



**CITY COUNCIL  
MEETING MINUTES  
SEPTEMBER 6, 2018**

*The Hutto City Council met in a regular session on Thursday, September 6, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.*

**CALL SESSION TO ORDER**

*Mayor Gaul called the session to order at 7:00 p.m.*

**ROLL CALL**

*Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Tim Jordan, Councilmember Patti Turner and Councilmember Terri Grimm. Councilmember Nathan Killough was absent.*

*Members of staff that were present were Odis Jones, City Manager; Helen Ramirez, Assistant City Manager; Byron Frankland, Chief of Police; Paul Hall, Assistant Chief of Police; Matt Rector, Executive Director of Public Works and Engineering; Eliska Padilla, Executive Director of Communications; Reena O'Brien, Director of Communications; Edena Atmore, Chief Financial Officer; James Bryson, Director of Finance; Ashley Lumpkin, Executive Director Business Development, Ashby Grundman, Director of City Planning; Jessica Bullock, Director of Economic Development; Allison Hosgood, Executive Director of Human Resources; Scot Stromsness, Executive Director of Community Services; Anthony Host, Director of Public Works and Construction; Suzanne Glass, Community Resource Officer; and Lisa Brown, City Secretary.*

**INVOCATION**

*The invocation was given by Pastor Fred B. Warren, Jr. – Little Ebenezer Baptist Church.*

**PLEDGE OF ALLEGIANCE**

*Mayor Gaul led the Pledge of Allegiance and the Texas Pledge.*

**PROCLAMATION**

*Mayor Gaul presented a proclamation to Officer Suzanne Glass proclaiming Tuesday, October 2, 2018 as National Night Out in Hutto.*

*Officer Glass remarked that the first meeting to organize National Night Out was held the evening before and there were 17 neighborhoods participating this year.*

## OFFICIAL PROCLAMATION

**WHEREAS**, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on October 2, 2018 entitled “National Night Out”; and

**WHEREAS**, the “35<sup>th</sup> Annual National Night Out” provides a unique opportunity for the City of Hutto to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

**WHEREAS**, the citizens of Hutto play a vital role in assisting the Hutto Police Department through joint crime, drug and violence prevention efforts in the City of Hutto and is supporting “National Night Out 2018” locally; and

**WHEREAS**, it is essential that all citizens of Hutto be aware of the importance of crime prevention programs and the impact their participation can have on reducing crime, drugs, and violence in Hutto; and

**WHEREAS**, police-community partnerships, neighborhood safety, awareness, and cooperation are important themes of the “National Night Out” program;

**NOW THEREFORE, I, DOUG GAUL**, Mayor of the City of Hutto do hereby call upon all citizens of Hutto to join the Hutto Police Department and the National Association of Town Watch in supporting the “35<sup>th</sup> Annual National Night Out” on October 2<sup>nd</sup>, 2018;

**FURTHER, LET IT BE RESOLVED THAT, I, MAYOR DOUG GAUL**, do hereby proclaim Tuesday, October 2<sup>nd</sup>, 2018 as “National Night Out” in Hutto.

**PROCLAIMED** this 6th day of September, 2018

### **CITY COUNCIL COMMENTS**

*There were no comments from Council.*

### **PUBLIC COMMENT**

*Todd Milster – 105 Paddington Way – wanted to express his concern to the Council about drivers speeding and running the stop sign at Decker and Paddington Way and endangering the children and adults who may be walking or playing in or near the cul-de-sac.*

*Mr. Jones requested Matt Rector address the situation.*

## **CONSENT AGENDA**

**Motion:** Councilmember Grimm made a motion to pull Item 8B from the Consent Agenda. Mayor Pro-tem Hines seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Tim Jordan  
Councilmember Patti Turner  
Councilmember Terri Grimm  
Absent Council Member Nate Killough

**Action:** The motion passed 6 ayes, and 0 nays

**Motion:** Mayor Pro-tem Hines made a motion to pull Item 8C from the Consent Agenda. Councilmember Rose seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Tim Jordan  
Councilmember Patti Turner  
Councilmember Terri Grimm  
Absent Council Member Nate Killough

**Action:** The motion passed 6 ayes, and 0 nays

8A. Consideration and possible action approving the minutes of the August 9, 2018 Special Called City Council Meeting, August 16, 2018 Regular City Council Meeting, August 23, 2018 Special Called City Council Meeting, and Amended Minutes for the May 17, 2018 Regular City Council Meeting.

8D. Consideration and possible action on a resolution authorizing the City Manager to enter into a purchase agreement for a pavement striper.

8E. Consideration and possible action on a resolution authorizing the City Manager to delay the project and terminate contracts for the design and construction of the Limmer Loop Sidewalk as part of the Transportation Alternatives Program.

**Motion:** Councilmember Rose made a motion to approve Items 8A, 8D and 8E on the Consent Agenda. Mayor Pro-tem Hines seconded the motion.

**Vote:** Ayes Mayor Doug Gaul

Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Tim Jordan  
Councilmember Patti Turner  
Councilmember Terri Grimm  
Absent Council Member Nate Killough

**Action:** The motion passed 6 ayes, and 0 nays

- 8C. Consideration and possible action on the second and final reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter 2 Section 10.202: Definitions, Chapter 3 Sections 10.304.9: Temporary Uses and 10.310: Temporary Uses, and Chapter 4 Section 10.403.5: Setback encroachments and exceptions.

*Ashby Grundman, Director of City Planning, presented the ordinance with the amendments from the previous meetings. Councilmember Grimm requested clarification regarding the language in Section 10.310.53 where it mentions streets in the historic district overlay that about the Co-Op District that no longer exists. It was suggested that portion of the sentence be removed.*

**Motion:** Mayor Pro-tem Hines made a motion to approve the ordinance with the amendments as stated. Councilmember Rose seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Tim Jordan  
Councilmember Patti Turner  
Councilmember Terri Grimm  
Absent Council Member Nate Killough

**Action:** The motion passed 6 ayes, and 0 nays

- 8B. Consideration and possible action on a resolution approving the proposed City of Hutto and Williamson County Interlocal Agreement on Subdivision Platting in the Extraterritorial Jurisdiction.

*Ashley Lumpkin, Executive Director of Development Services, advised the Council that the City would like to take the lead on the Plat review process for project in the City's ETJ. It recently came to Mrs. Lumpkin's attention that several plats that were submitted to the County for review and comment were approved without being forwarded to the City for review first. In one instance the project was approved to use a septic system instead of being required to connect to the City's wastewater system.*

*Mayor Pro-tem Hines wanted to know the County's position on the agreement and was informed the Commissioners' Court has been provided with a draft but has not responded with any comments*

*Mr. Jones remarked that the County has not been notifying the City when plats are filed with them first and it is creating a difficult situation for the City. The County is not living up to the spirit of the agreement.*

*Councilman Jordan and Mayor Gaul wanted to know if we take control of the process would the County have overriding authority. Mrs. Lumpkin stated yes, but the County does have the ability to comment.*

**Motion:** Councilmember Grimm made a motion to approve the resolution approving the proposed interlocal agreement. Councilmember Turner seconded the motion.

**Vote:**

|        |                                                                                                                                                               |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ayes   | Mayor Doug Gaul<br>Mayor Pro-tem Tom Hines<br>Councilmember Scott Rose<br>Councilmember Tim Jordan<br>Councilmember Patti Turner<br>Councilmember Terri Grimm |
| Absent | Council Member Nate Killough                                                                                                                                  |

**Action:** The motion passed 6 ayes, and 0 nays

## **REGULAR AGENDA ITEMS**

### **ORDINANCES**

- 9A. Consideration and possible action on the first reading of an ordinance approving a Specific Use Permit for 6081 FM 1660 North, to allow a car wash in the B-2 (General Commercial) zoning district.

*Mr. Grundman, presented the project for a car wash at the corner of Limmer Loop and FM 1660 North that had previously been brought before Council where there were concerns expressed about whether or not TxDot would need a right-of-way when they fixed the intersection.*

*Matt Rector, Executive Director of Engineering & Public Works addressed the Council and advised the Council the parties have worked out a solution.*

**Motion:** Mayor Pro-tem made a motion to approve the ordinance as written. Councilmember Turner seconded the motion.

Vote:       Ayes       Mayor Doug Gaul  
                              Mayor Pro-tem Tom Hines  
                              Councilmember Scott Rose  
                              Councilmember Patti Turner  
                              Councilmember Terri Grimm  
              Nays       Councilmember Tim Jordan  
  
              Absent     Council Member Nate Killough

Action:       The motion passed 5 ayes, and 1 nays

9B.   Consideration and possible action on the first reading of an ordinance concerning the first amendment to the Fiscal Year 2018 Budget of the Hutto Economic Development Corporation - Type A.

Motion:       Mayor Pro-tem Hines made a motion to accept the ordinance as written.  
                              Councilmember Grimm seconded the motion.

Vote:       Ayes       Mayor Doug Gaul  
                              Mayor Pro-tem Tom Hines  
                              Councilmember Scott Rose  
                              Councilmember Tim Jordan  
                              Councilmember Patti Turner  
                              Councilmember Terri Grimm  
              Absent     Council Member Nate Killough

Action:       The motion passed 6 ayes, and 0 nays

9C.   Consideration of a public hearing and possible action on the first reading of an ordinance concerning the first amendment to the Fiscal Year 2018 Budget of the Hutto Economic Development Corporation - Type B.

*A public hearing was opened at 7:30 p.m. and with no public comment the hearing was closed at 7:30 p.m.*

Motion:       Mayor Pro-tem Hines made a motion to accept the ordinance as written.  
                              Councilmember Rose seconded the motion.

Vote:       Ayes       Mayor Doug Gaul  
                              Mayor Pro-tem Tom Hines  
                              Councilmember Scott Rose  
                              Councilmember Tim Jordan  
                              Councilmember Patti Turner  
                              Councilmember Terri Grimm  
              Absent     Council Member Nate Killough

Action: The motion passed 6 ayes, and 0 nays

9D. Consideration of a public hearing and possible action on the first reading of an ordinance concerning the adoption of the Hutto Economic Development Corporation - Type A Fiscal Year 2018-19 Budget.

*James Bryson, presented the ordinance for Hutto Economic Development Corporation Type A Board budget for 2018-19 to Council for comment.*

*A public hearing was opened at 7:31 p.m. and with no public comment the hearing was closed at 7:32 p.m.*

Motion: Mayor Pro-tem Hines made a motion to accept the ordinance as written. Councilmember Grimm seconded the motion.

Vote: Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Tim Jordan  
Councilmember Patti Turner  
Councilmember Terri Grimm  
Absent Council Member Nate Killough

Action: The motion passed 6 ayes, and 0 nays

9E. Consideration of a public hearing and possible action on the first reading of an ordinance concerning the adoption of the Hutto Economic Development Corporation - Type B Fiscal Year 2018-19 Budget.

*Mr. Bryson, presented the amended budget for 2018 to Council for comment.*

*A public hearing was opened at 7:33 p.m., and with no public comment the hearing was closed at 7:34 p.m.*

Motion: Councilmember Rose made a motion to accept the ordinance as written. Councilmember Grimm seconded the motion.

Vote: Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Tim Jordan  
Councilmember Patti Turner  
Councilmember Terri Grimm

Absent Council Member Nate Killough

**Action:** The motion passed 6 ayes, and 0 nays

9F. Consideration of and possible action on the second reading of an ordinance of the City of Hutto, Texas amending the fiscal year 2017-2018 budget to beginning fund balances to audited amounts, organizational restructure, merit distributions and other miscellaneous adjustments.

*Mr. Bryson, presented the amended budget for 2018 to Council for comment.*

**Motion:** Mayor Pro-tem Hines made a motion to approve the ordinance as presented. Councilmember Jordan seconded the motion.

**Vote:**

|        |                              |
|--------|------------------------------|
| Ayes   | Mayor Doug Gaul              |
|        | Mayor Pro-tem Tom Hines      |
|        | Councilmember Scott Rose     |
|        | Councilmember Tim Jordan     |
|        | Councilmember Patti Turner   |
|        | Councilmember Terri Grimm    |
| Absent | Council Member Nate Killough |

**Action:** The motion passed 6 ayes, and 0 nays

9G. Consideration of a public hearing and possible action on the first reading of an ordinance levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2018-2019.

*Mr. Bryson presented the ordinance for the Fiscal Year 2018-2019 Budget to the Council setting the tax rate at .515171, the same as last year.*

*A public hearing was opened at 7:37 p.m., and there being no public comment, the hearing was closed at 7:37 p.m.*

**Motion:** Mayor Pro-tem Hines made a motion to accept the first reading of the ordinance levying Ad Valorem taxes for the use and support of the municipal government for the City of Hutto for the Tax Year 2018-2019. Councilmember Jordan seconded the motion.

**Vote:**

|      |                            |
|------|----------------------------|
| Ayes | Mayor Doug Gaul            |
|      | Mayor Pro-tem Tom Hines    |
|      | Councilmember Scott Rose   |
|      | Councilmember Tim Jordan   |
|      | Councilmember Patti Turner |

Councilmember Terri Grimm  
Absent Council Member Nate Killough

**Action:** The motion passed 6 ayes, and 0 nays

9H. Consideration of a public hearing and possible action on the first reading of an ordinance ratifying an Ad Valorem tax increase for the 2018-19 Fiscal Year for the use and support of the municipal government for the City of Hutto for the Tax Year 2018.

*Mr. Bryson presented an ordinance to the Council ratifying the Ad Valorem tax increase for the Fiscal Year 2018-19.*

*A public hearing was opened at 7:40 p.m., and there being no public comment, the hearing was closed at 7:40 p.m.*

**Motion:** Councilmember Jordan made a motion to accept the first reading of the ordinance ratifying an Ad Valorem tax increase for the 2018-19 Fiscal Year for the use and support of the municipal government for the City of Hutto for the Tax Year 2018. Mayor Pro-tem seconded the motion.

**Vote:**

|        |                              |
|--------|------------------------------|
| Ayes   | Mayor Doug Gaul              |
|        | Mayor Pro-tem Tom Hines      |
|        | Councilmember Scott Rose     |
|        | Councilmember Tim Jordan     |
|        | Councilmember Patti Turner   |
|        | Councilmember Terri Grimm    |
| Absent | Council Member Nate Killough |

**Action:** The motion passed 6 ayes, and 0 nays.

9I. Consideration of a public hearing regarding the proposed Fiscal Year 2018-19 Budget and possible action on the first reading of an ordinance making appropriations for the support of the City of Hutto for Fiscal Year October 1, 2018 through September 30, 2019, and adopting the annual budget of the City of Hutto for the Fiscal Year 2018-19.

*Mr. Bryson presented an ordinance regarding the proposed Fiscal Year 2018-19 Budget.*

*A public hearing was opened at 7:43 p.m., and there being no public comment, the hearing was closed at 7:44 p.m.*

**Motion:** Mayor Pro-tem Hines made a motion to accept the first reading of the ordinance making appropriations for the support of the City of Hutto for Fiscal Year October 1, 2018 through September 30, 2019, and adopting the annual budget

of the City of Hutto for the Fiscal Year 2018-19. Councilmember Jordan seconded the motion.

**Vote:**

|        |                                                                                                                                                               |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ayes   | Mayor Doug Gaul<br>Mayor Pro-tem Tom Hines<br>Councilmember Scott Rose<br>Councilmember Tim Jordan<br>Councilmember Patti Turner<br>Councilmember Terri Grimm |
| Absent | Council Member Nate Killough                                                                                                                                  |

**Action:** The motion passed 6 ayes, and 0 nays

- 9J. Consideration of a public hearing and possible action regarding an ordinance of the City Council of the City of Hutto, Texas accepting and approving a service and assessment plan and assessment roll for Hutto Co-Op Public Improvement District; making a finding of special benefit to the property in the master improvement area of the district; levying special assessments against property within the district and establishing a lien on such property; providing for the method of assessment and the payment of the special assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date.

*A public hearing was opened at 7:45 p.m., and there being no public comment, the hearing was closed at 7:45 p.m.*

- 9K. Consideration of a public hearing and possible action regarding an ordinance relating to development of the Co-Op District in the City of Hutto, Texas including dedicating a portion of ad valorem taxes collected on property located within Reinvestment Zone No. 1, City of Hutto, Texas; approving a loan agreement in connection with financing of projects within the Reinvestment Zone No. 1; authorizing the city manager to enter into a Public Improvement District administrative services agreement for Reinvestment Zone No. 1; approving the City of Hutto Economic Development Corporation Type B dedication of a portion of sales tax collected by the corporation to the Reinvestment Zone no. 1; approving a financing plan for the tax increment Reinvestment Zone No. 1 for the Co-Op District; and authorizing the city manager to enter into certain agreements relating to the Reinvestment Zone No. 1 and to approve amendments to those agreements.

*A public hearing was opened at 7:46 p.m., and there being no public comment, the hearing was closed at 7:46 p.m.*

*The Council recessed at 7:46 p.m. to an Executive Session as authorized by Texas Government Code, Section 551.71, consultation with attorney to discuss Items 9J and 9K. The meeting was reconvened at 8:13 p.m.*

**9J Motion:** Councilmember Rose made a motion to accept the first reading of the ordinance accepting and approving a service and assessment plan and assessment roll for Hutto Co-Op Public Improvement District; making a finding of special benefit to the property in the master improvement area of the district; levying special assessments against property within the district and establishing a lien on such property; providing for the method of assessment and the payment of the special assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date. Councilmember Jordan seconded the motion.

**Vote:**

|        |                                                                                                                                                               |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ayes   | Mayor Doug Gaul<br>Mayor Pro-tem Tom Hines<br>Councilmember Scott Rose<br>Councilmember Tim Jordan<br>Councilmember Patti Turner<br>Councilmember Terri Grimm |
| Absent | Council Member Nate Killough                                                                                                                                  |

**Action:** The motion passed 6 ayes, and 0 nays

**9K Motion:** Mayor Pro-tem Hines made a motion to accept the first reading of the ordinance relating to development of the Co-Op District in the City of Hutto, Texas including dedicating a portion of ad valorem taxes collected on property located within Reinvestment Zone No. 1, City of Hutto, Texas; approving a loan agreement in connection with financing of projects within the Reinvestment Zone No. 1; authorizing the city manager to enter into a Public Improvement District administrative services agreement for Reinvestment Zone No. 1; approving the City of Hutto Economic Development Corporation Type B dedication of a portion of sales tax collected by the corporation to the Reinvestment Zone no. 1; approving a financing plan for the tax increment Reinvestment Zone No. 1 for the Co-Op District; and authorizing the city manager to enter into certain agreements relating to the Reinvestment Zone No. 1 and to approve amendments to those agreements. Councilmember Rose seconded the motion.

**Vote:**

|        |                                                                                                                                                               |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ayes   | Mayor Doug Gaul<br>Mayor Pro-tem Tom Hines<br>Councilmember Scott Rose<br>Councilmember Tim Jordan<br>Councilmember Patti Turner<br>Councilmember Terri Grimm |
| Absent | Council Member Nate Killough                                                                                                                                  |

**Action:** The motion passed 6 ayes, and 0 nays

## **RESOLUTIONS**

10A. Consideration and possible action on a resolution approving the proposed Hutto Annexation Policy and Program Plan 2018-2020.

*Jessica Romigh, Chair of the Planning and Zoning Commission advised the Council that the Commission reviewed the plan and voted to 7-0 to recommend the annexation policy. The Commission would also like to have at least one work session to review the plan and discuss the direction of the City.*

*Councilmember Jordan asked if they wanted a work session with Council – Yes, but to also have one where the Commission can learn more about SB6 and the growth corridors.*

*Ashley Lumpkin remarked that 3 of the commissioners are attending the State conference where SB6 and the changes in annexation in the State. Ms. Lumpkin also provided an overview of the proposed annexation policy and how it will benefit those in the ETJ and will allow the City to better plan its growth.*

*Councilmember Grimm remarked that this was really good to have this policy going forward.*

**Motion:** Mayor Pro-tem Hines made a motion to approve the resolution approving the Hutto Annexation Policy and Program Plan for 2018-2020. Councilmember Grimm seconded the resolution.

**Vote:**

|        |                              |
|--------|------------------------------|
| Ayes   | Mayor Doug Gaul              |
|        | Mayor Pro-tem Tom Hines      |
|        | Councilmember Scott Rose     |
|        | Councilmember Tim Jordan     |
|        | Councilmember Patti Turner   |
|        | Councilmember Terri Grimm    |
| Absent | Council Member Nate Killough |

**Action:** The motion passed 6 ayes, and 0 nays.

10B. Consideration and possible action regarding authorization of the formation of a special purpose corporation to assist the City with development and financing of improvements to benefit citizens of the City and approval of the bylaws related to the corporation.

*Bill Bingham, City Attorney, presented a resolution for the formation of a financial mechanism to fund the infrastructure in the Co-Op. A mechanism for the developer to pay for the utilities at the Co-Op.*

*Councilmember Grimm wanted more information on the River Creek Corporation. She wanted to know how we got here with so little conversation by the Council.*

*Mr. Bingham remarked that this mechanism was recommended by the City's financial advisors and tax counsel as a way for the developer to finance the project. It is very similar to what was discussed with the Council in the past just in a little bit different structure. It will be useful for other projects in the future.*

*Councilmember Grimm wanted to know how we already have bylaws and 3 Board of Directors. She stated she has never discussed this here or in executive session.*

*Mr. Jones replied that it was a recommendation from tax counsel.*

*Councilmember Grimm remarked that if the Council approves it those directors will be set in place, yes or no?*

*Councilmember Jordan stated that if the Council approves it yes, but it's just a recommendation and we're here to discuss it.*

*Councilmember Grimm wanted to know how it is she is just now finding out about the corporation.*

*Mr. Jones stated that we [the Council and staff] have been discussing this transaction for a year and a half and the Council has taken 5 actions to date. This item is being proposed to allow the City to have more flexibility, in not only financing, but to structure it in a way that the City is not financially on the hook and it also provides an avenue for the City to do future deals as well. This is a basic corporation. In order to propose this to the Council corporation documents had to be filed. Mr. Jones suggested the three board members, but if the council so chooses they can appoint different board members. Also, the County has delayed the project by some of their actions and this action is on schedule to close with the bonds. If we cannot close on the bonds then the project will have to come to a halt because we cannot pay for or finance the remaining infrastructure.*

*Councilmember Grimm has no problem with the corporation. She believes it is a good idea, but does not believe that it is a good idea to have three council members as the board of directors starting out. She does not agree with the three council members on the board. Has not had enough time to go over the bylaws.*

*Mayor Pro-tem Hines believes the board members can go over the bylaws and make any necessary changes at a later time. Questioned if the recommendation of council members as board members came from the tax counsel?*

*Mr. Jones stated he randomly picked three council members, but was advised by tax counsel that they should be council members.*

*Mr. Bingham stated that they need to be Council members but there must be a minimum of three directors.*

*Councilmember Grimm wanted to know where is the line for conflict of interest? How is having council members on the board not a conflict of interest?*

*Mr. Jones stated there is no conflict – Councilmember Jordan sits on the EDC Board and Councilmember Killough sits on the TIRZ Board. At the end of the day, whatever action is taken by the board still has to be ratified by the Council.*

*Councilmember Grimm stated that she did not agree with a councilmember sitting on the TIRZ Board.*

*The statute permits and it is the advice of counsel that councilmembers be appointed as directors of the board.*

*Mr. Bingham stated it is set up under the Texas Transportation Code which gives authority, states service as a board member of this local government corporation is not a conflict with a public servant serving in another capacity such as the City Council.*

*Councilmember Grimm still needs more time to read the bylaws and does not agree with councilmembers sitting on the board.*

*Councilmember Jordan asked who should sit on the board. Councilmember Grimm does not know but thinks the Council should talk about it some more. It is not a decision they can just sit up there and make. We don't go through the applications for other boards and just throw them up there.*

*Councilmember Jordan believes this is different than other boards. Its taking money from the PID money that's being taken in same as the TIRZ Board Money being taken in for a specific reasons Corp allows you to do bonds and advance financing and pay it back.. This is just a shell.*

*Mr. Jones stated this is a sub-board to the Council and will operate the same as the EDC does.*

*Councilmember Grimm remarked we don't have any other board except the EDC until just recently that has a council member appointed.*

*Councilmember Jordan stated we don't have any other board that has a check book and that's the difference.*

*Councilmember Grimm stated doesn't have a problem with a councilmember on the board, what she has a problem with is all three directors being council members. She would like to see the law that says they must be council members.*

*Mr. Bingham remarked the law says you must have 3 board directors and 3 incorporators. The council has control of the bylaws*

*Mr. Jones Council can always decide later that if they want to change the directors later they can. The reason he is recommending this now is to keep the project on schedule. There are tenants that are listening and people that have pledged to invest hundreds of millions of dollars towards this project.*

*Councilmember Jordan stated we have had boards and commissions on our agenda for the last three months and we can't even fill those positions, he doesn't know where we would find seven people to fill this board. We can't sit around and wait on insignificant stuff like this.*

**Motion:** Mayor Pro-tem Hines made a motion authorization of the formation of a special purpose corporation to assist the City with development and financing of improvements to benefit citizens of the City and approval of the bylaws related to the corporation. Councilmember Jordan seconded the motion

|                     |         |                                                                                                                                  |
|---------------------|---------|----------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Vote:</u></b> | Ayes    | Mayor Doug Gaul<br>Mayor Pro-tem Tom Hines<br>Councilmember Scott Rose<br>Councilmember Tim Jordan<br>Councilmember Patti Turner |
|                     | Abstain | Councilmember Terri Grimm                                                                                                        |
|                     | Absent  | Council Member Nate Killough                                                                                                     |

**Action:** The motion passed 5 ayes, and 0 nays, 1 abstention

## **OTHER BUSINESS**

### **11A. Discussion on and consideration of a Boards, Commissions and Committee Handbook.**

*Lisa Brown, City Secretary, presented a proposed handbook for the Council to consider presenting to the boards and commissions that outlines their responsibilities and policy and procedures.*

*Mayor Pro-tem Hines wanted to thank Ms. Brown and Eliska Padilla for all their work on in putting this together. He believes this is something that has been needed for a long time. It has a lot of good information for newer members.*

*Mayor Gaul echoed the Mayor Pro-tem's comments. He asked the Council to review the handbook and if they had any recommendations or changes that they send them to Ms. Brown.*

*The handbook will be on the agenda on the 20<sup>th</sup> again and hopefully it can be presented to the board and commission members at the joint meeting on September 22.*

11B. Consideration and possible action regarding appointments of new members to the Boards and Commissions.

Motion: Councilmember Grimm made a motion to amend the term of Rose McMillian on the Parks Advisory Board to end in June 2019. Councilmember Jordan seconded the amendment.

Vote:      Ayes      Mayor Doug Gaul  
                 Mayor Pro-tem Tom Hines  
                 Councilmember Scott Rose  
                 Councilmember Tim Jordan  
                 Councilmember Patti Turner  
                 Councilmember Terri Grimm  
         Absent      Council Member Nate Killough

Action:      The motion passed 6 ayes, and 0 nays.

Motion: Councilmember Grimm made a motion to amend the term of Patricia Elsasser on the Library Advisory Board to end in June 2019. Mayor Pro-tem Hines seconded the amendment.

Vote:      Ayes      Mayor Doug Gaul  
                 Mayor Pro-tem Tom Hines  
                 Councilmember Scott Rose  
                 Councilmember Tim Jordan  
                 Councilmember Patti Turner  
                 Councilmember Terri Grimm  
         Absent      Council Member Nate Killough

Action:      The motion passed 6 ayes, and 0 nays.

Motion: Councilmember Grimm made a motion to amend the term of Maureen Rooker on the Building & Standards Commission to end in June 2019. Mayor Pro-tem Hines seconded the amendment.

Vote:      Ayes      Mayor Doug Gaul  
                 Mayor Pro-tem Tom Hines  
                 Councilmember Scott Rose  
                 Councilmember Tim Jordan  
                 Councilmember Patti Turner  
                 Councilmember Terri Grimm  
         Absent      Council Member Nate Killough

Action: The motion passed 6 ayes, and 0 nays.

*Councilmember Jordan asked if the Council could do all the amendment of terms by one motion.*

*Discussion ensued on the proper procedure on how to amend all the existing terms in one motion.*

*The Council adjourned to executive session at 11:07 p.m. and reconvened at 12:14 a.m.*

### **EXECUTIVE SESSION**

12A. Executive Session, as authorized by Texas Government Code Section 551.071, consultation with attorney on the proposed mediation settlement agreement regarding the CCN.

12B. Executive Session, as authorized by Texas Government Code, Section 551.087, Deliberations regarding Economic Development pertaining to Project Music Play.

12C. Executive Session, as authorized by Texas Government Code Section 551.087, deliberations regarding Economic Development, as it relates to Project Butterfly

*No action was taken in Executive Session.*

### **ACTION RELATIVE TO EXECUTIVE SESSION:**

13A. Consideration and possible action on the proposed mediation settlement agreement on the CCN.

Motion: Mayor Pro-tem Hines made a motion to authorize the City Attorney or the City Manager to execute a mediation settlement agreement regarding the CCN. Councilmember Grimm seconded the

Vote:

|        |                              |
|--------|------------------------------|
| Ayes   | Mayor Doug Gaul              |
|        | Mayor Pro-tem Tom Hines      |
|        | Councilmember Scott Rose     |
|        | Councilmember Tim Jordan     |
|        | Councilmember Patti Turner   |
|        | Councilmember Terri Grimm    |
| Absent | Council Member Nate Killough |

Action: The motion passed 6 ayes, and 0 nays.

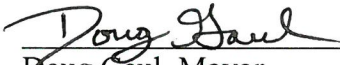
13B. Consideration and possible action relating to Project Butterfly.

*No action*

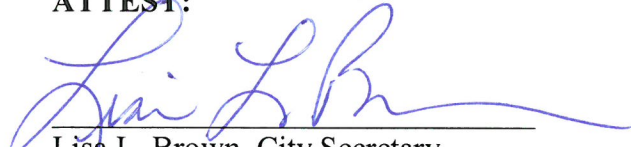
**ADJOURNMENT**

*There being no further business to be heard, the meeting was adjourned at 9:59 p.m.*

**CITY OF HUTTO**

  
\_\_\_\_\_  
Doug Gaul, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Lisa L. Brown, City Secretary