



City of Hutto

MINUTES - Amended

City Council Meeting

Thursday, July 11, 2024 at 7:00 PM

City Council Chambers

500 W. Live Oak Street

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 Amberley Kolar, Councilmember Evan Porterfield

Members of staff that were present were James Earp, City Manager; Matt Wojnowski, Assistant City Manager; Marc Calderaro, 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; Laura Hallmark, City Secretary; Alberta Barrett, Finance Director; Jeff White, Parks and Recreation Director; Sara Cervantes, Director of Real Estate Services, Rick Coronado, Public Works Director; David Amsler, Director of Strategic Operations; Kristi Barnes, Community & Culture Officer

3. INVOCATION – Pastor Arthur L. Spence, Little Ebenezer Baptist Church

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATIONS

5.1. *Parks and Recreation Month – Accepted by Jeff White, Director of Parks and Recreation, and staff members.*

6. CITY MANAGER COMMENTS

James Earp, City Manager, provided the following information:

- New Hires recognized: Kristiana Spencer, Human Resources Manager; William Kelly, Budget Analyst; Kristin Phillips, Library Director; Laura Hallmark, City Secretary; Jennifer DeRoeck, Marketing Analyst
- Promotions recognized: Kate Moriarty, Assistant to the City Manager; Ethan Sims, Management Specialist; Shay Jung, Communications Manager; Dustin Clawson, Senior Utility Technician; Micah Blanton, Senior Utility Technician
- Finance Department awarded Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award

- Hutto Police Department received reaccreditation from Texas Police Chiefs Association.
- Stage 2 water restrictions implemented.
- Video shared for CIP project update.

6.1. Swearing in of Laura Hallmark as City Secretary – *Oath conducted by Amanda Taylor, Assistant City Secretary.*

7. PUBLIC COMMENT

There were no public comments for this meeting.

8. PRESENTATIONS

- 8.1. Presentation on the Vision and Future Possibilities of the Hutto YMCA – *Presented by Russell Daniel and August Alvarado with YMCA*
- 8.2. Estates of Hutto Public Improvement District – *Presented by Kevin Youngblood with GFO Home and Rick Rosenberg*
- 8.3. Public Works New Facility (CIP F01-2024) Planning and Programming Update – *Presented by Rick Coronado, Public Works Director and Dale Austin and Tristan Snyder with Sunland Group*

9. PUBLIC HEARINGS

- 9.1. Conduct a public hearing 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 (Ashley Bailey)

Ashley Bailey, Executive Director of Development Services, presented the information for this item. The public hearing opened at 9 PM. There were no speakers. Further discussion and continuation of public hearing will take place at the July 18, 2024 City Council meeting.

- 9.2. Conduct a public hearing and consider possible action on Ordinance No. O-2024-037 for the zoning change request for the property known as 213 FM 1660 South, 1.08 acres, more or less, of land, located at FM 1660 S and Evans Street, from OT-4R (Urban Residential) District to OT-4T (Transition) District (Ashley Bailey)

Ashley Bailey, Executive Director of Development Services, presented the information for this item. The public hearing opened at 9:01 PM.

There were no speakers. Further discussion and continuation of public hearing will take place at the July 18, 2024 City Council meeting.

- 9.3. Conduct a public hearing and consider possible action on Ordinance No. O-2024-038 for the proposed Penske Planned Unit Development, 35.8 acres, more or less, of land, from Multi-family and an original zoning to PUD at the time of annexation, located on the west side of Innovation Blvd (Ashley Bailey)

Ashley Bailey, Executive Director of Development Services, presented the information for this item. The public hearing opened at 9:03 PM. There were no speakers. Further discussion and continuation of public hearing will take place at the July 18, 2024 City Council meeting.

- 9.4. Conduct a public hearing and consider possible action on Ordinance No. O-2024-039 for the proposed Stromberg Planned Unit Development, 372.121 acres, more or less, of land, from Agricultural/Single-Family - Rural (SF-R) District to Planned Unit Development, located south of CR 132 (Ashley Bailey)

Ashley Bailey, Executive Director of Development Services, presented the information for this item. The public hearing opened at 9:04 PM. There were no speakers. Further discussion and continuation of public hearing will take place at the July 18, 2024 City Council meeting.

10. BOARDS AND COMMISSIONS

- 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.

Mayor Pro Tem Gordon reported there were no appointments to present to Council from the Nomination Committee. Council discussion regarding liaisons to the various boards.

Motion by Mayor Pro Tem Gordon, second by Mayor Snyder, to remove City Council Members from board liaison designations. Motion passed 7:0.

11. ORDINANCES

- 11.1. Consideration and possible action on Ordinance O-2024-036 to approve a budget amendment for the FY24 Hutto Economic Development Corporation budget in the amount of \$3,750 for incentives management software (Cheney Gamboa)

Cheney Gamboa, Director of Economic Development, presented information for this item.

Motion by Councilmember Thompson, second by Councilmember Clark, to approve the item as presented. Motion passed 7:0.

12. RESOLUTIONS

- 12.1. Consideration and possible action on Resolution No. R-2024-130 adopting the Athletic Fields Study (Matt Rector and Jeff White)

Jeff White, Director of Parks and Recreation, and Hunter Rush with MHS Design, presented the information for this item.

Motion by Councilmember Clark, second by Councilmember Thornton, to adopt the study as presented. Motion passed 7:0.

- 12.2. Consideration and possible action to approve Resolution No. R-2024-134 to award a Depository Services contract to Wells Fargo Bank and authorizing the City Manager to execute the contract and all necessary agreements (Alberta Barrett)

Alberta Barrett, Finance Director, presented the information for this item.

Motion by Councilmember Clark, second by Councilmember Kolar, to approve the item as presented. Motion passed 6:1 (Snyder).

- 12.3. Consideration and possible action on Resolution No. R-2024-135 scheduling a public hearing to consider amendments to the Land Use Assumptions and a Capital Improvements plan for Water and Wastewater under which an impact fee may be imposed within the City; directing the City Secretary to publish notice of said public hearing; and directing the Capital Improvement Advisory Committee to consider and make recommendations on the amendments to the Water and

Wastewater Land Use Assumptions and Capital Improvements Plan
(Matt Rector)

Matt Rector, City Engineer and Lance Parish with Kimley Horn, presented the information for this item.

Motion by Mayor Pro Tem Gordon, second by Councilmember Kolar, to approve the item as presented. Motion passed 7:0.

- 12.4. Consideration and possible action on Resolution No. R-2024-136 scheduling a public hearing to consider amendments to the Land Use Assumptions and a Capital Improvements plan for amendments to the Transportation Impact fee within the City; directing the City Secretary to publish notice of said public hearing; and directing the Capital Improvement Advisory Committee to consider and make recommendations on the amendments to the Land Use Assumptions and Capital Improvements Plan for amendments to the Transportation Impact Fee (Matt Rector)

This item was taken out of order after 12.5. Matt Rector, City Engineer, Ellen Amorim and Eddie Haas with Freese & Nichols (FNI), presented the information for this item.

Motion by Councilmember Clark, second by Councilmember Kolar, to approve the item as presented. Motion passed 7:0.

- 12.5. Consideration and possible action on Resolution No. R-2024-137 to adopt the updated Thoroughfare Plan (Matt Rector)

This item was taken out of order before 12.4. Matt Rector, City Engineer, Ellen Amorim and Eddie Haas with Freese & Nichols (FNI), presented the information for this item.

Motion by Councilmember Clark, second by Councilmember Kolar, to adopt the Plan as presented. Motion passed 7:0.

13. OTHER BUSINESS

- 13.1. Consideration and possible action related to the review of wholesale utility agreement. (Alberta Barrett and Sara Cervantes)

Sara Cervantes, Director of Real Estate Services, presented the information for this item.

Motion by Councilmember Clark, second by Councilmember Thornton, to review agreements based on best practices. Motion passed 7:0.

- 13.2. Discussion and possible action providing direction to staff on the 42-inch wastewater line for the Cottonwood/Allora property. (Matt Rector)

Matt Rector, City Engineer, presented the information for this item.

Motion by Councilmember Clark, second by Councilmember Thornton, to coordination a pump and haul agreement with the developer, providing a deadline for installation of 42" wastewater line with the proviso the design documents are provided to the City should the deadline not be met. Motion passed 7:0.

- 13.3. Consideration and possible action relating to Texas Pollutant Discharge Elimination System (TPDES) Wastewater Permit Applications in the City of Hutto Extraterritorial Jurisdiction. (Legal)

Matt Rector, City Engineer, presented the information for this item.

Motion by Mayor Snyder, second by Councilmember Kolar, to develop a wholesale agreement with Lennar by the next City Council meeting. Motion passed 7:0.

14. CONSENT AGENDA ITEMS

- 14.1. Consideration and possible action on Resolution No. R-2024-138 authorizing the City Manager to execute an amendment to Individual Project Order (IPO), for professional services with Cobb, Fendley & Associates, LLC, in the amount of \$989,563.11, for New Elevated Storage Tank (Cottonwood 2.0 MGD) (CIP W07-2024) (Matt Rector)
- 14.2. Consideration and possible action on Resolution No. R-2024-139 authorizing the City Manager to execute an amendment to the agreement 2022-008, for professional services with Garver LLC, in the amount of \$332,078.93 for CR 137 (CIP T05-2023) (Matt Rector)

- 14.3. Consideration and possible action on Resolution No. R-2024-141 regarding amendment No. 4 for drainage design services to the K. Friese Contract in the amount of \$138,130 for the Megasite East/West Spine road project (CIP T08-2023) (Matt Rector)
- 14.4. Consideration and possible action on Resolution No. R-2024-142 regarding the purchase of 43 iPro Body Worn cameras, software licenses and associated hardware from Ingram Technologies through the Texas DIR purchasing contract number CPO-4697 iPro in a not-to-exceed amount of \$84,000 (Chief Jeffrey Yarbrough)
- 14.5. Consideration and possible action on Resolution No. R-2024-146 accepting the infrastructure improvements for the subdivision known as The Narrows multifamily public improvements (Rick Coronado)
- 14.6. Consideration and possible action on Resolution No. R-2024-147 amending the City Council Protocols per the discussion at the June 20, 2024 City Council meeting (Legal)
- 14.7. Consideration and possible action on Ordinance No. O-2024-040 amending City Code 2.05.046 (Public Access to Statements;Retention) per Council discussion at the June 20, 2024 City Council meeting (Legal)
- 14.8. Consideration and possible action on approving the June 20, 2024 Joint City Council and Economic Development Corporation and the regularly scheduled City Council Meeting minutes (Amanda Taylor)

Motion by Mayor Pro Tem Gordon, second by Councilmember Clark, to approve the Consent Agenda as presented. Motion passed 7:0.

15. 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).

- 15.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071, (Consultation with Attorney), related to pending and/or Council legal requests, potential claims; pending litigation, including but not limited to the Amended and Restated Kokefest Agreement between the City of Hutto and Texas Music Network, dated March 4, 2021; the Management Agreement between the City of Hutto and the Directors of Chaos, LLC

dated March 7, 2024; the proposed Meadowbrook Public Improvement District; and the proposed Estates of Hutto Public Improvement District.

- 15.2. Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney) relating to a wholesale water delivery agreement amendment in contemplation of negotiating for iron removal treatment for City of Hutto water in conjunction with delivery of new water source.
- 15.3. Receive legal advice pursuant to Texas Government Code Sec. 551.071, (Consultation with Attorney), related to the Brandon Roznovak claim against the Hutto Economic Development Corporation dated June 27, 2024, and claims related to the redesign of the Megasite Spine Road Construction project.

City Council convened in Executive Session at 11:50 PM. Out at 1:26 AM.

16. ACTION RELATIVE TO EXECUTIVE SESSION

- 16.1. Consideration and possible action on executive session items.

Item 15.1 – Motion by Councilmember Thornton, second by Councilmember Kolar, to exercise the Mutual Termination clause effectively immediately and Directors of Chaos (DOC) turn over control of website license and Texas Alcoholic Beverage Commission (TABC) license and instruct the City Manager to notify DOC of these terms. Councilmember Kolar made a friendly amendment to include social media account(s) in the motion. Councilmember Thornton accepted the amendment. Motion passed 7:0.

Item 15.1 – Motion by Mayor Pro Tem Gordon, second by Councilmember Kolar, to approve Resolution R-2024-148 regarding the Kokefest agreement. Motion passed 7:0.

17. CITY COUNCIL COMMENTS

- 17.1. General Comments from City Council

Councilmember Thornton congratulated local baseball team on their selection to participate in the Pony World Series and wished them luck.

Mayor Pro Tem Gordon thanked staff for the wonderful July 4th celebration event.

17.2. Future Agenda Items

Mayor Snyder requested the following items:

- *Discuss possible action regarding the release of severance agreements for former employees.*
- *Discuss possible action regarding the release of Ross Fisher – Place 3 notes.*
- *Discuss possible action regarding the release of emails between Franklin and Hall.*
- *Discuss posting campaign finance reports on the City's website.*

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

Councilmember Clark requested City Council meeting scheduled for January 2, 2025 be rescheduled for January 9, 2025 due to its proximity to New Year's Day – a City holiday. It was the consensus of Council to make the change.

18. ADJOURNMENT – July 12, 2024 at 1:35 AM

Amended minutes approved 8/1/2024

ATTEST:


Laura Hallmark, City Secretary


Mike Snyder, Mayor



