

City of Taylor
Regular City Council Meeting
Taylor City Hall, Council Chambers, 400 Porter Street
August 25, 2022 at 6:00 p.m.

Mayor Rydell declared a quorum and called the meeting to order at 6:08 p.m. with the following present:

Mayor Pro-Tem Gerald Anderson
Council Member Robert Garcia
Council Member Mitch Drummond
Council Member Dwayne Ariola
Mayor Brandt Rydell

Brian LaBorde, City Manager
Jeff Jenkins, Deputy City Manager
Mark Schroeder, Assistant City Attorney
Rocio Lopez, Executive Assistant

INVOCATION / MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/RECOGNITIONS

1. Library Card Sign Up Month.

Councilmember Ariola read the proclamation and presented it to Karen Ellis, Library Director.

CITIZENS COMMUNICATION

Lucas Evans, E3 Agriculture – concerned about Samsungs potential water usage and air pollution.

Markus Jensen – water is key for agricultural community. Requested Council give them a chance.

Eva Munoz, AT&T – asked for extension so that work can be done on critical issues yet to be addressed on ROW ordinance.

Julia Zinsmeister, 1000 Congress Ave, Austin – asked for extension so that ROW ordinance can be reassessed.

Chris Gonzalez, 810 W. Howard Ln.(Charter Communications) – concerned about ROW ordinance and requested Council reconsider the ordinance.

CONSENT AGENDA

2. Approve minutes from the August 11, 2022 regular City Council meeting.

3. Consider Resolution R22-24, Apply for a Capital Grant through the St. David's Foundation and authorize the City Manager or their designee to act on behalf of the city on the grant application.

4. Consider Resolution R22-25, Apply for a Programmatic Grant through the St. David's Foundation and authorize the City Manager or their designee to act on behalf of the city on the grant application.

5. Consider Ordinance 2022-29 entitled "Right-of-Way Management" repealing and replacing existing Chapter 25, Article II – Street Cuts of the Code of Ordinances.

6. Consider Resolution R22-26 Design of new ramp at Taylor Municipal Airport.

Councilmember Ariola requested to pull item 5 for separate consideration.

Motion was made by Councilmember Garcia to approve the consent agenda items 2,3,4, and 6 as presented. Motion was seconded by Councilmember Drummond. Motion carried unanimously.

Councilmember Ariola – regarding the 3x3 sign and 48-hour notice issues, is there still room for negotiations for those needing exceptions? Per City Manager, those needing exceptions to the new ROW ordinance can go to the Zoning Board of Adjustments.

Motion was made by Councilmember Garcia to approve consent agenda item 5 as presented. Motion was seconded by Mayor Pro-Tem Anderson. Motion carried unanimously.

PUBLIC HEARING/ORDINANCES

7. **Consider Resolution R22-22 approving tax abatement agreement by and between City of Taylor Texas and Samsung Austin Semiconductor LLC.**

Brian LaBorde, City Manager - The current CH 312 property tax abatement agreement was entered into in October 2021; however, when the zone was adopted, some properties were not closed on yet by the applicant. This agreement reflects those properties that were intended to be included in the original agreement.

Motion was made by Councilmember Drummond to approve Resolution R22-22 as presented. Motion was seconded by Councilmember Garcia. Motion carried 4 to 1 with Councilmember Ariola opposing.

8. **Consider Resolution R22-23 making a determination related to the creation of a Neighborhood Empowerment Zone No. One.**

Brian LaBorde, City Manager – In the original TIRZ Agreement that was signed in November 2021, a Neighborhood Empowerment Zone (NEZ) will be created to make effect the waiving of permit and impact fees.

Motion was made by Councilmember Garcia to approve Resolution R22-23 as presented. Motion was seconded by Mayor Pro-Tem Anderson. Motion carried 4 to 1 with Councilmember Ariola opposing.

9. **Introduce Ordinance 2022-31 approving final project and financing plan for Tax Increment Reinvestment Zone No. Two.**

Brian LaBorde, City Manager - TIRZ #2 Project and Financial Plan is recommended for amendment to account for the additional properties not included in the original adoption of the zone and subsequent abatements applied thereafter. Not all intended properties were included due to closing dates that extended later than the adoption of the zone.

The City Attorney read the caption of the ordinance.

ORDINANCE NO. 2022 -31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS, APPROVING THE FINAL PROJECT AND FINANCING PLAN FOR REINVESTMENT ZONE NO. TWO, CITY OF TAYLOR, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

First reading. No action was taken.

10. Hold Public Hearing and establish upper limit of the ad valorem tax rate, set the date for the public hearings for September 8, 2022, and take a record vote.

Jeff Wood, Finance Director – gave a presentation on the tax rate. Prior to approving the ad valorem tax rate that will be used to support the approved budget, Council must first set the upper limit of the tax rate which will establish the maximum rate that Council will be able to approve in support of the budget but does not restrict Council from adopting a rate lower than the upper limit. Council must also set the date, time, and place of the public hearings for the FY 2023 budget and tax rate.

Mayor Rydell opened the public hearing at 6:52pm. With no one appearing, the public hearing was closed at 6:52pm.

Motion was made by Councilmember Garcia to set the upper limit of the ad valorem tax rate at \$0.648953 per \$100 of taxable value and schedule the public hearing for the FY2023 budget and the ad valorem tax rate for September 8, 2022 at 6:00pm. Motion was seconded by Mayor Pro-Tem Anderson.

The City Attorney called for a record vote.

Councilmember Drummond voted Yes

Councilmember Ariola voted No

Mayor Rydell voted Yes

Mayor Pro-Tem Anderson voted Yes

Councilmember Garcia voted Yes

Motion carried 4 to 1.

11. Introduce Ordinance 2022-32 Adopting the Annual Budget for the Fiscal Year 2023.

Jeff Wood, Finance Director – gave a presentation on the changes to the proposed budget since the budget workshop held in July. Staff will formally present the final proposed budget to Council prior to a public hearing on said budget on September 8, 2022.

The City Attorney read the caption of the ordinance.

ORDINANCE NO. 2022-32

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF TAYLOR, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

First reading. No action was taken.

12. Introduce Ordinance 2022-33 Fixing and Levying Ad Valorem Tax for the 2022 Tax Year (FY 2023).

Jeff Wood, Finance Director – this ordinance establishes the ad valorem tax levy for the 2022 tax year (FY 2023). This ordinance is scheduled for adoption on September 8, 2022.

The City Attorney read the caption of the ordinance.

ORDINANCE NO. 2022-33

AN ORDINANCE LEVYING TAXES FOR THE MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF TAYLOR, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE FISCAL YEAR 2023.

First reading. No action was taken.

- 13. Hold a Public Hearing regarding the participation in the Texas Enterprise Zone Program and to nominate Samsung Austin Semiconductor, LLC, located on approximately 1,270 acres generally located Southwest of downtown Taylor, Texas, in an area South of State Highway 79, North of County Road 1660, East of County Road 3349, and West of Farm to Market Road 973 in the City of Taylor, to the Office of the Governor as a Triple Jumbo Enterprise Project.**

Michael Camden, Ryan LLC - Samsung has requested the City consider passage of an Enterprise Zone which is a State incentive sponsored by the Governor's office of economic development. Areas designated as Enterprise Zone are tied to the city's tract/block group where the poverty rate is at least 20%. The zones are effective for ten years tied to the census data. A city can participate by applying to the State to become nominated.

Mayor Rydell opened the public hearing at 7:14pm. With no one appearing, the public hearing was closed at 7:14pm.

No action taken.

- 14. Introduce Ordinance 2022-34 regarding the participation in the Texas Enterprise Zone Program and to nominate Samsung Austin Semiconductor, LLC, located on approximately 1,270 acres generally located Southwest of downtown Taylor, Texas, in an area South of State Highway 79, North of County Road 1660, East of County Road 3349, and West of Farm to Market Road 973 in the City of Taylor, to the Office of the Governor as a Triple Jumbo Enterprise Project.**

Brian LaBorde, City Manager – This ordinance will allow the City to participate in the Texas Enterprise Zone Program and to nominate Samsung Austin Semiconductor, LLC, to the Office of the Governor as a Triple Jumbo Enterprise Project.

The City Attorney read the caption of the ordinance.

ORDINANCE 2022-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, AUTHORIZING CITY OF TAYLOR TO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT"); PROVIDING TAX INCENTIVES; NOMINATING SAMSUNG AUSTIN SEMICONDUCTOR, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A

**TRIPLE JUMBO ENTERPRISE PROJECT UNDER THE ACT;
DESIGNATING A LIAISON FOR OVERSEEING ENTERPRISE
PROJECTS AND COMMUNICATING WITH INTERESTED PARTIES;
PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR
PUBLICATION AND AN EFFECTIVE DATE**

First reading. No action taken.

- 15. Hold a public hearing and introduce Ordinance 2022-39 regarding PZ-2021-1369 a change of zoning, on approximately 21.78 acres generally located at 3811 North Main Street, from Rural/Agricultural (R/A) and Local Business (B-1) zoning districts to Multi-Family Residential with a Residential Planned Development Overlay (MF-2/RPD).**

Tom Yantis, Development Services Director - The subject property is generally located directly north of the H-E-B grocery store. The applicant is wanting to provide a variety of multi-family residential unit types, live-work spaces, DIY/maker's spaces, and community amenities. The rezoning request is consistent with the Comprehensive Plan. The Planning and Zoning Commission unanimously recommend approval of the Zoning Map Amendment.

Mayor Rydell opened the public hearing at 7:30pm. With no one appearing, the public hearing was closed at 7:31pm.

The City Attorney read the caption of the ordinance.

ORDINANCE NO. 2022-39

AN ORDINANCE CHANGING THE ZONING ON PROPERTY DESCRIBED AS APPROXIMATELY 21.78 ACRES OF LAND GENERALLY LOCATED AT 3811 NORTH MAIN STREET, FROM RURAL/AGRICULTURAL (R/A) AND LOCAL BUSINESS (B-1) ZONING DISTRICTS TO MULTI-FAMILY RESIDENTIAL WITH A RESIDENTIAL PLANNED DEVELOPMENT (MF-2/RPD), PART OF AND OUT OF THE WILLIAM J. BAKER SURVEY, ABSTRACT NO. 65, TAYLOR, WILLIAMSON COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE.

First reading. No action was taken.

- 16. Introduce Ordinance 2022-35, Strength of Force, number of positions in Fire Department.**

LaShon Gros, Human Resources Director – this ordinance will increase the number of positions in the classification of Lieutenant from six (6) positions to seven (7) positions. The fire department is requesting the lieutenant position is added and designated as fire inspector/investigator to assist with plan reviews, construction inspections, CO inspections, annual fire safety inspections, and manage the fire prevention programs.

The City Attorney read the caption of the ordinance.

ORDINANCE NO. 2022-35

**AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS
PRESCRIBING THE CLASSIFICATIONS FOR POLICE OFFICER
AND FIREFIGHTER POSITIONS AND THE MAXIMUM NUMBER
OF POSITIONS IN EACH CLASSIFICATION.**

First reading. No action was taken.

REGULAR AGENDA; REVIEW/DISCUSS AND CONSIDER ACTION

17. Discussion and possible direction to staff regarding updating the comprehensive plan Growth Sectors and Future Land Use plans.

Tom Yantis, Development Services Director – In a joint meeting in June with TEDC, Council discussed utility availability along the US 79 west corridor and the Growth Sector and Land Use designations in this corridor. Rebecca Leonard with Lionheart Places, the City's lead consultant on the Envision Taylor comprehensive plan, provided insight on possible revisions to the Growth Sector and Future Land Use plans. Mr. Yantis will work out an agreement with Lionheart Places to lead a process that engages the Comprehensive Plan Advisory Committee that will give staff some recommendations on the scope of any changes that the City should make to the Comp Plan and bring back to Council.

Motion was made by Councilmember Garcia to receive the Comprehensive Plan Growth Sector and Future Land Use plans presentation as presented. Motion was seconded by Councilmember Ariola. Motion carried unanimously.

18. Consider appointing the Impact Fee Capital Improvements Advisory Committee.

Tom Yantis, Development Services Director - The City is in the process of updating its water, sewer and transportation impact fees. State law requires the Council to appoint a capital improvements advisory committee to review and advise the City Council on the proposed capital improvements to be funded by the impact fees, and also allows the City to use the Planning and Zoning Commission as the advisory committee plus a representative from the ETJ.

Motion was made by Mayor Pro-Tem Anderson to appoint the Planning and Zoning Commission plus Ed Komandosky as the ETJ representative as the Capital Improvements Advisory Committee for the impact fee update. Motion was seconded by Councilmember Drummond. Motion carried unanimously.

Mayor Rydell read the executive session item and adjourned into closed session at 7:47pm.

Executive Session I. The Taylor City Council will conduct a closed executive meeting under Section 551.071 of the Texas Government Code in order to meet with its City Attorney on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas authorize and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.

a) RCR Rail Park

19. Reconvene into open session and take any action.

Mayor Rydell reconvened into open session at 8:54pm. No action was taken.

ADJOURN

With no further business Mayor Rydell declared the meeting adjourned at 8:54p.m.


Brandt Rydell, Mayor

ATTEST:


Rocio Lopez, Executive Assistant

