



City of Hutto

Agenda

Special Called City Council Meeting

Thursday, July 23, 2020 at 6:00 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 www.huttotx.gov

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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. PUBLIC COMMENT

Public Comments will be allowed via email, phone conference call and walk into Council Chambers for public comment. 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).

Any citizen wishing to speak during public comment may do so after completing the required registration form. Comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on July 23, 2020. The email must include name, address, phone # and email to be recognized properly.

Citizens wishing to comment by phone may call:

One tap mobile

+13462487799,,83653147586#

OR

Manual Dial +1 346 248 7799

US Toll-Free: 877 853 5257

Toll-free Meeting ID: 836 5314 7586

Those appearing for public comment will be seated in the lobby until called into Council Chambers for comment and then exit the opposite door.

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 Board 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 meeting.]

7. CITY MANAGER COMMENTS

8. RESOLUTIONS

- 8.1. Consideration and possible action on a resolution approving the proposed Tax Increment Reinvestment Zone (TIRZ) Policy. 5 - 15

[Hutto Resolution R2020037 TIRZ policy.](#)

[Hutto TIRZ Policy DRAFT](#)

- 8.2. Consideration and possible approval on a resolution approving the proposed Municipal Use District (MUD) Policy. 16

[Hutto Resolution R2020038 MUD policy](#)

9. OTHER BUSINESS

- 9.1. Discussion and possible action on preliminary fiscal year 2020-2021 budget.

10. 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].

- 10.1. Receive legal advice pursuant to Texas Government Code Section 551.071(1) and (2) relating to the Hutto Sports, Health and Entertainment District; the Multi-Party Development Agreement; the Preston Hollow Capital, LLC Loan Agreement with Cottonwood Development Corporation and deliberations regarding Economic Development pursuant to Tex. Govt. Code § 551.087; and deliberate the purchase or sale of real property within the Hutto Sports, Health and Entertainment District pursuant to Texas Government Code Section 551.072.

- 10.2. Receive Legal Advice from the City Attorney on Pending Legal Matters and Council Legal Requests Pursuant Tex. Govt. Code § 551.071.

11. ACTION RELATIVE TO EXECUTIVE SESSION

- 11.1. Discussion and possible action relating to legal advice pursuant to Texas

Government Code Section 551.071(1) and (2) relating to the Hutto Sports, Health and Entertainment District; the Multi-Party Development Agreement; the Preston Hollow Capital, LLC Loan Agreement with Cottonwood Development Corporation and deliberations regarding Economic Development pursuant to Tex. Govt. Code § 551.087; and deliberate the purchase or sale of real property within the Hutto Sports, Health and Entertainment District pursuant to Texas Government Code Section 551.072.

- 11.2. Receive Legal Advice from the City Attorney on Pending Legal Matters and Council Legal Requests Pursuant Tex. Govt. Code § 551.071.

12. ADJOURNMENT

13. CERTIFICATION

I certify that this notice of the **July 23, 2020** Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on **July 17, 2020 at 5:30 P.M. Amended and reposted on 7/20/2020 @ 8:30 AM**



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.

RESOLUTION NO. R-2020-037

**RESOLUTON ADOPTING A TAX REINVESTMENT
INCREMENT ZONE POLICY FOR THE CITY OF HUTTO,
TEXAS; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Hutto, Texas, ("City"), has received and anticipates receiving applications for development agreements containing requests for special district financing and economic development incentives including petition to create a Tax Increment Reinvestment Zones; and

WHEREAS, the City Council desires to adopt a Tax Increment Reinvestment Zone Policy for the creation, renewal, administration and management of Tax Increment Reinvestment Zones.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS,

Section 1. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. That the City Council hereby approves and adopts a Tax Increment Reinvestment Zone Policy, a copy is attached as Exhibit "A", as a policy guideline for the creation, renewal, administration and management of Tax Increment Reinvestment Zones.

Section 3. That the City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Hutto, and it is accordingly so resolved.

RESOLVED this 16th day of July, 2020.

CITY OF HUTTON, TEXAS

Doug Gaul, Mayor

ATTEST:

Holly Nagy, City Secretary

City of Hutto, Texas

Policy and Procedures

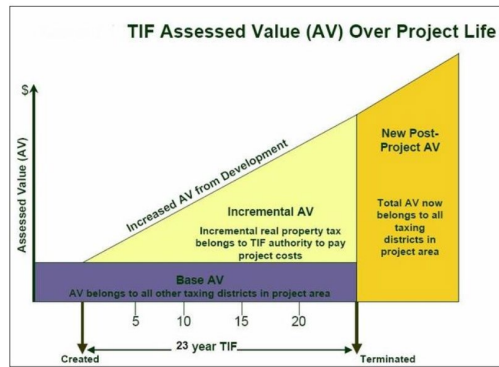
Tax Increment Reinvestment Zones

PURPOSE

The purpose of this Policy is to establish guidelines for the City to exercise the power granted under the Tax Increment Financing (“TIF Act”), Chapter 311 of the Texas Tax Code. The TIF Act authorizes the governing body of a municipality or a county to promote development or redevelopment of a contiguous geographic area by designating it a Tax Increment Reinvestment Zone (“TIRZ”). The future value of private investment within a TIRZ is leveraged to finance public improvements, to enhance existing public infrastructure, and to maximize the benefits of other incentive tools.

For the duration of the TIRZ, the property taxes from the increased value due to development within the TIRZ is “captured” and placed in a separate fund administered by the City to encourage development and aid in developing public infrastructure. The infrastructure is paid for by the collection of a tax increment, either property tax, sales tax, or both, from the benefitted area and placed in a Tax Increment Fund (“TIF”). For property tax, the increment is only taken from the increase in value of the zone, comparing the value in the base year (year of TIRZ creation) to the value each subsequent year. Bonds and other financial tools can be based on this tax increment.

Typically, the tax year in which a jurisdiction establishes the TIRZ sets the real property assessed value base (base year). For each year in the life of the TIRZ, a special fund captures the tax revenue generated from the difference between the base-year assessed value and that year’s assessed value. Other taxing jurisdictions can choose to direct all or a portion of their tax revenues into the TIRZ. An appointed board of directors (“TIRZ Board”) chooses how to spend the money captured in the TIRZ fund based on agreements negotiated between the TIRZ, the effected jurisdictions and an owner of a project. This value generating process is outlined below:



The captured tax proceeds can only be used to pay for eligible public improvements within the zone such as streets, drainage, utilities, and public facilities. The underlying concept is that the new taxes from new development are reinvested within the zone that created the additional value. Generally, the developer is required to advance fund the eligible improvements and is only reimbursed with TIRZ proceeds when/if the captured tax proceeds are sufficient.

Property owners within the zone continue to pay the full taxes that are due, so a TIRZ does not create a “tax abatement” situation. The taxes on the “base value” (the property value within the zone before development) continue to flow to the City’s general fund for use city-wide.

APPLICATION

In agreeing to consider a petition for creation of a TIRZ, the City will require the following from the developer of the TIRZ at the time the application is submitted, at a minimum:

1. Have entered into a Development Fee Agreement to cover all administrative or operational costs incurred by the City for legal, engineering, administrative and financial advisory services and fees in connection with vetting the request for a TIRZ and drafting of a development agreement. The payment of such fees is not a guarantee that the City will approve the creation of the TIRZ but is an initial fee for review and processing of the application and creation of the TIRZ
2. Evidence that the Developer has the expertise and financial backing to complete the new development to be supported by the District financing. In connection with this requirement, the developer must provide the City with its evidence of its committed and anticipated sources of funding to fund the balance of the improvements in the District not eligible to be funded by District issued financing.
3. Proposed development plan including construction schedule.
4. Identify all project costs, including acquisition, construction, soft costs, and applicable long-term management costs.

- a. Source and Uses budget and project proforma detailing projected cash flows over the life of the proposed District including other public sources, private financing, and developer equity contribution into project
 - b. Demonstration of financial wherewithal to meet project costs and complete project (i.e. the most current three years of financial statements, complete Sources and Uses budget, and/or Letters of Credit from Bank)
5. Demonstrated previous experience developing similar scale and type of project.
6. The proposed development must be consistent with the entitlements on the property. Zoning for the proposed development must be in place prior to TIRZ creation. The Developer must provide evidence to the City that the utility service provider has sufficient capacity to provide all necessary utility services for a TIRZ.
7. The City shall, upon reasonable prior written notice to the Developer and during normal business hours, have the right to audit and inspect the Developer's records, books, and all other relevant records. The City, the Developer, and any other parties involved in the creation of the TIRZ District and/or financing, will agree to maintain the appropriate confidentiality of such records, unless disclosure of such records and information shall be required by a court order, a lawfully issued subpoena, local or state laws or ordinances, or at the direction of the Attorney General.

REQUIREMENT FOR DEVELOPMENT AGREEMENT

With an application for a District, the applicant acknowledges the obligation to have entered into a Development Fee Agreement and then enter into a Development Agreement that will include, but not be limited to, the following provisions, as the same may be applicable to the type of District proposed:

1. All Districts shall be self-sufficient and in no case shall any consideration or approval of a TIRZ create a recourse position for the City, where the City is asked to pledge its full faith and credit or be responsible for repayment of any debt.
2. Voluntary annexation of the project area, prior to the creation of the TIRZ.
3. Outline at least three of the City's desired community benefits incorporated by the proposed development.
4. A development plan that outlines, at a minimum, land use and thoroughfare connections and is consistent with the City's Master Plans, as amended.
5. The proposed development will substantially contribute to funding the expansion of arterial streets, major collector roadways, and trunk line utility infrastructure, as applicable when necessary to address the projected demand for services and impacts of the development.
6. The development will be located within the City's existing Water and Wastewater CCNs or expanded CCNs facilitated by the developer if, in the City's discretion, such expansion

is feasible.

7. Plans for the proposed development shall be prepared and reviewed by the City in compliance with the City's development regulations as relates to land use, infrastructure design, permitting, and inspections and applicants shall seek development approvals in accordance with the City of Hutto Unified Development Code and all applicable laws, prior to the commencement of any construction.

COMMUNITY BENEFITS

The City Council will prioritize approval of TIRZ applications for land in the City and/or Extraterritorial Jurisdiction of the City ("ETJ") that provide for the following public benefits to a degree that is superior to the benefits typically generated by real estate development projects not involving TIRZ financing.

1. Projects that will generate primary employment or other long-term economic development benefits to the City, above and beyond the economic development benefits generated by typical residential developments.
2. Improvements or services that advance or exceed the City's design standards in the Unified Development Code, take into consideration environmentally sensitive areas or natural features within the area for development.
3. Projects that create or enhance parks, hike and bike trails, recreational facilities, open space benefits, etc. that exceed what is required by applicable development regulations. See [Hutto 2040 Comprehensive Plan - Updated](#).
4. Projects that improve environmental protection, storm water quality, and flood control benefits that meet or exceed what is required by applicable development regulations.
5. Affordable Housing Developments that may include senior housing, workforce housing or veterans housing.
6. Projects that increase or enhance multimodal transportation options.
7. Projects that improve public educational programs and/or facilities.
8. Projects that provide enhanced benefits to improve the public roadway network in the City.
9. Projects that provide enhanced water and wastewater infrastructure in the City.
10. Projects as identified by the City Council as a response to a community need.

TYPES OF TIRZ DISTRICTS

1. A TIRZ can be City-initiated or petition initiated.
 - a. City-initiated TIRZ are designated as a response to a community need identified by the City. They are unique in that there is typically not a single developer to manage each project. In such cases, staff would evaluate the projects to identify eligible expenses, coordinate the preparation and negotiation of legal documents, monitor construction, process reimbursement requests and monitor compliance.
 - b. Petition-initiated TIRZ allow property owners, residents, and project developers to contract with the City to bring high-quality development/redevelopment to areas that have not seen any significant development in recent history, in conjunction with the City's adopted plans. Petitions must be submitted by the property owners whose ownership constitutes at least 51 percent of the appraised value of the property in the proposed TIRZ, according to the most recent certified appraisal roll.
2. Priority for the authorization of a TIRZ will be given to TIRZ petitions that sponsor public improvements that:
 - a. Provide at least four or more Community Benefits.
 - b. Support development that is desirable but not supported by the current market (e.g., higher density developments).
 - c. Support current construction-in-progress infrastructure that the City has planned.
 - d. Support target growth areas of the City.
3. City Council maintains the sole discretion to approve or deny the TIRZ petition.

MINIMUM REQUIREMENTS FOR A TIRZ

To be considered by the City Council, the real estate development project supported by the TIRZ must meet the following minimum requirements:

1. The TIRZ must be designed to achieve at least three of the priorities listed for Community Benefits.
2. Evidence that no construction is taking place within the proposed TIRZ boundaries. If construction is taking place within the proposed TIRZ, the costs of any of such construction cannot be financed through TIF.
3. Before a TIRZ petition may be approved, the TIRZ petitioners and the City must enter into a Development Agreement that also establishes:

- a. The basic terms and conditions for creation of the TIRZ, including the provision of community benefits; and
 - b. The method of financing for the TIRZ improvements.
4. An independently prepared market analysis to be prepared and completed prior to the public hearing. The market analysis will assess the reasonableness of the public improvements and overall development plan in light of market conditions. The costs of the third-party market analysis will be paid by the Petitioner and the study will be ordered by the City.
5. Staff's review of the application will be used to determine the recommended amount of city participation, City's maximum dollar contribution as well as the length of time the TIRZ will be in existence. In addition to the application requirements, the applicant shall also include any projected TIF revenue anticipated by the proposed project.
6. Be in accordance with the City of Hutto, [Hutto 2040 Comprehensive Plan - Updated](#) and approved by the City Council, and consistent with the City's Unified Development Code, (UDC) and all applicable laws.
7. Be reasonably likely to increase the aggregate taxable value of property within the Zone by at least twenty (20%) percent during the life of the Zone.
8. Provide adequate infrastructure improvements to serve the Zone, including but not limited to streets, water and wastewater facilities, and drainage structures, designed and constructed according to City standards.

ADDITIONAL REQUIREMENTS FOR TIRZ WITHIN THE ETJ

The City will consider TIRZ petitions for property in ETJ only if a Development Agreement has been approved that requires that the whole project be voluntarily annexed into the City prior to the creation of the TIRZ.

With the exception of a Public Improvement District ("PID"), the petitioner will dissolve or agree to not create any other special district vehicles that may overlay the TIRZ, including but not limited to, Municipal Utility Districts, Water Control & Improvement Districts or any other Special District.

PREFERENTIAL REQUIREMENTS

1. TIRZ that provide four or more community benefits are preferred; and
2. "Pay as you go" financing and reimbursing front-end public redevelopment costs with tax increment revenues are preferable to bond financing and are to be considered and used when appropriate.

REQUIREMENTS OF PETITION

1. The petitioners shall notify the City at least 30 days in advance of their intent to file a TIRZ petition with a request for a pre-application meeting scheduled by the City.
2. The petitioners must include with the TIRZ petition an application and applicable fee in accordance with the Development Fee Agreement.
3. The petition shall be signed by the owners of property constituting at least 51 percent of the appraised value of the property in the area according to the most recent certified appraisal roll for the county in which the area is located. TIRZ petition signatures should reflect that a reasonable attempt was made to obtain full support of the TIRZ by the majority of the property owners.

NOTICE, PUBLIC HEARING AND APPROVAL OF THE PETITION

1. City staff and consultants will assess the adequacy of the TIRZ petition and its compliance with this policy and the TIF Act and recommend to the City Council whether to proceed with a public hearing on the TIRZ petition.
2. In conformance with the TIF Act, before adopting an ordinance or order providing for a reinvestment zone, the City shall hold a public hearing on the creation of the zone and its benefits to the City and to property in the proposed zone. At the hearing an interested person may speak for or against the creation of the zone, its boundaries, or the concept of tax increment financing. No later than seventh day before the date of the hearing, notice of the hearing shall be published in a newspaper having general circulation in the City.
 - a. If the City Council approves setting a public hearing on the TIRZ petition, in addition to the notice requirements outlined within the Act for a newspaper posting, the applicant shall send the notice to the newspaper to be published and mail the notice to property owners. The applicant must provide documentation to the City for the public hearing to be added to the agenda at least three weeks prior to the desired City Council meeting date.
 - b. All costs associated with notices shall be covered by the applicant's deposit in accordance with the Development Fee Agreement.
3. For a City-initiated TIRZ, the City Council must be able to make a finding that development of the area would not occur in the foreseeable future solely through private investment. In Chapter 311.004 the ordinance or order must contain other provisions, including:
 - a. a description of the zone boundaries with sufficient detail to identify the territory within the zone;
 - b. a designation of the board of directors for the zone and an indication of the number on directors of the board;

- c. a provision that the zone will take effect immediately on passage of the ordinance;
- d. an indication of the zone termination date;
- e. a name for the zone as provided under Tax Code Section 311.004(a)(5);
- f. a provision establishing a tax increment fund for the zone;
- g. findings that the improvements within the zone will significantly enhance the value of the taxable property within the zone and will be of general benefit to the city or county; and
- h. a finding that the area meets the criteria for designation of a reinvestment zone under Tax Code Section 311.005.

FINANCIAL LIMITATIONS AND PERFORMANCE STANDARDS

1. In conformance with the TIF Act, the City shall consider the “but for” requirements required for the creation of the Zone and make a determination of the project costs necessary to implement the project plan and reinvestment zone financing plan. The City may consider the eligible project costs stated by the TIF Act, but is neither obligated nor limited to the following:
 - a. Off-site utilities required to bring utilities to the TIRZ (e.g. water, sewer road and drainage facilities, street lighting and traffic lights);
 - b. Upgrade existing infrastructure to advance future development within the TIRZ (e.g. lift stations, water, sanitary sewer, and storm drainage improvements, turning lanes/intersection improvements, water and wastewater treatment plant enhancements);
 - c. Land assembly costs;
 - d. Public infrastructure construction within the TIRZ including water, sanitary and storm sewer facilities, natural gas utilities, street lighting, signage and streetscape/landscape improvements;
 - e. Specialty items that include the construction of sound barriers, buffering landscape between residential and nonresidential uses, and common recreation areas;
 - f. Eligible project costs for a residential development, which may be reimbursed at up to 70% of the total cost as approved on a case- by-case basis; and
 - g. Eligible off-site utility costs and costs associated with eligible projects that provide a regional need, which may be reimbursed at up to 100% as approved on a case-by-case basis.

2. The duration of a TIRZ should not exceed 30 years from the creation date of the TIRZ. City may elect to terminate a TIRZ if the City determines such a termination is in the City's longer-term development interests.
3. As prescribed under Section 311.017 of the Tax Increment Financing Act, TIRZs shall terminate on the earlier of:
 - a. Termination date designated in the ordinance(s) creating and/or amending the TIRZ; or
 - b. The date on which all project costs and interest have been paid in full.
4. The tax increment or the proceeds of bonds, notes or obligations issued for any project or projects secured by the tax increment may be used for any purpose authorized in the project plan and reinvestment zone financing plan.
5. Proceeds shall be used for project facilities and improvements which are approved by the City and which have an estimated average useful life at least equal to the life of the TIRZ or notes financing such improvements, if any. However, the City may use the tax increment or proceeds of bonds, notes or obligations to reimburse a Developer on a pro-rata basis for project facilities or improvements with an estimated life which is less than the life of the TIRZ or notes financing such improvements.
6. The funds of the TIRZ shall be budgeted, expended and audited in the same general manner as City bond and tax funds with such changes required by the provisions of state law. The costs of such City financial controls shall be included in the costs of administration of the TIRZ.
7. The City may retain funds as provided in the Tax Increment Financing Act, to be reimbursed for the following:
 - a. Imputed administrative costs, including reasonable charges for the time spent by employees of the City in connection with the implementation of the project plan and reinvestment zone financing plan;
 - b. The amount of any contribution made by the City from general revenue for the implementation of the project plan;
 - c. Payments made at the discretion of the governing body of the City that the City finds necessary or convenient to the creation of the TIRZ or to the implementation of the project plan and reinvestment zone financing plan; and
 - d. Operating costs of public facilities/services. If public facilities/services are required to meet the demands of the new development, City and applicant and/or developer will negotiate the construction, operating costs, pro rata share and timing.
8. A TIRZ may be used in combination with a PID. In cases where a TIRZ is requested in

order to offset a PID assessment, the equivalent tax rate of the PID shall be set at a level comparable to other PIDs in the market, prior to the TIRZ contribution.

9. Any default of the terms contained in the Development Agreement that is not cured within the 90-day timeframe contained in the Development Agreement may also result in TIRZ Termination.

DEVELOPER REIMBURSEMENT

In consideration for the construction of public improvements by a Developer, the TIRZ may reimburse a Developer for qualified costs of the public improvements from the tax increment attributable to the Property through (1) the issuance of bonds, notes, or other obligations of the TIRZ payable from the tax increment attributable to the property, or (2) the direct payment of the tax increment attributable to the property to reimburse the Developer for qualified cost of the public improvement. Any obligation of the TIRZ to a Developer constitutes an irrevocable lien on and pledge of the Tax Increment attributable to the property. The lien on, pledge of, and rights in and to the tax increment attributable to the property established, made, and granted to the Developer shall constitute a first and senior lien thereon subject only to (1) the rights of any of the holders of bonds, notes, or other obligations that have been heretofore or are hereafter issued by the City or the County and are payable from and secured by a general levy of ad valorem taxes throughout the taxing jurisdiction of the City or the County, as applicable, and (2) the pledge of such funds to pay or reimburse principal of and interest on TIRZ Obligations. A Developer, its successors, and assigns shall have no right to payment out of any funds of the City other than the tax increment attributable to the property and the proceeds of TIRZ obligations.

TIRZ BOARD AND MANAGEMENT

Each TIRZ is governed by its own Board of Directors and shall be named “Reinvestment Zone Number ___” in sequential order. The number of representatives and make up of each TIRZ Board is established by City Council at the time of designation. If the TIRZ includes a financial pledge from other taxing agencies, the City Council shall include members as recommended by that taxing jurisdiction on the Board.

RESOLUTION NO. R-2020-038

**RESOLUTON ADOPTING A MUNICIPAL UTILITY
DISTRICT POLICY FOR THE CITY OF HUTTO, TEXAS;
AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Hutto, Texas, ("City"), has received and anticipates receiving applications for and requests for special district financing and economic development incentives including a petition to create or consent to the creation of a Municipal Utility District; and

WHEREAS, the City Council desires to adopt a Municipal Utility District Policy for the creation or consent to the creation of Municipal Utility Districts.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS,

Section 1. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. That the City Council hereby approves and adopts a Municipal Utility District Policy, a copy is attached as Exhibit "A", as a policy guideline for the creation or consent to the creation of Municipal Utility Districts

Section 3. That the City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Hutto, and it is accordingly so resolved.

RESOLVED this 16th day of July, 2020.

CITY OF HUTTON, TEXAS

Doug Gaul, Mayor

ATTEST:

Holly Nagy, City Secretary