



City of Hutto

Agenda

City Council Meeting

Thursday, August 19, 2021 at 7:00 PM

City Council Chambers

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 huttotx.gov

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. CITY COUNCIL COMMENTS

Pursuant to Texas Government Code Sec. 551.0415, a member of the governing body may make an announcement about items of community interest during a meeting of the governing body without given notice of the subject of the announcement. Items of Community Interests include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedule; (3) an honorary or salutary recognition of public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition of the subdivision; (4) a reminder regarding social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and (5) announcements involving imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

5.1. General Comments from City Council

5.2. City Council Liaison Reports

6. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes.

Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on August 19, 2021. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

(Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits the City Council from fully discussing, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the City Staff for action may be placed on the agenda of a future City Council Session.)

7. CITY MANAGER COMMENTS

7.1. Introduction of Matt Wojnowski, Assistant City Manager.

8. PROCLAMATIONS

8.1. Proclamation No. 2021-011- A proclamation celebrating the life of Rev. Fred B. Warren, Jr.

9. CONSENT AGENDA ITEMS

- 9.1. Consideration and possible action on approving the August 5, 2021 City Council meeting minutes.
- 9.2. Discussion and possible action on Ordinance No. O-2021-044 approving the proposed zoning change request for Aspen Heights Planned Unit Development (PUD) from SF-1 (Single Family) to PUD (Planned Unit Development) for single-family detached condo, 36.624 acres, more or less, of land, located on FM 1660 South. (Second Reading)(Ashley Lumpkin)
- 9.3. Consideration and possible action on Ordinance No. O-2021-047 amending section 2.02.003 of the Hutto City Code to provide for resignation procedures for members of City boards and commissions, establish the date a vacancy is created in the event of a resignation, and modify the nomination procedures for City boards and commissions. (Councilmember Gordon). (First Reading)
- 9.4. Consideration and possible action on Resolution No. R-2021-136 authorizing the City Manager to enter into an Emergency Shelter Agreement with the YMCA.
- 9.5. Consideration and possible action on Resolution No. R-2021-135 authorizing the City Manager to execute the Standard Master Agreement between the City of Hutto and Garver, LLC for Continuing Professional Services. (City Attorney - C. Rosas-Grillet)

10. ORDINANCES

11. RESOLUTIONS

- 11.1. Consideration and possible action on Resolution No. R-2021-136 approving a Second Amended and Restated Development Agreement between the City of Hutto and MA Durango, LLC for a property being approximately 105 acres, also known as Durango Farms. (D. Palumbo)
- 11.2. Consideration and possible action on Resolution No. R-2021-131 authorizing the City of Hutto's execution and entering into the Durango Farms Public Improvement District Financing and Reimbursement Agreement; ordering other matters in connection with the foregoing and providing an effective date.
- 11.3. Consideration and possible action on Resolution No. R-2021-132 authorizing the City of Hutto's execution and entering into the Durango Farms Public Improvement District Landowner Agreement and Notice of Special Assessments; ordering other matters in connection with the foregoing and providing an effective date.
- 11.4. Consideration and possible action on Resolution No. R-2021-124 determining costs of authorized improvements for the Durango Farms Public Improvement District and ordering the filing of an assessment roll with the City Secretary to make available to the public in compliance with Texas Local Government Code Chapter 372; calling a public

hearing on the levy of assessments on property located within the Durango Farms Public Improvement District to pay such costs and directing the City Secretary to publish and mail notice of the public hearing in accordance with Texas Local Government code Chapter 372; and related matters; and providing an effective date. (City Attorney - D. Palumbo)

- 11.5. Consideration and possible action on Resolution No. R-2021-134 of the City of Hutto declaring void a Pro Rata Share Agreement with Meritage Homes dated September 21, 2018, including any amendments, in the alternative rescinding said agreement including any amendments; and in the further alternative authorizing the City Manager to terminate said agreement and any amendments; providing for an accounting and pro rata share analysis; and providing an effective date.

12. OTHER BUSINESS

- 12.1. Presentation by Williamson County and Cities Health District.
- 12.2. Consideration and possible action on facts related to amended legal claims brought by the city in the pending litigation involving the City of Hutto and others arising out of Project Expansion.(Legal-G.Hyde)
- 12.3. Consideration and possible action regarding the plaque on the front of City Hall, including but not limited to the materials to be used in any replacement plaque. (Councilmember Gordon)
- 12.4. Consideration and possible action relating to the procedures to set speed limits within the City of Hutto.(Councilmember Sutton)
- 12.5. Consideration and possible action on closing requirements for Legends of Hutto drainage ditches.
- 12.6. Consideration and possible action on amendments to the City's purchasing policy. (Mayor Snyder)
- 12.7. Consideration and possible action relating to Truck Traffic in Old Town.
- 12.8. Consideration and possible action on appointing members to the Comprehensive Plan Action Committee.
- 12.9. 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.

13. 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).

- 13.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 13.2. Receive legal advice pursuant to Texas Government Code Sections 551.087 and 551.071, to deliberate and seek legal advice regarding economic development negotiations with OVIVO Inc. and project Darwin.

14. ACTION RELATIVE TO EXECUTIVE SESSION

- 14.1. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 14.2. Consideration and possible action on legal advice received pursuant to Texas Government Code Sections 551.087 and 551.071, to deliberate and seek legal advice regarding economic development negotiations and incentives related to project Darwin.
- 14.3. Discussion and possible action approving an Economic Development Performance Agreement and related expenditures between the Hutto Community Development Corporation and OVIVO, INC. in connection with the creation of a manufacturing facility and numerous jobs in the City of Hutto, Texas.(Legal-G.Hyde)

15. ADJOURNMENT

16. CERTIFICATION

I certify that this notice of the Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on August 16, 2021 6:36 P.M.



Holly Nagy

The City of Hutto is committed to comply with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made 48 hours prior to the meeting. Please email the City Secretary's office at City.Secretary@huttotx.gov or call (512) 759-4033 for assistance.