



City of Hutto

Agenda

City Council Meeting

Thursday, August 17, 2023 at 7:00 PM

City Council Chambers

Hutto City Hall

500 W. Live Oak Street

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. 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 August 17, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

7. PRESENTATIONS

- 7.1. Emergency Preparedness Task Force Presentation (Tom Quoma)

8. PUBLIC HEARINGS AND RELATED ACTION

- 8.1. Conduct a public hearing and possible action on FY 2024 Proposed Budget that is posted on the City website (James Earp)
- 8.2. Consideration and possible action on Resolution No. R-2023-176 calling and setting up a public hearing on September 7, 2023, at 7:00 PM on the proposed tax rate for fiscal year 2023-2024 and determining the proposed tax rate to be included in the hearing notice (Anne LaMere)

9. BOARDS AND COMMISSIONS ACTION

- 9.1. 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

- 9.2. Consideration and possible action regarding Emergency Preparedness Task Force (Mayor Mike Snyder)

10. ORDINANCES

- 10.1. Consideration and possible action on Ordinance No. O-2023-057 amending the Hutto Code of Ordinances, Appendix A, Fee schedule, Article A1.000 Development services, engineering and construction, Sec. A1.003, Subdivision fees and A.1005, Site plan fees (First Reading) (Matt Rector)
- 10.2. Consideration and possible action on Ordinance No. O-2023-058 creating a Street Maintenance Fee (Matt Rector)

a. Consideration and possible action dispensing with Second Reading pursuant to Section 3.13 of the Hutto City Charter.

11. OTHER BUSINESS

- 11.1. Consideration and possible action to adopt a formal process for annual and semiannual reviews of the City Manager (Councilmember Peter Gordon)
- 11.2. Discussion and possible action on putting on the website Council/staff financial statements and/or campaign finance items (Mayor Snyder)
- 11.3. Consideration and possible action relating to request to the County Attorney for the submittal of a Request for Opinion to the Texas Attorney General on behalf of the City of Hutto regarding whether the term “written verification” as used in three Government Code sections, Section 2271.002 (no boycotting Israel), Section 2276.002 (no boycotting energy companies), and Section 2274.002 (no discriminating against firearm entities or firearm trade associations) respecting government contracts for goods or services require a verification under oath or only a statement in writing (Legal)

12. CONSENT AGENDA ITEMS

- 12.1. Consideration and possible action relating to Resolution No. R-2023-111 approving the Interlocal Agreement between the City of Taylor, the City of Hutto and Williamson County for the construction of Wastewater Facilities (CIP Project WW11 SE Loop WW Interceptor) with a request for funding provided by Williamson County's authorization of American Rescue Plan Act funding in the amount of Ten Million Dollars, (\$10,000,000.00) and authorizing the Mayor to execute the Interlocal Agreement (James Earp)
- 12.2. Consideration and possible action relating to Resolution No. R-2023-144 of the City of Hutto, Texas, approving a Subrecipient Agreement between Williamson County and the City of Hutto in the amount of up to \$10 million dollars for the SE Loop Wastewater Interceptor project (Legal)
- 12.3. Consideration and possible action on Ordinance No. O-2023-055 amending the Budget for the Fiscal Year of October 1, 2022 through September 30, 2023 for Water Reservation and Solid Waste budget amendment (First Reading) (Anne LaMere)
- 12.4. Consideration and possible action on Resolution No. R-2023-184 authorizing the City Manager to execute an agreement with Archer Western for Construction Manager At Risk (CMAR) services associated with the South Wastewater Treatment Plant (S WWTP) expansion to 6.0 MGD in the amount of \$1,175,133 (CIP WW-06) (Matt Rector)
- 12.5. Consideration and possible action relating to Resolution No. R-2023-188 of the City of Hutto, Texas, authorizing the City Manager to execute a change order with Aaron

Concrete Contractors LP in the amount of \$111,771.54 related to the FM 1660 and US 79 turn lane project (CIP T-01) (Matt Rector)

- 12.6. Consideration and possible action on Resolution No. R-2023-189 awarding a contract to Nyle Maxwell Taylor Dealership in an amount not to exceed \$90,000, from approved FY23 vehicles budget, to purchase used vehicles (Jeffrey Yarborough)
- 12.7. Consideration and possible action on Resolution No. R-2023-183 authorizing the City Manager to execute a Benefits Package with Blue Cross and Blue Shield of Texas for Fiscal Year 2024 (Irene Talioaga)
- 12.8. Consideration and possible action on Ordinance No. O-2023-053 repealing curfews due to new state legislation (Chief Jeffrey Yarbrough)

a. Consideration and possible action dispensing with Second Reading pursuant to Section 3.13 of the Hutto City Charter

- 12.9. Consideration and possible action on Ordinance No. O-2023-056 approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2023 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the Company to reimburse ACSC's reasonable rate making expenses (First Reading) (Legal)
- 12.10. Consideration and possible action accepting the July Financial Statements (Anne LaMere)
- 12.11. Consideration and possible action on approving the August 3, 2023 Work Session and August 3, 2023 City Council meeting minutes (Angela Lewis)
- 12.12. Consideration and possible action on Resolution No. R-2023-154 finding that Hutto City Charter Subsection 3.04 (b) is unenforceable against a state employee serving as a council member and such council member must decline per meeting compensation per Attorney General Opinion AC-0001 (Legal)

a. Consideration and possible action waiving the Attorney/Client Privilege and authorizing release of the legal memorandum, affected councilmembers' state job description, and Attorney General Opinion No. KC-0211

- 12.13. Consideration and possible action relating to Ordinance No. O-2023-054 amending Article 1.02, Division 2 meetings, Section 1.02.033, Additional Meetings, of the Hutto Code of Ordinances to authorize the rescheduling or adding regular meetings to be held on the second and fourth Thursday because of school holidays, council approved holidays, educational conferences or because of state law or Hutto City Charter requirements (Legal)

a. Consideration and possible action dispensing with Second Reading pursuant to Section 3.13 of the Hutto City Charter

- 12.14. Consideration and possible action on Ordinance No. O-2023-046 amending the City Rate Schedule to include fees associated with the Stormwater Management Program (Second Reading) (Matt Rector)

- 12.15. Consideration and possible action approving Ordinance No. O-2023-050 amending Article 14.07, Discrimination, of the Hutto Code of Ordinances to prohibit discrimination based on gender identity or sexual orientation (Second Reading) (Councilmember Dan Thornton and Mayor Pro Tem Peter Gordon)

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 Section 551.071 (Consultation with Attorney) related to Resolution No. R-2023-186 authorizing the City Manager to execute the First Amendment to the Second Amended and Restated Development Agreement for Durango Farms between MA Partners, LLC, and the City of Hutto, Texas
- 13.2. Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) and deliberate as allowed by Texas Government Code Section 551.087 (Deliberation Regarding Economic Development Negotiations) relating to Resolution No. R-2023-190 providing for the waiver of or reduction of development fees relating to Project 1101
- 13.3. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to reconsideration of Resolution No. R- 2023-181 authorizing the city manager to negotiate and execute a groundwater reservation or similar agreement for a contract for the wholesale delivery and sale of potable water with Recharge Water, L.P.
- 13.4. Receive legal advice pursuant to Texas Government Code Sec. 551.071 relating to Resolution No. R-2023-185 of the City of Hutto, Texas authorizing the Amended and Restated Interlocal Agreement between the City of Hutto, Texas and the Williamson County Emergency Services District No. 3 (Legal)
- 13.5. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests.

14. ACTION RELATIVE TO EXECUTIVE SESSION

- 14.1. Consideration and possible action on Executive Session Agenda Items

15. 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.

15.1. General Comments from City Council

15.2. Future Agenda Items

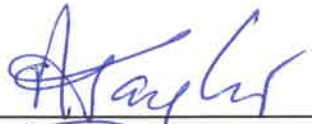
15.3. Future Additional or Rescheduled meetings as allowed by Hutto City Code Section 1.02.033 Additional or Rescheduled Meetings

16. ADJOURNMENT

17. CERTIFICATION

I certify that this notice of the August 17, 2023 Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on August 14, 2023 before 6:00 P.M.




Amanda Taylor

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