

MINUTES:

City of Hays City Council Meeting

August 14, 2023

6:30 P.M.

LOCATION: 520 Country Lane

BUDA, TEXAS 78610

REGULAR CITY COUNCIL MEETING**1. CALL TO ORDER AND ROLL CALL**

Mayor Maphies called the meeting to order at 6:31 p.m. In attendance in addition to Mayor Billy Maphies, were Mayor Pro Tem Roxanne O'Neal, Councilmembers Candace Blake, Lydia Bryan-Valdez (via Zoom), Tony Valdez (via zoom) and Glennell Strawn. Also attending were City Engineer Don Rauschuber, City Treasurer Harvey Davis, City Attorney Josh Katz, and City Secretary Cynthia McCall.

2. PLEDGE OF ALLEGIANCE**3. PUBLIC COMMENTS**

Carol Pennington from Chaparral Park talked about condos that may be built at Hays Commons and how it will be an eyesore and overextend the aquifer recharge zone. She asked the City to not support extending Austin water and wastewater service to Hays Commons.

4. NEW BUSINESS

Consider/discuss/approve the City of Hays's authorization to issue requests for proposals for the administrative services (RFP) and requests for qualifications (RFQ) for engineering services for the Hazard Mitigation Program administered by the Texas Division of Emergency Management, Texas Water Development Board or other funding sources.

A Motion to approve & give authority to issue an RFP and RFQ for engineering and administrative services was made by Councilwoman O'Neal and seconded by Councilwoman Blake. The Motion carried unanimously.

Consider and take appropriate action regarding amendments to the City Water Tariff to include water charges and fees associated with customer water use during BSEACD declared Exceptional and Emergency Drought Stages and other possible tariff amendments.

City Engineer Rauschuber gave the council an overview of the current drought situation saying, in effect, that we are in uncharted territory. Mr. Rauschuber asked for the council's authorization to recommend water charges and fees for Exception and Emergency Drought stages. Councilwoman O'Neal made a motion, seconded by Councilwoman Strawn, to form a committee consisting of Councilman Valdez, Councilwoman O'Neal, and City Engineer Rauschuber to prepare recommendations for the council to consider at the next meeting. The motion carried unanimously. Later, Councilwoman O'Neal made a motion, seconded by Councilwoman Bryan-Valdez to add Dee Wright (an Elliott Ranch resident) to the committee. The motion carried unanimously.

Receive and take appropriate action on the July 2023 financial report.

Councilwoman Strawn made a motion, seconded by Councilwoman Bryan-Valdez to approve the July financial report. The motion carried unanimously.

Take action to approve the minutes for July 10, 2023, (Regular City Council meeting) and July 27, 2023 (Special City Council meeting).

Councilwoman O'Neal made a motion, seconded by Councilwoman Bryan-Valdez, to approve the minutes. The motion carried unanimously.

Consider and possible approval of budget amendments and transfers.

Councilwoman Bryan-Valdez made a motion, seconded by Councilwoman O'Neal to approve the budget amendments and transfers. The motion carried unanimously.

Consider and take appropriate action on request to add Cynthia McCall, City Secretary, as a signor on the Broadway Bank account and to instruct Broadway Bank to issue Ms. McCall a debit card.

Councilwoman O'Neal made a motion to table the request until the bond issue is resolved. Councilwoman Blake seconded the motion. The motion passed unanimously.

Discuss and take possible action to clarify and standardize rules for speaking at city council meetings and instruct staff to post the rules on the city's website.

Councilwoman O'Neal made a motion, seconded by Councilwoman Blake, to instruct City Attorney Katz to amend the City Code to what was previously approved by council (to limit a person's presentation to the City Council to five minutes for Public Comments, unless granted additional time by the presiding officer; and three minutes on an agenda item with one minute rebuttal to a subsequent opposing remark). The motion carried unanimously.

Receive updates regarding the FY24 Budget and Tax Rate.

The City Treasurer gave a short summary of the proposed budget. The proposed budget was filed with the City Secretary on August 1st. The proposed budget and tax rate is disclosed on the city's website. No action was taken.

Consider and take appropriate action to set the proposed tax rate of 0.0896/\$100 and to ratify the proposed budget.

Councilwoman Strawn made a motion, seconded by Councilwoman O'Neal, to ratify the proposed budget; set the proposed tax rate of 0.0896/\$100; hold the Public Hearing on the budget on September 11th; and hold the Public Hearing on the tax rate on September 12th at 6:30 pm. The motion carried unanimously.

Receive updates and take appropriate action regarding upgrades to City of Hays and Elliott Ranch pump stations.

City Engineer Rauschuber gave the council an update about the City of Hays pump station and presented a punch list handout. Councilwoman O'Neal made a motion, seconded by Councilwoman Bryan-Valdez, to authorize the punch list repairs. The motion carried unanimously.

Mr. Rauschuber went over the repair issues at the Elliott Ranch pump station. There are 21 items on the punch list. Councilwoman Strawn made a motion, seconded by Councilwoman Bryan-Valdez, to make the repairs recommended by the City Engineer. The motion carried unanimously.

Presentation by Elliott Ranch HOA representatives regarding the operational status of the Elliott Ranch Water System and discussions regarding improving communications and information transfer between the ERHOA and the City of Hays.

Elliott Ranch HOA representative, Dee Wright and Christina Jenison, gave a presentation about their concerns and suggested: formation of a joint water committee, representation on the Elliott Ranch water tariff committee, and a third-party audit of the water systems. The representatives encouraged the City to enforce rules to cause conservation from high water users.

Discuss and take appropriate action regarding maintenance, upgrades and water usage of the Elliott Ranch Water System; forming a water committee to meet with Elliott Ranch HOA and/or PGMS on a regular basis; and conducting an audit of the Elliott Ranch Water System and City of Hays Water System.

Councilwoman Strawn made a motion, seconded by Councilwoman Bryan-Valdez, to form a water committee consisting of Councilwoman Bryan-Valdez, Councilwoman O'Neal, Dee Wright, and Mr. Rauschuber and to allow the Elliott Ranch HOA to audit the water system. The motion carried unanimously.

5. UNFINISHED BUSINESS

Receive update and take appropriate action on the status of negotiations with Milestone and Hays Commons Development Agreement.

No action or discussion was taken.

Receive updates and take appropriate action on office organization, FEMA grants, and IT projects.

City Treasurer Davis updated the council about the FEMA grants and IT migration project. Mr. Davis asked permission to pursue putting the meeting video on the city's website. Councilwoman O'Neal made a motion to authorize the Mayor and Mr. Davis to work with our IT consultant to link up videos of council meetings to the website. Councilwoman Blake seconded the motion. The motion carried unanimously.

Receive update on City of Hays Well #1 and proposed Well #3 on Country Ln. repairs or replacement.

Mr. Rauschuber is waiting on a letter from the aquifer district to approve the needed variances.

Receive update and take appropriate action regarding the installation of generators for the City of Hays and Elliott Ranch well sites.

City Engineer gave the council an update on the application with TCEQ. No action was taken.

EXECUTIVE SESSION

The Council went into Executive Session at 6:43 pm and reconvened at 7:22 pm

Receive update and take appropriate action regarding a petition filed by Milestone with the Public Utility Commission (PUC) for release from a portion of the City's water CCN.

Councilwoman O'Neal made a motion, seconded by Councilwoman Bryan-Valdez, to authorized City Attorney Katz to meet with Milestone regarding compensation for the release of the City's Certificate of Convenience and Necessity (CCN). The motion carried unanimously.

Receive update and take appropriate action regarding a Public Utility Commission (PUC) ruling the release of the Carpenter Ranch Road, LLC, tract from the City's Water CCN and the appointment of an independent appraiser.

A motion was made by Councilwoman Strawn to accept the amount offered by Carpenter Ranch Road, LLC. Councilwoman O'Neal seconded the Motion. the motion was approved unanimously.

Take action to respond to Hartford Insurance letter dated August 8, 2023.

Councilwoman O'Neal made a motion, seconded by Councilwoman Bryan-Valdez to authorize Mr. Katz to reach out to Hartford Insurance regarding the letter dated August 8, 2023. The motion passed 4-0 with Councilwoman Strawn abstaining.

Discuss, consider, and action regarding Hays Commons Development Application to the Texas Commission on Environmental Quality to create a Municipal Utility District within the City of Hays ETJ.

Councilwoman O'Neal made a motion, seconded by Councilwoman Blake, to authorize Mr. Katz to send a protest letter to TCEQ regarding the creation of a MUD by Hays Commons. The motion was approved unanimously.

7. ADJOURNMENT

The meeting adjourned at 8:59 pm.



Mayor Billy Maphies



Cynthia McCall, City Secretary