



City of Hutto

Agenda

City Council Meeting

Thursday, December 2, 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 December 2, 2021. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

7. ASSISTANT CITY MANAGER COMMENTS

8. CONSENT AGENDA ITEMS

8.1. Consideration and possible action on Ordinance No. O-2021-068 an ordinance amending the budget for the fiscal year of October 1, 2021, through September 30, 2022, by appropriating and setting aside the necessary funds for additional

expenditures in accordance with existing statutory requirements; finding municipal purposes; providing for a severability clause; and providing for an effective date. (Second Reading)(Angie Rios)

- 8.2. Consideration and possible action on Ordinance No. O-2021-069 electing to readopt Article 20.04 Reinvestment Zones And Tax Abatement Agreements, as amended herein, authorizing the participation in tax abatement agreements, establishing guidelines and criteria governing tax abatement projects to encourage economic development in the City of Hutto; and provide for severability, repeal and an effective date. (Second Reading)(George Hyde)
- 8.3. Consideration and possible action on Resolution No. R-2021-177 authorizing the Acting City Manager to execute an Athletic Facility Use Agreement with Hutto Youth Baseball and Softball Association for 2022. (Matt Wojnowski)
- 8.4. Consideration and possible action to appropriate funds not to exceed \$100 for Boards and Commission booth at Holidays in Hutto. (Councilmember Kinsey)
- 8.5. Consideration and possible action on Resolution No. R-2021-179 a joint resolution of the City of Hutto, Texas, the Cottonwood Development Corporation, and the River Creek Development Corporation, approving a contingent fee engagement agreement with the Kassab Law Firm for representation in asserting claims of legal malpractice; making required findings; providing for an effective date. (George Hyde)
- 8.6. Consideration and possible action on Ordinance No. O-2021-070 approving the proposed annexation of the Hanson - Tasto Tract, 30.3 acres, more or less, of land, and to establish the base zoning for the property as SF-R (Single-Family Residential - Rural Estate). (Second Reading)(Ashley Lumpkin).
- 8.7. Consideration of a public hearing and possible action on Ordinance No. O-2021-071 on the proposed Planned Unit Development (PUD) zoning request for the property known as Schmidt's Creek Planned Unit Development (PUD), 30.3 acres, more or less, of land, located on Ed Schmidt Boulevard. The land use proposal is detached and attached residential and commercial uses. (Second Reading) (Ashley Lumpkin)
- 8.8. Consideration and possible action on Ordinance No. O-2021-066 amending Chapter 2, Article 2.02, Division 5, Section 2.02.121 of the City of Hutto Code of Ordinances providing for procedural and organizational rules for the Zoning Board of Adjustment. (Second Reading) (Ashley Lumpkin)

9. OTHER BUSINESS

- 9.1. 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, Area Government appointments and Advisory Committees. (City Council)
- 9.2. Consideration and possible action regarding Spanish closed captioning services not to exceed \$27,136.00 to be payable out of PEG funds and to authorize the Acting City Manager to execute agreement. (City Council)
- 9.3. Discussion and possible action regarding possible violation of Article XVI, Section 40 of the Texas State Constitution by City Councilmember Place 3, potential common-law of incompatibility of City Councilmember Place 3, and ability to ask for an opinion from the Texas Attorney General regarding the possible violations and whether repayment of funds received in violation of the Texas State Constitution Article XVI, Section 40 is required. (MPT Rose)

10. ORDINANCES

- 10.1. Consideration of a public hearing and possible action on Ordinance No. O-2021-073 approving the proposed annexation of the Prose Tracts, 16 acres, more or less, of land, and to establish the base zoning for the property as MF (Multi-Family Residential). (First Reading)(Ashley Lumpkin).
- 10.2. Consideration and possible action on Ordinance No. O-2021-073 to dispense with second reading pursuant to Hutto City Charter Article 3, Section 3.13.
- 10.3. Consideration and possible action on presentation on the Utility Rate Study and approval of Ordinance No. O-2021-074 prescribing certain fees for the City of Hutto, Texas, amending all applicable ordinances and other instruments; providing for a schedule of fees and charges. (First Reading)(Angie Rios)

11. RESOLUTIONS

- 11.1. Consideration and possible action on Resolution R-2021- 178 approving an amendment to the Hortenstine Family Trust Groundwater Lease. (Legal)

12. 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).

- 12.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 12.2. Receive legal advice pursuant to Texas Open Meetings Act Section 551.074, Personnel Matters: Closed Meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee- City Attorney; Assistant City Attorneys. (Councilmember Villarreal Salvo)
- 12.3. Receive legal advice pursuant to Section 551.072 deliberation regarding offer of acquisition of City-owned property.
- 12.4. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to prior expenditure of City long-term debt proceeds and any related action by the City in response thereto.
- 12.5. Executive session in accordance with Texas Open Meetings Act Section 551.074, Personnel Matters: Closed Meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Acting City Manager, Interim City Manager.

13. ACTION RELATIVE TO EXECUTIVE SESSION

- 13.1. 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.
- 13.2. Consideration and possible action related to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee- City Attorney, Assistant City Attorneys. (Councilmember Villarreal Salvo)

- 13.3. Consideration and possible action pursuant to Section 551.072 deliberation regarding offer of acquisition of City-owned property.
- 13.4. Consideration and possible action relating to prior expenditure of City long-term debt proceeds and any related action by the City in response thereto.
- 13.5. Consideration and possible action on Executive Session in accordance with Texas Open Meetings Act Section 551.074, Personnel Matters: Closed Meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Acting City Manager, Interim City Manager.

14. ADJOURNMENT

15. 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 November 29, 2021 at 5:00 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@huttox.gov or call (512) 759-4033 for assistance.