned Unit Development (PUD) zoning request for the property known as NorthStar Hutto Planned Unit Development (PUD), 11.74 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is active adult 55+ multi-family use. (Second Reading) (Ashley Lumpkin).

Mayor Snyder requested a revision to this ordinance to include restrictive covenant language. Second reading tabled until revision is completed.

10. RESOLUTIONS

- 10.1. Consideration and possible action on resolution R-2022-008 accepting a petition for the creation of a public improvement district for the project known as The Estates of Hutto, calling a public hearing on the creation of a public improvement district, directing the mailing and publication of notice of a public hearing on the creation of a public improvement district, and matters related thereto. (Legal - D. Palumbo)

Councilmember Villarreal Salvo made the motion to approve Resolution No. R-2022-008, and Councilmember Gordon seconded. Motion passed 7,0.

11. OTHER BUSINESS

- 11.1. Consideration and possible action regarding possible appointments, reappointments 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.

Randel Clark, Chairman of Zoning Board of Adjustment, reported that there are two vacancies on the Board.

Councilmember Gordon of the Nominating Committee made the motion to appoint Lacy Ranson Hudson to the Diversity and Inclusion Commission, and Councilmember Holland seconded. Motion passed 7,0.

- 11.2. Presentation of the City Financials for the Month of December as well as the Monthly Investment Report as Required by the Fiscal and Budgetary Policy. (Angie Rios)

No action.

- 11.3. Presentation of Bond Review by BrooksWatson & Co., regarding review of bond expenditures related to the following debt issuances: 2016 General Obligation Bond, 2017 Certificates of Obligation, 2019 Certificates of Obligation, and 2019 General Obligation, with discussion and possible action. (Angie Rios). *No action.*

- 11.4. Presentation of Hutto's Development Trends. (Ashley Lumpkin) *No action.*

- 11.6. Update on Weather Winterization. (Padma Patla) *No action.*

- 11.7. Discussion regarding Texas State Technical College (TSTC) interlocal agreement and appointment of committee. (Isaac Turner)

Councilmember Thornton, Councilmember Kinsey and Councilmember Holland volunteered to sit on this committee.

- 11.10. Discussion and possible action to add a nomination process to Council Protocols. (Councilmember Thornton, Mayor Snyder)

City Council briefly discussed adding a nomination process to protocols to be discussed at a future meeting.

- 11.11. Consideration and possible action on appointing a Mayor Pro Tem in accordance with Section 3.05 of the City Charter.

Mayor Snyder called for nominations from each Councilmember:

Councilmember Sutton nominated Councilmember Holland

Councilmember Thornton – none

Councilmember Villarreal Salvo – none

Councilmember Gordon – none

Councilmember Kinsey nominated Councilmember Gordon

Councilmember Holland nominated Councilmember Thornton

Mayor Snyder nominated Councilmember Thornton

Mayor Snyder called for the Vote:

<i>Councilmember Holland:</i>	<i>Thornton</i>
<i>Councilmember Kinsey:</i>	<i>Gordon</i>
<i>Councilmember Gordon:</i>	<i>Gordon</i>
<i>Councilmember Villarreal Salvo:</i>	<i>Gordon</i>
<i>Councilmember Thornton:</i>	<i>Thornton</i>
<i>Councilmember Sutton:</i>	<i>Holland</i>
<i>Mayor Snyder:</i>	<i>Thornton</i>

Councilmember Sutton made the motion to approve Councilmember Thornton as the Mayor Pro Tem, and Councilmember Gordon seconded. Motion passed 5, 2.

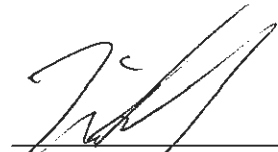
- 11.12 Presentation by Titan Development (Councilmember Villareal Salvo, Mayor Snyder)
Brian Byrd made a brief presentation to City Council. No action.
12. EXECUTIVE SESSION: *12:18 AM*
 - 12.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
 - 12.2. Deliberate pursuant to Texas Government Code Section 551.074 Personnel Matters – Organizational roles and responsibilities of the City Manager's Office.
 - 12.3. Pursuant to Texas Government Code Section 551.071 (Attorney Consultation) to deliberate and seek legal advice and deliberate pursuant to Texas Government Code Section 551.074 relating to the City Manager search process.
 - 12.4. Deliberate the purchase, exchange, sale, value or lease of real property pursuant to Texas Government Code Section 551.072 relating to real properties within the City of Hutto, Texas.
 - 12.5. Pursuant to Texas Government Code Section 551.071 (Attorney Consultation) to deliberate and seek the advice of its Legal Counsel regarding Subpoenas issued by Preston Hollow Capital, LLC in Preston Hollow Capital, LLC v. Nuveen, LLC et al. pending in the Superior Court of the State of Delaware and Longhorn Title Co. v. Preston Hollow Capital, LLC.
13. ACTION RELATIVE TO EXECUTIVE SESSION: *1:57 AM*
 - 13.1. 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.*

- 13.2 Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.074 Personnel Matters – organizational roles and responsibilities of the City Manager's Office. *No action taken.*
- 13.3 Consideration and possible action relating to legal advice received pursuant to Texas Government Code Section 551.071 (Attorney Consultation) and deliberations pursuant to Texas Government Code Section 551.074 relating to the City Manager search process. *No action taken.*
- 13.4 Consideration and possible action relating to the purchase, exchange, sale, value or lease of real property pursuant to Texas Government Code Section 551.072 relating to real properties within the City of Hutto, Texas. *No action taken.*
- 13.5 Consideration and possible action relating to legal advice pursuant to Texas Government Code Section 551.071 (Attorney Consultation) regarding Subpoenas issued by Preston Hollow Capital, LLC in Preston Hollow Capital, LLC v. Nuveen, LLC et al. pending in the Superior Court of the State of Delaware and Longhorn Title Co. v. Preston Hollow Capital, LLC. *No action taken.*
14. ADJOURNMENT: *1:59 AM*

ATTEST:


Angela Walton, Interim City Secretary




Mike Snyder, Mayor