

# City of Hutto



## Agenda

### City Council Meeting

**Thursday, April 16, 2020 at 7:00 PM**

### City Council Chambers

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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 [www.huttotx.gov](http://www.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 governance 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

6. PROCLAMATIONS

7. 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.

*[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.]*

8. CITY MANAGER COMMENTS

9. CONSENT AGENDA ITEMS

9.1. Consideration and Approval of the minutes for the February 20, 2020 Regular City Council Meeting.

[20 Feb 2020 minutes](#)

9.2. Consideration and Approval of the minutes for the March 26, 2020 Special Called City Council Meeting.

[26 Mar 2020 - Minutes](#)

10. OTHER BUSINESS

10.1. Presentation on Forensic Audit & Scope of Work (Eide Bailey,LLC)

10.2. An update on the results of SGR's Position Profile Interviews with Council Members and Senior Staff regarding the unique culture, needs and desires of the organization and community to assist in the marketing and recruitment of the successor City Manager. (Doug Thomas, SVP Strategic Government Resources)

[Agenda Item Report - AIR-20-160 - Pdf](#)

10.3. Consideration and possible action on directing staff to bring back an ordinance pursuant to the City of Hutto Charter Section 3.16, Investigative Body, to adopt procedures for Council to act as an investigative body. (Dottie Palumbo, City Attorney)

10.4. Update on Master Mobility Plan and other Transportation Projects (Ashley Lumpkin, Executive Director Development Services; Samuel Ray, Director of Public Works and Engineering)

[Agenda Item Report - AIR-20-164 - Pdf](#)

11. ORDINANCES

11.1. Consideration and possible action on the first reading of an ordinance concerning the first amendment to the Fiscal Year 2019-2020 Budget of the Hutto Economic Development Corporation - Type B (Community Development Corporation). (Michel Sorrell, ACM)

[Agenda Item Report - AIR-20-150 - Pdf](#)

[Ordinance-Amendant EDC Type B through 9-30-2020](#)

[HEDC Amended budget 2019 2020](#)

- 11.2. Consideration and possible action to repeal the Alarm Permit ordinance. (Dottie Palumbo, City Attorney)

[2020\\_01-21\\_Ordinance Amending Alarm System Ordinance FINAL2](#)

[2020\\_01-21\\_Ordinance Amending Alarm System Ordinance \(3-19-2020 ag\) bl2](#)

- 11.3. Consideration and possible action amending the Code of Ordinances for the City of Hutto, **Secs. 24.04.042** of the Utilities Code, to add a provision that water, sewer and sanitation service will not be disconnected or discontinued during an order or ordinance declaring a state of emergency within the City of Hutto. (Dottie Palumbo, City Attorney)

[Hutto COVID Utilities amendment ordinance \(4-13-2020 CLEAN\)](#)

- 11.4. Consideration and possible action on an Ordinance of the City of Hutto, Texas continuing Ordinance No. O-2020-008 the Mayor's Declaration of Disaster Order and subsequent emergency orders and providing an effective date. (Dottie Palumbo, City Attorney)

[Hutto Ordinance Extend Disaster Order Final 4 16 20](#)

- 11.5. Consideration and possible action on the first reading of an ordinance amending the Fiscal Year 2019-20 Budget to reflect organizational changes, revisions to capital projects and other miscellaneous adjustments. (Misti Hancock, Budget Manager)

12. RESOLUTIONS

- 12.1. Consideration and possible action on a resolution of the City of Hutto, Texas, ('City') responding to the application of Atmos Energy Corporation -Midtex Division, to increase rates under the gas reliability infrastructure program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Atmos Texas Municipalities;" determining that the meeting at which the

resolution was adopted complied with the Texas Open Meetings act; making such other findings and provisions related to the subject; and declaring an effective date. (Michel Sorrell, ACM)

[Agenda Item Report - AIR-20-148 - Pdf](#)

[Atmos-GRIP-2020-MidTex-ATM-SUSPENSION-RESOLUTION-031020](#)

[Atmos-GRIP-2020-MidTex-ATM-SUSPENSION-RESOLUTION-AIS-031020](#)

- 12.2. Consideration and possible action on the acceptance of the street, drainage, water, sidewalk, ADA ramps and wastewater improvements of Hutto Crossing Phase 4 Section 10 Subdivision. (Tony Host, Exec. Director Community Services)

[Agenda Item Report - AIR-20-151 - Pdf](#)

[Resolution hutto crossing 4-10](#)

[Engineers Concurrence Letter](#)

[Hutto Crossing 4-10 Construction Summary 200304](#)

[Maintenance Bond](#)

[Hutto Crossing 4-10 Accept-Coversheet](#)

- 12.3. Consideration and possible action on authorizing the City Manager or Interim City Manager to execute a development fee agreement on behalf of the City of Hutto for payment of review and development expenses incurred by the City of Hutto for development agreements requesting special district financing or economic development incentives.

[Agenda Item Report - AIR-20-162 - Pdf](#)

[Hutto Development Fee Form Agreement](#)

- 12.4. Consideration and possible action on a resolution consenting to the use of the power of eminent domain by Williamson County within the jurisdiction of Hutto for the Southeast Loop construction project. (Samuel Ray, Director of Public Works and Engineering)

[Agenda Item Report - AIR-20-141 - Pdf](#)

### 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. Deliberation regarding Economic Development Negotiations concerning location of a new business prospect within the City of Hutto, Texas, pursuant to Texas Gov't. Code Section 551.087.(Jennifer Burrington, Economic Development Specialist)
- 13.2. Receive legal advice from the City Attorney in accordance with Tex. Gov't Code § 551.071(1) about pending litigation, to wit: Brushy Creek, Ltd. V. City of Hutto, Cause No. 19-1497-C395 (395th Judicial District Court, Williamson County, Texas).
- 13.3. Receive legal advice from the City Attorney in accordance with Tex. Gov't Code § 551.071 (2) about legal issues relating to current and former development agreements; including, without limitation, a certain Master Development Agreement dated September 20, 2019, between the City of Hutto and Legacy Hutto, LLC and a certain Multi-Party Development Agreement dated October 1, 2019, by and among the City of Hutto, Perfect Game Incorporated, Legacy Hutto, LLC, and Sports Facilities Development, LLC, both agreements relating to the development of a public sports and mixed-use district consisting of approximately 242 acres within the City.
- 13.4. Receive legal advice from the City Attorney concerning budget amendment; COVID-19 effect on municipal operations and financial compliance and requirements

13.5. Receive legal advice from the City Attorney on pending legal matters and Council legal requests.

14. ACTION RELATIVE TO EXECUTIVE SESSION

15. ADJOURNMENT