City of Hutto

MINUTES

City Council Meeting
Thursday, June 20, 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 Amberley Kolar, Councilmember Evan Porterfield, Councilmember Randal Clark

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; Alberta Barrett, Finance Director; Jeff White, Parks and Recreation Director; Sara Cervantes, Director of Real Estate Services, Rick Coronado, Public Works Director

3. INVOCATION – Claudia Loewenstein represented the Jewish Faith

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATIONS

5.1 PTSD Awareness Month Proclamation – *Accepted by representatives from Bluebonnet Trails and the Police Department*

5.2 Chris Kelley 5K Race Proclamation – *Accepted by Lt. Mitchell and Melina Robey (Michelle Kelley's Sister)*

6. CITY MANAGER COMMENTS

Assistant City Manager Matt Wojnowski provided updates on the following:

- EVO Entertainment groundbreaking-June 21st at 1 pm
- 4th of July event – American Rhapsody themed at Brushy Creek Amphitheatre

7. PUBLIC COMMENTS

- Jacob Bruner – Spoke after item 9.1

8. BOARDS AND COMMISSIONS ACTION

8.1 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.

New Appointments: Eric Bell, D&I; Catherine Skeen, HPC; Hazel Sherrod, BSC
Re-Appointments: Robert Lykins and Jon Stephenson, HPC; Morgan Hubbard, LAB; Sharon Dyer and Katie Weiss, PARD; Jim Morris and Rick Hudson, P&Z; Dan Thornton, Cottonwood Creek Development Corporation; Dan Thornton, River Creek Development Corporation; Rick Hudson and Jeff Ebner, B&S; Jeff Ebner and Ed Pride, ZBA; Peter Gordon, Rick Hudson and Russ Boles, TIRZ 1; Erin Clancy, Kurt Schwerdfeger and Randal Clark, TIRZ 2; Randal Clark and Rick Hudson, TIRZ 3

A motion was made by Councilmember Kolar and seconded by Councilmember Thornton to approve all new and re-appointed nominees. The vote passed 7,0.

8.2 Consideration and possible action appointing the Mayor Pro Tem pursuant to Hutto City Charter Section 3.05 (Legal)

Councilmember Porterfield nominated Councilmember Kolar.
Councilmember Clark re-nominated Mayor Pro Tem Gordon.
Mayor Pro Tem Gordon received four votes (Thompson, Clark, Kolar, Gordon)
Councilmember Kolar received three votes (Snyder, Porterfield, Thornton)
A motion was made by Mayor Snyder and seconded by Councilmember Thompson to approve Mayor Pro Tem Gordon remaining the Mayor Pro Tem. The vote passed 7,0.

9. OTHER BUSINESS

9.1 Discussion and possible action regarding Council Protocols including but not limited to Section 2 – Meeting (Mayor Snyder)

A motion was made by Councilmember Clark and seconded by Councilmember Thompson to postpone the item until more information is provided for discussion per the protocols. The vote failed 3,4 (Kolar, Thornton, Snyder, and Porterfield dissenting)

A motion was made by Mayor Snyder and seconded by Councilmember Porterfield to amend the requirement for two councilmembers to put an item on the agenda to only one, and to strike "the desired action by council" line from the requirements of a councilmember adding an item to the agenda. The vote passed 7,0.

9.2 Discussion and possible action on repealing or directing staff to amend Ordinances No. O-2023-024 and/or O-2023-060 regarding personal financial disclosure statements (Mayor Snyder)

A motion was made by Mayor Snyder and seconded by Councilmember Thornton to amend Ordinance No. O-2023-060 Section 2.05.046 to strike subsection (b). The vote passed 6,1 (Thompson dissenting)

9.3 Discussion and possible action regarding City of Hutto Utility Credit Card Processing Statements (Councilmember Porterfield)

Staff provided backup information and history. No action taken.

9.4 Discussion and possible action on Avery Lake Interceptor Funding (Mayor Snyder)

This item will move to the July CIP discussion meetings and more detail will be provided then. No action was taken.

9.5 Consideration and possible action relating to TPDES Wastewater Permit Applications in the City of Hutto Extraterritorial Jurisdiction (Legal)

The update provided was that the City of Round Rock approved an out-of-City agreement for Limmer Loop 705, eliminating the need for one of the package plants.

At this time, items 10.1, 10.4 And 10.5 were pulled for discussion

10. CONSENT AGENDA ITEMS

10.2 Consideration and possible action on Resolution No. R-2024-125 accepting the infrastructure improvements for the non-residential site development known as Hutto Innovation Titan Building 7 (Rick Coronado)

10.3 Consideration and possible action on Resolution No. R-2024-126 suspending the July 8, 2024 effective date of Texas Gas Service Company's requested increase to permit time to study the request and to establish reasonable rates; approving cooperation with other cities in the Texas Gas Service Company's Central-Gulf Service area; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; authorizing intervention in GUD No. 17471 at the Railroad Commission; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel (Legal)

10.6 Consideration and possible action on approving the June 6, 2024 City Council Work Session and Meeting minutes (Amanda Taylor)

A motion was made by Councilmember Thornton and seconded by Councilmember Thompson to approve Consent Agenda Item Nos. 10.2, 10.3, and 10.6 as presented. The vote passed 7,0.

Consent Items pulled for discussion:

10.1 Consideration and possible action on Resolution No. R-2024-124 authorizing the City Manager to execute a multi-year contract in an amount of $196,280.47 with VertexOne Software, LLC for a water customer engagement solution using Advanced Metering Infractructure water use data to manage conservation, leaks, communications, and water savings. (Monica Burke, Rick Coronado)

A motion was made by Councilmember Clark and seconded by Councilmember Kolar to approve Resolution No. R-2024-124. The vote passed 7,0.

10.4 Consideration and possible action on Resolution No. R-2024- 127 authorizing the City Manager to execute Individual Project Order (IPO) 2023-16 for professional services with Garver LLC, in the amount of $35,000, for the 2024 Rail Crossing Elimination of the CR 132 Overpass at US 79 (CIP T07-2023). (Patricia)

A motion was made by Councilmember Clark and seconded by Councilmember Thompson to approve Resolution No. R-2024-127. The vote passed 7,0.

10.5 Consideration and possible action on acceptance of the May 2024 financial report (Alberta Barrett)

A motion was made by Councilmember Clark and seconded by Councilmember Thompson to accept the May financial report as presented. The vote passed 7,0.

11. EXECUTIVE SESSION – *Convened into Executive Session at 9:26 PM*

11.1 Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney), and deliberations pursuant to Texas Government Code Section 551.087 (Economic Development Negotiations) related to pending economic development projects being considered by the Hutto Economic Development Corporation or the City of Hutto, including but not limited to

Project Titan; Project NQ2; EDC Moving Systems; and the Paradigm Expansion Project.

11.2 Receive legal advice pursuant to Texas Government Code Sec. 551.071, (Consultation with Attorney), related to pending and/or Council legal requests, potential claims and pending litigation, including but not limited to the Star Ranch Development Agreement, as amended and Prairie Winds Public Improvement District authorized improvements and financing.

11.3 Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) and 551.072 related to acquisition of real property interests located near the intersection of County Roads 481 and 482 for the Shiloh Pump Station water system improvements.

11.4 Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) and 551.072 related to the acquisition of real property interests located near County Road 132 for the Megasite Wastewater lines project.

No action was taken in Executive Session

12. ACTION RELATIVE TO EXECUTIVE SESSION – *Reconvened at 10:53 AM*

12.1 Consideration and possible action on Executive Session items.

A motion was made by Councilmember Thompson and seconded by Councilmember Clark to approve Resolution No. R-2024-128 authorizing the City Manager to negotiate and execute the necessary documents, as discussed in executive session, to acquire a 1.455-acre permanent wastewater easement and a 2.040-acre temporary construction easement. The vote passed 5,2 (Snyder and Porterfield dissenting)

A motion was made by Councilmember Thompson and seconded by Councilmember Clark to approve Resolution No. R-2024-128 authorizing the City Manager to negotiate and execute the necessary documents, as discussed in executive session, to acquire a 0.9112-acre permanent wastewater easement and a 1.4398-acre temporary construction easement. The vote passed 7,0

A motion was made by Councilmember Kolar and seconded by Mayor Pro Tem Gordon related to the acquisition of real property interest located near the intersection of CR 481 and CR 482 for the Shiloh Pump Station Water System Improvements and directing staff as discussed in executive session and authorize the City manager to acquire the property at this location, as discussed in executive session. The vote passed 7,0.

A motion was made by Councilmember Thornton and seconded by Councilmember Kolar directing staff and legal counsel to proceed with work on amendments to the agreements for the paradigm expansion project as discussed in executive session. The vote passed 7,0.

13. CITY COUNCIL COMMENTS

13.1 General Comments from City Council

Councilmember Thompson and Clark provided comments.

13.2 Future Agenda Items

Mayor Snyder – Work session on industrial development within the City; Discussion and possible action item based on that work session discussion; Item on water bill transparency – showing gallon usage, base charges, etc.

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

July 13, 2024 was decided on as the date for preliminary CIP discussions regarding budget. Councilmember Kolar was the only one that mentioned they would be unable to attend.

14. ADJOURNMENT – *June 20th, 2024 at 11:07 PM*

ATTEST:

Amanda Taylor, Interim City Secretary

Mike Snyder, Mayor

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INCORPORATED 1911