



City of Hutto

MINUTES

City Council Meeting

Thursday, January 4, 2024 at 7:00 PM

City Council Chambers

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 www.huttotx.gov

1. CALL SESSION TO ORDER: 7:00 PM

2. ROLL CALL

Members of City Council present: Mayor Mike Snyder, Mayor Pro Tem Peter Gordon, Councilmember Brian Thompson, Councilmember Dan Thornton, Councilmember Randal Clark, Councilmember Dana Wilcott, Councilmember Amberley Kolar

Absent:

Members of staff that were present were James Earp, City Manager; Matt Wojnowski, Assistant City Manager; Dottie Palumbo, Legal Counsel; Ashley Bailey, Executive Director of Development Services; Kate Moriarty, Management Analyst; Matt Rector, City Engineer; Cheney Gamboa, Director of Economic Development; Amanda Taylor, Assistant City Secretary; Anne LaMere, Interim Finance Director; Alberta Barrett, Finance Director; Jeff White, Parks and Recreation Director; Sara Cervantes, Director of Real Estate Services

3. INVOCATION – Reverend Johnny Brower from Hutto Discovery United Methodist Church

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATIONS

5.1 Martin Luther King, Jr. Day Proclamation – *Accepted by members of the Diversity and Inclusion Commission*

6. CITY MANAGER COMMENTS

City Manager Earp provided updates on the following:

- Trout Fishing Derby – Feb 3rd, 9am-noon
- Budget process starting – Calendar is updated with public input opportunities.
- City Secretary's office accepting candidate packets for upcoming election beginning Jan. 17th.
- Boards and Commission openings
- New Hires – Amelia Wilson, Claudia Flores, Jake Isbell, Deanna Lewis, and Alberta Barrett
- City Manager Earp presented former Interim Finance Director Anne LaMere with a group photo of the Finance team as a going-away present.

- City Attorney Dorothy Palumbo was sworn-in.

7. PUBLIC COMMENTS

- Mike Fowler
- Cory Denena
- Brandy Townsend
- Asia Ward
- Chris VanCalster
- Nick Pierce
- Joseph Cortez
- Daniella Medellin
- Veronica Atchison
- Marino Cartina
- Enrique Diaz
- Tenny Warwick
- Diane Fowles
- Isaac Torres
- Veronica Johnson
- Chris Lamb
- Stephen Romero
- Heather Crawford
- Kendall Ramsey
- Stephanie Nakano
- Larissa Rezendez
- Charlene Martindale
- Maria Chavez
- Judith Soto

At this time, Councilmember Thompson requested moving up Item no. 17.1. There were no objections.

17.1 General Comments from City Council

Councilmembers Thompson, Wilcott, Clark, Kolar, and Mayor Snyder provided comments.

At this time Mayor Pro Tem Gordon requested bringing up Item no. 10.1. There were no objections.

10. BOARDS AND COMMISSIONS ACTION

- ### 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: Morgan Hubbard, James Matlock, and Stephanie Alba were nominated to serve on the Library Advisory Board. (Seats 2, 6, and 7)

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Kolar to approve the appointees. The vote passed 7,0.

Reappointments: Lori Brown-Duncan, Ethics Review Commission; Norman Delay, Historic Preservation Commission; Charlotte Tyer, Parks Advisory Board; Ray Alba & Norman Delay, Zoning Board of Adjustments; Dan Thornton, Amberley Kolar, and Shawn Lucas, TIRZ #3.

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Thompson to approve the reappointments. The vote passed 7,0.

8. PRESENTATIONS

- 8.1 Police Department Quarterly Update – *Item was moved to January 18th meeting.*
- 8.2 Fritz Park Update Presentation – *Presented by Jeff White and Burditt Consultants*

At this time, council adjourned to a recess at 9:53 pm. Reconvened at 10:08 pm.

At this time, Mayor Snyder requested bringing up Item no. 12.4. There were no objections.

- 12.4 Consideration and possible action on Resolution No. R-2024-004 approving the Certificate of Formation and Bylaws of Texas Coalition for Affordable Power (“TCAP”), a Political Subdivision Corporation; accepting membership in said corporation; approving the Professional Services Agreement; and committing to budget for energy purchases and to honor the City’s commitments to purchase power for its electrical needs through TCAP and adopting TCAP’S Gexa Energy’s Commercial Electric Service Agreement for power to be provided on and after January 1, 2024 (Alberta Barnett, Anne LaMere, Matt Wojnowski and Margaret Somereve, Executive Director TCAP)

A motion was made by Councilmember Kolar and seconded by Councilmember Thompson to approve Resolution No. R-2024-004. A request to amend the agreement to start after June 1st, 2024, not January 1st, 2024 was made by Mayor Pro Tem Gordon. A request to amend the motion to sign the agreement for June 1st – Dec 31st at 8.939/kwh was made by Mayor Snyder and seconded by Mayor Pro Tem Gordon. The amendment vote passed 7,0. The vote on the original motion also passed 7,0.

8.3 Capital Improvement Projects (CIP) Update and Presentation – *Presented by Matt Rector*

At this time, Councilmember Kolar requested bringing up Item no. 12.5. There were no objections.

- 12.5 Consideration and possible action on Resolution R-2024-012, a resolution adopting the City of Hutto Water Service and Development policy and authorizing the City Manager to enter into Water Capacity Agreements (Matt Rector)

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Clark to approve Resolution No. R-2024-012. The vote passed 7,0.

9. PUBLIC HEARINGS AND RELATED ACTION

- 9.1 Consideration and possible action on Resolution No. R-2024-009 approving the municipal services agreement for the proposed annexation of the Meadow Brook tract, 87.8 acres, more or less, of land, located off FM1660S (Ashley Bailey)

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Kolar to approve Resolution No. R-2024-009. The vote passed 7,0.

- 9.2 Conduct a public hearing and consider possible action on Ordinance No. O-2024-001 approving the Annexation of the Meadow Brook Tract, 87.8 acres, more or less, of land, and to Establish the Base Zoning as Single Family (SF-2) and Commercial (B-2) located off FM 1660S (First Reading) (Ashley Bailey)

The public hearing was closed at 11:14 pm

A motion was made by Councilmember Thompson and seconded by Councilmember Wilcott to approve Ordinance No. O-2024-001. The vote passed 7,0.

- 9.3 Conduct a public hearing and consider possible action on Ordinance No. O-2024-002 for the Planned Unit Development (PUD) request for the property known as Meadow Brook Planned Unit Development (PUD), 87.8 acres, more or less, of land, located off FM1660S (First Reading) (Ashley Bailey)

The public hearing was closed at 11:31 pm

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Kolar to approve Ordinance No. O-2024-002 with the revision of 10% cumulative variance of development changes. The vote passed 7,0.

- 12.1 Consideration and possible action relating to Resolution No. R-2024-010 of the City of Hutto, Texas, accepting a petition and calling for a public hearing on the creation of the Meadowbrook Public Improvement District (PID) within the City of Hutto, Texas (Sara Cervantes)

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Thompson to approve Resolution No. R-2024-010 and call for a public hearing on February 1st. The vote passed 7,0.

11. ORDINANCES

- 11.1 Consideration and possible action on Ordinance No. O-2024-003 amending the 2020 Parks, Recreation, Open Space and Trails Master Plan related to the methodology for calculating the parkland dedication fees and amending Appendix A, Article a1.000, Section a1.004, Development fees, of the Code of Ordinances to add the Parkland Fee-in-Lieu of Land Dedication Fees and the Parkland Development Fee (Jeff White)

A motion was made by Councilmember Clark and seconded by Councilmember Kolar to approve Ordinance No. O-2024-003. The vote passed 7,0.

At this time Mayor Snyder requested bringing up Item no. 12.6. There were no objections.

- 12.6 Consideration and possible action on Resolution No. R-2024-013 regarding Ad Valorem Tax Exemptions for Licensed Childcare Facilities (Mayor Mike Snyder)

No action was taken. Direction was given to the City Attorney to research the new proposition and confirm with the County how this will be implemented. The additional information was requested to be brought back in February.

12. RESOLUTIONS

- 12.2 Consideration and possible action of Resolution No. R-2024-011 authorizing the City Manager to execute a Guaranteed Maximum Price (GMP) of \$277,087 with STR Constructors for Phase 1 of Fritz Park (P02-2023) (Matt Rector)

A motion was made by Councilmember Thompson and seconded by Councilmember Wilcott to approve Resolution No. R-2024-011 with the legal changes agreed upon by both legal teams. An amendment motion was made by

Mayor Pro Tem Gordon and seconded by Councilmember Thornton. The amended motion passed 7,0. The vote on the original motion passed 7,0.

- 12.3 Consideration and possible action on Resolution R-2024-005 regarding payment of all Fritz Park Renovation Costs from \$11M Bond Issuance (Anne LaMere and Jeff White)

Postponed until the entirety of the Fritz Park GMP agreement has been negotiated.

13. OTHER BUSINESS

- 13.1 Discussion and possible action on City Council training opportunities for 2024 from the available budget (Mayor Pro Tem Peter Gordon)

No action taken. Item was moved to February 1st meeting.

14. CONSENT AGENDA ITEMS

- 14.1 Consideration and possible action relating to Resolution No. R-2024-006 of the City of Hutto, Texas, authorizing the City Manager to execute an agreement with Facility Solutions Group through BuyBoard Contract No. 657-21 in the amount of \$212,173.21 related to the Trail Lighting Project (P05-2025) (Jeff White)
- 14.2 Consideration and possible action on Resolution No. R-2024-008 approving the purchase of two (2) Toyota Tacoma Double Cab 4x4 vehicles, from the approved FY 2024 budget, from Silsbee Toyota in the amount of \$77,204 through The Interlocal Purchasing System (TIPS) (Rick Coronado)
- 14.3 Consideration and possible action on Resolution No. R-2024-007 regarding amendment No. 3 for drainage design services to the K. Friese Contract in the amount of \$72,060 for the Megasite East/West Spine road project (CIP T07-2023) (Matt Rector)
- 14.4 Consideration and possible action relating to Resolution No. R-2024-003 of the City of Hutto, Texas, authorizing the City Manager to execute a deductive change order with Joe Bland Construction, LLC. in the amount of \$52,517 related to the FM 1660 and Limmer Loop construction project (CIP T-03-2023) (Matt Rector)
- 14.5 Consideration and possible action on Resolution No. R-2024-001 designating the Taylor Press as the official newspaper of record for all official City publications (Legal/Angela Lewis)

- 14.6 Consideration and possible action on approving the December 14, 2023 City Council work session and meeting minutes (Angela Lewis)

A motion was made by Councilmember Clark and seconded by Councilmember Thompson to approve Consent Agenda Item Nos. 14.1, 14.2, 14.3, 14.4, 14.5, and 14.6 as presented. The vote passed 7,0.

A motion was made by Mayor Snyder and seconded by Councilmember Thornton. The vote passed 4,3 (Thompson, Clark, and Wilcott dissenting)

- 15.3 Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney) regarding the cure of the Notice of Default with Titan Mega Land Investors, LLC.

No action was taken.

- 15.5 Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney), relating to the return of Council pay pursuant to Hutto Charter Section 3.04 by former Council Member Villareal-Salvo.

No action was taken.

15. EXECUTIVE SESSION – *Convened into Executive Session at 1:12 am*

- 15.1 Receive legal advice pursuant to Texas Government Code Section 551.071 relating to failure of developer to construct sidewalks in the Cotton Brook Development and the Cross Creek Development.
- 15.2 Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), relating to the following petitions for release of the Extraterritorial Jurisdiction ("ETJ"):
- a. Petition of Glen, Steven and Brian Wall for the release from the City's ETJ of 5 acres of land out of the Carmel Creek Estates located at 600 Lemens Avenue, Hutto, Texas.
 - b. Petition Glen, Steven and Brian Wall for the release from the City's ETJ of approximately 7.0084 acres of land more particularly described as Lot 2, Block 4 out of R020230 in the Williamson County Deed Records located at 1151 FM 1660. Hutto, Texas.
- 15.4 Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney) relating to the Meadow Brook Development Agreement.

- 15.6 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.

There was no action taken in Executive Session.

16. ACTION RELATIVE TO EXECUTIVE SESSION – *Reconvened at 2:02 am*

16.1 Consideration and possible action on Executive Session Items

A motion was made by Councilmember Thompson and seconded by Councilmember Kolar to authorize the City Manager to notify the developer of Cottonwood and Cross Creek properties that they are required to build sidewalks per the development agreements and approved plats, and the City will withhold any finds owed until these requirements have been satisfied. The vote passed 7,0.

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Thompson to deny the petition of Glen, Steven and Brian Wall for release of the City's ETJ of 5 acres outside Carmel Creek Estates located at 600 Lemens Ave. The vote passed 7,0.

A motion was made by Mayor Pro Tem Gordon and seconded by Councilmember Kolar to deny the petition of Glen, Steven, and Brian Wall for release of the City's ETJ of approximately 7.0084 acres, or Lot 2, Block 4 out of R020230 in Williamson County deed records located at 1151 FM 1660. The vote passed 7,0.

17. CITY COUNCIL COMMENTS

17.2 Future Agenda Items

*Durango Farms PID Funds appropriations – Feb
Mayors Golf Tournament – Jan 18
D&I Training Jan 11th
Amphitheater Guidelines item – Jan 18
Fee Schedule/Gin Building rental – Jan 18
Clean Air Coalition Appointment – Jan 18
Council and City Manager expense reimbursements – Jan 18
City Council Place 3 residency – Jan 18
YMCA Easement – Jan or Feb
City Council Training opportunities – Feb
Monument Sign - Feb*

17.3 Future Additional or Rescheduled meetings as allowed by Hutto City Code Section

1.02.033 Additional or Rescheduled Meetings

A motion was made by Councilmember Clark and seconded by Councilmember Wilcott to move the July 4th meeting to July 11th. The vote passed 7,0.

18. ADJOURNMENT – *January 5th, 2024 at 2:14 AM*

ATTEST:


Angela Lewis, City Secretary




Mike Snyder, Mayor