



City of Hutto

Agenda

City Council Meeting

Thursday, April 7, 2022 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 MANAGER COMMENTS

6. PROCLAMATIONS

6.1. National Public Safety Telecommunicator Week — April 10 through 16

6.2. Sexual Assault Awareness Month - April 2022

7. 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.

7.1. General Comments from City Council

7.2. City Council Liaison Reports

8. 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 4/7/22. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

9. CONSENT AGENDA ITEMS

- 9.1. Consideration and possible action on approving the March 3, 2022 City Council meeting minutes.
- 9.2. February 2022 Financial Report (Angie Rios)
- 9.3. Discussion and Possible Action on Resolution No. R-2022-028 authorizing the Interim City Manager to Execute a Joint Election Agreement and Contract with Williamson County for Election Services for the May 7, 2022 General/Special Election (Angela Walton)
- 9.4. Consider and possible action adopting Resolution No. R-2022-029 authorizing the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents approved as to form by the City Attorney related to FM 1660 intersection improvements at Limmer Loop and US Highway 79 (Wade Benton)
- 9.5. Consider and possible action adopting Resolution No. R-2022-030 authorizing the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents approved as to form by the City Attorney related to the US 79 Waterline easements (Wade Benton)
- 9.6. Consideration and possible action approving a Resolution of the City Council of the City Of Hutto, Texas authorizing the Kassab Law Firm to take all appropriate legal action to assert claims against McGinnis Lochridge, Partner Michael A. Shaunessy, Partner Bill Bingham, and others as necessary to recover damages resulting from their wrongdoing in the course of providing the City of Hutto with legal services; authorizing the Interim City Manager to enter into and execute the Joint Contingent Fee Engagement Agreement so that it may be submitted for approval by the Texas Attorney General's Office. The public notice required under Texas Local Government Code Section 2254.1036 is attached hereto and incorporated by reference as Exhibit "A". (Legal)

10. ORDINANCES

- 10.1. Consideration of a public hearing and possible action on Ordinance No. O-2022-010 for the Specific Use Permit for the property known as Hutto ISD 9th Grade Center on FM 1660 to allow a parking lot with reduced landscaping (First Reading) (Ashley Lumpkin)
- 10.2. Consideration of a public hearing and possible action on Ordinance No. O-2022-011 for the proposed Hutto Landing Planned Unit Development (PUD), 31.9 acres, more or less, of land, located off of Exchange Boulevard (First Reading) (Ashley Lumpkin)
- 10.3. Consideration of a public hearing and possible action on Ordinance No. O-2022-012 for a Future Land Use Map (FLUM) revision for the property known as the Waymaker Stromberg Tract, 390 acres, more or less, of land, from Agricultural/Open Space to Mid-Density Residential and Commercial, located south of CR 132 (First Reading) (Ashley Lumpkin)
- 10.4. Consideration and possible action on Ordinance No. O-2022-013 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. (First Reading) (Angie Rios)
- 10.5. Consideration of a public hearing and possible action on Ordinance No. O-2022-009 approving a Specific Use Permit for the property known as Hippo Café, 109 East Front

Street, to allow a drive-thru window and approach. (Second Reading) (Ashley Lumpkin)

- 10.6. Consideration and possible action on Ordinance No. O-2022-001 for the proposed Planned Unit Development (PUD) zoning request for the property known as NorthStar Hutto Planned Unit Development (PUD), 11.74 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is active adult 55+ multi-family use. (Second Reading) (Ashley Lumpkin).

11. RESOLUTIONS

- 11.1. Consideration and possible action on Resolution R-2022-033 approving the Transportation Impact Fee Credit and Developer Participation Agreement between the City of Hutto and MA Durango Farms, LLC, in the amount of \$1,017,080.00; and authorizing the Interim City Manager to execute the agreement. (Matt Wojnowski, Legal)
- 11.2. Consideration and possible action on Resolution R-2022-034 prohibiting and condemning sexual assault and sexual harassment; prohibiting the nonreporting of sexual assault and sexual harassment; requiring training and providing an effective date (Mayor Snyder, Legal)
- 11.3. Consideration of a public hearing and possible action on Resolution No. R-2022-035 supporting the proposed Low-Income Housing Tax Credit project by the Harvest Ridge at Brushy Creek, LP on a tract of land zoned Multi-Family (MF) Zoning District. (Ashley Lumpkin)
- 11.4. Consideration and possible action on Resolution R-2022-017 authorizing the City to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Hutto and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits (Legal)

12. OTHER BUSINESS

- 12.1. 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, and Area Government appointments.
- 12.2. Discussion and possible action regarding Development Services Credit Card Fees (Angie Rios)
- 12.3. Update on the Hutto Arterial (CR132 Overpass) project. (Wade Benton)
- 12.4. Discuss and consider action on transitioning Executive Director from city employee to HEDC employee (Mike Arismendez)
- 12.5. Discuss and consider action on the creation of EDC Manager position (Mike Arismendez)
- 12.6. Discussion regarding bonding capacity and future debt issuances of the City of Hutto or the Hutto Economic Development Corporation (Jim Sabonis, Angie Rios)
- 12.7. Discussion of mandatory Sexual Harassment Training with City Attorney for City Council and City Staff by June 1, 2022 (Mayor Snyder, Legal)
- 12.8. Discussion and possible action on developing a policy regarding noncompliance of reporting of workplace harassment by City Councilmembers (Mayor Snyder)

- 12.9. Discussion on Workplace Harassment policies and procedures (Interim City Manager Turner)

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 Section 551.071 relating to the prior expenditure of City long-term debt proceeds, future debt issuances of the City of Hutto or the Hutto Economic Development Corporation and any related action by the City in response thereto.(Jim Sabonis, Angie Rios)
- 13.3. Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberate pursuant to Texas Government Code Sections 551.087 and 551.072 regarding economic development negotiations in and around the Megasite and consideration and conveyance of assignment and assumption agreements conveying Option to Purchase Real Property Agreements to promote economic development.
- 13.4. Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberate regarding economic development pursuant to Texas Government Code Section 551.087 to deliberate the offer of a financial or other incentive to business prospects; including deliberations regarding the purchase, sale, exchange or value of real property pursuant to Texas Government Code Section 551.072.
- 13.5. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to construction defects in the Brooklands Subdivision.
- 13.6. Pursuant to 551.071, to deliberate and receive legal advice from legal counsel regarding the pursuit of legal claims against McGinnis Lochridge and its attorneys.

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 relating to legal advice received pursuant to Texas Government Code Section 551.071 relating to the prior expenditure of City long-term debt proceeds and any related action by the City in response thereto.
- 14.3. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 and deliberations regarding economic development pursuant to Texas Government Code Section 551.087 to deliberate the offer of a financial or other incentive to business prospects; including deliberations regarding the purchase, sale, exchange or value of real property pursuant to Texas Government Code Section 551.072.
- 14.4. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 relating to construction defects in the Brooklands Subdivision.

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 April 4, 2022 at 5:00 P.M.



Angela Walton

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 Gracie.Perez@huttotx.gov or call (512) 759-4033 for assistance.

CITY OF HUTTO CITY COUNCIL

TEXAS LOCAL GOVERNMENT CODE SECTION 2254.1036. POLITICAL SUBDIVISION: CONTRACT NOTICE; APPROVAL BY GOVERNING BODY.

This notice is being given before or at the time of giving the written notice required by Texas Local Government Code Section 551.041 for a meeting of the City Council. (Tex. Gov't Code § 2254.1036(a)(1))

The City of Hutto ("City"), subject to the approval of its governing body, the City Council, is pursuing legal malpractice claims against its former attorneys and law firm seeking monetary damages for their failure to properly render legal services. The City's desired outcome is the recovery of all monetary damages to which they are entitled, including monies spent in subsequent lawsuits which were a consequence of the legal malpractice suffered. (Tex. Gov't Code § 2254.1036(a)(2))

Two local government corporations, the Cottonwood Development Corporation ("CDC") and the River Creek Development Corporation ("RCDC"), join the City in the proposed contingent fee contract as all three governing bodies have claims that overlap. The governing bodies for each of the three entities asked their mutual Chief Litigation Attorney to conduct an evaluation of available legal services in order to expedite the selection process. The Chief Litigation Attorney recommended the Kassab Law Firm based upon their qualifications.

The Kassab Law Firm has the necessary competence, qualifications, and experience to provide the legal services needed by the City, CDC and RCDC. Kassab is a full-service boutique law firm staffed with legal malpractice lawyers concentrating solely on plaintiffs' legal malpractice law. The firm is located in Houston, Texas but represents both corporate entities and individuals in legal malpractice cases nationwide. Lance Christopher Kassab is Board Certified Diplomate of the American Board of Professional Liability Attorneys in Legal Professional Liability. Lance the founder of the firm, has over 23 years of experience handling and trying legal malpractice claims and has successfully handled well over two thousand (2,000) legal malpractice claims, many involving multi-million-dollar damages. The Kassab Law Firm is a family-run business as Lance is joined by his nephew David Eric Kassab, who together have represented hundreds of victims of legal malpractice for nearly a decade. (Tex. Gov't Code § 2254.1036(a)(1)(B))

The attorneys and law firm selection have had no prior relationship with the City, CDC or RCDC. The Chief Litigation Attorney also had no prior relationship with the attorneys or the firm before this instance. (Tex. Gov't Code § 2254.1036(a)(1)(C))

The City, CDC and RCDC are serviced by contract attorneys and do not have full-time in-house legal support and the current contract attorneys do not have the requisite experience to pursue the claims involved. (Tex. Gov't Code § 2254.1036(a)(1)(D))

Due to the nature of the claims, it is in the best interest of the residents of the City of Hutto to pursue the claims on a contingent fee basis rather than pay by the hour. In doing so, the City's claims can be pursued without a financial obligation on the members of the public, no matter the outcome. (Tex. Gov't Code § 2254.1036(a)(1)(E) and (F))

At this meeting the City Council will consider action to approve the contingent fee contract with the Kassab Law Firm in an open meeting called for the purpose of considering the matters outlined in this notice, in accordance with Tex. Gov't Code § 2254.1036(a)(1) and Tex. Gov't Code § 2254.1036(a)(2).

On approval of the proposed contingent fee contract, the City Council shall by resolution find that (1) there is a substantial need for the legal services; (2) the legal services cannot be adequately performed by the attorneys and supporting personnel of the City, CDC, and RCDC; and (3) the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained or because the City, CDC, and RCDC do not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees. (Tex. Gov't Code § 2254.1036(b))

AGENDA ITEM REPORT

6.1.



To: City Council
Subject: National Public Safety Telecommunicator Week — April 10 through 16
Meeting: Thursday, April 7, 2022
Department: Police Department /
Staff Contact: Jim Stuart

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

Proclaim the week of April 10 - 16, 2022 as National Public Safety Telecommunicator Week.

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. April Telecommunicators Proclamation



PROCLAMATION

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

APRIL 11 - 17, 2021

WHEREAS emergencies can occur at any time that require police, fire, or emergency medical services in Washington County; and,

WHEREAS when an emergency occurs the prompt response of our law enforcement, fire and emergency medical personnel is critical to the protection of life and preservation of property; and,

WHEREAS the safety of our first responders is dependent upon the quality and accuracy of information obtained from citizens who call our Washington County Department of Public Safety Communications Center; and,

WHEREAS our Public Safety Communications professionals are the first and most critical contact our citizens have with emergency services; and,

WHEREAS our Public Safety Communications professionals are the single vital link for first responders by monitoring their activities by radio, providing them information, and ensuring their safety; and,

WHEREAS our Public Safety Communications professionals of the Washington County Department of Public Safety have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

WHEREAS each of our Communications professionals have exhibited compassion, understanding and professionalism during the performance of their job in the past year;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of Washington County declares the week of April 11 through 17, 2021 to be National Public Safety Telecommunicators Week, in honor of our men and women whose diligence and professionalism keep our county, citizens and first responders safe.

Samuel J. Hall, Chairman
Washington County Board of Supervisors

DATED: April 9, 2021

AGENDA ITEM REPORT

6.2.



To: City Council
Subject: Sexual Assault Awareness Month - April 2022
Meeting: Thursday, April 7, 2022
Department: City Council /
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

Proclaim April 2022 as Sexual Assault Awareness Month.

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Hutto 2022 SAAM Proclamation (003)

Proclamation

I, Mayor Mike Snyder by virtue of the authority vested in me as

Mayor of the City of Hutto

do hereby proclaim April 2022 as

Sexual Assault Awareness Month

WHEREAS, Sexual Assault Awareness Month is a time to draw attention to the prevalence of the widespread devastating abuse of power- one that affects people of every age, race, sex, gender identity, national origin, socioeconomic background, and religion; and

WHEREAS, rape, sexual assault, and sexual harassment are harmful within our community with one in five women and one in 67 men sexually assaulted at some point in their; and

WHEREAS, child sexual abuse prevention must be a priority to confront the reality that one in six little boys and one in four little girls will experience sexual assault before turning 18 years of age; and

WHEREAS, on college campuses, one in five women and one in sixteen men are sexually assaulted during their college years; and

WHEREAS, 2022 marks the twenty first anniversary of Sexual Assault Awareness Month and this year's campaign theme being **We can Build Safe Online Spaces Together**-jointly we can publicly support victims, share educational information about assault and online harassment, and take a strong stance against victim blaming comments, especially in online spaces; and

NOW, THEREFORE, I, Mike Snyder Mayor of Hutto by virtue of the authority vested in me do hereby proclaim April 2022 as "**Sexual Assault Awareness Month**" in the City of **Hutto**. We join Freedom House as they help survivors of sexual assault by supporting the eradication of sexual assault through improving victim safety and holding perpetrators accountable for their actions against members of our community.

In testimony whereof, witness my hand and the Seal of the City of _____, this ____ day of April, 2022.

Mayor

City Secretary

AGENDA ITEM REPORT

9.1.



To: City Council
Subject: Consideration and possible action on approving the March 3, 2022 City Council meeting minutes.
Meeting: Thursday, April 7, 2022
Department: City Secretary /
Staff Contact: Angela Walton

BACKGROUND INFORMATION:

Staff requests that City Council approves the minutes of the March 3, 2022 Regular City Council meeting.

SUMMARY OF REQUEST:

Approval of minutes.

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 3.3.22 Minutes DRAFT



City of Hutto

MINUTES

City Council Meeting

Thursday, March 3, 2022 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 www.huttotx.gov

1. CALL SESSION TO ORDER: *7:00 PM*
2. ROLL CALL

Members of City Council present: Mayor Mike Snyder, Councilmember Robin Sutton, Councilmember Mandi Villarreal Salvo, Mayor Pro Tem Dan Thornton, Councilmember Krystal Kinsey, Councilmember Debbie Holland and Councilmember Peter Gordon.

Absent: None

Members of staff present: Isaac Turner, Interim City Manager; Matt Wojnowski, Assistant City Manager; Stacy Schmitt, Assistant to City Manager; Angela Walton, Interim City Secretary; Padma Patla, Director of Engineering, Wade Benton, Consultant, Ashley Lumpkin, Executive Director of Business and Development; Cristian Rosas-Grillet, Legal Counsel and Gracie Perez, Assistant City Secretary

3. INVOCATION – Led by Pastor Skorzewski of Christ the Rock Church
4. PLEDGE OF ALLEGIANCE
5. CITY MANAGER COMMENTS – Isaac Turner

- 5.1. Mr. Mayor, Members of the Council, Members of the Public, on behalf of the City of Hutto Team that is assisting with the recruitment of a police chief, we're assisting SGR, the executive firm. I would like to announce that on March the 21st, in the evening, sometime between 4:00 and 6:30, we will have a meet—and-greet for police chief candidates. The public is invited to that. We'll have the exact time within a week or so, but we want to go ahead and have everyone put that on their calendars. It will be here at City Hall and you'll get a chance to meet and speak with the police chief candidates. Also, for the Council, on March the 22nd at 7:30, there will be a get-together prior to the interview, starting with the senior staff-- City Council Members, you're welcome to come and attend. So, the 21st around 4:30 to 6:30 and the 22nd at around 7:30 in the morning--- and we'll give you that location at a later date for the 730 one. The meet-and-greet will be here at City Hall, in the council chambers. Thank you.

6. CITY COUNCIL COMMENTS

6.1. **Councilmember Debbie Holland:**

I like to just report on the Amplify Austin Day of Caring that was yesterday and today, it's over now, at 6:00 PM, but it was held at Stockade Kitchen and there were-- I'm not exactly sure how many nonprofits, but maybe about twelve that were there. We had raffles. It was just a--it was a great evening of kind of, first of all, just everybody being out and about and having conversation and learning about the different nonprofits that are here in town. Thank you.

6.2. **Councilmember Mandi Villarreal Salvo:**

On Monday St. Patrick Catholic Church hosted a community-wide, a prayer vigil for Ukraine and just peace throughout the community and we had really nice attendance from the community, both our English and Spanish speaking members and it was really a beautiful evening. The Mayor, Mayor Pro Tem and I were in attendance. It was a great night for everyone to come together and pray for peace. So, thank you all to those that came out with the rest of the community members and for thinking about our brothers and sisters on the other side of the world with what they're going through right now. Thank you.

6.3. **Mayor Mike Snyder:**

I have an announcement of some matters of Community Interest that need to be shared by the City with the public, before KXAN does.

After Odis Jones was hired in December 2016, the City of Hutto began to change. It's long time and respected City Attorney, Charlie Crossfield, was let go and in February of the next year Bill Bingham and Michael Shaunessey of McGinnis Lochridge started doing the legal work of the city "as directed by Odis Jones".

Almost immediately, Jones had conflicts with many long-term employees, terminating some, with others resigning, leaving the city with vacancies for two assistant city managers, the police chief and the director of human resources, among others, within months of taking the City Manager position.

Foreshadowing the November 2019 disturbing report, in 2017, three long-time and trusted female employees of the city, filed gender harassment complaints against Jones with the Equal Employment Opportunity Commission and the Texas Workforce Commission. The claims were initially sustained by attorney Judy Osborn, serving as an independent third party investigator, who was terminated upon providing the findings of her report and again came McGinnis Lockridge, the City Attorney, who is in this case referred to as an "outside law firm" and therefore being disguised as independent, quickly came in and determined that Jones did "nothing wrong". After which all three women obtained settlements despite the asserted lack of Jones' wrongdoing.

After so many issues, problems, the lack of transparency and accountability, I decided to run and was elected May 4th, 2019 on a platform of creating transparency, ensuring accountability and to see that things that were not being done correctly at City Hall would be corrected. And, I promised to work hard to

make corrections, and I am still working hard on correcting the mistakes by our leaders in the past.

Being one to “rock the boat”, by August of 2019, just 2 months in office, I was being investigated by the City Attorney (Shaunessey) at the request of a group of City Council members for something that was undisclosed to me and “too disturbing” to discuss in public. This was used at bait by the other council members, offering to disclose this “disturbing issue” to me if I agreed to go into the back in an Executive Session to discuss it, so ***their statements would not be made in public***. Well, we know now that that investigation was a ruse and an attempt to roadblock the truth from being told.

However, this was not the first time Odis Jones had the Hutto Council take this kind of action. KXAN reported in its December 16, 2019 story about Hutto that: McGinnis and Lockridge’s attorney billing started in February 2017. It was engaging at least two attorneys, Bill Bingham and Michael Shaunessey, plus McGinnis Lochridge paralegals to ***solely work “to provide advice in connection with economic development,”*** according to a Feb. 15, 2017 “Engagement Letter” between the city and McGinnis Lochridge.

However, the billing obtained by KXAN showed one of the law firm’s first documented tasks was a March 13, 2017 job Shaunessey performed to open an investigation into a council member’s “interference with work of City Manager” Odis Jones and other “personnel” matters.

So, Jones used the tactic in 2017 and now that I was elected, tried again in 2019, but I didn’t blink. Being one to demand transparency and accountability, the Odis Jones’ use of “economic development” attorneys to perform City Councilmember investigations, an issue which was outside of the scope of their engagement and an act immediately against a councilmember, speaks volumes to the ploy being used by McGinnis and Jones to usurp control over the city and the city council and hide the truth from the public. Hutto regrettably was such a victim, but no more on my watch.

Moving on, the city had a “Council Retreat” in San Antonio in June 2019. The unfolding of events there have not been made public, yet. The happenings in San Antonio, in my opinion, has led to much of the infighting in Hutto. Anyone interested can file a PIA request for a letter dated 11.13.19, from Howard Kobelan to our then City Attorney, Michael Shaunessey and find out for yourself.

This letter led to a never before called Special Council Meeting on the morning of Saturday 11.16.19, while I was preparing to go out of the country with my family on vacation. The City Council received a report about workplace allegations against the City Manager relating back to the Council Retreat. They were very disturbing allegations involving the City Manager, to say the least, however, our then legal counsel, McGinnis Lochridge, did not disclose that the written allegations, were not only disturbing, but criminal.

I left the next morning for a pre-planned trip to Costa Rica with my family on 11.17.19. Knowing I was unavailable to attend a Council Meeting, some of the then Council, quickly worked out a plan to take place on November 21st, 2019, where members of the City Council voted to discontinue the employment of City Manager Odis Jones and provide him with severance pay of over \$400,000, just 6 days after receipt of the Kobelan letter. Keep in mind, a few of the council members were as clueless as the public as to what was going to happen on November 21. The agenda posting was illegally vague, the vote that occurred was legally defective and took place around 2am which appeared to be a means to avoid transparency as was the modus-operandi while Odis was employed. When I returned from vacation, it was upsetting that the City Council voted to terminate the City Manager “without, cause” and pay him hundreds of thousands of dollars, without conducting a 3rd party investigation into the allegations made. Terminating him without cause is something I had nothing to do with and took place almost entirely behind closed doors. Since that time, certain former council members and other associates of theirs, have taken EVERY effort to discredit anyone willing to speak out on what went on, on that June night in San Antonio or why the Jones separation was so rushed.

On December 16, 2019, KXAN reported about Hutto during Odis Jones’s reign as City Manager, titled, “Hutto Secrecy: Small town second only to Dallas in lawsuits blocking public records.” After reading it, I knew my transparency goal was under fire from the beginning. The story reveals that: “Within four months, [of his hire] Shaunessy filed the first lawsuit that Hutto has ever filed against the attorney general’s office to block the release of public records!”

In 17 different letter rulings — which are essentially legal opinions — the attorney general’s Open Records Division told Odis that the city had to release at least some part of the requested information sought to be withheld. The city manager disagreed with every ruling and apparently told the City Attorney, Mike Shaunessy to file lawsuits against the attorney general, to continue to prevent the disclosure of the information and to ask a Trial judge to second guess the Texas Attorney General’s rulings. All at the expense of the taxpayer to the tune of hundreds of thousands of dollars. When asked by KXAN about these lawsuits and what the TX AG had ruled, Shaunessy stated “We contend the AG’s office got it wrong”.

In this story, now, Councilmember Sutton was quoted as stating “It’s time to clean house” and held a main complaint about the city’s lack of transparency with city records and how the city dealt with complaints concerning outgoing city manager Odis Jones.

So, the lack of transparency and open record fights for Hutto didn’t start until Jones and Shaunessy’s arrival, in the middle of 2017!

It wasn’t long after that, that the puzzle pieces started to fall in place.

Accusations, unapproved and unfunded employee severance agreements with gag

provisions preventing the employee from saying anything about the severance, contractual issues, development issues, Federal lawsuits, State lawsuits, Bond fund complications, accusations against the City and a number of members of the City Council, and City Council members resigning and forfeiting office. What a crazy 2020.

Now, I believe I can share why. And, because a long-lasting litigation attempt by Odis Jones to keep records secret and out of the public view, failed, it is now available for the public to see.

I'm sorry that it takes time to get to the truth, especially when people bury it so deep it takes great effort to dig it out. And, we have all heard or felt litigation fatigue. But now, after all the time, effort and expense, we must get to the truth, ensure accountability for those, so that perhaps we never have to be in this kind of litigation again. The city will outlive all of us.

While it has taken until now, over two-years later as shown by the January 28, 2020, Austin American Statesmen bread crumb trail when it reported that:

“...the Hutto City Council approved a \$115,000 settlement with former employee who filed a discrimination claim against the city. A memorandum about the settlement agreement has been released to the public but does not say why the claim was made.

When the council approved the agreement Thursday, it also voted to ask the Texas attorney general for a ruling about whether it could release more details about it, said Stacy Schmitt, a city spokeswoman and assistant to the city manager.

The Texas Municipal League will pay \$60,000 of the total settlement and the city will pay the rest,...

And yet, we still couldn't disclose the details of the claim. And that Texas Attorney General ruling, which we requested, was attacked by Odis Jones in Travis County District Court. And now, finally, it is over. It took 2 years, but here we are, finally able to expose the truth! So, litigation is a marathon, not a sprint. So, the announcement is: It's all coming out now! EVERY detail of the allegations. Also, EVERY decision that the City Council made during this time. The people on the outside that say “where's the proof”, “just a bunch of lies”, well, all that was asked by some of us, was to do what we felt was right, and conduct a 3rd party investigation of the allegations. But the payout was quicker, quieter, and in my opinion, swept the matter under the rug, to be forgotten by those that do not have the necessary morals or ethics to get the truth. There is a wonderful thing about Public Information, sooner or later, the information will come out. I have waited over four years to be able to let the people know. So now you know!

As your Mayor, I bring no joy in talking about this. But I am one who believes that to make amends for things in the past, first, I feel that one must admit what happened, hold those responsible for actions taken, and hopefully, learn from the experience so we can move forward with respect. This city has paid over 15 people settlement payments because of behavior in City Hall. But many want to downplay that. We can't ignore the truth anymore because the legal process has made a win for those who have been wronged.

On January 25th, 2022, Cause NO. D-1-GN-20-002207 was ruled on. The presiding judge, granted the Defendants (Attorney Ken Paxton and the City of Hutto), Motion for Summary Judgment and denied Odis Jones Motion for Summary Judgment in the appeal brought by Mr. Jones, appealing the decision requesting the city be able to withhold this information. Based on the Texas Attorney General's Letter Ruling this information should have been publicly available within 10 business days after its request, with only the victim's name redacted from the report. So, when Shaunessy stated that "We contend the AG's office got it wrong, OK", in reality, it appears that it was Shaunessy who got it wrong.

So, again, as your Mayor, I do not want this information coming from KXAN first and then something from the City of Hutto. There are people here now, who were here then who may have some explaining to do with the public. That is not on me. That is on them, I am confident, that when the Hutto history books are written, history will be on the side of a couple of councilmembers who did not like the way this was taken care of. But due to being outvoted, harassed, intimidated and sued, we felt like it was only a matter of time before the truth came out, and had the tenacity to see it through. I feel that is my commitment to you as mayor, to see it through and to not compromise my values, Hutto's values. And, as said in John 8:32, "The Truth shall set you free".

7. PUBLIC COMMENT

- *None*

8. CONSENT AGENDA ITEMS

- 8.1. An ordinance of the City of Hutto, Texas, 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. (Angie Rios) (Second Reading)
- 8.2. Consideration and possible action on Resolution No. R-2022-018 accepting the infrastructure improvements for the subdivision known as Hutto Crossing Phase 4 Section 11 (Padma Patla)

- 8.3. Consideration and possible action on Resolution No. R-2022-022 amending the City Council Protocol Policy to provide for a nominating and voting process for positions not subject to the Nominating Committee recommendations under Section 2.02.003 of the Code of Ordinances. (City Council)

Councilmember Gordon made the motion to approve the Consent Agenda as presented, and Councilmember Villarreal Salvo seconded. Motion passed 7,0.

9. ORDINANCES

- 9.1. Consideration and possible action on Ordinance No. O-2022-001 for the proposed Planned Unit Development (PUD) zoning request for the property known as NorthStar Hutto Planned Unit Development (PUD), 11.74 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is active adult 55+ multi-family use. (Second Reading) (Ashley Lumpkin).

After extensive discussion, no action was taken. Item will be brought back to the March 17 meeting.

- 9.2. Consideration of a public hearing and possible action on Ordinance No. O-2022-007 approving a Specific Use Permit for the property known as 208 West Austin Avenue and 201 West Front Street, to allow a warehouse use (UDC 10.304.7). (Ashley Lumpkin)

After discussion, no action was taken. Item will be brought back to a future meeting.

- 9.3. Consideration of a public hearing and possible action on Ordinance No. O-2022-008 approving a Specific Use Permit for the property known as 3250 Limmer Loop, to allow outdoor recreation facility use (UDC 10.304.6). (Ashley Lumpkin)

Councilmember Villarreal Salvo made the motion to approve Ordinance No. O-2022-008 with staff recommendations, and Councilmember Holland seconded. Motion passed 7,0.

- 9.4. Consideration of a public hearing and possible action on Ordinance No. O-2022-009 approving a Specific Use Permit for the property known as Hippo Café, 109 East Front Street, to allow a drive-thru window and approach. (Ashley Lumpkin)

Councilmember Gordon made the motion to approve Ordinance No. O-2022-009 with staff recommendations, and Councilmember Villarreal Salvo seconded. Motion passed 6,1.

- 9.5. Consideration of a public hearing and possible action on Ordinance No. O-2022-006 approving a Specific Use Permit for the property known as 106 Taylor Street, to allow a medical office (dental) and associated parking. (Ashley Lumpkin)

Councilmember Villarreal Salvo made the motion to approve Ordinance No. O-2022-006, and Councilmember Sutton seconded. Motion passed 7,0.

10. RESOLUTIONS

- 10.1. Consideration and possible action on Resolution No. R-2022-019 authorizing the City Manager to enter into an agreement for engineering and design services of the Lakeside Estates Phase 1 sidewalk project. (Angie Rios, Wade Benton)

Councilmember Villarreal Salvo made the motion to approve Resolution No. R-2022-019, and Councilmember Kinsey seconded. Motion passed 7,0.

Recess – 9:46 pm.

Reconvened – 10:01 pm.

At this time, Mayor Snyder moved Item 11.2 up in the agenda. There were no objections.

- 11.2. Discussion regarding Racial Profiling results. (Dr. Alex Del Carmen)

Dr. Del Carmen presented the results from 2020 and 2021 to the City Council.

- 10.2. Consideration and possible action on Resolution No. R-2022-020 approving an agreement for installation of generators between Waukesha-Pearce Industries Inc. and the City of Hutto, in an amount not to exceed six hundred sixty-eight thousand two hundred fourteen dollars and forty-five cents (\$668,214.45) through Buyboard contract no. 579-19 for the purchase and installation of generators for City facilities; authorizing the Interim City Manager to execute the agreement; and providing an effective date.

Councilmember Villarreal Salvo made the motion to approve Resolution No. R-2022-020, and Councilmember Gordon seconded. Motion passed 7,0.

- 10.3. Consideration of a public hearing and possible action on Resolution No. R-2022-021 authorizing and creating the Estates of Hutto Public Improvement District within the City of Hutto pursuant to Chapter 372 Texas Local Government Code, providing an effective date, and related matters thereto. (Legal)

Public Hearing was opened at 10:38 pm. and was adjourned at 10:41 pm. No action was taken at this time.

11. OTHER BUSINESS

- 11.1. 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, and Area Government appointments.

Councilmember Gordon advised that Brad Walker, who formerly served on the COMP2040 committee, has moved out of the area. The Nominating Committee advised that they were looking for a member from Parks to join. Councilmember Gordon also discussed the need to track the terms of all appointments. Councilmember Kinsey advised that they still need members to serve on the ADA Task Force. She also mentioned the need for a protocol to address complaints, removals etc. for Commission members. Mayor Snyder advised that the protocol item will be added to a future meeting agenda.

Councilmember Villarreal Salvo volunteered joining the ADA Task Force.

- 11.3. Present the Budget Calendar for the FY 2023 budget and receive budget guidelines from the City Council. (Angie Rios)

Chief Financial Officer Angie Rios presented the budget calendar for FY 2023 and received budget considerations from City Council.

- 11.4. Discussion regarding developers presenting outside of the development process. (City Council)

City Council discussed at length developing a streamlined process that will improve the current development process. No action was taken.

12. EXECUTIVE SESSION: 11:53 p.m.

- 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 Government Code Sec. 551.071 related to the creation of the Estates of Hutto Public Improvement District.
- 12.3. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to the request for wastewater services pertaining to the Corespaces site.

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 legal advice received pursuant to Texas Government Code Sec. 551.071 related to the creation of the Estates of Hutto Public Improvement District.

- 13.3. Consideration and possible action related to the request for wastewater services pertaining to the Corespaces site pursuant to Texas Government Code Sec. 551.071.

Reconvened at 12:24 a.m. No action was taken in Executive Session.

Mayor Snyder recalled Item 10.3.

- 10.3. Consideration of a public hearing and possible action on Resolution No. R-2022-021 authorizing and creating the Estates of Hutto Public Improvement District within the City of Hutto pursuant to Chapter 372 Texas Local Government Code, providing an effective date, and related matters thereto. (Legal)

Councilmember Villarreal Salvo made the motion to adjourn this item to June 2, 2022 City Council meeting with updated community benefits, and Councilmember Gordon seconded. Motion passed 4,3.

Councilmember Villarreal Salvo requested as a future agenda item a review and update of PID policy.

Mayor Snyder called Item 13.3.

- 13.3. Consideration and possible action related to the request for wastewater services pertaining to the Corespaces site pursuant to Texas Government Code Sec. 551.071.

Councilmember Sutton made the motion to not pursue dual CCN certification, and Councilmember Holland seconded. Motion passed 7,0.

14. ADJOURNMENT: 12:31 p.m.

ATTEST:

Mike Snyder, Mayor

Angela Walton, Interim City Secretary

AGENDA ITEM REPORT

9.2.



To: City Council
Subject: February 2022 Financial Report (Angie Rios)
Meeting: Thursday, April 7, 2022
Department: Finance /
Staff Contact: Angie Rios

BACKGROUND INFORMATION:

February 2022 Financial and Investment Report

SUMMARY OF REQUEST:

February 2022 Financial and Investment Report

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. February 2022 Monthly Financial Report



MONTHLY FINANCIAL AND INVESTMENT REPORT

FOR THE MONTH ENDED FEBRUARY 28, 2022

**Angie Rios, CPA
Chief Financial Officer**

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ENTERPRISE FUNDS

Statement of Revenues and Expenses – Budget and Actual

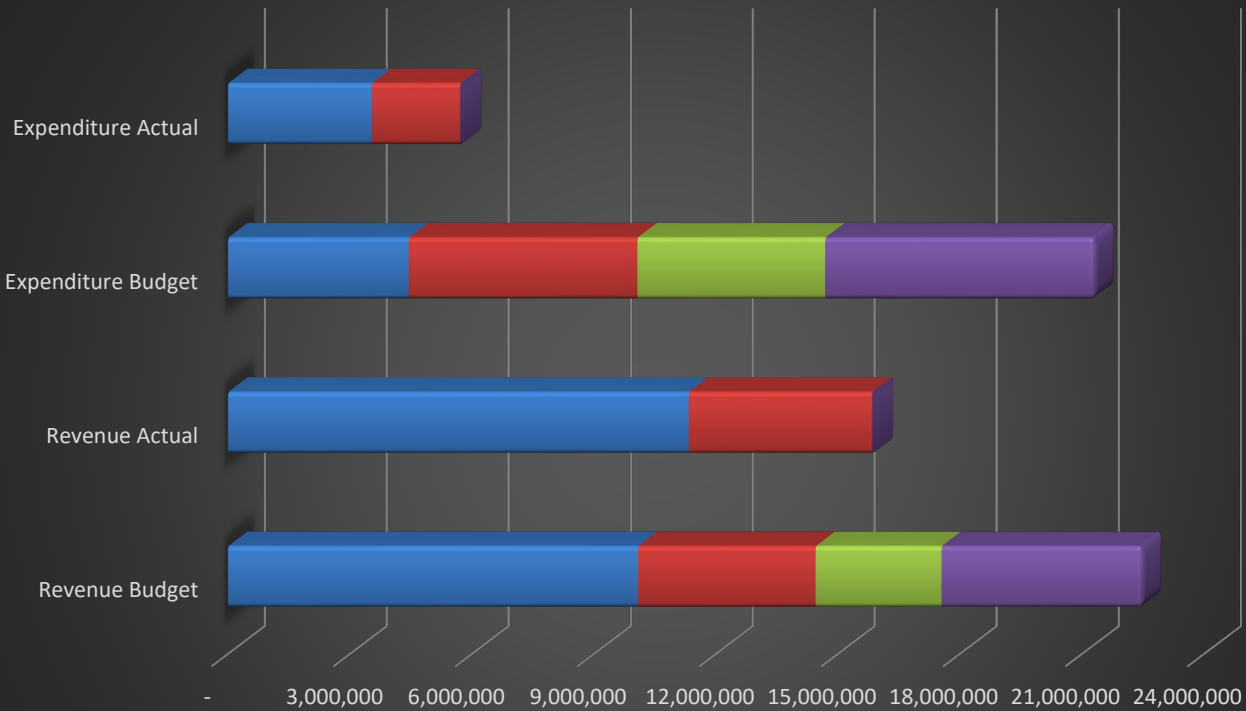
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FINANCIAL DASHBOARD AS OF FEBRUARY 28, 2022

General Fund



	Revenue Budget	Revenue Actual	Expenditure Budget	Expenditure Actual
Quarter 1	10,086,719	11,332,319	4,446,158	3,537,887
Quarter 2	4,367,538	4,509,312	5,625,403	2,173,446
Quarter 3	3,096,859	-	4,616,754	-
Quarter 4	4,938,782	-	6,636,184	-

GENERAL FUND REVENUE

CHARGES FOR SERVICES;
133,103.40 ; 1%

SALES TAX;
2,657,829.07 ; 17%

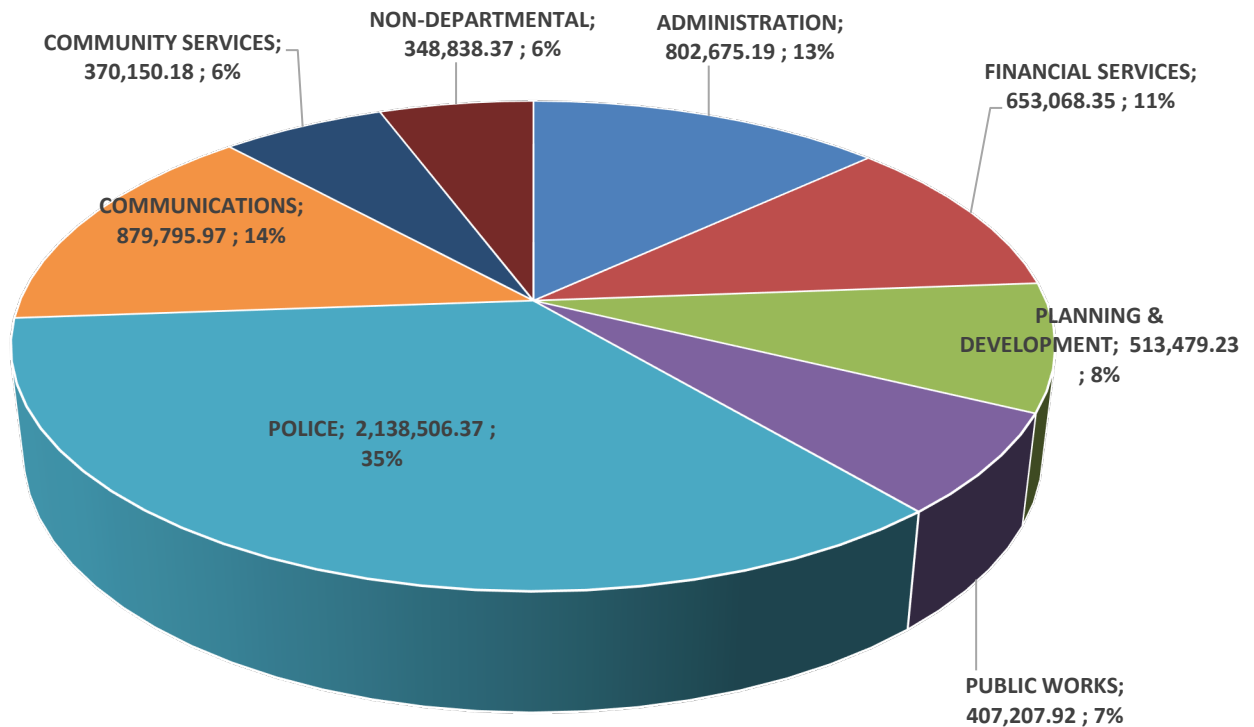
PERMITS AND
LICENSES;
2,369,733.71 ; 15%

AD VALOREM TAXES;
10,502,595.33 ; 66%

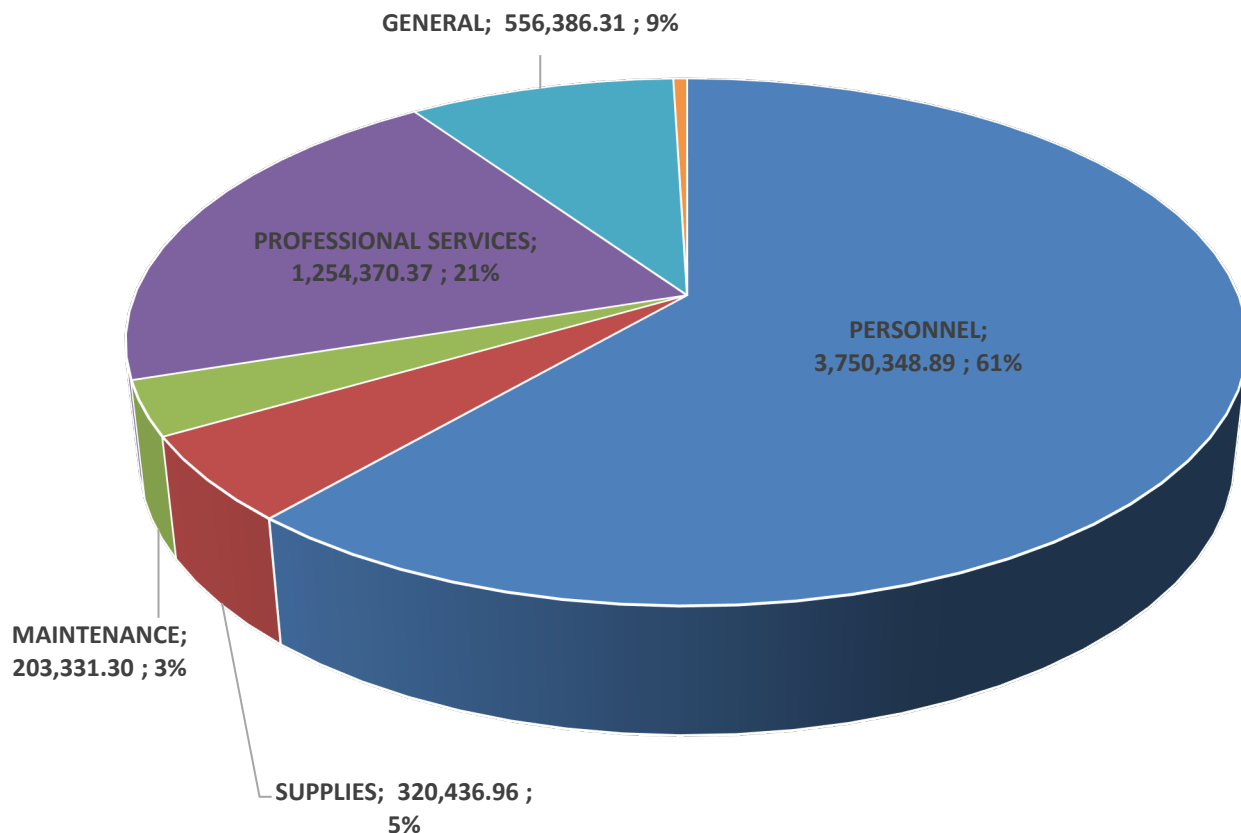
DRAINAGE FEES;
223,693.92 ; 1%

FINANCIAL DASHBOARD AS OF FEBRUARY 28, 2022

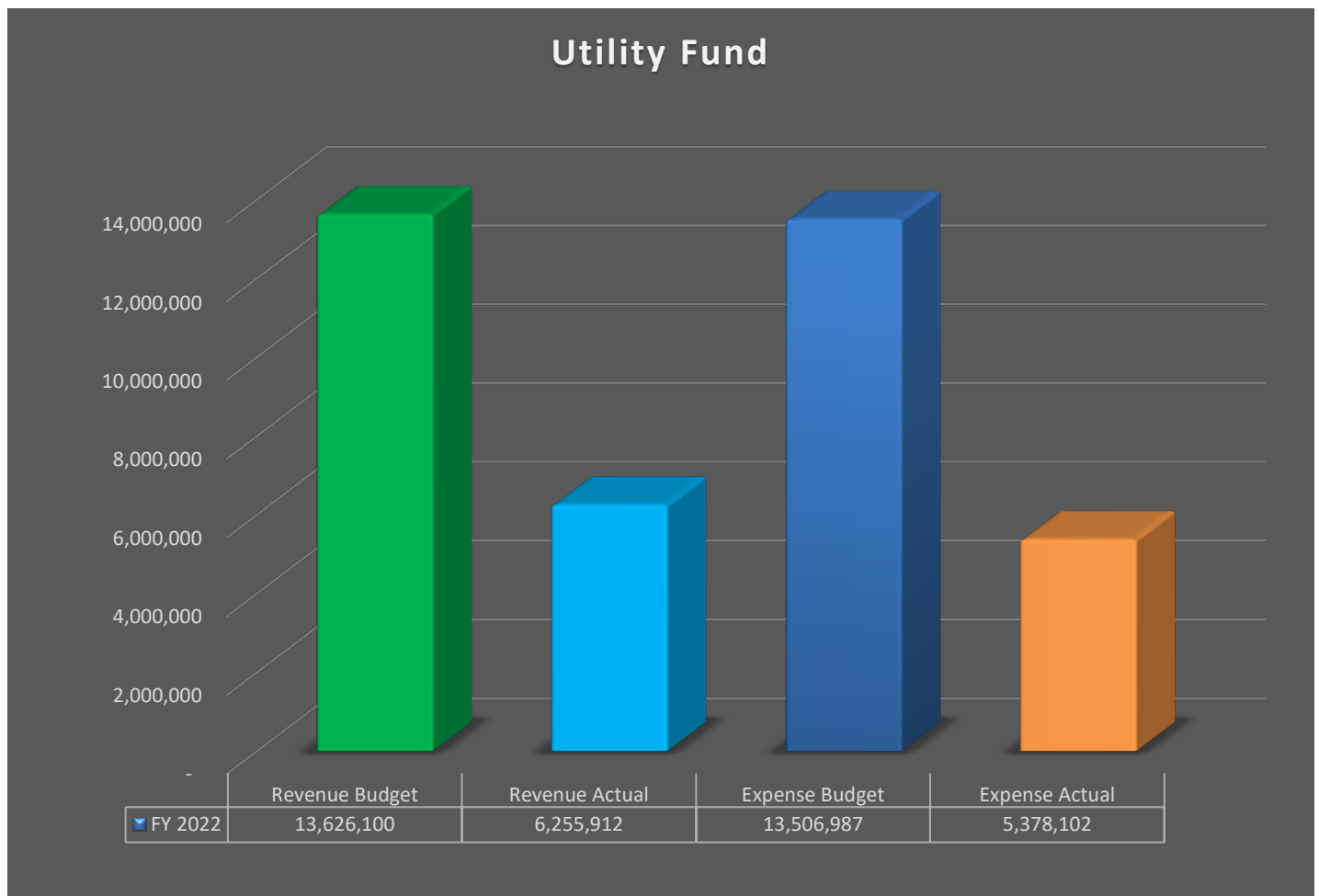
GENERAL FUND EXPENDITURES BY DEPARTMENT



GENERAL FUND EXPENDITURES BY TYPE



FINANCIAL DASHBOARD AS OF FEBRUARY 28, 2022

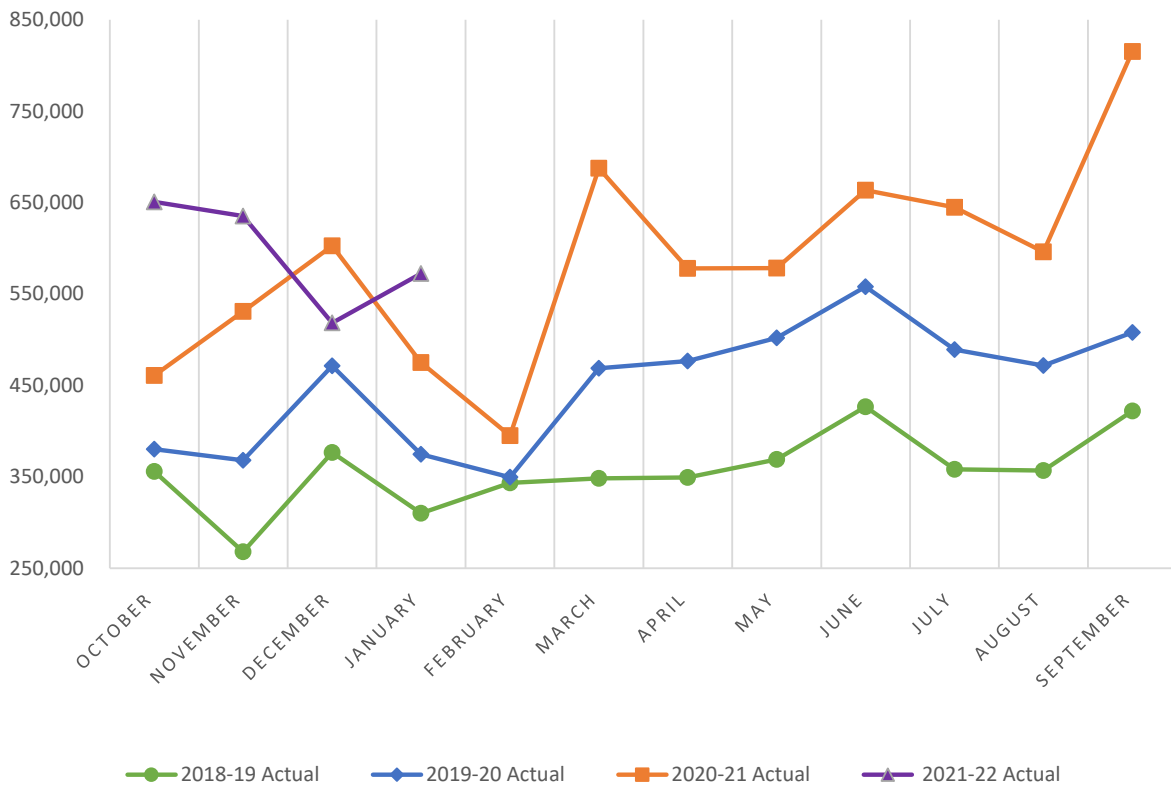


- Utility revenues were at 45.91% of budget
- Expenses were at 39.82% of budget

CITY ONLY Monthly Sales Tax Revenue

Received	FY Accrual	2018-19	2019-20	2020-21	2021-22	
		Actual	Actual	Actual	Estimate	Actual
December	October	355,906	380,217	460,839	440,696	650,779
January	November	268,005	368,031	531,091	426,572	635,102
February	December	376,485	471,312	602,713	546,281	518,338
March	January	310,216	374,496	475,083	434,064	572,428
April	February	343,422	349,480	395,000	405,070	-
May	March	348,258	468,816	687,438	543,387	-
June	April	349,284	476,524	578,119	552,322	-
July	May	369,062	501,930	578,444	581,769	-
August	June	426,662	558,000	663,684	646,758	-
September	July	358,298	489,116	644,647	566,917	-
October	August	356,908	471,586	596,256	546,598	-
November	September	422,002	507,797	815,296	588,569	-
% Y-T-D Change		17.3%	26.4%	29.7%	6,279,002	2,376,648

SALES TAX COMPARISON



CITY OF HUTTO
GENERAL FUND
STATEMENT OF REVENUES
FOR THE MONTH ENDED FEBRUARY 28, 2022

REVENUES	BUDGET	CURRENT MONTH	FISCAL YTD	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT OF BUDGET
AD VALOREM TAXES	\$ 10,873,091	\$ 787,401	\$ 10,502,595	\$ (370,496)	96.59%
SALES TAX	6,229,002	380,706	2,657,829	(3,571,173)	42.67%
FRANCHISE FEES	952,355	57,516	64,476	(887,879)	6.77%
PERMITS AND LICENSES	3,285,200	483,755	2,369,734	(915,466)	72.13%
CHARGES FOR SERVICES	67,250	10,814	133,103	65,853	197.92%
FINES	238,000	30,548	151,908	(86,092)	63.83%
DRAINAGE FEES	450,000	45,357	223,694	(226,306)	49.71%
GRANT REVENUE	-	2,652	20,030	20,030	0.00%
OTHER REVENUES	100,000	1,157	10,669	(89,331)	10.67%
INTEREST	20,000	1,024	2,593	(17,407)	12.97%
SUB - TOTAL	\$ 22,214,898	\$ 1,800,931	\$ 16,136,631	\$ (6,078,267)	72.64%
TRANSFER FROM OTHER FUNDS	275,000	15,385	39,231	(235,769)	14.27%
FUND BALANCE	-	-	-	-	0.00%
TOTAL REVENUES	\$ 22,489,898	\$ 1,816,315	\$ 16,175,861	\$ (6,314,037)	71.93%
GENERAL FUND SUMMARY					
TOTAL REVENUE INCLUDING TRANSFERS	\$ 22,489,898	\$ 1,816,315	\$ 16,175,861	\$ (20,673,583)	8.08%
GENERAL FUND EXPENDITURES	22,171,082	1,115,935	6,113,722	21,055,147	5.03%
BUDGETED FUND BALANCE	-	-	-	-	
BALANCE	\$ 318,816	\$ 700,380	\$ 10,062,140	\$ 381,564	

NOTES:

The General Fund accounts for the resources used to finance the fundamental operations of the City.
It is the basic fund of the City and covers all activities for which a separate fund has not been established.

CITY OF HUTTO
GENERAL FUND
STATEMENT OF EXPENDITURES
FOR THE MONTH ENDED FEBRUARY 28, 2022

	CURRENT BUDGET	CURRENT MONTH	FISCAL YTD	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT OF BUDGET
ADMINISTRATION					
PERSONNEL	\$ 799,406	\$ 33,079	\$ 364,099	\$ 435,307	45.55%
SUPPLIES	2,650	13	1,366	1,284	51.56%
PROFESSIONAL SERVICES	25,050	23,850	50,699	(25,649)	202.39%
GENERAL	17,750	1,677	11,215	6,535	63.18%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL ADMINISTRATION	\$ 844,856	\$ 58,619	\$ 427,380	\$ 417,477	50.59%
CITY COUNCIL					
PERSONNEL	\$ 74,942	\$ 6,416	\$ 28,311	\$ 46,631	37.78%
SUPPLIES	2,500	-	1,317	1,183	52.67%
PROFESSIONAL SERVICES	4,000	-	-	4,000	0.00%
GENERAL	225,600	7,500	80,220	145,380	35.56%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL CITY COUNCIL	\$ 307,042	\$ 13,916	\$ 109,849	\$ 197,194	35.78%
HUMAN RESOURCES					
PERSONNEL	\$ 331,390	\$ 27,126	\$ 98,196	\$ 233,194	29.63%
SUPPLIES	2,250	367	792	1,458	35.20%
PROFESSIONAL SERVICES	176,700	26,997	69,215	107,485	39.17%
GENERAL	12,100	2,500	2,500	9,600	20.66%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL HUMAN RESOURCES	\$ 522,440	\$ 56,990	\$ 170,703	\$ 351,737	32.67%
ECONOMIC DEVELOPMENT					
PERSONNEL	\$ 209,364	\$ 14,905	\$ 74,913	\$ 134,451	35.78%
SUPPLIES	13,350	-	17,730	(4,380)	132.81%
PROFESSIONAL SERVICES	40,000	-	27	39,973	0.07%
GENERAL	10,100	-	2,074	8,026	20.54%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL ECONOMIC DEVELOPMENT	\$ 272,814	\$ 14,905	\$ 94,744	\$ 178,070	34.73%
FINANCE					
PERSONNEL	\$ 973,770	\$ 45,825	\$ 277,756	\$ 696,014	28.52%
SUPPLIES	7,500	-	5,496	2,004	73.28%
PROFESSIONAL SERVICES	299,250	16,949	59,421	239,829	19.86%
GENERAL	387,600	21,883	202,631	184,969	52.28%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL FINANCE	1,668,120	84,657	545,303	1,122,816	32.69%
MUNICIPAL COURT					
PERSONNEL	\$ 222,428	\$ 19,150	\$ 92,461	\$ 129,967	41.57%
SUPPLIES	1,550	-	1,216	334	78.47%
PROFESSIONAL SERVICES	24,250	7,879	8,481	15,769	34.97%
GENERAL	20,200	1,475	5,607	14,593	27.76%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL MUNICIPAL COURT	\$ 268,428	\$ 28,504	\$ 107,765	\$ 160,663	40.15%
PLANNING & DEVELOPMENT					
PERSONNEL	\$ 1,184,585	\$ 54,006	\$ 307,544	\$ 877,041	25.96%
SUPPLIES	27,150	299	4,063	23,087	14.97%
PROFESSIONAL SERVICES	890,550	74,092	197,710	692,840	22.20%
GENERAL	32,150	239	4,162	27,988	12.95%
CAPITAL OUTLAY	40,000	-	-	40,000	0.00%
TOTAL PLANNING & DEVELOPMENT	\$ 2,174,435	\$ 128,636	\$ 513,479	\$ 1,660,956	23.61%

CITY OF HUTTO
GENERAL FUND
STATEMENT OF EXPENDITURES
FOR THE MONTH ENDED FEBRUARY 28, 2022

	CURRENT BUDGET	CURRENT MONTH	FISCAL YTD	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT OF BUDGET
CONSTRUCTION INSPECTION					
PERSONNEL	\$ 162,945	\$ 6,914	\$ 57,023	\$ 105,922	35.00%
SUPPLIES	13,500	257	2,436	11,064	18.05%
MAINTENANCE	750	-	-	750	0.00%
PROFESSIONAL SERVICES	10,247	836	4,182	6,065	40.81%
GENERAL	6,000	-	-	6,000	0.00%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL CONSTRUCTION INSPECTION	\$ 193,442	\$ 8,006	\$ 63,641	\$ 129,801	32.90%
STREETS & DRAINAGE					
PERSONNEL	\$ 771,115	\$ 34,043	\$ 161,654	\$ 609,461	20.96%
SUPPLIES	68,000	2,119	19,939	48,061	29.32%
MAINTENANCE	130,000	3,075	17,604	112,396	13.54%
PROFESSIONAL SERVICES	434,000	9,438	68,052	365,948	15.68%
GENERAL	225,000	21,478	76,318	148,682	0.00%
CAPITAL OUTLAY	1,844,075	-	-	1,844,075	0.00%
TOTAL STREETS & DRAINAGE	\$ 3,472,190	\$ 70,151	\$ 343,567	\$ 3,128,623	9.89%
POLICE					
PERSONNEL	\$ 5,212,894	\$ 331,399	\$ 1,771,556	\$ 3,441,338	33.98%
SUPPLIES	486,900	22,516	138,629	348,271	28.47%
MAINTENANCE	18,200	37,580	45,954	(27,754)	252.49%
PROFESSIONAL SERVICES/FEES	273,500	12,580	135,450	138,050	49.52%
GENERAL	114,600	1,847	18,070	96,530	0.00%
CAPITAL OUTLAY	690,000	28,848	28,848	661,152	0.00%
TOTAL POLICE	\$ 6,796,094	\$ 434,770	\$ 2,138,506	\$ 4,657,587	31.47%
CITY SECRETARY					
PERSONNEL	\$ 218,189	\$ 5,901	\$ 59,336	\$ 158,853	27.19%
SUPPLIES	950	-	-	950	0.00%
PROFESSIONAL SERVICES	120,000	3,675	51,011	68,989	42.51%
GENERAL	6,700	-	1,226	5,474	18.30%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL CITY SECRETARY	\$ 345,839	\$ 9,576	\$ 111,573	\$ 234,266	32.26%
COMMUNICATIONS					
PERSONNEL	\$ 287,711	\$ 15,980	\$ 78,514	\$ 209,196	27.29%
SUPPLIES	3,200	179	1,388	1,812	43.36%
PROFESSIONAL SERVICES	119,826	6,817	27,408	92,418	22.87%
GENERAL	4,000	1,358	1,527	2,473	38.17%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL COMMUNICATIONS	\$ 414,737	\$ 24,334	\$ 108,837	\$ 305,900	26.24%
LIBRARY					
PERSONNEL	\$ 182,182	\$ 13,823	\$ 59,825	\$ 122,356	32.84%
SUPPLIES	50,000	2,485	14,182	35,818	28.36%
PROFESSIONAL SERVICES	4,100	-	2,000	2,100	48.78%
GENERAL	3,500	39	1,134	2,366	32.39%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL LIBRARY	\$ 239,782	\$ 16,347	\$ 77,141	\$ 162,640	32.17%
COMMUNITY RELATIONS					
PERSONNEL	\$ 173,008	\$ 12,832	\$ 64,375	\$ 108,633	37.21%
SUPPLIES	240,900	32,870	63,685	177,215	26.44%
PROFESSIONAL SERVICES	430,500	(32,544)	61,755	368,745	14.34%
GENERAL	5,000	-	3,531	1,469	70.62%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL COMMUNITY RELATIONS	\$ 849,408	\$ 13,157	\$ 193,346	\$ 656,063	22.76%

CITY OF HUTTO
GENERAL FUND
STATEMENT OF EXPENDITURES
FOR THE MONTH ENDED FEBRUARY 28, 2022

	CURRENT BUDGET	CURRENT MONTH	FISCAL YTD	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT OF BUDGET
INFORMATION TECHNOLOGY					
PERSONNEL	\$ 243,611	\$ 12,481	\$ 62,948	\$ 180,663	25.84%
SUPPLIES	64,600	14,051	33,391	31,209	51.69%
PROFESSIONAL SERVICES	648,200	26,785	292,385	355,815	45.11%
GENERAL	10,600	-	175	10,425	1.65%
CAPITAL OUTLAY	40,000	-	-	40,000	0.00%
TOTAL INFORMATION TECHNOLOGY	\$ 1,007,011	\$ 53,316	\$ 388,899	\$ 618,112	38.62%
PARKS MAINTENANCE					
PERSONNEL	\$ 409,996	\$ 25,495	\$ 103,560	\$ 306,436	25.26%
SUPPLIES	9,750	1,125	4,396	5,354	45.09%
MAINTENANCE	81,500	355	14,931	66,569	18.32%
PROFESSIONAL SERVICES	260,000	6,456	40,847	219,153	15.71%
GENERAL	25,000	-	-	25,000	0.00%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL PARKS MAINTENANCE	\$ 786,246	\$ 33,430	\$ 163,734	\$ 622,512	20.82%
PARKS & RECREATION					
PERSONNEL	\$ 91,628	\$ 2,455	\$ 12,610	\$ 79,018	13.76%
SUPPLIES	3,800	32	327	3,473	8.60%
PROFESSIONAL SERVICES	11,500	1,068	6,011	5,489	52.27%
GENERAL	20,750	2,471	9,436	11,314	45.48%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL PARKS & RECREATION	\$ 127,678	\$ 6,026	\$ 28,384	\$ 99,294	22.23%
FLEET MAINTENANCE					
PERSONNEL	\$ 77,871	\$ 6,202	\$ 30,318	\$ 47,553	38.93%
SUPPLIES	32,450	235	2,060	30,390	6.35%
MAINTENANCE	130,000	3,207	29,041	100,959	22.34%
PROFESSIONAL SERVICES	5,000	57	1,233	3,767	24.66%
GENERAL	250	-	447	(197)	178.80%
CAPITAL OUTLAY	45,000	-	-	45,000	0.00%
TOTAL FLEET MAINTENANCE	\$ 290,571	\$ 9,701	\$ 63,099	\$ 227,471	21.72%
FACILITY MAINTENANCE					
PERSONNEL	\$ 183,129	\$ 9,190	\$ 45,350	\$ 137,779	24.76%
SUPPLIES	28,950	99	4,520	24,430	15.61%
MAINTENANCE	600,000	659	25,430	574,570	4.24%
PROFESSIONAL SERVICES	88,500	6,457	39,633	48,867	44.78%
GENERAL	2,000	-	-	2,000	0.00%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL FACILITY MAINTENANCE	\$ 902,579	\$ 16,405	\$ 114,933	\$ 787,646	12.73%
NON-DEPARTMENTAL					
SUPPLIES	\$ 12,000	\$ 632	\$ 3,503	\$ 8,497	29.19%
MAINTENANCE	70,371	-	70,371	-	0.00%
PROFESSIONAL SERVICES	350,000	23,015	138,852	211,148	39.67%
GENERAL	255,000	10,843	136,113	118,887	53.38%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL NON-DEPARTMENTAL	\$ 687,371	\$ 34,490	\$ 348,838	\$ 338,533	50.75%
TOTAL EXPENDITURES	\$ 22,171,082	\$ 1,115,935	\$ 6,113,722	\$ 16,057,360	5.03%

CITY OF HUTTO
SPECIAL REVENUE FUNDS
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH ENDED FEBRUARY 28, 2022

	CURRENT BUDGET	CURRENT MONTH	FISCAL YTD	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT OF BUDGET
HOTEL TAX FUND					
REVENUES	\$ 175,000	\$ 13,216	\$ 94,962	\$ (80,038)	54.26%
EXPENDITURES	175,000	-	-	175,000	0.00%
BUDGETED FUND BALANCE	-	-	-	-	
NET CHANGE	<u>\$ -</u>	<u>\$ 13,216</u>	<u>\$ 94,962</u>	<u>\$ 94,962.01</u>	
PEG CAPITAL FUND					
REVENUES	\$ 70,000	\$ 10,834	\$ 11,326	\$ (58,674)	16.18%
EXPENDITURES	45,000	-	-	45,000	0.00%
BUDGETED FUND BALANCE	-	-	-	-	
NET CHANGE	<u>\$ 25,000</u>	<u>\$ 10,834</u>	<u>\$ 11,326</u>	<u>\$ (13,674)</u>	
PARK IMPROVEMENT FUND					
REVENUES	\$ 251,500	\$ 22	\$ 272,922	\$ 21,422	108.52%
EXPENDITURES	1,000,000	-	-	1,000,000	0.00%
BUDGETED FUND BALANCE	-	-	-	-	
NET CHANGE	<u>\$ 1,251,500</u>	<u>\$ 22</u>	<u>\$ 272,922</u>	<u>\$ 1,021,422</u>	
COMMUNITY PID FEES					
REVENUES	\$ -	\$ 271	\$ 2,375,482	\$ 2,375,482	0.00%
EXPENDITURES	-	-	-	-	0.00%
BUDGETED FUND BALANCE	-	-	-	-	
NET CHANGE	<u>\$ -</u>	<u>\$ 271</u>	<u>\$ 2,375,482</u>	<u>\$ 2,375,482</u>	
COMMUNITY DEVELOPMENT CORPORATION					
REVENUES	\$ 2,307,651	\$ 126,669	\$ 1,376,095	\$ (931,556)	59.63%
EXPENDITURES	2,644,086	164,729	1,163,687	1,480,399	44.01%
BUDGETED FUND BALANCE	-	-	-	-	
NET CHANGE	<u>\$ (336,435)</u>	<u>\$ (38,060)</u>	<u>\$ 212,409</u>	<u>\$ (2,411,955)</u>	

CITY OF HUTTO
UTILITY FUNDS
STATEMENT OF REVENUES AND EXPENSES
FOR THE MONTH ENDED FEBRUARY 28, 2022

	CURRENT BUDGET	CURRENT MONTH	FISCAL YTD	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT OF BUDGET
UTILITY IMPACT FEES FUND					
REVENUES	\$ 3,800,000	\$ 1,234,433	\$ 5,357,164	\$ 1,557,164	140.98%
EXPENSES	1,500,000	125,000	625,000	875,000	41.67%
BUDGETED FUND BALANCE	-	-	-	-	
NET CHANGE	<u>\$ 2,300,000</u>	<u>\$ 1,109,433</u>	<u>\$ 4,732,164</u>	<u>\$ 2,432,164</u>	
UTILITY CIP FUND					
REVENUES	\$ 50,000	\$ 172	\$ 900	\$ (49,100)	1.80%
EXPENSES	5,805,192	-	255	5,804,937	0.00%
BUDGETED FUND BALANCE	5,755,192	-	-	(5,755,192)	
NET CHANGE	<u>\$ -</u>	<u>\$ 172</u>	<u>\$ 645</u>	<u>\$ 645</u>	
SOLID WASTE FUND					
REVENUES	\$ 2,000,000	\$ 198,262	\$ 969,584	\$ (1,030,416)	48.48%
EXPENSES	2,000,000	160,057	628,013	1,371,987	31.40%
BUDGETED FUND BALANCE	-	-	-	-	
NET CHANGE	<u>\$ -</u>	<u>\$ 38,205</u>	<u>\$ 341,570</u>	<u>\$ 341,570</u>	

CITY OF HUTTO
UTILITY FUND
STATEMENT OF REVENUES & EXPENSES
FOR THE MONTH ENDED FEBRUARY 28, 2022

	BUDGET	CURRENT MONTH	FISCAL YTD	VARIANCE FAVORABLE (UNFAVORABLE)	PERCENT OF BUDGET
REVENUES					
CHARGES FOR SERVICES	\$ 13,480,000	\$ 1,043,511	\$ 6,084,629	\$ (7,395,371)	7.74%
FEES	131,000	31,531	166,692	35,692	24.07%
OTHER REVENUES	15,000	703	4,128	(10,872)	4.69%
INTEREST	100	189	463	363	188.58%
SUB - TOTAL	<u>\$ 13,626,100</u>	<u>\$ 1,075,934</u>	<u>\$ 6,255,912</u>	<u>\$ (7,370,188)</u>	7.90%
TRANSFER FROM OTHER FUNDS	-	-	-	-	0.00%
FUND BALANCE	-	-	-	-	0.00%
TOTAL REVENUES	<u>\$ 13,626,100</u>	<u>\$ 1,075,934</u>	<u>\$ 6,255,912</u>	<u>\$ (7,370,188)</u>	7.90%
EXPENSES					
UTILITY BILLING					
PERSONNEL	\$ 413,422	\$ 20,876	\$ 101,184	\$ 312,237	24.47%
SUPPLIES	132,350	755	30,232	102,118	22.84%
MAINTENANCE	2,000	-	120	1,880	6.00%
PROFESSIONAL SERVICES	63,000	8,056	36,511	26,489	57.95%
GENERAL	322,000	56,820	152,078	169,922	47.23%
CAPITAL OUTLAY	60,000	-	-	60,000	0.00%
TOTAL UTILITY BILLING	<u>\$ 992,772</u>	<u>\$ 86,507</u>	<u>\$ 320,125</u>	<u>\$ 672,647</u>	32.25%
PUBLIC WORKS ADMIN					
PERSONNEL	\$ 526,481	\$ 35,221	\$ 95,032	\$ 431,449	18.05%
SUPPLIES	10,500	417	3,347	7,153	31.87%
PROFESSIONAL SERVICES	-	-	-	-	0.00%
GENERAL	1,600	-	104	1,496	6.51%
CAPITAL OUTLAY	-	-	-	-	0.00%
TOTAL PUBLIC WORKS ADMIN	<u>\$ 538,581</u>	<u>\$ 35,637</u>	<u>\$ 98,482</u>	<u>\$ 440,098</u>	18.29%
UTILITY OPERATIONS					
PERSONNEL	\$ 833,710	\$ 73,267	\$ 341,708	\$ 492,002	40.99%
SUPPLIES	212,250	8,708	68,894	143,356	32.46%
MAINTENANCE	468,000	19,712	85,051	382,949	18.17%
PROFESSIONAL SERVICES	3,397,500	223,035	1,306,650	2,090,850	38.46%
GENERAL	394,500	11,593	148,689	245,811	37.69%
CAPITAL OUTLAY	275,000	-	429,864	(154,864)	156.31%
TOTAL UTILITY OPERATIONS	<u>\$ 5,580,960</u>	<u>\$ 336,315</u>	<u>\$ 2,380,856</u>	<u>\$ 3,200,104</u>	42.66%
NON-DEPARTMENTAL					
PROFESSIONAL SERVICES	\$ 75,000	\$ 8,047	\$ 15,674	\$ 59,326	20.90%
GENERAL	110,000	8,523	42,613	67,387	38.74%
TRANSFERS TO OTHER FUNDS	6,209,675	517,473	2,587,365	3,622,310	0.00%
TOTAL NON-DEPARTMENTAL	<u>\$ 6,394,675</u>	<u>\$ 534,043</u>	<u>\$ 2,645,652</u>	<u>\$ 3,749,023</u>	41.37%
TOTAL EXPENSES	<u>\$ 13,506,987</u>	<u>\$ 992,502</u>	<u>\$ 5,445,115</u>	<u>\$ 8,061,873</u>	7.35%
NET CHANGE IN FUND BALANCE	\$ 119,113	\$ 83,432	\$ 810,797	\$ (691,684)	



INVESTMENT PORTFOLIO REPORT

For the Month Ended

February 28, 2022

**Prepared by
Valley View Consulting, L.L.C.**

The investment portfolio of the City of Hutto is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

Chief Financial Officer

Controller

These reports were compiled using information provided by the City. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

Month End Results by Investment Category:

(1) Average Yield calculated using month end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

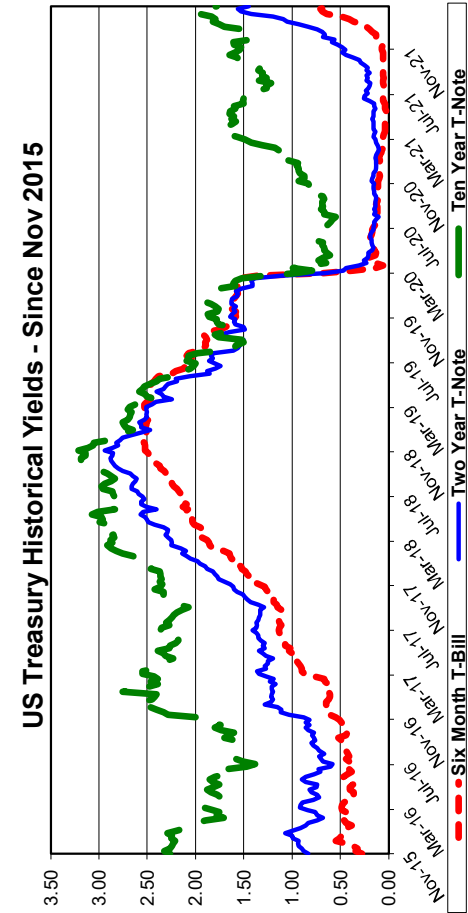
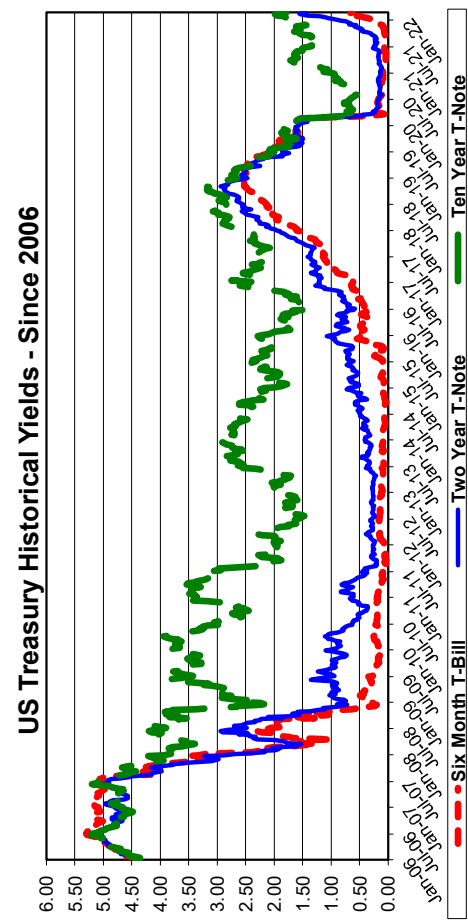
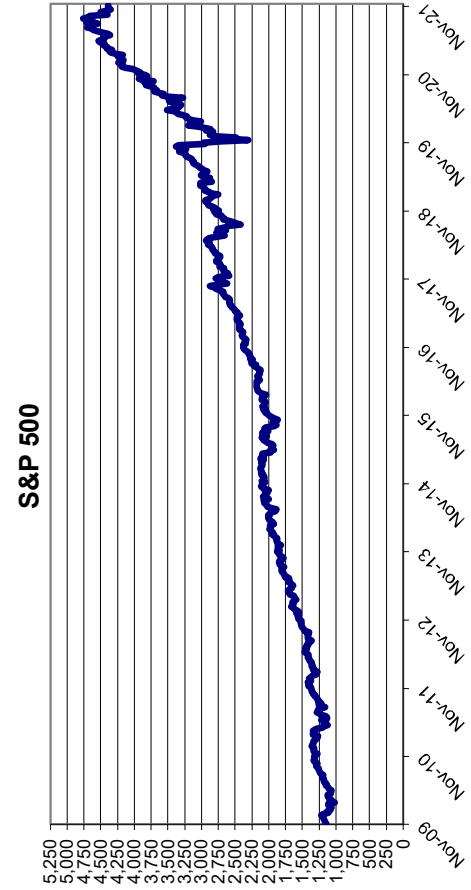
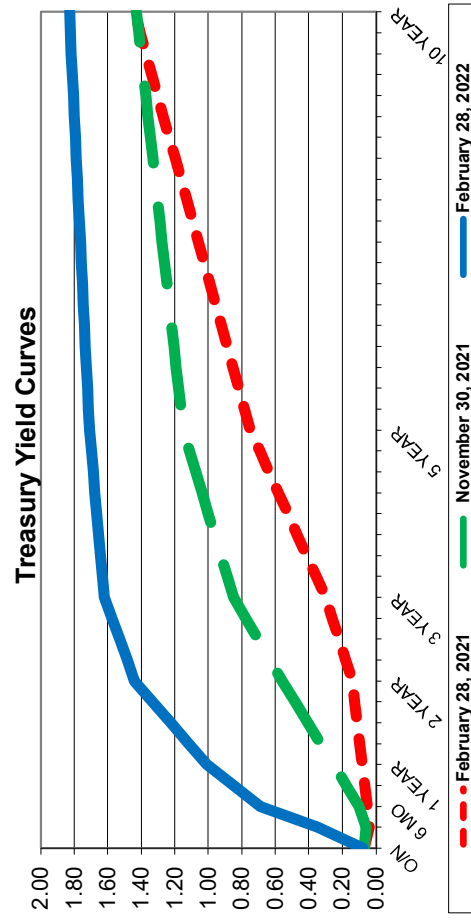
(2) Fiscal Year-to-Date Average Yields calculated using month end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Note: Portfolio values within this report prior to January 1, 2019 were obtained from previous monthly reports prepared on behalf of the City and were not checked for accuracy or completeness.

Economic Overview

2/28/2022

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range at 0.00% to 0.25% (Effective Fed Funds are trading <0.10%). The FOMC anticipates ending monthly security purchases March 2022 and beginning to increase the Fed Funds Target Range in 0.25% increments. The market projections 4 to 7 increases this calendar year. Fourth Quarter GDP is estimated at +7.0%, subject to one more revision. February Non-Farm Payroll beat estimates by adding 678k net new jobs. Increasing the Three Month Average NFP to 582k. Crude oil continues rising and now trades over \$120 per barrel. The Stock Markets have "corrected" by trading down up 10% from their peaks. Most domestic economic indicators remain positive. Inflation remained well over the FOMC 2% target (Core PCE +/-5.2%). The Russian/Ukrainian war increased global economic uncertainty causing the Yield Curve to retreat slightly.



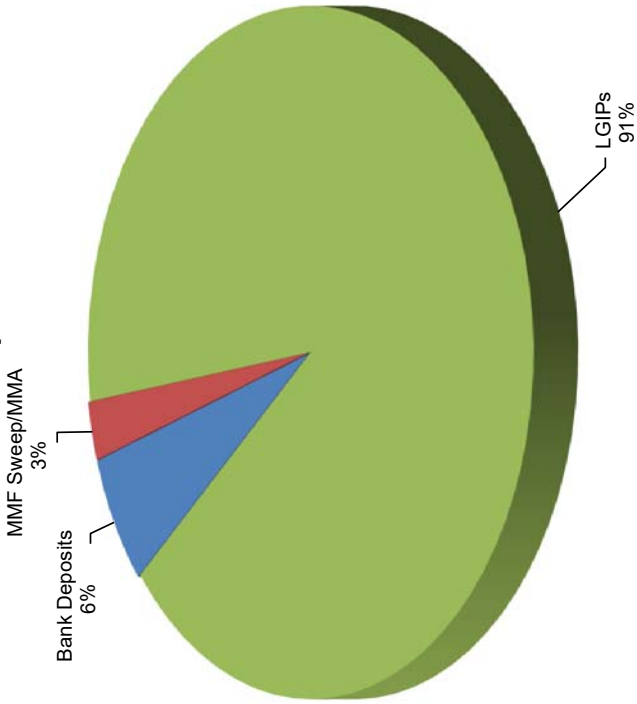
Investment Holdings
February 28, 2022

Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Par Value	Book Value	Market Price	Market Value	Life (days)	Yield
Wells Fargo Bank		0.00%	03/01/22	02/28/22	\$ 3,983,201	\$ 3,983,201	1.00	\$ 3,983,201	1	0.00%
Bancorp South		0.10%	03/01/22	02/28/22	206,380	206,380	1.00	206,380	1	0.10%
Bank of Texas MMF		0.03%	03/01/22	02/28/22	1,873,379	1,873,379	1.00	1,873,379	1	0.03%
TexPool	AAAm	0.06%	03/01/22	02/28/22	20,101,967	20,101,967	1.00	20,101,967	1	0.06%
Texas Class	AAAm	0.12%	03/01/22	02/28/22	6,876,408	6,876,408	1.00	6,876,408	1	0.12%
TexSTAR	AAAm	0.01%	03/01/22	02/28/22	35,481,555	35,481,555	1.00	35,481,555	1	0.01%
					\$ 68,522,891	\$ 68,522,891			1	0.04%
									(1)	(2)

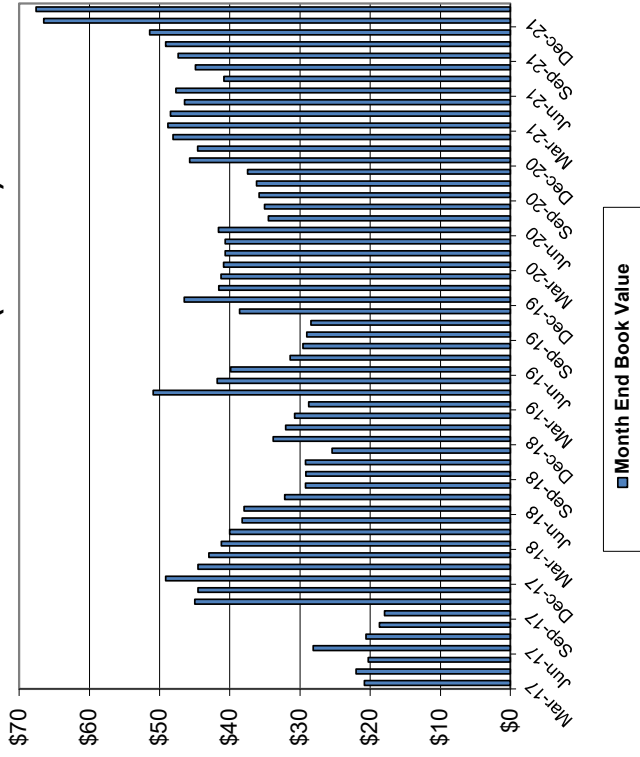
(1) **Weighted average life** - For purposes of calculating weighted average life, bank accounts, pools and money market funds are assumed to have an one day maturity.

(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank accounts, pools and money market funds.

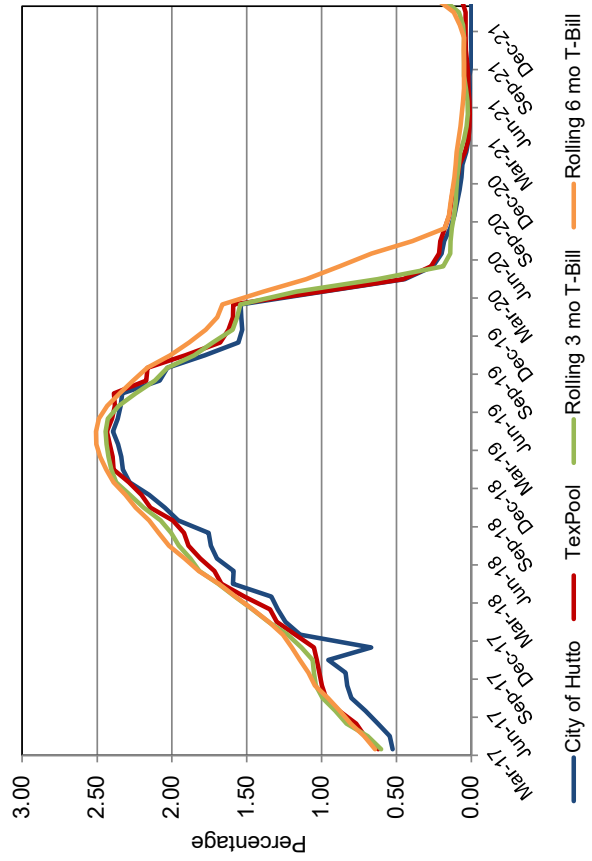
Portfolio Composition



Total Portfolio (Millions)



Total Portfolio Performance



Book & Market Value Comparison

Issuer/Description	Yield	Maturity Date	Book Value 01/31/22	Increases	Decreases	Book Value 02/28/22	Market Value 01/31/22	Change in Market Value	Market Value 02/28/22
Wells Fargo Bank	0.00%	03/01/22	\$ 4,706,758	\$ -	\$ (723,556)	\$ 3,983,201	\$ 4,706,758	\$ (723,556)	\$ 3,983,201
Bancorp South	0.10%	03/01/22	206,365	16	-	206,380	206,365	16	206,380
Bank of Texas MMF	0.03%	03/01/22	1,873,342	36	-	1,873,379	1,873,342	36	1,873,379
TexPool	0.06%	03/01/22	18,397,686	1,704,281	-	20,101,967	18,397,686	1,704,281	20,101,967
Texas Class	0.12%	03/01/22	6,875,760	648	-	6,876,408	6,875,760	648	6,876,408
TexSTAR	0.01%	03/01/22	35,481,272	283	-	35,481,555	35,481,272	283	35,481,555
TOTAL / AVERAGE	0.04%		\$ 67,541,183	\$ 1,705,264	\$ (723,556)	\$ 68,522,891	\$ 67,541,183	\$ 981,708	\$ 68,522,891

Fund Allocation - Book & Market Value
February 28, 2022

	Total	Operating Funds	Debt Service	Capital Projects	Grant Funds	PID Funds	Utility Funds	2014 TWDB
Wells Fargo Bank	\$ 3,983,201	\$ 3,983,201						
Bancorp South	206,380	206,380						
Bank of Texas MMF	1,873,379							1,873,379
TexPool	20,101,967	20,101,967						
Texas Class	6,876,408					2,875,482	4,000,927	
TexSTAR	35,481,555	5,588,582	1,090,847	25,339,498	3,462,627			
Total	\$ 68,522,891	\$ 29,880,131	\$ 1,090,847	\$ 25,339,498	\$ 3,462,627	\$ 2,875,482	\$ 4,000,927	\$ 1,873,379

Fund Allocation - Book & Market Value
January 31, 2022

	Total	Operating Funds	Debt Service	Capital Projects	Grant Funds	PID Funds	Utility Funds	2014 TWDB
Wells Fargo Bank	\$ 4,706,758	\$ 4,706,758						
Bancorp South	206,365	206,365						
Bank of Texas MMF	1,873,342							1,873,342
TexPool	18,397,686	18,397,686						
Texas Class	6,875,760					2,875,211	4,000,550	
TexSTAR	35,481,272	5,588,538	1,090,838	25,339,297	3,462,600			
Total	\$ 67,541,183	\$ 28,899,346	\$ 1,090,838	\$ 25,339,297	\$ 3,462,600	\$ 2,875,211	\$ 4,000,550	\$ 1,873,342

AGENDA ITEM REPORT

9.3.



To: City Council
Subject: Discussion and Possible Action on Resolution No. R-2022-028 authorizing the Interim City Manager to Execute a Joint Election Agreement and Contract with Williamson County for Election Services for the May 7, 2022 General/Special Election (Angela Walton)
Meeting: Thursday, April 7, 2022
Department: City Secretary /
Staff Contact: Angela Walton

BACKGROUND INFORMATION:

The Joint Election Agreement and Contract for Election Services for the May 2022 Uniform Election, as well as the List of Participating Authorities (Attachment A) is attached. The Williamson County Elections Department requests that all contracting entities requests that all contracting entities provide two signed originals (not electronically submitted) of the contract.

SUMMARY OF REQUEST:

Approve Joint Election Agreement for the May 7, 2022 General Election.

STAFF REVIEW:

Staff recommends approval.

FINANCIAL IMPACT:

There will be some impact due to various factors, including but not limited to joint participation with other entities, number of polling sites, etc.

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Joint Election Agreement Resolution
2. Contract for Election Services - May 7 2022

RESOLUTION NO. R-2022-028

**A RESOLUTION OF THE CITY OF HUTTO, TEXAS,
AUTHORIZING THE INTERIM CITY MANAGER TO
EXECUTE THE JOINT ELECTION AGREEMENT AND
CONTRACT FOR THE MAY 7, 2022 GENERAL ELECTION**

WHEREAS, the City Council desires to enter into a Joint Election Agreement with Participating Authorities of Williamson County for the May 7, 2022 General Election for the purpose of sharing election equipment, election officials, precinct polling locations, and election ballots where appropriate; and

WHEREAS, the City of Hutto also wishes to enter into a contract with the Williamson County Election Administrator for election services regarding the May 7, 2022 Election; and

WHEREAS, the Williamson County Elections Administrator has submitted a proposed Joint Election Agreement and Contract for Election Services (“Contract”); and

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

Section 1. That the Interim City Manager is hereby authorized and directed to execute on behalf of the City, a Joint Election Agreement and Contract for Election Services with the Williamson County Elections Administrator and Participating Authorities, a copy of said agreement being attached hereto as Exhibit “A” and incorporated herein for all purposes.

Section 2. 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 3. This Resolution shall take effect immediately upon its passage.

RESOLVED this 7th day of April 2022.

Mike Snyder, Mayor

ATTEST:

Angela Walton, Interim City Secretary

APPROVED AS TO FORM:

By: _____
Cristian Rosas-Grillet, Assistant City Attorney

**THE STATE OF TEXAS
COUNTY OF WILLIAMSON**

JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES

THIS Joint Election Agreement and Contract for Election Services ("Contract") is made by and between the Williamson County Elections Administrator ("Elections Administrator") and political subdivisions ("Participating Authority" or "Participating Authorities") located entirely or partially inside the boundaries of Williamson County. The complete list of Participating Authorities will be available after the final day to cancel an election as prescribed by the Secretary of State's election calendar and will be listed as **Attachment A**.

This Contract is made pursuant to Texas Election Code Sections 31.092 and 271.002 and Texas Education Code Section 11.0581 for a joint election to be held on the uniform election date of May 7, 2022, and administered by Christopher Davis, Williamson County Elections Administrator. This Contract supersedes any and all prior contracts and agreements to conduct joint elections between a Participating Authority and the Williamson County Elections Office.

RECITALS

WHEREAS, each Participating Authority listed above plans to hold an election on May 7, 2022;

WHEREAS, Williamson County owns an electronic voting system, the Election System and Software (ES&S) EVS 6110 voting system, which includes the DS200 precinct scanner, the DS850 central scanner and the ExpressVote ballot marking device and has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements for persons with disabilities set forth by Texas Election Code Section 61.012. The Participating Authorities desire to use Williamson County's electronic voting system, to compensate Williamson County for such use, and to share in certain other expenses connected with joint elections, in accordance with the applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended, and

NOW THEREFORE, in consideration of the mutual covenants, agreements, and benefits to the parties, IT IS AGREED, as follows:

I. ADMINISTRATION

The Participating Authorities agree to hold a "Joint Election" with Williamson County and each other in accordance with Chapter 271 of the Texas Election Code and this Contract. The Elections Administrator shall coordinate, supervise, and handle all aspects of administering the Joint Election as provided in this Contract. Each Participating Authority agrees to pay the Elections Administrator for equipment, programming, election personnel, supplies, services, and administrative costs as provided in this Contract. The Elections Administrator shall serve as the Election Officer for the Joint Election; however, each Participating Authority shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of each Participating Authority as necessary.

It is understood that other political subdivisions and districts may wish to participate in the use of Williamson County's electronic voting system and polling places, and it is agreed that the Elections Administrator may enter into other contracts for election services for those purposes, on terms and conditions generally similar to those set forth in this Contract. In such cases, costs shall be pro-rated among the participants according to Section XII of this Contract.

II. LEGAL DOCUMENTS

Each Participating Authority shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or the Participating Authority's governing body, charter, or ordinances, except that the Elections Administrator shall be responsible for the preparation and publication of all voting equipment testing notices that are required by the Texas Election Code. Election orders should include language that would not necessitate amending the order if any of the Early Voting and/or Election Day polling places change.

Preparation of the necessary materials for notices and the official ballot language shall be the responsibility of each Participating Authority, including providing the text in English and Spanish. Each Participating Authority shall provide a copy of their respective election orders and notices to the Elections Administrator.

III. NONPERFORMANCE

The Elections Administrator will inform each Participating Authority of any problems or deficiencies in their respective performance of obligations under this contract, including but not limited to non-adherence to deadlines for requests for information of each Participating Authority by the Elections Administrator, and may set a reasonable period of time to cure or obtain adequate assurance that any such problems or deficiencies will be timely addressed and corrected. **The Participating Authority's failure to cure problems or deficiencies related to its obligations, duties, and responsibilities in accordance with all terms and conditions of this Agreement will be considered in any future contracts with Elections Administrator or Williamson County, and any Participating Authority failing to perform will reimburse Elections Administrator for any additional costs and expenses to Williamson County, including all costs associated with interference of conducting the election.**

IV. VOTING LOCATIONS

The Elections Administrator shall select and arrange for the use of and payment for all Election Day voting locations. Voting locations shall be compliant with the accessibility requirements established by Election Code Section 43.034 and the Americans with Disabilities Act (ADA). The proposed Election Day voting locations are listed in **Attachment B** of this Contract and may be amended. In the event a voting location is not available or appropriate, the Elections Administrator will arrange for use of an alternate location. The Elections Administrator shall notify the Participating Authorities of any changes from the locations listed in **Attachment B**.

If polling places for the May 7, 2022 Joint Election are different from the polling place(s) used by a Participating Authority in its most recent election, the Participating Authority agrees to post a notice no later than May 7, 2022 at the entrance to any previous polling places in the jurisdiction stating that the polling location has changed and listing the Participating Authority's polling place names and addresses in effect for the May 7, 2022 election. This notice shall be written in both the English and Spanish languages.

V. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL

The Elections Administrator will recruit all election workers.

The Elections Administrator will take the necessary steps to insure that all election judges appointed for the Joint Election are eligible to serve and meet the eligibility requirements in Subchapter C of Chapter 32 of the Texas Election Code and meet any requirements to serve as an Election Worker set forth by the Williamson County Commissioners Court.

The Elections Administrator shall arrange for the training and compensation of all election judges, clerks, and election personnel. The Elections Administrator shall arrange for the date, time, and place for the presiding election judges to pick up their election supplies. As set forth in Sec. 32.009 of the Texas Election Code, each presiding election judge and alternate presiding judge shall be given written notice of their appointment. The notice from the Elections Administrator will include the polling location and the number of election clerks the presiding judge may appoint.

Each election judge and clerk will receive compensation at the hourly rate established by Williamson County pursuant to Texas Election Code Section 32.091. The election judge, or his/her designee, will receive an additional sum of \$25.00 for picking up the election supplies prior to Election Day and for returning the supplies and equipment to the central counting station after the polls close.

On the date of drafting of this contract, the compensation rates established by Williamson County are:

Early Voting – Early Voting Supervisor (\$12 an hour), Clerks (\$10 an hour)
Election Day – Presiding Judge (\$12 an hour), Alternate Judge (\$10 an hour), Clerk (\$10 an hour)

Williamson County Commissioners Court may consider approving an increase of compensation rates at their March 22, 2022 meeting. If so approved, the new compensation rates would be:

Early Voting – Early Voting Supervisor (\$17 an hour), Clerks (\$15 an hour)

Election Day – Presiding Judge (\$17 an hour), Alternate Judge (\$15 an hour), Clerk (\$15 an hour)

Election judges and clerks who attend voting equipment and procedures training shall be compensated at the hourly rates listed above.

The Elections Administrator may employ other personnel as necessary for the proper administration of the election, including such part-time help as is necessary to prepare for the election, to ensure the timely delivery of supplies during Early Voting and on Election Day, for the efficient tabulation of ballots at the central counting station, and for the post-election processes conducted by warehouse personnel. Part-time personnel working in support of the Early Voting Ballot Board and/or central counting station on Election Night will be compensated at the hourly rate set by Williamson County in accordance with Election Code Sections 87.005, 127.004, and 127.006.

In accordance with Sec. 31.098 of the Texas Election Code, the Elections Administrator is authorized to contract with third persons for election services and supplies. The actual cost of such third-person services and supplies will be paid by the Elections Administrator and reimbursed by the Participating Authorities.

VI. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT

The Elections Administrator shall arrange for all election supplies and voting equipment including, but not limited to, Williamson County's electronic voting system and equipment, official ballots, sample ballots, voter registration lists, and all forms, signs, maps and other materials used by the election judges at the voting locations. The Elections Administrator shall ensure availability of tables and chairs at each polling place and shall procure rented tables and chairs for those polling places that do not have a sufficient number of tables and/or chairs. The Elections Administrator shall be responsible for conducting all required testing of the electronic equipment, as required by Chapters 127 and 129 of the Texas Election Code.

Joint participants shall share voting equipment and supplies to the extent possible. A single ballot containing all the offices or propositions stating measures to be voted on at a particular polling place may be used in a joint election. A voter may not be permitted to select a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap. The Elections Administrator shall provide the necessary voter registration information, maps, instructions, and other information needed to enable the election judges in the voting locations that have more than one ballot style to conduct a proper election.

Each Participating Authority shall furnish the Elections Administrator with a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles of offices and text in both English and Spanish languages). The Participating Authorities are required to submit information in a format or template requested by the Elections Office. Each Participating Authority shall be responsible for proofreading and approving the ballot insofar as it pertains to that authority's candidates and/or propositions. Each Participating Authority shall also be responsible for proofing and approving the audio recording of the ballot insofar as it pertains to that authority's candidates and/or propositions.

In the event a Participating Authority identifies an error after approval of their respective ballot proof(s), and any programming and/or audio files require changes, the Participating Authority approving the original ballot and audio proof will be responsible for the full cost of reprogramming, if required. This will include the cost of reprogramming ballot language and/or audio files for other Participating Authorities as necessary due to software limitations.

Early Voting by Personal Appearance and/or the use of Vote Centers, Texas Election Code Section 43.007, on Election Day shall be conducted exclusively on Williamson County's EVS 6100 electronic voting system. Provisional ballots will be cast on the EVS 6100 system, as well.

The Elections Administrator shall be responsible for the programming, preparation, testing, and delivery of the voting system equipment for the election as required by the Election Code.

The Elections Administrator shall conduct criminal background checks for relevant election officials, staff, and temporary workers upon hiring as required by Election Code 129.051(g).

VII. EARLY VOTING

The Participating Authorities agree to conduct joint Early Voting and to appoint the Election Administrator as the Early Voting Clerk in accordance with Sections 31.097 and 271.006 , Texas Election Code. Each Participating Authority agrees to appoint the Elections Administrator's permanent county employees as Deputy Early Voting clerks. The Participating Authorities further agree that the Elections Administrator may appoint other Deputy Early Voting clerks to assist in the conduct of Early Voting as necessary, and that these additional Deputy Early Voting clerks shall be compensated at an hourly rate set by Williamson County pursuant to Section 83.052 of the Texas Election Code. Deputy Early Voting clerks who are permanent employees of the Williamson County Elections Administrator may be paid from the election services contract fund for contractual duties performed outside of normal business hours (Sec. 31.100(e), Texas Election Code).

Early Voting by personal appearance will be held at the locations, dates, and times listed in **Attachment C** of this document and may be amended. In the event a voting location is not available or appropriate, the Elections Administrator will arrange for use of an alternate location. The Elections Administrator shall notify the Participating Authorities of any changes from the locations listed in **Attachment C**. Any Williamson County qualified voter of the Joint Election may vote early by personal appearance at any one of the joint Early Voting locations.

As Early Voting Clerk, the Elections Administrator shall receive applications for Early Voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for Early Voting ballots to be voted by mail received by the Participating Authorities shall be forwarded immediately by fax or courier to the Elections Administrator for processing. The address of the Early Voting Clerk is as follows:

Mailing Address
Early Voting Clerk
Williamson County Elections Office
PO Box 209
Georgetown, TX 78627

Physical Location
Early Voting Clerk
301 SE Inner Loop, Suite 104
Georgetown, TX 78626

After the first day of Early Voting, the Elections Administrator shall post on the Williamson County Elections Office webpage, the Early Voting turnout by Early Voting polling location by day and a cumulative final Early Voting turnout report following the close of Early Voting.

VIII. EARLY VOTING BALLOT BOARD

Williamson County shall appoint an Early Voting Ballot Board (EVBB) to process Early Voting results from the Joint Election. The Presiding Judge, with the assistance of the Elections Administrator, shall appoint two or more additional members to constitute the EVBB. The Elections Administrator shall determine the number of EVBB members required to efficiently process the Early Voting ballots.

IX. CENTRAL COUNTING STATION AND ELECTION RETURNS

The Elections Administrator will take the necessary steps for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this Contract.

The Counting Station Manager or an approved representative shall deliver timely cumulative reports of the election results as precincts report to the central counting station and are tabulated. The Counting Station Manager shall be responsible for releasing unofficial cumulative totals and precinct returns from the election to the joint participants, candidates, press, and general public by distribution of electronic copies at the central counting station and by posting to the Williamson County Elections Office webpage. To ensure the accuracy of reported election returns, results printed on the tapes produced by Williamson County's voting equipment will not be released to the Participating Authorities at any individual polling locations.

The Elections Administrator will prepare the unofficial canvass reports that are necessary for compliance with Election Code Section 67.004, after all precincts have been counted and will deliver a copy of the unofficial canvass to each Participating Authority as soon as possible after all returns have been tabulated. Each Participating Authority shall be responsible for the official canvass of its respective election(s). The official canvass of election shall not take place before May 10, 2022 and no later than May 18, 2022, as per the Texas election Code.

The Elections Administrator will prepare the electronic precinct-by-precinct results reports for uploading to the Secretary of State as required by Section 67.017 of the Election Code. Each Participating Authority agrees to upload these reports.

The Elections Administrator shall be responsible for conducting the post-election manual recount required by Section 127.201 of the Texas Election Code unless a waiver is granted by the Secretary of State. Notification and copies of the recount, if waiver is denied, will be provided to each Participating Authority and the Secretary of State's Office.

X. PARTICIPATING AUTHORITIES WITH TERRITORY OUTSIDE WILLIAMSON COUNTY

Williamson County Elections will consider conducting elections in territories outside of Williamson County on a case-by-case basis.

XI. RUNOFF ELECTIONS

Each Participating Authority shall have the option of extending the terms of this Contract through its runoff election, if applicable. In the event of such runoff election, the terms of this Contract shall automatically extend unless the Participating Authority notifies the Elections Administrator in writing within 3 business days of the original election.

Each Participating Authority shall reserve the right to reduce the number of Early Voting locations and/or Election Day voting locations in a runoff election. If necessary, any voting changes made by a Participating Authority between the original election and the runoff election shall be submitted by the authority making the change to the United States Department of Justice for the preclearance required by the Federal Voting Rights Act of 1965, as amended.

Each Participating Authority agrees to order any runoff election(s) at its meeting for canvassing the votes from the May 7, 2022 election and to conduct its drawing for ballot positions at or immediately following such meeting in order to expedite preparations for its runoff election.

Each Participating Authority eligible to hold runoff elections after the May 7, 2022 Uniform Election Date agrees that the date of a necessary runoff election shall be held in accordance with the Election Code.

XII. ELECTION EXPENSES AND ALLOCATION OF COSTS

Charges. In consideration for the joint election services provided hereunder by the Elections Administrator, the Participating Authorities will be charged a share of election costs, a staffing agency fee for election workers, an administrative fee, and for the lease of voting equipment.

1. **Share of Election Costs.** Each Participating Authority's share of election costs will be (i) a base fee of \$1,000.00, (ii) plus a pro rata share of the total of all costs incurred by the Elections Administrator in connection with the administration of elections of other entities held at the same time as the election. The sum of the base charges from all Participating Authorities will be subtracted from the total of all costs before allocating the remaining costs to each Participating Authority. Each Participating Authority's share of the remaining (allocated) costs will be determined as follows: The number of registered voters in each individual Participating Authority will be divided by the number of all registered voters of all Participating Authorities to determine each entity's pro rata share expressed as a percentage, which will then be multiplied against each of the allocated costs (remaining costs after base charges are subtracted) as itemized on the final Total Cost report/invoice submitted to each

Participating Authority after the election. The end result will be a charge to the Participating Authority of \$1,000.00 plus the Participating Authority's allocated share of county-wide election costs not covered by the sum of all base fees received.

2. Each Participating Authority's share of the staffing agency fee for election workers will be determined on a pro rata basis. The staffing agency fee is based on a markup cost percentage of 27% of the gross wages of election workers not classified as employees of Williamson County.
3. Lease of Voting Equipment. Per Texas Election Code Section 123.032(d), the Williamson County Commissioners Court has established the following prices for leasing county-owned voting equipment:
 - \$250.00 per ExpressVote Ballot Marking Device
 - \$400.00 per DS200 Precinct Scanner;
 - \$6,000.00 per DS850 Central Count scanner to cover the duration of the election;
 - \$250.00 per electronic pollbook.

The Participating Authority's share of voting equipment costs will be determined on a pro rata basis. Leasing cost will be calculated once for the Early Voting period and once for Election Day. If the County acquires additional equipment, different voting equipment, or upgrades existing equipment during the term of this Contract, the charge for the use of the equipment may be reset by the Williamson County Commissioners Court.

4. Administrative Fee. Each Participating Authority agrees to pay the Williamson County Elections Administrator an administrative fee equal to ten percent (10%) of its total billable costs, less the staffing agency fee, in accordance with Section 31.100(d) of the Texas Election Code.

The Elections Administrator shall deposit all funds payable under this Contract into the appropriate fund(s) within the Williamson County treasury in accordance with Election Code Section 31.100.

XIII. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION

Any Participating Authority may withdraw from this Contract and the Joint Election should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code.

XIV. RECORDS OF THE ELECTION

The Elections Administrator is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records shall be available to each Participating Authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of County records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each Participating Authority to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with the Participating Authority.

XV. RECOUNTS OR CONTESTED ELECTION

A recount may be obtained as provided by Title 13 of the Texas Election Code. By signing this document, the presiding officer of the contracting Participating Authority agrees that any recount shall take place at the offices of the Elections Administrator or at a location of the Elections Administrator's choosing, and that the Elections Administrator shall serve as Recount Supervisor and the Participating Authority's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

In the event of a contested election, the expenses of a new election ordered by a court of competent jurisdiction or Participating Authority will be paid for and by the Participating Authority in accordance with Texas Election Code 221.014

The Elections Administrator agrees to provide advisory services to each Participating Authority as necessary to conduct a proper recount.

XVI. MISCELLANEOUS PROVISIONS

1. The Elections Administrator shall file copies of this document with the Williamson County Treasurer and the Williamson County Auditor in accordance with Section 31.099 of the Texas Election Code.
2. Nothing in this Contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this Contract or a violation of the Texas Election Code.
3. This Contract shall be construed under and in accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Williamson County, Texas.
4. In the event that one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
5. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
6. The waiver by any party of a breach of any provision of this Contract shall not operate as or be construed as a waiver of any subsequent breach.
7. Any amendments of this Contract shall be of no effect unless in writing and signed by all parties hereto.
8. Participating Authority agrees to act in good faith in the performance of this agreement, and shall immediately contact and notify the Elections Administrator of any potential problems or issues relevant to the subject matter of this contract.

XVII. COST ESTIMATES AND DEPOSIT OF FUNDS

The total *estimated* cost for the May 7, 2022 election is \$620,000.00 and is based partly on the costs of the November 2, 2021 joint general special election. After the final determination has been made of whom the Participating Authorities will be and the Contracts are fully executed, the Elections Administrator shall provide each Participating Authority with an official cost estimate. Each Participating Authority's percent share of the estimated total cost is based on the number of registered voters and further described in Section XII.1. of this Contract. Each Participating Authority agrees to pay the Williamson County Elections Administrator a deposit of 50% of the *estimated obligation* no later than 30 days after receiving the official cost estimate. As soon as reasonably possible after the election, the Elections Administrator will submit an itemized invoice to each Participating Authority based on the actual expenses (supported by documentation such as time sheets, compensation forms, and invoices) directly attributable to the services provided by the Elections Administrator. The exact amount of each Participating Authority's obligation under the terms of this Contract shall be calculated after the election (or runoff election, if applicable); and, if the amount of an Authority's total obligation exceeds the amount deposited, the authority shall pay to the Elections Administrator the balance due within 30 days after the receipt of the final invoice from the Elections Administrator. However, if the amount of the authority's total obligation is less than the amount deposited, the Elections Administrator shall refund to the authority the excess amount paid within 30 days after the final costs are calculated.

XVIII. SIGNATURE PAGE

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2022.

ELECTIONS ADMINISTRATOR:

Christopher Davis, Elections Administrator
Williamson County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2022.

PARTICIPATING AUTHORITY:

Name of Participating Authority: City of Hutto

By: _____

Printed Name: Issac Turner

Official Capacity: Interim City Manager

ATTACHMENT A
(To be provided after the final day to cancel an election as prescribed
by the Texas Secretary of State's Election Law Calendar)

List of Participating Authorities

County of Williamson
City of Austin
City of Bartlett
City of Cedar Park
City of Florence
City of Georgetown
City of Granger
City of Hutto
City of Liberty Hill
City of Leander
City of Round Rock
City of Taylor
City of Thrall
Bartlett ISD
Coupland ISD
Florence ISD
Georgetown ISD
Granger ISD
Hutto ISD
Lexington ISD
Liberty Hill ISD
Pflugerville ISD
Thrall ISD
Williamson County ESD No. 8 (Georgetown)
MUD's/SUD's
Fern Bluff MUD
Rancho del Cielo MUD
Round Rock MUD No. 1
San Gabriel MUD No. 1
Upper Brushy Creek WCID
Watch Hill MUD
Williamson County MUD No. 12
Williamson County MUD No. 19G
Williamson County MUD No. 19H
Williamson County MUD No. 21

ATTACHMENT B

Election Day voting locations (to be determined)

ATTACHMENT C

Early Voting Schedule with Voting Locations (to be determined)

AGENDA ITEM REPORT

9.4.



To: City Council
Subject: Consider and possible action adopting Resolution No. R-2022-029 authorizing the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents approved as to form by the City Attorney related to FM 1660 intersection improvements at Limmer Loop and US Highway 79 (Wade Benton)
Meeting: Thursday, April 7, 2022
Department: Public Works /
Staff Contact: Wade Benton

BACKGROUND INFORMATION:

Section 4.01(f) of the Hutto City Charter provides, the City Manager shall have the authority to execute, on behalf of the City, certain documents, including but not limited to deeds, conveyances, release of liens, rental agreements, easements, right-of-way agreements, joint use agreements, and other similar documents, under the following conditions:

- 1) The execution of the document is necessary to carry out a public works project; utilize, maintain or improve a City facility, street, right-of-way, easement, park or other City property; or to implement other City policies; provided that such project, program, or policy has been approved by the City Council;
- 2) That all blanks are filled in on any document correctly and that such document is consistent with the objectives approved by the City Council; and
- 3) That the form of such document shall be approved by the City Attorney.

The City has a pending project for public improvements at FM 1660 at Limmer Loop and US Highway 79. In order for the project to move forward, the City is required to execute a purchase agreement whereby the City acquires approximately twelve (12) parcels of rights-of-way and/or easements. The proposed Resolution authorizes the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents related to FM 1660 improvements at Limmer Loop and US Highway 79 project pursuant to the City Charter.

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

AGENDA ITEM REPORT

9.4.



POLICY IMPLICATIONS:

ATTACHMENTS:

1. Hutto Resolution Acquisition ROW FM 1660 Intersection Project Final 4.7.22

CITY OF HUTTO

RESOLUTION NO. R-2022-029

RESOLUTION OF THE CITY OF HUTTO, TEXAS AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE DOCUMENTS, CONVEYANCES, EASEMENTS, RIGHT-OF-WAY AGREEMENTS, JOINT USE AGREEMENTS, AND OTHER SIMILAR DOCUMENTS APPROVED AS TO FORM BY THE CITY ATTORNEY RELATED TO FM 1660 INTERSECTION IMPROVEMENTS AT LIMMER LOOP AND US HIGHWAY 79; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has a pending project for public improvements to FM 1660 at Limmer Loop and at US Highway 79; and

WHEREAS, in order for the project to move forward, the City is required to execute a purchase agreement whereby the City acquires approximately twelve (12) parcels of rights-of-way and/or easements; and

WHEREAS, the City Manager is authorized to execute such agreements pursuant to Section 4.01(f) of the Hutto City Charter under such conditions and as approved by the City Council and as to form by the City Attorney; and

WHEREAS, the City Council desires to authorize the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents related to the FM 1660 Intersections project pursuant to the City Charter.

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

SECTION 1. The findings set forth in the recitals of this Resolution are hereby found to be true and correct.

SECTION 2. The City Council hereby authorizes the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents related to the FM 1660 Intersections project pursuant to the City Charter.

SECTION 3. The City Council directs the City Attorney to approve the documents as to form pursuant to the City Charter.

SECTION 4. 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 5. This Resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED & APPROVED by the **CITY COUNCIL** of the **CITY OF HUTTO** on the
7th day of April, 2022 on vote of ___ **AYES**; ___ **NAYS**; ___ **ABSTENTIONS**.

MIKE SNYDER, MAYOR
CITY OF HUTTO

ATTEST:

ANGELA WALTON
INTERIM CITY SECRETARY
CITY OF HUTTO

AGENDA ITEM REPORT

9.5.



To: City Council
Subject: Consider and possible action adopting Resolution No. R-2022-030 authorizing the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents approved as to form by the City Attorney related to the US 79 Waterline easements (Wade Benton)
Meeting: Thursday, April 7, 2022
Department: Public Works /
Staff Contact: Wade Benton

BACKGROUND INFORMATION:

Section 4.01(f) of the Hutto City Charter provides, the City Manager shall have the authority to execute, on behalf of the City, certain documents, including but not limited to deeds, conveyances, release of liens, rental agreements, easements, right-of-way agreements, joint use agreements, and other similar documents, under the following conditions:

- 1) The execution of the document is necessary to carry out a public works project; utilize, maintain or improve a City facility, street, right-of-way, easement, park or other City property; or to implement other City policies; provided that such project, program, or policy has been approved by the City Council;
- 2) That all blanks are filled in on any document correctly and that such document is consistent with the objectives approved by the City Council; and
- 3) That the form of such document shall be approved by the City Attorney.

The City has a pending project for US Highway 79 waterline easements. In order for the project to move forward, the City is required to execute a purchase agreement whereby the City acquires approximately six (6) parcels of rights-of-way and/or easements. The proposed Resolution authorizes the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents related to the US Highway 79 Waterline Easements project pursuant to the City Charter.

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

AGENDA ITEM REPORT

9.5.



POLICY IMPLICATIONS:

ATTACHMENTS:

1. Hutto Resolution Acquisition ROW US 79 Waterline Project Final 4.7.22

CITY OF HUTTO

RESOLUTION NO. R-2022-030

RESOLUTION OF THE CITY OF HUTTO, TEXAS AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE DOCUMENTS, CONVEYANCES, EASEMENTS, RIGHT-OF-WAY AGREEMENTS, JOINT USE AGREEMENTS, AND OTHER SIMILAR DOCUMENTS APPROVED AS TO FORM BY THE CITY ATTORNEY RELATED TO US HIGHWAY 79 WATERLINE PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has a pending project for the US Highway 79 waterline; and

WHEREAS, in order for the project to move forward, the City is required to execute a purchase agreement whereby the City acquires approximately six (6) parcels of rights-of-way and/or easements; and

WHEREAS, the City Manager is authorized to execute such agreements pursuant to Section 4.01(f) of the Hutto City Charter under such conditions and as approved by the City Council and as to form by the City Attorney; and

WHEREAS, the City Council desires to authorize the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents related to the US Highway 79 Waterline project pursuant to the City Charter.

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

SECTION 1. The findings set forth in the recitals of this Resolution are hereby found to be true and correct.

SECTION 2. The City Council hereby authorizes the Interim City Manager to execute documents, conveyances, easements, right-of-way agreements, joint use agreements, and other similar documents related to the US Highway 79 Waterline project pursuant to the City Charter.

SECTION 3. The City Council directs the City Attorney to approve the documents as to form pursuant to the City Charter.

SECTION 4. 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 5. This Resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED & APPROVED by the **CITY COUNCIL** of the **CITY OF HUTTO** on the
7th day of April, 2022 on vote of ___ **AYES**; ___ **NAYS**; ___ **ABSTENTIONS**.

MIKE SNYDER, MAYOR
CITY OF HUTTO

ATTEST:

ANGELA WALTON
INTERIM CITY SECRETARY
CITY OF HUTTO

AGENDA ITEM REPORT

9.6.



To: City Council

Subject: Consideration and possible action approving a Resolution of the City Council of the City Of Hutto, Texas authorizing the Kassab Law Firm to take all appropriate legal action to assert claims against McGinnis Lochridge, Partner Michael A. Shaunessy, Partner Bill Bingham, and others as necessary to recover damages resulting from their wrongdoing in the course of providing the City of Hutto with legal services; authorizing the Interim City Manager to enter into and execute the Joint Contingent Fee Engagement Agreement so that it may be submitted for approval by the Texas Attorney General's Office. The public notice required under Texas Local Government Code Section 2254.1036 is attached hereto and incorporated by reference as Exhibit "A". (Legal)

Meeting: Thursday, April 7, 2022

Department: Legal /

Staff Contact: Cristian Rosas-Grillet, George Hyde

BACKGROUND INFORMATION:

In 2017, former City Manager engaged McGinnis Lochridge and attorneys Mike Shaunessy and Bill Bingham to provide City Attorney. Pursuant to Section 4.04 of the City Charter: "The City Attorney shall be the legal advisor of, and attorney and counsel for, the City and all officers and departments thereof. services for the City of Hutto." Upon and after engagement, numerous incidents occurred where the City Attorney and others on his behalf provided legal advice and direction in a negligent, gross negligent and reckless manner, and in several cases intentionally mislead the City Council, one of the City Attorney's clients and took positions in favor of the City Manager and to the detriment of the City Council and the citizens of the City of Hutto, Texas. Such legal advice resulting in failed contracts and lawsuits over millions of dollars.

It was not until late Spring 2020 that the City Council learned from new legal counsel that the former City Attorney's advice was legally unsupported and at times contrary to Texas law. After having to engage legal counsel and litigation counsel to assert claims and to defend itself from problematic agreements of which were erroneously approved by the City Attorney's office, the City Council directed legal counsel to collect evidence and identify experienced and highly qualified legal malpractice legal counsel to represent the city on a contingent fee basis.

As directed by the City Council, Litigation Counsel for the city interviewed several firms and attorneys and recommended a law firm to the City Council that had no prior relationship with the City of Hutto, the Local Government Corporations involved or Litigation Counsel and was recommended after the Litigation Counsel for all the entities, conducted an evaluation of available services and selected the firm and attorneys from The Kassab Law Firm, based on demonstrated competence and qualifications to perform the services.

The Kassab Law Firm is a full-service boutique law firm staffed with legal malpractice lawyers

AGENDA ITEM REPORT

9.6.



concentrating solely on plaintiffs' legal malpractice law. The firm is located in Houston, Texas but represents both corporate entities and individuals in legal malpractice cases nationwide. Lance Christopher Kassab is Board Certified Diplomate of the American Board of Professional Liability Attorneys in Legal Professional Liability. Lance, as the founder of the firm, has over 23 years of experience handling and trying legal malpractice claims and has successfully handled well over two thousand (2,000) legal malpractice claims, many involving multi-million-dollar damages. The Kassab Law Firm is a family-run business as Lance is joined by his nephew David Eric Kassab, who together have represented hundreds of victims of legal malpractice for nearly a decade.

SUMMARY OF REQUEST:

A request that the City Council approves the Resolution to formally engage The Kassab Law Firm on a contingency fee basis to litigate the City's claims against the former City Attorney's Office.

STAFF REVIEW:

FINANCIAL IMPACT:

Passing this Resolution will allow, at no cost to the city, The Kassab Law Firm to move forward with a lawsuit, asserting the city's claims to recover, if successful, money damages in an amount exceeding \$1,000,000 for the direct and consequential damages it suffered from the wrongdoing of the Former City Attorney while engaged to represent the City of Hutto, Texas as defined by the City Charter.

POLICY IMPLICATIONS:

ATTACHMENTS:

1. City Council Resolution_Contract Approval 4.1.22

RESOLUTION NO. R-2022-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS AUTHORIZING THE KASSAB LAW FIRM TO TAKE ALL APPROPRIATE LEGAL ACTION TO ASSERT CLAIMS AGAINST MCGINNIS LOCHRIDGE, PARTNER MICHAEL A. SHAUNESSY, PARTNER BILL BINGHAM, AND OTHERS AS NECESSARY TO RECOVER DAMAGES RESULTING FROM THEIR WRONGDOING IN THE COURSE OF PROVIDING THE CITY OF HUTTO WITH LEGAL SERVICES; AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO AND EXECUTE THE JOINT CONTINGENT FEE ENGAGEMENT AGREEMENT; MAKING REQUIRED FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds notice was given before or at the time of giving the written notice required by Section 551.041 for a City Council Meeting on April 7, 2022; and,

WHEREAS, the City Council finds pursuing legal malpractice and other claims against its former attorneys and law firm and seeking monetary damages for their failure to properly render legal services to the City is necessary and appropriate; and,

WHEREAS, the City Council finds the City and other related entities should be entitled to recover all monetary damages of whatever nature caused by the failure to properly render legal services to the City, including monies spend in subsequent lawsuits which were a consequence of the failure to properly render legal services; and,

WHEREAS, the City Council finds the Kassab Law Firm is a full-service boutique law firm staffed with legal malpractice lawyers concentrating solely on plaintiffs' legal malpractice law. The firm is located in Houston, Texas but represents both corporate entities and individuals in legal malpractice cases nationwide. Lance Christopher Kassab is Board Certified Diplomate of the American Board of Professional Liability Attorneys in Legal Professional Liability. Lance, as the founder of the firm, has over 23 years of experience handling and trying legal malpractice claims and has successfully handled well over two thousand (2,000) legal malpractice claims, many involving multi-million-dollar damages. The Kassab Law Firm is a family-run business as Lance is joined by his nephew David Eric Kassab, who together have represented hundreds of victims of legal malpractice for nearly a decade; and,

WHEREAS, the City Council finds, the attorneys and law firm selected have had no prior relationship with the City of Hutto, the Local Government Corporations involved or the Chief Litigation Counsel and was recommended after the Chief Litigation Counsel for all the entities, conducted an evaluation of available services and selected the firm and attorneys based on demonstrated competence and qualifications to perform the services; and,

WHEREAS, the City Council finds the City and Local Government Corporations are serviced by contract attorneys, do not have full-time in-house legal support and the current contract attorneys do not have the requisite experience to pursue the claims involved; and,

WHEREAS, the City Council finds due to the nature of the claims, it is in the best interest of the government entities to pursue the claims on a contingent fee basis rather than pay by the hour. In doing so, the City's claims can be pursued without a financial obligation on the members of the public no matter the outcome, and which would otherwise be cost prohibitive; and,

WHEREAS, the City Council finds they considered action to approve the contingent fee engagement agreement in an open meeting called for the purpose of considering the matters listed in Tex. Gov't Code § 2254.1036(a)(1); and,

WHEREAS, the City Council finds, pursuant to Tex. Gov't Code § 2254.1036(b), it should approve the contingent fee engagement agreement by resolution because there is a substantial need for the legal services. The legal services cannot be adequately performed by the attorneys and supporting personnel of the City, and the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained and because the political subdivision does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees; and,

WHEREAS, the City Council now desires to authorize the Kassab Law Firm to take all appropriate legal action to assert claims against McGinnis Lochridge, Partner Michael A. Shaunessy, Partner Bill Bingham and others as necessary to recover damages for their wrongdoing.

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

Section 1. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Hutto, Texas and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Section 2. The Kassab Law Firm is engaged to represent the City in the claims identified herein.

Section 3. The Council approves the contingent fee engagement agreement and authorizes the acting City Manager to execute it on behalf of the city.

Section 4. This Resolution shall be and is hereby cumulative of all other Resolutions of the City of, Texas, and this Resolution shall not operate to repeal or affect any such other Resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event, such conflicting provisions, if any, in such other Resolutions are hereby repealed.

Section 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Resolution be adjudged or held to be illegal, invalid or unconstitutional, the same shall not affect

the validity of this Resolution as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional.

Section 6. This Resolution shall become effective upon a majority vote in favor by the City Council.

CONSIDERED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS ON THIS 7th DAY OF APRIL 2022.

CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Angela Walton, Interim City Secretary

AGENDA ITEM REPORT

10.1.



To: Planning and Zoning Commission
Subject: Consideration of a public hearing and possible action on Ordinance No. O-2022-010 for the Specific Use Permit for the property known as Hutto ISD 9th Grade Center on FM 1660 to allow a parking lot with reduced landscaping (First Reading) (Ashley Lumpkin)
Meeting: Thursday, April 7, 2022
Department: Development Services
Staff Contact:

BACKGROUND INFORMATION:

The Hutto ISD property includes approximately 159 acres. It is home to the 9th grade Center, Hutto ISD Ag Barn and Transportation Facilities. It is zoned SF-1.

The ISD and the City of Hutto have in place an Interlocal Agreement approved by both parties in 2019. The agreement permits the Specific Use Permit process to provide flexibility to Hutto ISD for school site selection and layout.

SUMMARY OF REQUEST:

The applicant is proposing two parking lots. The first includes 288 spaces and is on the interior of the site east of Destiny Lane. This parking lot will double as a marching band practice field. The second parking lot includes 156 spaces and is located behind the maintenance facility on the future Pygmy Hippo Drive.

Staff sent notices to 10 adjacent property owners within 600' and to date has received no responses.

Applicable Landscape Requirements:

10.407.5.1.1 Minimum landscape percentage

A minimum percentage of the total area being developed shall be landscaped in accordance with the following percentages:

- Institutional and civic uses: 15%

10.407.5.1.2 Tree and shrub requirement for commercial, multifamily, office and professional, and institutional and civic uses.

For every 500 square feet of landscaping required, or portion thereof, at least two (2) large trees and four (4) shrubs are required. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

AGENDA ITEM REPORT

10.1.



10.405.11 Parking lot interior landscaping

Landscape areas must consist of at least 7% of the interior space of a parking lot. Landscaped islands must be evenly distributed to the maximum extent practicable.

10.405.12 Parking lot entrances

- Landscape islands at least 10 ft. wide must be used to define parking lot entrances and the location and pattern of internal access drives, and provide pedestrian refuge areas and walkways.
- Driveways and entry throats shall contain at least one (1) large tree and five (5) shrubs on each side.

10.405.13 Parking rows

- Landscape islands of at least 180 sq. ft. must be placed at both ends of a parking row.
- Parking rows cannot extend for greater than 10 spaces without an interrupting landscape island of at least 180 sq. ft. (9 ft. wide and 18 ft. deep, and shall contain at least one (1) large tree and four (4) shrubs).

10.405.10.5 Division of large parking lots

Large parking lots must be visually and functionally segmented into smaller lots with no more than 150 parking spaces, by landscape islands at least 15 ft. wide. (Destiny Lane Lot)

10.407.5.2 Parking lot and vehicular use screening

The perimeter of all vehicular use areas including parking areas, drive aisles, and loading areas shall be screened as follows:

- Vehicular use areas shall be screened from all abutting rights-of-way by a continuous landscaped area not less than 10 ft. deep. (Destiny Lane and future Pygmy Hippo Drive)
- Landscape screening shall contain one (1) large tree per thirty (30) linear feet, or portion thereof, and a continuous hedge not less than 3 ft. in height.

UDC Requirements:

Parking Lot 1 (Destiny Lane 288 Spaces)

Total Site Landscape Area x 15% = 2 Acre Site Assumption = 52 large trees and 105 shrubs

Parking Lots Landscape Area x 7% = Use site (limits of construction)

Parking lot Screening on Destiny Lane – Approximately 470' = 16 large trees and 3' continuous shrubs (+/- 157)

Parking Lot Islands = Approximately 36 landscape medians with 36 large trees and 144 shrubs.

AGENDA ITEM REPORT

10.1.



Total Approximately Required – 104 Large Trees and 406 shrubs

Proposed = 14 (8 striped only) islands and no landscaping

Staff Recommendation = Screening on Destiny Lane as required with 1 large tree per 30' and 3' continuous shrubs. (16 large trees and 157 shrubs)

Parking Lot 2 (Pygmy Hippo Drive 156 Spaces)

Total Site Landscape Area x 15% = 1 Acre Site Assumption = 26 large trees and 52 shrubs

Parking Lots Landscape Area x 7% = Use site (limits of construction)

Parking lot Screening on Future Pygmy Hippo Drive – Approximately 440' = 15 large trees and 3' continuous shrubs (+/- 147)

Parking Lot Islands = Approximately 23 landscape medians with 23 large trees and 92 shrubs.

Total Approximately Required – 64 Large Trees and 291 shrubs

Proposed = 14 islands (4 striped only) and no landscaping

Staff Recommendation = Screening on future Pygmy Hippo Drive as required with 1 large tree per 30' and 3' continuous shrubs. (15 large trees and 147 shrubs)

STAFF REVIEW:

Staff recommends approval of the Proposed SUP for reduction in landscaping with the exception of parking lot screening required along Destiny Lane and future Pygmy Hippo Drive as submitted on the revised Site Plan:

- One large tree per 30' and 3' continuous shrubs
- Parking lot Screening on Destiny Lane – Approximately 470' = 16 large trees and 3' continuous shrubs (+/- 157)
- Parking lot Screening on Future Pygmy Hippo Drive – Approximately 440' = 15 large trees and 3' continuous shrubs (+/- 147)

The Planning and Zoning Commission held a public hearing on March 1, 2022, and made a motion (passed 6/0) to approve the SUP with a reduction in the overall trees and shrubs by 70% and no internal landscaping (islands) required as follows:

Destiny Lane lot - 31 trees and 122 shrubs to be planted around the perimeter

Pygmy Lane lot - 19 trees and 87 shrubs to be planted around the perimeter

AGENDA ITEM REPORT

10.1.



FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Specific Use Permit Application
2. Letter of Intent
3. Revised Site Plan
4. Buffer Map
5. Hutto Street Name Proposal 04-13-2020 (1)



**SPECIFIC USE PERMIT
APPLICATION**

Must be accompanied by a
Master Application
May 2019

City of Hutto Development Services
500 W. Live oak Street Hutto TX 78634
512-759-3479 Planning
512-846-2640 Permits & Inspections
512-759-4038 Engineering
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: Hutto 9th Grade Center Parking Lot

PROPERTY ADDRESS: FM 1660 Hutto, Texas 78634

Current zoning district: SF-1 Current Use: Hutto 9th Grade Center, Bus Barn

Proposed Use: Parking Lot Code reference for specific use permit requirement: Interlocal Agreement, Page 3

Current zoning: North of property: D3 South of property: B-2, SF-1
East of property: D3 West of property: D3

FEES ☐ All required fees may be provided by cash, credit card or check made payable to: City of Hutto

REQUIRED FOR SUBMITTAL

All items listed must be included with application, unless otherwise noted.

- ☒ Complete Master application and Specific Use Permit application.
- ☒ Applicant has coordinated with staff on submittal requirements.
- ☒ Proof of ownership (copy of deed).
- ☒ Sketch of property by a registered professional land surveyor on (1) 8 1/2" x 11".
- ☒ Letter of intent explaining reason(s) for request.
- ☒ List of all property owners (from WCAD) within 200-ft of subject property.

REVIEW CRITERIA

- ☒ Uses requiring a specific use permit are listed in the permitted use tables of the UDC. **Interlocal Agreement, Page 3**
- ☒ Proposed use conforms to code requirements and is consistent with the comprehensive plan, community, neighborhood and other applicable land use and development plans. **Interlocal Agreement, Page 3**
- ☒ Proposed use is compatible with existing and permitted uses in the surrounding area and would not adversely affect property near the site. **Interlocal Agreement, Page 3**
- ☒ Site is a legal building lot.

PROCESSING

- ☐ Application intake, staff review and determination that it is complete, meeting scheduling, public notification (mailed/published/website notification).
- ☐ Notification required 16 days prior to scheduled meeting date (published).
- ☐ Notification required 16 days prior to scheduled meeting date (mailed).
- ☐ All final documents related to commission action are required 10 days prior to scheduled meeting date.
- ☐ All final documents related to city council action are required 10 days prior to scheduled meeting date.

FOR DEPARTMENT USE ONLY:

Submittal date	Date accepted for review	Check No.	Fees paid	PZ Mtg. date	CC Mtg. date



**SUBDIVISION CONSTRUCTION PLAN
MASTER APPLICATION**

City of Hutto
Engineering Department
500 W. Live Oak
Hutto, TX 78634
(512) 759-4016 Main
www.huttotx.gov

City Issued MPN # _____
Office Use Only

PROJECT NAME: Hutto 9th Grade Center Parking Lot APPLICATION TYPE: Specific Use Permit

APPLICANT INFORMATION (property owner or authorized agent) This will be the City's official contact

Name: Jen Henderson

Company Name: Henderson Professional Engineers

Address: 600 Round Rock West Drive Suite 604 Round Rock, Texas 78681

Phone: 512-350-6228 Email: jen@hendersonpe.com

PROPERTY INFORMATION

Address: FM 1660 Hutto, Texas 78634 (R489228)

Legal Description: Lot(s) 1 Block A Subdivision Hutto ISD Maintenance Facility, Hutto City of

Deed Reference: Volume _____ Page(s) _____ or Document No. 2007069800, 2009044814

City Limits or ETJ: City Limits Current Zoning District: SF-1

PROPERTY OWNER INFORMATION

Name: Celina Estrada Thomas Mark Willoughby

Company Name: Hutto Independent School District

Address: 200 College Street Hutto, TX 78634

Phone: 512-759-2050 Email: celina.estrada@huttoisd.net MARK.WILLOUGHBY@HUTTOISD.NET

PROPERTY OWNER CONSENT/AGENT AUTHORIZATION

By my signature I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the submittal of this application. Additionally, my signature below indicates my awareness of the fee(s) required at the time of application submittal and that this fee(s) is non-refundable even in the event of application withdrawal or if reviewed and denied.

By signing this form, the owner of the property authorizes the City of Hutto to begin proceedings in accordance with the process for the type of application indicated on page one of this application. The owner further acknowledges that submittal of an application does not in any way obligate the City to approve the application and that although City staff may make certain recommendations regarding this application, the City Council may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.

Mark Willoughby
Property Owner Signature

Mark Willoughby
Property Owner Printed Name
ON BEHALF OF HISD

1.4.22
Date

THE STATE OF TEXAS

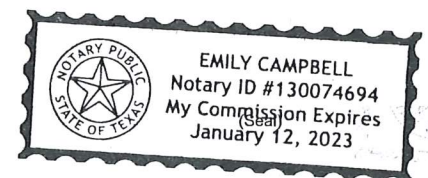
COUNTY OF WILLIAMSON

Before me, the undersigned authority, on this day personally appeared Mark Willoughby known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 4th day of January, 2022 A.D.

Emily Campbell
Notary Public Signature

Emily Campbell
Notary Public Printed Name



If there are multiple property owners attach separate page(s) with notarized signature(s)



December 7, 2021

City of Hutto
Development Services
500 W. Live Oak Street
Hutto, Texas 78634
512.759.3479
Planning@HuttoTX.Gov

RE: Hutto 9th Grade Center Parking Lot - Specific Use Permit

To Whom It May Concern:

The City of Hutto requires a Letter of Intent explaining the reasons for the requested Special Use Permit. Please accept this letter as the Letter of Intent that the landowner, Hutto Independent School District requests specific use for the property R615498, as indicated in blue below:



The current zoning of the property is SF-1, and the owner of the property would like to build additional parking lots as part of phased improvements to support the Hutto ISD 9th Grade Center, and the Hutto ISD Ag barn/Transportation facilities. In both cases these parking lots will not meet all landscape requirements.

Regarding the former, the parking lot will not have landscape islands in order for it to double as a marching band practice field. This parking lot is also slated for use by Hutto Fire Rescue for vehicular training; and by a continuing ed program in support of Motorcycle Safety.



Regarding the latter, the parking needs to be flexible and barrier free in order to move trailers, district white fleet, and school buses. In both cases, the parking lots will not have landscape islands in order to avoid tripping and injury of marching band members; and/or restrict vehicular mobility.

Should you need additional information please do not hesitate to contact me at Jen@HendersonPE.com or at 512.350.6228.

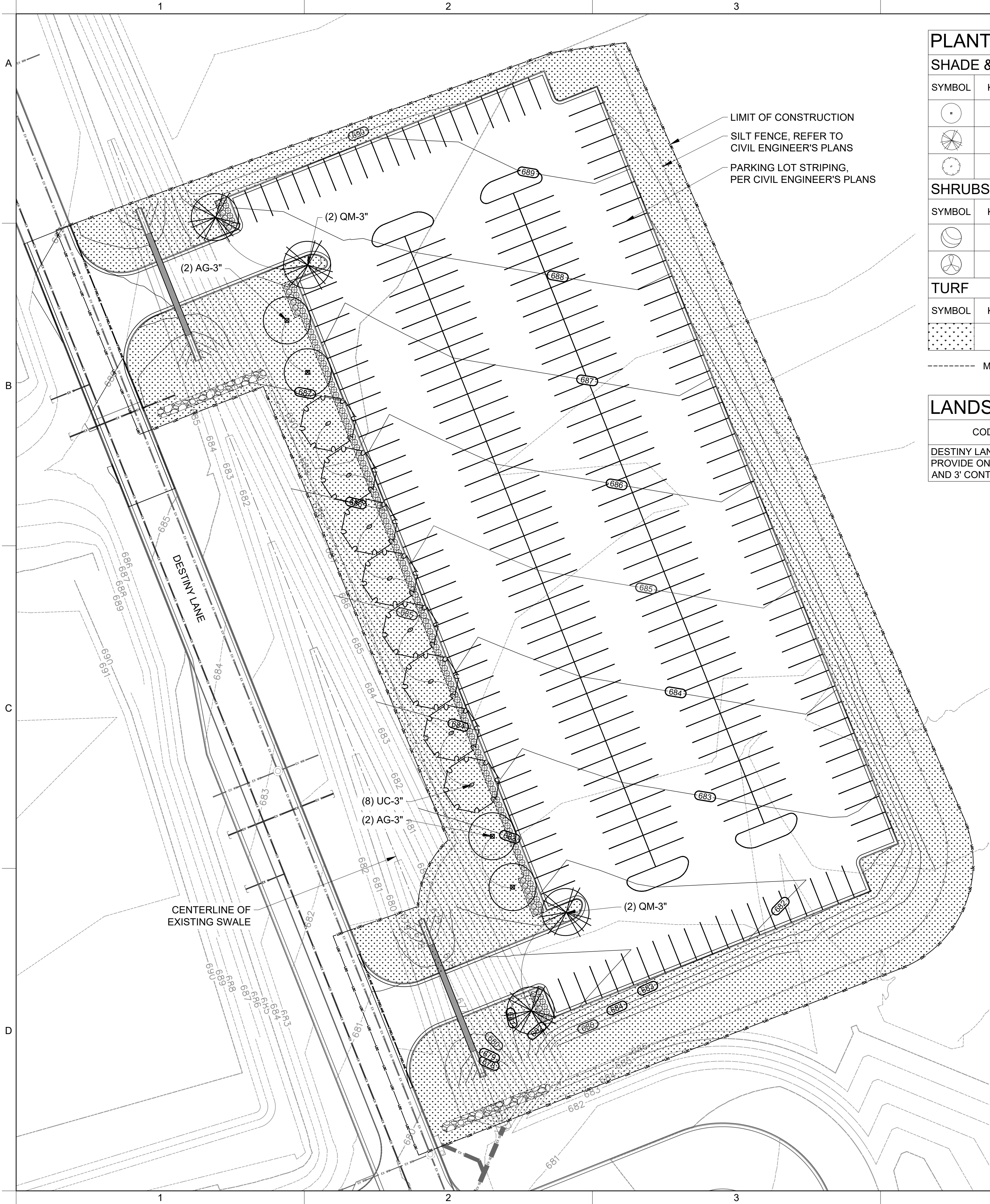
Respectfully,

A handwritten signature in blue ink, appearing to read 'Jen Henderson'.

Jen Henderson, P.E.
President
Henderson Professional Engineers, LLC

JH/eh

G:\SHORTCUT-TARGETS-BY-ID\1ZUR5QGYJ6QMOBOXBWJU2CLCAMJTEYZZCASCAD-LA\03_PROJECTS_2022\22004 - HUTTO, TX\03 - CAD\LA22004_P.DWG
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PLANTING LEGEND (DESTINY LANE)

SHADE & ORNAMENTAL TREES						
SYMBOL	KEY	PLANT NAME	QTY.	SIZE	SPACING	WATER REQ.
	AG	Bigtooth Maple <i>Acer grandidentatum</i>	4	3" caliper	As shown on plans	Moderate
	QM	Chinquapin Oak <i>Quercus muehlenbergii</i>	4	3" caliper	As shown on plans	Low
	UC	Cedar Elm <i>Ulmus crassifolia</i>	8	3" caliper	As shown on plans	Very Low

SHRUBS						
SYMBOL	KEY	PLANT NAME	QTY.	SIZE	SPACING	WATER REQ.
	AQ	Flame Acanthus <i>Anisacanthus quadrifidus var. wrightii</i>	25	3 gallon	3'-0" o.c.	Very Low
	TF	Bush Germander <i>Teucrium fruticans</i>	132	3 gallon	3'-0" o.c.	Low

TURF						
SYMBOL	KEY	PLANT NAME	QTY.	TYPE		WATER REQ.
		Thunder Turf (native shortgrass) Native American Seed: 1-800 728-4043	15,491 sf	hydroseed		Low

----- Metal edging to separate shrub areas from turf areas

LANDSCAPE REQUIREMENTS

CODE REQUIREMENT	REQUIRED	PROVIDED
DESTINY LANE SCREENING: PROVIDE ONE (1) LARGE TREE PER 30' AND 3' CONTINUOUS SHRUBS	16 TREES & 157 SHRUBS	16 TREES & 157 SHRUBS

PLANT IDENTIFICATION KEY

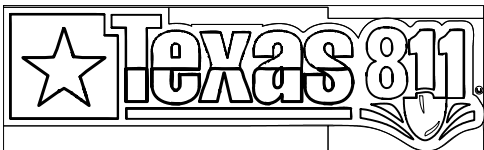
PLANT QUANTITY
PLANT SPECIES KEY
PLANT CONTAINER SIZE

PLANTING NOTES:

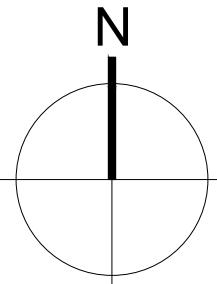
- ALL LANDSCAPE PLANS AND INSTALLATIONS SHALL COMPLY WITH CITY DESIGN GUIDELINES, CODES AND REGULATIONS.
- PLANTING MATERIAL SHALL MEET NURSERY STANDARD CROWN WIDTH AND HEIGHT FOR THE SPECIFIED CONTAINER SIZE (REFER TO ANSI Z60.1-2014 OR MOST CURRENT VERSION).
- PLANTS TO BE INSTALLED PER ANSI STANDARD PLANTING PRACTICES.
- BACKFILL SOIL AND TOPSOIL TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE.
- PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
- ALL SHRUB/GROUNDCOVER AREAS SHALL BE TOP DRESSED WITH A 3" DEEP LAYER OF COMPOSTED WOOD FIBER MULCH. MULCH TO BE SHREDDED HARDWOOD AND FREE OF DELETERIOUS MATERIAL.
- TREES WITHIN 6' OF CURB, SIDEWALK OR OTHER HARDSCAPE SURFACE SHALL HAVE RIBBED CONTINUOUS 24" DEEP ROOT BARRIERS
- LANDSCAPE AREAS SHALL BE PERMANENTLY MAINTAINED BY OWNER.

IRRIGATION NOTES:

- THE IRRIGATION DESIGN SHALL COMPLY WITH ALL CITY DESIGN GUIDELINES, CODES AND REGULATIONS.
- IRRIGATION SYSTEM SHALL BE DESIGNED WITH EFFICIENT, WATER CONSERVING TECHNOLOGY AND WITH A WEATHER BASED, AUTOMATIC SMART CONTROLLER.
- IRRIGATION SYSTEM WILL BE EQUIPPED WITH A MASTER VALVE AND PRESSURE REGULATOR TO PREVENT WATER WASTE.
- SPRINKLER HEADS SHALL BE EQUIPPED WITH PRESSURE REGULATOR AND CHECK VALVE TO PREVENT MISTING AND HEAD DRAINAGE.
- TREES SHALL BE IRRIGATED SEPARATELY FROM SHRUBS.
- SPRINKLER HEADS SHALL BE INSTALLED IN LOCATIONS WHERE IRRIGATION WATER IS CONTAINED WITHIN PERVIOUS SURFACE.



0' 15' 30' 60' 90'
SCALE: 1" = 30'



CASCADE
Landscape Architecture
AUSTIN, TEXAS
(737) 900-1464
WWW.CASCADE-LA.COM

CASCADE LANDSCAPE ARCHITECTURE EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS TO THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED OR MODIFIED IN ANY FORM, NOR ARE THEY TO BE ASSIGNED TO A THIRD PARTY WITHOUT FIRST OBTAINING THE WRITTEN PERMISSION AND CONSENT OF CASCADE LANDSCAPE ARCHITECTURE

PROJECT STATUS DESCRIPTION:									
PLAN NO.	ISSUE DATE	PROJECT STATUS DESCRIPTION:							

**SITE DEVELOPMENT PLANS
TO SERVE**
ATHLETIC FIELD PARKING EXPANSION
FM 1660
HUTTO, TX 78634

HUTTO ISD
200 COLLEGE STREET, HUTTO, TX 78634

PLAN REVISION DESCRIPTION	
CLA PROJECT NUMBER: 22004	
DRAWN BY: JRS	
REVIEWED BY: AES	
INITIAL ISSUE DATE: 02.18.2022	
CURRENT ISSUE DATE: 02.18.2022	

PRELIMINARY
DEVELOPMENT REVIEW

SHEET NAME

PLANTING
PLAN

L-1.0 1 OF 2

SHADE & ORNAMENTAL TREES

SHRUBS

TURF

----- Metal edging to separate shrub areas from turf areas

CODE REQUIREMENT	REQUIRED	PROVIDED
PYGYM HIPPO DRIVE SCREENING: PROVIDE ONE (1) LARGE TREE PER 30' AND 3' CONTINUOUS SHRUBS	15 TREES & 147 SHRUBS	15 TREES & 147 SHRUBS

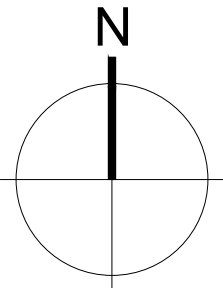
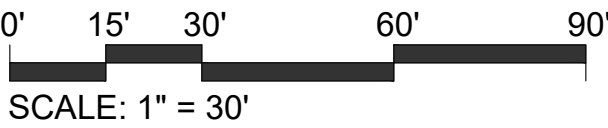
PLANT IDENTIFICATION KEY

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4. BACKFILL SOIL AND TOPSOIL TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE.
5. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
6. ALL SHRUB/GROUNDCOVER AREAS SHALL BE TOP DRESSED WITH A 3" DEEP LAYER OF COMPOSTED WOOD FIBER MULCH. MULCH TO BE SHREDDED HARDWOOD AND FREE OF DELETERIOUS MATERIAL.
7. TREES WITHIN 6' OF CURB, SIDEWALK OR OTHER HARDSCAPE SURFACE SHALL HAVE RIBBED CONTINUOUS 24" DEEP ROOT BARRIERS
8. LANDSCAPE AREAS SHALL BE PERMANENTLY MAINTAINED BY OWNER.

IRRIGATION NOTES:

1. THE IRRIGATION DESIGN SHALL COMPLY WITH ALL CITY DESIGN GUIDELINES, CODES AND REGULATIONS.
2. IRRIGATION SYSTEM SHALL BE DESIGNED WITH EFFICIENT, WATER CONSERVING TECHNOLOGY AND WITH A WEATHER BASED, AUTOMATIC SMART CONTROLLER.
3. IRRIGATION SYSTEM WILL BE EQUIPPED WITH A MASTER VALVE AND PRESSURE REGULATOR TO PREVENT WATER WASTE.
4. SPRINKLER HEADS SHALL BE EQUIPPED WITH PRESSURE REGULATOR AND CHECK VALVE TO PREVENT MISTING AND HEAD DRAINAGE.
5. TREES SHALL BE IRRIGATED SEPARATELY FROM SHRUBS.
6. SPRINKLER HEADS SHALL BE INSTALLED IN LOCATIONS WHERE IRRIGATION WATER IS CONTAINED WITHIN PVIOUS SURFACE.

[illegible]

**SITE DEVELOPMENT PLANS
TO SERVE
TRANSPORTATION AND PROFESSIONAL
DEVELOPMENT PARKING**

HUTTO, TX 78634

HUTTO ISD

200 COLLEGE STREET, HUTTO, TX 78634

PLAN REVISION DESCRIPTION

CLA PROJECT NUMBER: 22004

DRAWN BY: JRS

REVIEWED BY: AES

INITIAL ISSUE DATE: 02 18 2022

CURRENT ISSUE DATE: 02.18.2022

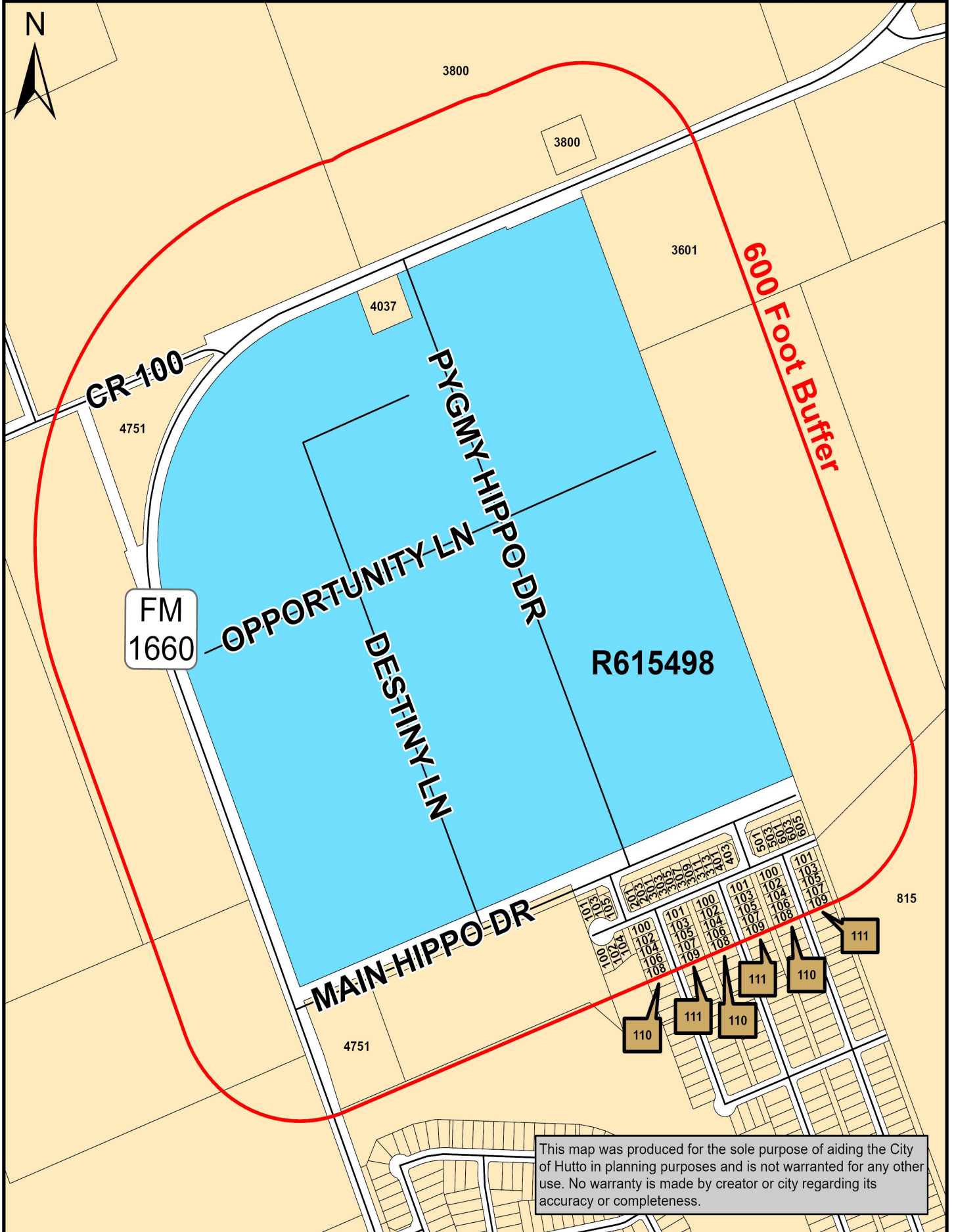
PRELIMINARY DEVELOPMENT REVIEW

SHEET NAME

PLANTING PLAN

L-1.1

SUP Hutto ISD 9th Grade Center Parking Lot



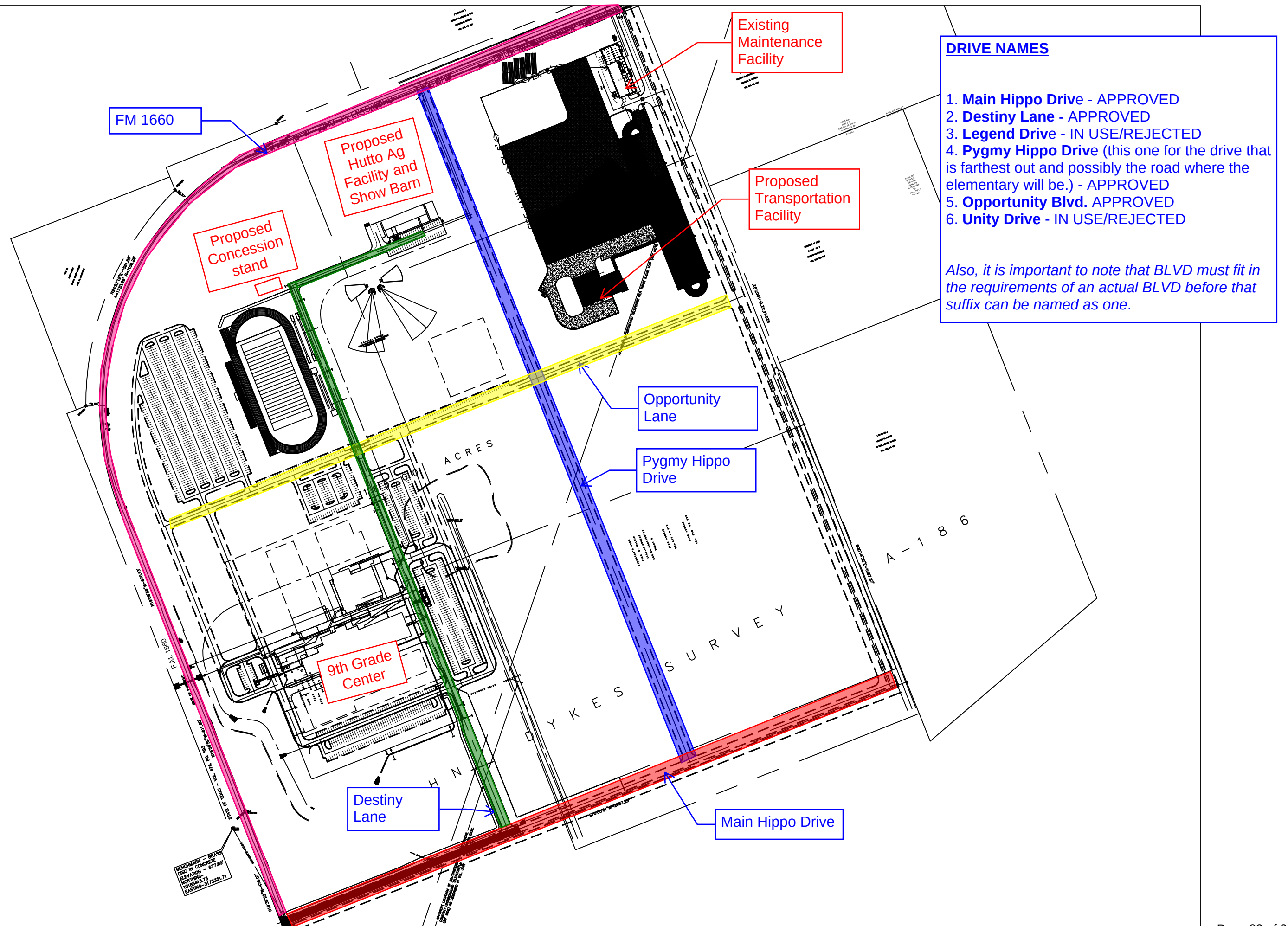
Map Document: (K:\Site_Location_Maps\2022_Site_Location_

Maps\SUP_Hutto_ISD_9th_Grade_Center_Parking_Lot.mxd)

1/10/2022 -- 4:05:52 PM



0 300 600 1,200
Feet



AGENDA ITEM REPORT

10.2.



To: Planning and Zoning Commission
Subject: Consideration of a public hearing and possible action on Ordinance No. O-2022-011 for the proposed Hutto Landing Planned Unit Development (PUD), 31.9 acres, more or less, of land, located off of Exchange Boulevard (First Reading) (Ashley Lumpkin)
Meeting: Thursday, April 7, 2022
Department: Development Services
Staff Contact:

BACKGROUND INFORMATION:

The proposal consists of a 31.94 acre parcel that is part of the Landing Subdivision, more particularly Lots 1 and 2, Block A that was preliminary platted in December 2020. The property is currently zoned Multi-family (MF). The applicants met with staff and it was determined they would not be able to meet the landscape criteria of the MF zoning district. Staff recommended they pursue the Planned Unit Development (PUD) option to present the deviations and additions to the UDC requirements and request approval.

WEST: Schmidt's Creek PUD, Proposed Residential

NORTH: SF-1, Hutto Square

EAST: SF-1, Hutto Square and MF – AHS Residential Multi-family

SOUTH: Hutto NorthStar PUD, Multi-family

SUMMARY OF REQUEST:

The Hutto Landing is a proposed multi-family apartment complex consisting of up to 686 units. They are seeking a rezoning from Multi-Family (MF) Zoning to a Multi-Family PUD zoning designation.

The Multi-Family district is a setting for development of multi-unit residential structures and developments, such as apartment and condominium complexes, garden and courtyard multifamily residential buildings, and residential loft buildings. Density must range from 14 to 20 dwelling units per acre net density, depending on the context of the development.

However, a developer participation agreement with the City in January of 2021 for the entire Landing project permits density based on gross acreage (20 per acre). The entire Landing site has 920 units available. The recently approved NorthStar Hutto PUD has the capacity for 234 units; 686 units remain for this site.

The applicants followed our new PUD submittal application (attached) designed to better determine what they meet, will not meet and exceed. The UDC deviations in the Hutto Landing PUD include the following:

AGENDA ITEM REPORT

10.2.



- UDC Section 10.407.5.1.2. Tree and shrub requirements for commercial, multifamily, office and professional, and institutional and civic uses:
 1. Proposing 1 large tree per 500 sq. ft. landscape area instead of 2 large trees. (net loss of approximately 527 trees) 1,054 are required per UDC.
 2. Proposing 2 shrubs per 500 sq. ft. landscape area instead of 4 shrubs. (net loss of approximately 1054 trees) 2,108 are required per UDC.
 3. With the second revision they are also amending the required Bufferyard standards.
- UDC Section 10.407.5.2 Parking lot and vehicular use screening is replaced in its entirety with the following:

The perimeter of all vehicular use areas including parking areas, drive aisles, and loading areas shall be screened as follows:

- Vehicular use areas shall be screened from all abutting rights-of-way by a continuous landscaped area not less than 10ft. deep.
- Vehicular use areas shall be screened from all abutting private property by a continuous landscaped area not less than 8 ft. deep.
- Landscape screening shall contain one (1) large tree per ~~thirty (30)~~ sixty (60) linear feet, or portion thereof, and a hedge not less than 3 ft. in height **for 75% of the right-of-way landscape screening area (linear footage), and 67% of the private property landscape screening area (linear footage).**
- In addition to the required vehicular use screening, all outdoor parking shall have landscaping islands within the parking area equal to not less than 7% of the gross parking lot area.
- ~~Landscape islands shall be required on both ends of all parking aisles, if such spaces are not adjacent to another landscaped area or entry throat.~~
- ~~Not more than ten (10) consecutive parking spaces shall be provided without a landscaped island.~~
- ~~Landscape islands shall be a minimum of 9 ft. wide and 18 ft. deep, and shall contain at least one (1) large tree and four (4) shrubs.~~
- ~~Driveways and entry throats shall contain at least one (1) large tree and five (5) shrubs on each side.~~
- ~~Required parking lot landscaping may be counted toward the minimum landscaped area required in Section 10.407.5.1.~~

NEW - 3.3 Bufferyard

3.3.1 UDC Section 10.403.6.3.b *Required bufferyards* is replaced in its entirety with the following:

A medium level bufferyard (“b”) shall consist of the following:

- A 25 ft. wide planting area;

AGENDA ITEM REPORT

10.2.



- Two (2) native tall trees and one (1) native short tree per every fifty (50) linear feet of bufferyard.

Bufferyard plantings may be counted towards the landscaping requirements in Section 3.2 of the Hutto Landing PUD.

NEW - 3.4 Building Placement

3.4.1 No building within 50' of the northern property line will be taller than 2 stories.

New - 3.5 Fill

3.5.1 Fill for a building foundation on the property may not exceed 10' from existing grade, unless otherwise approved by the Director of the Development Services Department.

New - 3.6 Construction Entrances

3.6.1 Construction entrances will be taken from Exchange Blvd and will be maintained per the UDC.

The proposed site plan is conceptual in nature and minor modifications that meet the UDC requirements may be made in the future.

The development will be responsible for dedicating R.O.W. and constructing their portion of the extension of Live Oak (collector) as shown on the City's mobility Plan per UDC requirements.

With this second revision the applicant has also narrowed down the amenities. The development will provide a pool, sports field and/or court, dog park and internal trail system.

STAFF REVIEW:

Property owners within 600' were notified of the request and to date staff has received ten in opposition and one in favor (favor and opposition from same neighbor)

The PUD request meets the PUD criteria as outlined below:

- The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design.
- The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value.
- The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design.

AGENDA ITEM REPORT

10.2.



- The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site.
- The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience.
- The PUD will be served by adequate facilities including streets, fire protection, water and sanitation.
- The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or that arrangements are made to mitigate impacts.
- PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

Staff recommends approval of the Hutto Landing PUD.

The Planning and Zoning Commission held a public hearing on March 1, 2022, and made a motion (passed 6/0) to recommend approval of the proposed Hutto Landing PUD as presented in the revised form.

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Application
2. Revised PUD Exhibit
3. Revised and Redlined Development Standards
4. Buffer Map
5. Object(Ingrassia)
6. Object (Xu)
7. Object (Baker)
8. Favor(Ingrassia)
9. Object(Smith)
10. Object(Browning)
11. Object(Charouni)
12. Object (Allman)
13. Object (Underwood)
14. Object (Wilson)

AGENDA ITEM REPORT

10.2.



15. Object (Solis)



PUD ZONING CHANGE
APPLICATION

Must be accompanied by a
Master Application

City of Hutto Development Services
500 W. Live Oak Street Hutto TX 78634
512-759-3479 Planning
512-846-2640 Permits & Inspections
512-759-4038 Engineering
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: Hutto Landing Multifamily

PROPERTY ADDRESS: _____

Current Zoning District (s): MF Proposed Zoning District(s): PUD

Current Use: Undeveloped Proposed Use: Multifamily Apartments

Total Acreage: 31.9 Total # of Lots: 1 Future Land Use Map Designation MF & Commercial

Current zoning: North of property: SF-1 South of property: PUD, B-2

East of property: B-1, MF, SF-1 West of property: PUD

FEES ☐ All required fees may be provided by cash, credit card or check made payable to: City of Hutto

REQUIRED FOR PUD (PLANNED UNIT DEVELOPMENT) ZONING SUBMITTAL

All items listed must be included with application, unless otherwise noted.

- ☒ Complete Master application and PUD Zoning Change application.
- ☒ Pre-application meeting with Development Services staff and WCESD#3 (Fire District) staff. **(Mandatory)**
- ☒ PUD Statement of Intent
- ☒ PUD Development Standards
- ☒ PUD Development Plan - Digital and one 24x36 Color copy of complete plan.
- ☒ Proof of ownership (copy of deed).
- ☒ Sketch of property by a registered professional land surveyor on (1) 8 1/2" x 11".
- ☒ List of all property owners within 600-ft of subject property boundary and mailing labels. Data to be obtained from the WCAD website. List and labels shall be of the property owner's 'mailing' address not the 'property' address.
- ☒ All submittal documents provided in digital format. On a CD (disk), electronic storage device, or emailed link to files.
- ☒ On-site public hearing notification sign(s) required. See Ordinance No. O-19-12-19-9A.

PROCESSING

- ☐ Application intake, staff review and determination that it is complete, meeting scheduling, public notification (mailed/published/website notification).
- ☐ Notification required 16 days prior to scheduled meeting date (published/mailed).
- ☐ All final documents related to commission(s) action are required 10 days prior to scheduled meeting date.
- ☐ All final documents related to city council action are required 10 days prior to scheduled meeting date.

FOR DEPARTMENT USE ONLY:

Submittal date	Date accepted for review	Payment type	Fees paid	HPC Mtg. date	PZ Mtg. date	CC Mtg. date

October 2021

The Planned Unit Development (PUD) process and zoning designation allows creativity, innovation and flexibility in land use, density, site planning and design for a parcel, that would result in a project more appropriate and desirable than what would result from strict application of this code. Applying Form Based Code to a parcel is preferred to the Planned Unit Development process.

A PUD plan and PUD development standards are required for a parcel that will be developed as a PUD. PUD plans and development standards are evaluated using all the following criteria.

Include a PUD statement of intent as to how the proposed PUD meets the PUD criteria.

- The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design.
- The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value.
- The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design.
- The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site.
- The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience.
- The PUD will be served by adequate facilities including streets, fire protection, water and sanitation.
- The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or that arrangements are made to mitigate impacts.
- PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

Include a PUD plan and PUD development standards that address the following site criteria (The form and content of the development plan shall be in sufficient detail to enable the city to evaluate the proposal and ascertain that it meets all criteria.)

IO.203.I2 Plan Amendment – Does the proposed PUD comply with the Future Land Use Map Yes _____
If no, provide detailed summary stating why the proposed PUD is more appropriate than the FLUM as adopted per the criteria found in IO.203.I2.3.

IO.403 Bulk, Setbacks and Buffers – MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.403.3 Lot Dimensions and Area -Meets
- ☐ IO.403.4 Building Envelope -Meets
- ☐ IO.403.4.3 Riparian Setbacks -Meets
- ☐ IO.403.4.5 Setback Encroachments and Exceptions -Meets
- ☐ IO.403.6 Bufferyard -Meets
- ☐ IO.403.7 Residential Adjacency -Meets

IO.404 Site Design – MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.403.7 Siting and Orientation -Meets
- ☐ IO.403.7.3 Common Open Space -Exceeds
- ☐ IO.403.8 Siting and Orientation: non-residential sites and structures -Meets
- ☐ IO.403.9 Sidewalks -Meets
- ☐ IO.403.10 Internal Pedestrian Circulations -Meets
- ☐ IO.403.11 Signature Elements -Meets
- ☐ IO.403.12 Public Transit Facilities -Meets
- ☐ IO.403.13 Service Areas -Meets
- ☐ IO.403.14 Water Bodies and Retention -Meets

- IO.403.I5 Land Disturbance -Meets
- IO.403.I6 Defensible Space -Meets
- IO.405 Parking and Access - MEETS / DOES NOT MEET / EXCEEDS / NA -Meets

IO.406 Architectural Design - MEETS / DOES NOT MEET / EXCEEDS / NA

- IO.406.3 Single household detached and two to four household residence design -N/A
- IO.406.4 Single household attached and multiple household residence design -Meets
- IO.406.6 Commercial, office, public, institutional and mixed-use building design -N/A
- IO.406.7 Industrial building design -N/A

IO.407 Landscaping - MEETS / DOES NOT MEET / EXCEEDS / NA

- IO.407.3 General Standards -Meets
- IO.407.4 Required Landscaping: single, two, three and four household dwellings -N/A
- IO.407.5 Required Landscaping: non-residential and 5+ household residential development -Does Not Meet
- IO.407.6 Materials, Maintenance and Replacement -Meets
- IO.407.7 Irrigation -Meets
- IO.407.8 Tree Preservation and Removal -Meets
- IO.407.9 Tree Protection During Construction -Meets
- IO.407.I0 Required Site Furniture -Meets
- IO.408 Fences and Walls - MEETS / DOES NOT MEET / EXCEEDS / NA -Meets
- IO.409 Outdoor Lighting - MEETS / DOES NOT MEET / EXCEEDS / NA -Meets
- IO.4I0 Signs - MEETS / DOES NOT MEET / EXCEEDS / NA -Meets

Chapter 6 Subdivision Standards - MEETS / DOES NOT MEET / EXCEEDS / NA

- IO.602 Applicability and exceptions -Meets
- IO.603 – IO.608 Lot Division and Adjustment Processes -Meets
- IO.609 Parkland and open space dedication -Meets
- IO.6I0 Pedestrian and Bicycle Facilities -Meets
- IO.6II Street Classification -Meets
- IO.6I2- IO.6I3 Street Design -Meets
- IO.6I4 Driveway and Easements -Meets
- IO.6I5 Road Adequacy Standards -Meets
- Chapter 7 Historic Preservation - MEETS / DOES NOT MEET / EXCEEDS / NA -Meets



MASTER APPLICATION

Must accompany all application types
Unless otherwise indicated

City of Hutto Development Services
500 W. Live Oak Street Hutto TX 78634
512-759-3479 Planning
512-846-2640 Permits & Inspections
512-759-4038 Engineering
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: Hutto Landing Multifamily APPLICATION TYPE: PUD Application

APPLICANT INFORMATION (property owner or authorized agent) This will be the City's official contact

Name: Amanda Brown

Company Name: Kimley-Horn and Associates

Address: 10814 Jollyville Rd Bldg 4 Suite 200 Ausitn, Texas 78759

Phone: 512-418-1771 Email: amanda.brown@kimley-horn.com

PROPERTY INFORMATION

Address: Highway 79, Hutto, TX 78634

Legal Description: Edwards, N. Sur., ACRES 16.535 & 15.424

Deed Reference: Volume _____ Page(s) _____ or Document No. 2021128148 & 2021128119

City Limits or ETJ: City Limits Current Zoning District: MF

PROPERTY OWNER INFORMATION

Name: _____

Company Name: Hutto I & II Acquisition LP

Address: 215 S Main St, Fort Worth, TX 76104

Phone: _____ Email: _____

PROPERTY OWNER CONSENT/AGENT AUTHORIZATION

By my signature I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the submittal of this application. Additionally, my signature below indicates my awareness of the fee(s) required at the time of application submittal and that this fee(s) is non-refundable even in the event of application withdrawal or if reviewed and denied.

By signing this form, the owner of the property authorizes the City of Hutto to begin proceedings in accordance with the process for the type of application indicated on page one of this application. The owner further acknowledges that submittal of an application does not in any way obligate the City to approve the application and that although City staff may make certain recommendations regarding this application, the City Council may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.

[Signature]
Property Owner Signature

BRIAN D. CROWELL
Property Owner Printed Name

12-29-21
Date

THE STATE OF TEXAS

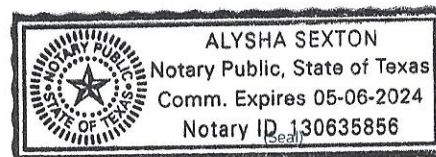
COUNTY OF Tarrant

Before me, the undersigned authority, on this day personally appeared Brian D Crowell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 29 day of December, 2021 A.D.

Alysha Sexton
Notary Public Signature

Alysha Sexton
Notary Public Printed Name

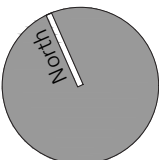
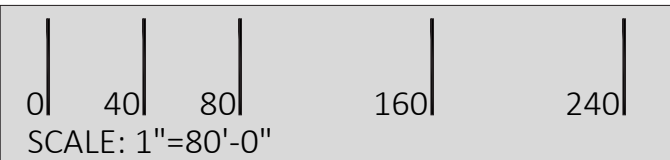


If there are multiple property owners attach separate page(s) with notarized signature(s)

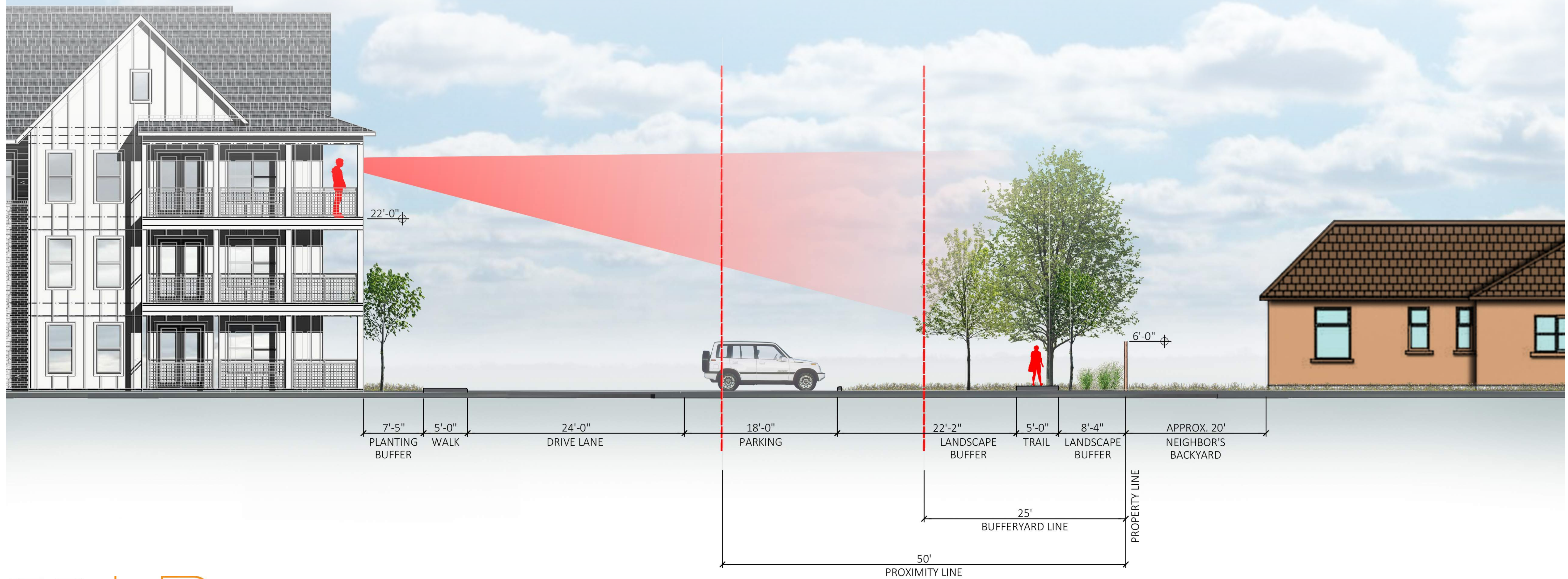
March 2020

CONCEPTUAL
LANDSCAPE
PLAN

NUMBER OF PROPOSED SHADE TREES:	453
NUMBER OF PROPOSED ORNAMENTAL TREES:	148
NUMBER OF PROPOSED SHRUB PLANTINGS:	1,054



HORIZONTAL SIGHT LINE EXHIBIT



NOT TO SCALE

Hutto Landing PUD

City of Hutto, Texas Planned Unit Development (PUD) Exhibit A Development Plan

October 19, 2021

Developer:

Maverick Development

**215 S. Main St.
Ft. Worth, TX 76104**

Prepared by:

Kimley-Horn & Associates

**10814 Jollyville Road
Building IV, Suite 200
Austin, TX 78759**

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1. GENERAL PROVISIONS

1.1 Title

This ordinance is known as the “Hutto Landing ” Planned Unit Development Ordinance and may be cited as “Hutto Landing PUD”.

1.2 Applicability of City Ordinances

The Property shall be regulated for purposes of zoning and subdivision by this PUD Plan. All aspects not specifically covered by this Plan shall be regulated by the UDC “Unified Development Code of the City of Hutto, Texas” (“UDC”) in effect on the date of adoption of this ordinance. In those cases where in conflict, this PUD shall take precedence over the UDC.

1.3 Severability

In case one or more provisions contained of this Plan are deemed invalid, illegal, or unenforceable in any respect such invalidity, illegality or unenforceability shall not affect any other provisions of this Plan and in such event, this Plan shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Plan.

1.4 Amendments to Ordinance

Technical, site planning or engineering considerations that meet the intent of this PUD may call for minor modifications from the approved PUD. The Development Services Director may approve minor modifications if they promote flexibility in design and are consistent with the intent of the original PUD approval.

Modifications to the PUD shall be administered as follows:

Modifications of the Concept Plan pertaining to (a) Private drives and trails; (b) changes in the density of specific sections or phases shown on the Concept Plan that do not increase the overall density of development on the Land, and (c) changes of less than five percent (5%) in the size of any section or phase shown on the Concept Plan, shall be considered “Minor Modifications” over which the City’s Development Services Director has final review and decision-making authority. In addition, the City may request modifications to the Concept Plan relating to Private drive and trail alignments if necessary due to topography, terrain, floodplains and floodways, alignment with connections to adjoining portions of roadways, trails, or utilities on adjacent properties, and similar situations, all of which shall be considered Minor Modifications over which the City’s Development Services Director has final review and decision-making authority. All other changes to the Concept Plan that are not Minor Modifications shall be considered “Major Modifications.” Major Modifications to the Concept Plan must be approved as an amendment to this PUD Ordinance by the City Council. After approval by the City in accordance with these requirements, all Minor Modifications

and Major Modifications to the Concept Plan shall be recorded by the City at the Property owner's expense in the Official Records of Williamson County, and thereafter, all references in this Development Plan to the Concept Plan shall mean and refer to the then most current approved and recorded Concept Plan.

Minor Modifications to the Concept Plan allowed by this Development Plan shall not be deemed to be changes to the Project under Chapter 245 of the Texas Local Government Code. All Major Modifications to the Concept Plan shall be deemed to be changes to the Project under Chapter 245 of the Texas Local Government Code, and the provisions of the UDC and all other applicable laws and regulations in effect at the time of such Major Modifications shall apply unless the City agrees otherwise.

Approval of this Development Plan does not constitute plat or site plan approval, and all development related approvals required by the UDC are still required. The request for an amendment to the PUD Ordinance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

1.5 Definitions

Definitions set forth in the UDC, including general abbreviations, terms definitions and conditions for use indicated throughout this ordinance shall apply to this PUD.

2. DEVELOPMENT PLAN and LAND USES

2.1 Permitted Uses in the Hutto Landing PUD

For the purpose of addressing any development regulation or conditions not modified within this PUD, the following City of Hutto UDC base zoning districts shall be utilized for development requirements, as shown on Exhibit B: Multi-Family (MF). Exhibit B is conceptual in nature and is intended to convey the general vision for the various product types and how they will be configured. During the site development plan process, adjustments may be necessary to accommodate engineering and/or City considerations and comments, which have not been fully evaluated at this initial zoning stage. The Planning Director may administratively approve modifications to this plan, as long as the general design intent and principles remain consistent with the language of this PUD

2.2 Use Descriptions and Standards

Unless otherwise modified within this PUD, refer to the UDC for definitions of uses and standards for residential uses, commercial and retail uses, industrial uses, institutional and civic uses, temporary uses, and accessory uses.

3. DEVELOPMENT STANDARDS

3.1 Amenities

~~Private~~The following private amenities will be provided on site ~~and will include a pool and at least 3 of the following amenities:~~

- ~~Exercise stations~~
- ~~Sport courts~~
- Pool
- Sports ~~fields~~field and/or court
- Dog park
- Internal trail system

3.2 Landscaping

3.2.1. UDC Section 10.407.5.1.2: *Tree and shrub requirement for commercial, multifamily, office and professional, and institutional and civic uses* is replaced in its entirety with the following:

“For every 500 square feet of landscaping required, or portion thereof, at least one (1) large tree and two (2) shrubs are required. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees”.

3.2.2. UDC Section 10.407.5.2 *Parking lot and vehicular use screening* is replaced in its entirety with the following:

“The perimeter of all vehicular use areas included parking areas, drive aisles, and loading areas shall be screened as follows:

- Vehicular use areas shall be screened from all abutting rights-of-way by a continuous landscaped area not less than 10ft. deep.
- Vehicular use areas shall be screened from all abutting private property by a continuous landscaped area not less than 8 ft. deep.
- Landscape screening shall contain one (1) large tree per sixty (60) linear feet, or portion thereof, and a hedge not less than 3 ft. in height for 75% of the right-of-way landscape screening area (linear footage), and 67% of the private property landscape screening area (linear footage).
- In addition to the required vehicular use screening, all outdoor parking shall have landscaping islands within the parking area equal to not less than 7% of the gross parking lot area.

3.3 Bufferyard

3.3.1 UDC Section 10.403.6.3.b *Required bufferyards* is replaced in its entirety with the following:

A medium level bufferyard (“b”) shall consist of the following:

- A 25 ft. wide planting area;
- Two (2) native tall trees and one (1) native short tree per every fifty (50) linear feet of bufferyard.

Bufferyard plantings may be counted towards the landscaping requirements in Section 3.2 of the Hutto Landing PUD.

3.4 Building Placement

3.4.1 No building within 50’ of the northern property line will be taller than 2 stories.

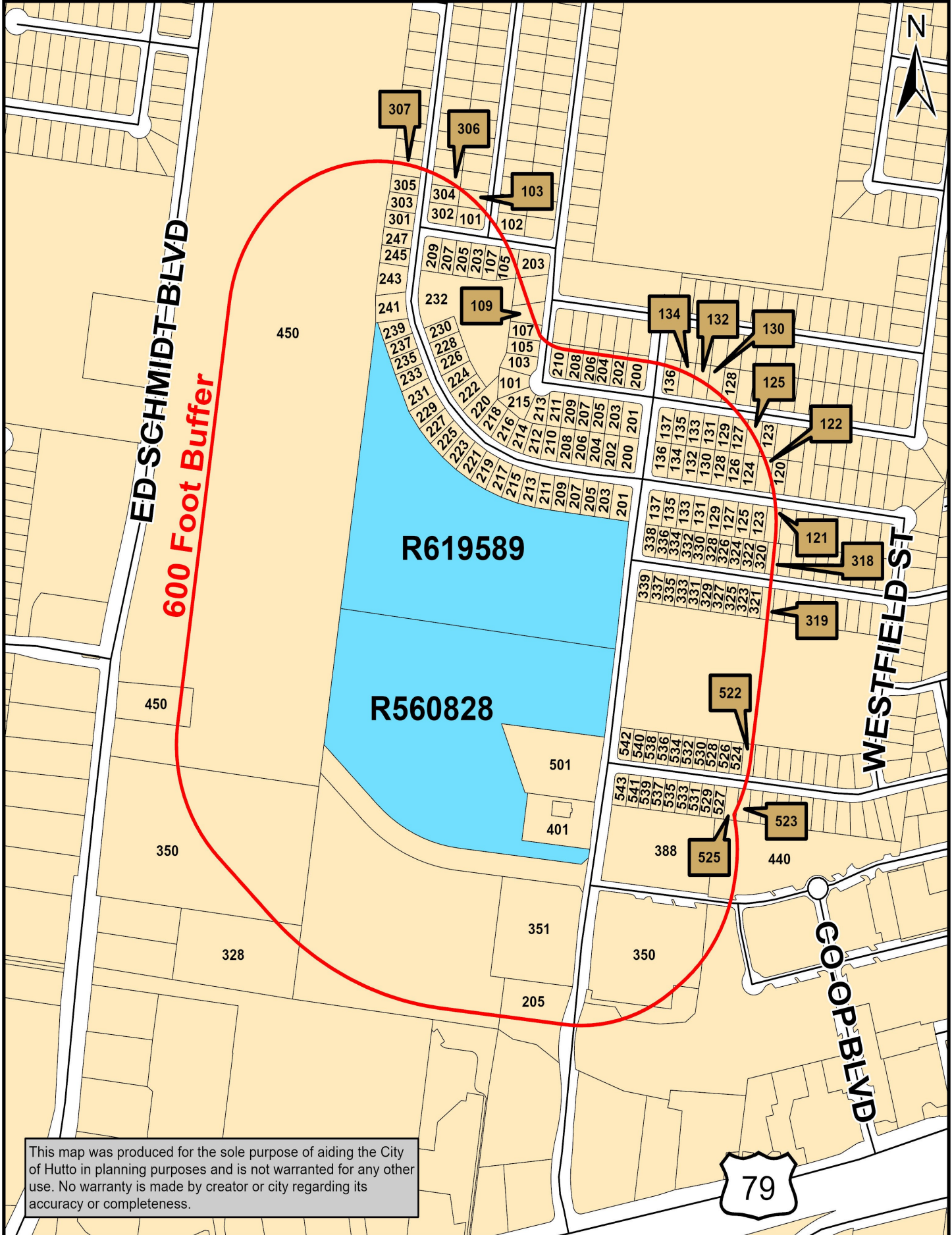
3.5 Fill

3.5.1 Fill for a building foundation on the Property may not exceed 10’ from existing grade, unless otherwise approved by the Director of the Development Services Department.

3.6 Construction Entrances

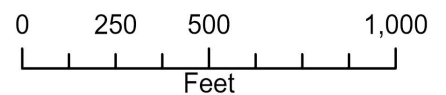
3.6.1 Construction entrances will be taken from Exchange Blvd and will be maintained per the UDC.

PUD - Landing Multi-Family



Map Document: (K:\Site_Location_Maps\2022_Site_Location_Maps\PUD_Landing_Multi_Family.mxd)

1/10/2022 -- 9:28:44 AM





PROPERTY OWNER NOTICE OF TWO PUBLIC HEARINGS
TO BE HELD AT THE

PLANNING & ZONING COMMISSION ON: MARCH 1, 2022
CITY COUNCIL ON: APRIL 7, 2022
MEETING LOCATION: 500 W. Live Oak St. – City Hall
MEETING TIME: 7:00 PM

Notice is hereby given to all interested persons that the **HUTTO PLANNING AND ZONING COMMISSION** and **HUTTO CITY COUNCIL** will hold two separate public hearings regarding the proposed zoning change request for the property known as **Hutto Landing Planned Unit Development (PUD)**, 31.9 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is multi-family use. The property is currently zoned multi-family and the applicants are requesting a PUD for multi-family with decreased landscaping requirements.

As one of the owners of property located within 600 feet of the subject properties, you are invited to attend this meeting to voice your support or opposition. Detailed information will be available on the City of Hutto website under Planning and Zoning Commission agenda/packet information at least 72-hours before the meeting date here: http://www.huttotx.gov/residents/services/planning_and_zoning_commission_agendas_and_minutes.php or City Council agenda/packet information at least 72-hours before the meeting date here: http://www.huttotx.gov/residents/services/city_council_agendas_minutes_and_packets.php. You may also do one of the following before the meeting date:

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2. Email your response to: planning@huttotx.gov Include case name, public hearing date, your name and address, and if you are in favor or against the rezoning including comments.

For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or planning@huttotx.gov.

=====

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Zoning change request for the property known as **Hutto Landing Planned Unit Development (PUD)**, 31.9 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is multi-family use.

Name:

Andrew & Lyndsay Ingrassia

Address:

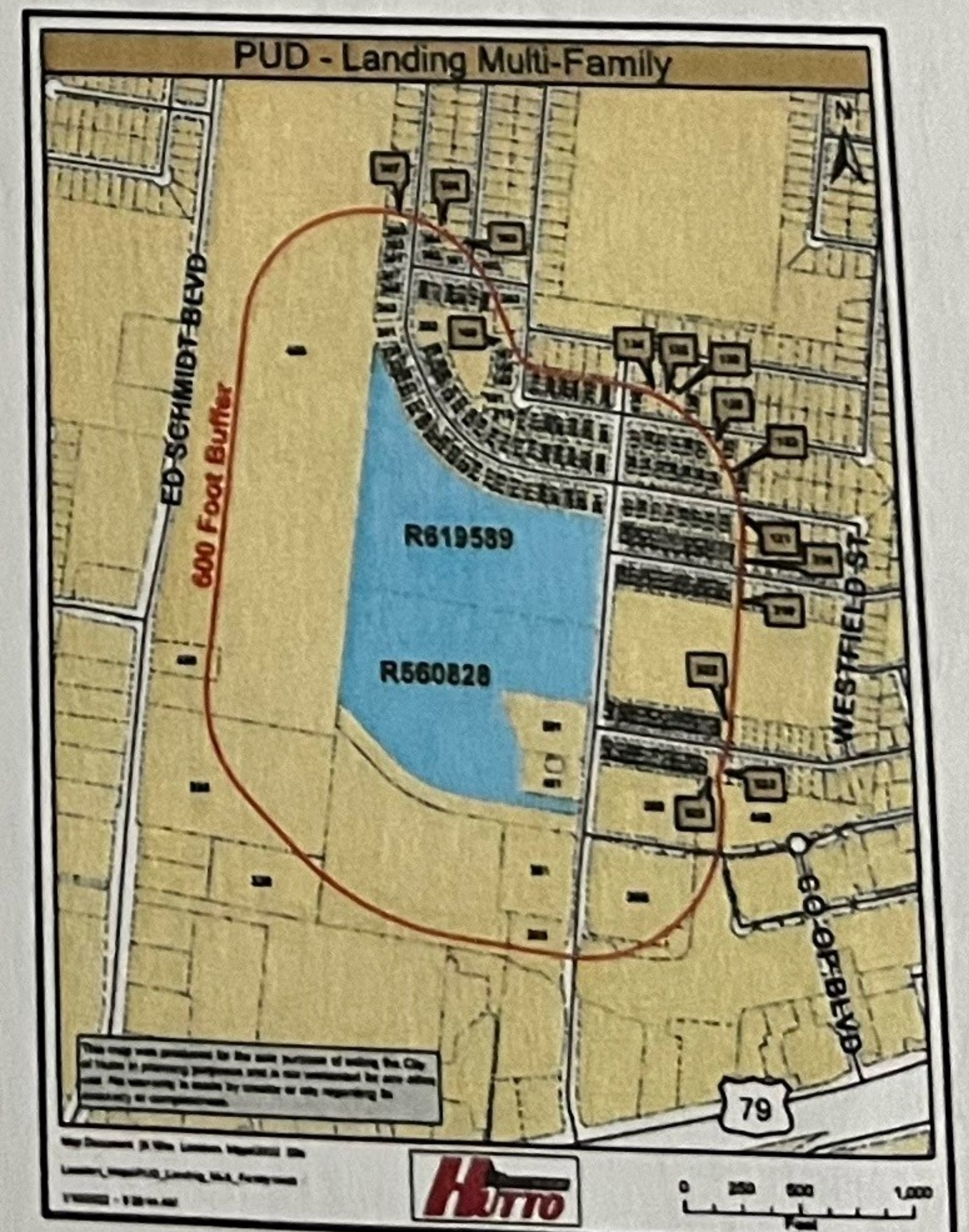
245 Hly Hn St.

☐ I AM IN FAVOR

☒ I OBJECT

Write comments below, attach additional pages if needed.

SITE LOCATION MAP



From: [Yu Xu](#)
To: [Planning](#)
Subject: SURROUNDING PROPERTY OWNER'S RESPONSE
Date: Thursday, February 17, 2022 9:11:44 PM

Dear Hutto Planning and Zoning Commission and Hutto City Council,

My response is about the case **Hutto Landing Planned Unit Development** for the public hearing dates **March 1, 2022** and **April 7, 2022**. My name is Yu Xu, owner of **322 Liberty St, Hutto TX**.

I **OBJECT** the plan to build multi-family community at the place for four reasons:

1. The location is near both the high school and the middle school. If the multifamily community is built, there will be a lot of renters. **This will make our school overcrowded and unsafe to kids.**
2. Multi-family community is going to cause **significant traffic and loud noises** to our nice and quiet neighborhood.
3. Lowering landscaping requirements will **deteriorate the outlook of our community.**
4. Multi-family community is going to **drag down the real estate value of the entire community.**

Thanks for your consideration,
Yu Xu
Owner of 322 Liberty St, Hutto TX.

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Zoning change request for the property known as Hutto Landing Planned Unit Development (PUD), 31.9 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is multi-family use.

Name:

David Baker

Address:

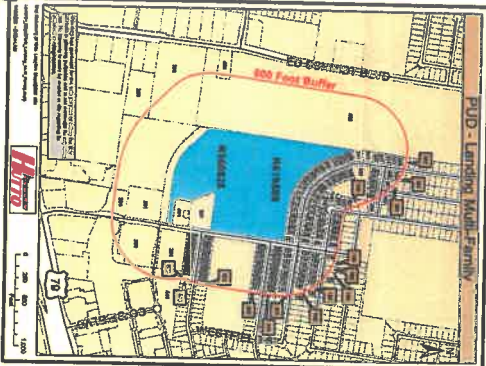
401 Exchange Blvd, Bldg 2A

☐ I AM IN FAVOR

☒ I OBJECT

Write comments below, attach additional pages if needed.

SITE LOCATION MAP



- No apartments.
- Only single family homes.
- Any Multi-family units must be located on Ed Schmidt Blvd - a wide, improved road for ingress and egress.
- Single family homes require less Police fire and water. The owners become citizens of the community of Hutto - not tenants.

Hutto Landing PUD P&Z 2-1-22, City Council 3-3-22



**PROPERTY OWNER NOTICE OF TWO PUBLIC HEARINGS
TO BE HELD AT THE**

PLANNING & ZONING COMMISSION ON: **FEBRUARY 1, 2022**
CITY COUNCIL ON: **MARCH 3, 2022**
MEETING LOCATION: **500 W. Live Oak St. – City Hall**
MEETING TIME: **7:00 PM**

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SURROUNDING PROPERTY OWNER'S RESPONSE

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Name:

Andrew & Lyndsay Ingrassia

Address:

245 Hyltin St.

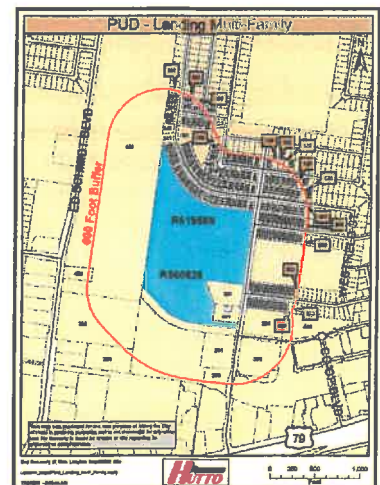
☒ **I AM IN FAVOR**

☐ **I OBJECT**

Write comments below, attach additional pages if needed.

- * Please fix exchange blvd.
- * If any businesses go there.
Please No Fast Food.
Make living spaces modern and
up to date.

SITE LOCATION MAP





PROPERTY OWNER NOTICE OF TWO PUBLIC HEARINGS
TO BE HELD AT THE

PLANNING & ZONING COMMISSION ON: **FEBRUARY 1, 2022**
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SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Zoning change request for the property known as **Hutto Landing Planned Unit Development (PUD)**, 31.9 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is multi-family use.

Name: Smith Family Trust, Jennifer Smith
Address: 225 Hyatin, St Hutto TX 78034

☐ I AM IN FAVOR

☒ I OBJECT

Write comments below, attach additional pages if needed.

SITE LOCATION MAP





**PROPERTY OWNER NOTICE OF TWO PUBLIC HEARINGS
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SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Zoning change request for the property known as **Hutto Landing Planned Unit Development (PUD)**, 31.9 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is multi-family use.

Name:

Jill Browning

Address:

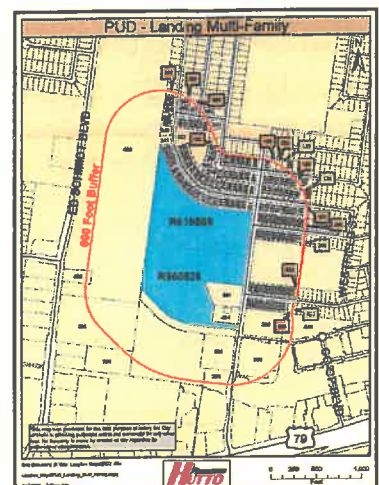
331 Liberty St. Hutto, TX 78634

☐ I AM IN FAVOR

☒ I OBJECT

Write comments below, attach additional pages if needed.

SITE LOCATION MAP





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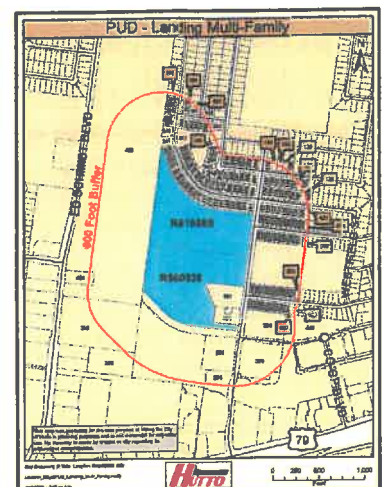
Name: Sam Charatouni
Address: 129 Holmstrom St, Hutto, TX 78634

☐ I AM IN FAVOR

☒ I OBJECT

Write comments below, attach additional pages if needed.

SITE LOCATION MAP



Autumn Speer

From: Lauren Allman <laurenallman17@gmail.com>
Sent: Thursday, January 27, 2022 10:38 AM
To: Planning
Subject: Owner's Response
Attachments: Hutto Public Hearing Notice - Surrounding Property Owner Response.pdf

Good Morning,

I have attached my response regarding the property located off Exchange Blvd. The property known as Hutto Landing Planned Unit Development (PUD) is against my fence line, and I have submitted my response several times before.

My family **OBJECTS** this proposal for several reasons.

I have included the same response in my attachment: *Single-family homes should be built in the neighborhood. Multi-family homes need to be built in an area where there are **NOT** existing homes (especially against a property owner's fence line). We purchased our home in 2016 and never did we think (or were told) that this could have been an option. Had we known this info prior to buying, we would **NOT** have purchased in this neighborhood.*

I'm sure many along this proposed property line would also object for many reasons, including the current development on the east side of Exchange at the moment which is being built, has been a huge disruption out our existing community. Semi-trucks are parked in the street making it difficult for drivers to merge safely onto Exchange Blvd. **including the fire department/EMS vehicles**, not to mention that our community has several children who walk to school. This area is no longer safe due to the current construction at this time. Should the west side of Exchange Blvd. become a construction zone, this will continue to become an issue considering Exchange Blvd. will be the only road with access to this construction zone. The proposed "Landing" which was provided by our neighborhood shows that this project will have an apartment leasing office directly behind someone's home causing excessive traffic along with the possibility of excessive noise.

The details posted below are from my neighborhood social media pages:

Here are some details I received from the developer for the site on the west side of Exchange Blvd. They are still calling it "The Landing" but this is a different developer than the one who was originally going to build there. Please note that this is a preliminary concept plan, which could change.

- The large buildings on the site are 3-story apartments with a height of 32' (grade to eave).
- The closest 3-story apartment to the Hyltin fence-line is planned to be at least 95' away (the average distance to a single-family home behind someone within our neighborhood is 30', so this is 3x the distance).
- The small L-shaped building near the northwest corner is a one-story leasing office.
- The two small buildings between the leasing office and the 3-story buildings are 2-story townhome-style apartments.
- They are planning much more green space near the homes on Hyltin than the previous developer, who was planning on putting parking right up against the fences. This is a great improvement (you can search this page for the previous concept plan to see the differences).
- They will have their own amenities and not be part of our HOA.

- This developer will participate in finishing the Live Oak extension that will connect Exchange to Ed Schmidt, which should help funnel more traffic to the west, away from Exchange.

The developer will be at P&Z meeting on February 1st at 7pm at City Hall. Anyone is welcome to attend and sign-up to speak or ask questions during the public hearing. I encourage you to attend and participate in the process.



Thank you for consideration on the rezoning of this location.
Lauren Allman

From: [Gary Underwood](#)
To: [Planning](#)
Subject: Hutto Landing Planned Unit Development (PUD)
Date: Monday, January 24, 2022 10:55:14 AM

I am emailing per the instructions from the letter that I received from the City of Hutto. Public hearing dates 2/1/22 and 3/3/22. My name is Gary Underwood and my address is 123 Hyltin St. Hutto, Tx 78634. I wanted to let you know that I object to the rezoning of the property, 31.9 acres located off of Exchange Boulevard. My family, and many others that we have talked to do not want any multi family units in our neighborhood. We objected to the apartment complex that is currently under construction, but our HOA was sabotaged by the Hutto City Council and allowed the builders to proceed without our approval. We do not want any more.

Thank you,
Gary Underwood
123 Hyltin St.
Hutto, Texas 78634
361-648-7089

From: [doris.wilson](#)
To: [Planning](#)
Subject: Hutto landing planned unit Development (PUD).31.9 acres, more or less in of land location off Exchange Boulevard. The land use proposal is multi-family use.
Date: Wednesday, January 19, 2022 11:38:05 AM

I Object

February 1,2022 [P&ZC].
MARCH 3 2022, City Council

233 HYLTIIN STREET

Perlee and Doris Wilson

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

Autumn Speer

From: Franz, Dan <dFranz@Halff.com>
Sent: Thursday, February 24, 2022 3:17 PM
To: Ken Martin
Cc: Autumn Speer
Subject: RE: Project 1897-PLAT - Revisions/Documents Required Notification

Thank you Ken, this addresses all engineering comments.

Dan Franz, PE, CFM
Vice President
Director of Public Works
Halff Associates, Inc.

O: (512) 777-4606



[Halff.com](#) | [LinkedIn](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)

From: Ken Martin <kmartin@murfee.com>
Sent: Wednesday, February 23, 2022 8:46 AM
To: Franz, Dan <dFranz@Halff.com>
Subject: FW: Project 1897-PLAT - Revisions/Documents Required Notification

Dan,

Please see below and attached. I'm trying to resolve this in short order. I didn't want to forward this schematic earlier because it is a schematic and looking at the stormsewer laterals at those weird angles drives me crazy.

Ken Martin P.E.

Senior Project Manager
Murfee Engineering Company, Inc.
1101 S. Capital of TX Hwy, Bldg. D
Austin, TX 78746
O 512- 327-9204
kmartin@murfee.com

From: Autumn Speer <Autumn.Speer@HuttoTX.gov>
Sent: Wednesday, February 23, 2022 8:31 AM
To: Ken Martin <kmartin@murfee.com>
Subject: RE: Project 1897-PLAT - Revisions/Documents Required Notification

Ken,

Ning is no longer with us and all I have are consulting engineers to deal with. Can you reach out to them directly. I have you tentatively scheduled for the March meeting.

Thank you,

AGENDA ITEM REPORT

10.3.



To: Planning and Zoning Commission

Subject: Consideration of a public hearing and possible action on Ordinance No. O-2022-012 for a Future Land Use Map (FLUM) revision for the property known as the Waymaker Stromberg Tract, 390 acres, more or less, of land, from Agricultural/Open Space to Mid-Density Residential and Commercial, located south of CR 132 (First Reading) (Ashley Lumpkin)

Meeting: Thursday, April 7, 2022

Department: Development Services

Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

This property is currently in the city limits and zoned for agricultural uses. It was part of a larger annexation approved on September 19, 2019, with Ordinance O-19-09-19-10L. Subsequently, the property was zoned Open Space/Agriculture. The initial zoning is established through a zoning map amendment (rezoning), which must be processed at the same time as the annexation request. Initial zoning must conform to the comprehensive plan. The request was initially presented to the Planning and Commission at the December 7, 2021 meeting and the Planning and Zoning Commission requested it be tabled until the March 2022 meeting.

The applicant is requesting the Future Land Use Map (FLUM) revision to allow for the re-zoning of the property in question.

SUMMARY OF REQUEST:

The applicant wishes to rezone the property to single-family, multi-family and commercial to allow for future development. Zoning map amendment requests must be consistent with the comprehensive plan and any community, neighborhood and other applicable land use and development plans.

If the zoning request does not conform to the comprehensive plan a FLUM revision is required prior to applying for the rezoning.

A FLUM amendment is required to consider a request to change the future land use designation of a parcel. FLUM amendments are evaluated using all the following criteria:

- The proposed future land use is consistent with, and will not conflict with the goals of community, neighborhood and other applicable land use and development plans.
- The proposed future land use will not conflict with proposed, permitted or existing land uses in the future land use map or zoning map.
- There is enough physical and social infrastructure to serve the proposed future land use.
- The site and its conditions are suited for and appropriate to the proposed future land use.
- The proposed future land use does not threaten public health, safety, and welfare.

AGENDA ITEM REPORT

10.3.



- The proposed future land use does not create a public nuisance, or have an adverse impact on surrounding properties or the natural environment.
- The proposed future land use does not threaten scenic, natural or historic resources.
- The proposed future land use addresses a community need.
- The proposed future land use corrects a clerical or administrative error on the future land use map.
- The proposed future land use results in a logical and orderly development pattern.
- The proposed future land use is not merely intended to confer a benefit to the property owner.

The Planning and Zoning Commission and/or City Council may impose conditions on a future land use map amendment.

The 390 acres in question is currently classified as Agriculture/Open Space. This property is part of the greater eastern section of ETJ in Hutto classified as Agriculture/Open Space that is open for development discussion within our new Comprehensive Plan update discussions. This property is also directly south of the City's planned Industrial Business Park. Amending the Future Land Use Map and allowing a re-zone to move forward at this time is not appropriate or in the City's best interest. Once the Comprehensive Plan update is complete, the timing may be better suited for such a request.

STAFF REVIEW:

Future land use map amendments are evaluated using all the following criteria:

- The proposed future land use is consistent with, and will not conflict with the goals of community, neighborhood and other applicable land use and development plans. **Staff can accommodate the proposal within the Future Land Use Map in the ongoing Comprehensive Plan project. However, with that in mind, the future development should make all attempts to reflect the goals of the community as the development is likely to go through subsequent zoning and subdivision processes after the Comprehensive Plan is finalized, or nearing finalization.**
- The proposed future land use will not conflict with proposed, permitted or existing land uses in the future land use map or zoning map. **The proposed land use change with the added buffering with non-residential to the north is more compatible with the business park/industrial uses to the north.**
- There is enough physical and social infrastructure to serve the proposed future land use. **There are not adequate services in place to serve this development. The proposal will require a service extension request and have to be considered with the future water and wastewater master plans.**
- The site and its conditions are suited for and appropriate to the proposed future land use. **Staff finds this can be accommodated within the framework of the Comprehensive Plan.**

AGENDA ITEM REPORT

10.3.



- The proposed future land use does not threaten public health, safety, and welfare. **There are no known threats from this change.**
- The proposed future land use does not create a public nuisance, or have an adverse impact on surrounding properties or the natural environment. **Staff does not foresee any adverse impacts on the natural environment from this change.**
- The proposed future land use does not threaten scenic, natural or historic resources. **There are no identified scenic, natural or historic resources that would be threatened by development of this site.**
- The proposed future land use addresses a community need. **The City has over 5,000 (platted or in-process) lots at this time for single-family homes. We also have approximately 4,000 for rent units available and in process. With the unprecedented growth in Hutto, the proposed 1,800 or more lots will have an impact on the infrastructure systems. More analysis will be required during the development process to ensure the entirety of the development addresses a community need.**
- The proposed future land use corrects a clerical or administrative error on the future land use map. **Does not apply.**
- The proposed future land use results in a logical and orderly development pattern. **Staff finds this can be accommodated within the framework of the Comprehensive Plan.**
- The proposed future land use is not merely intended to confer a benefit to the property owner. **Does not apply.**
- The site is a legal building lot. **This site can be subdivided into legal lots. At this time, it would be better to have the site in a more generic, land-use layout than the lotted exhibit, solely because the proposal is likely to change through the zoning process.**

Based on the above findings, staff recommends support of the amendment with the condition the site requires a service extension request application to understand the servicing needs of the project and the amendment does not incorporate the exhibits other than as a conceptual layout of how the site could be developed in the future but does not grant approval a specific layout or density, which will be reviewed through the zoning process.

The Planning and Zoning Commission held a public hearing on March 1, 2022, and made a motion (passed 6/0) to recommend approval of the Future Land Use Map revisions for the property known as the Waymaker Stromberg Tract, 390 acres, from Agricultural/Open Space to Mid-Density Residential and Commercial.

FINANCIAL IMPACT:

None with the amendment application.

POLICY IMPLICATIONS:

None with the amendment application.

AGENDA ITEM REPORT

10.3.



ATTACHMENTS:

1. O-19-09-19-10L Original Annexation Ordinance
2. Site Map
3. Land Use Map
4. FLUM Revision Application
5. ORIGINAL Stromberg Development Concept
6. REVISED Stromberg Development Concept

ORDINANCE NO. O-19-09-19-10L

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 528.774 ACRES, MORE OR LESS, OF LAND, DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY OF HUTTO AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Hutto, Texas (the "City") is a duly constituted home-rule municipality and, as such, is authorized to annex territory subject to the laws of the State of Texas and subject to its Charter, and;

WHEREAS, pursuant to Section 43.028 of the Texas Local Government Code, the owners of a tract of land containing 528.774 acres, more or less, of land, situated in Williamson County, Texas (the "Property"), and being more particularly described in **Exhibit "A"** attached hereto and made part hereof by reference for all purposes, have petitioned the City Council in writing to annex the Property, and;

WHEREAS, the procedures prescribed by the Charter of the City of Hutto and the applicable laws of the State of Texas have been duly followed with respect to the Property, and;

WHEREAS, the City Council of the City of Hutto by resolution directed the City's Development Services Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared and described in **Exhibit "B"** attached hereto and made part hereof by reference for all purposes, and;

WHEREAS, such Property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside, and;

WHEREAS, after considering the public testimony received at each hearing, the City Council of the City of Hutto determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens, and;

WHEREAS, and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, concerning public notices, hearings, and other procedural matters has been fully complied with, and;

WHEREAS, the City Council of the City of Hutto determines that the Property for annexation which is more fully described in **Exhibit "A"** should become annexed.

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

SECTION I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

SECTION II.

That the Property described in the attached **Exhibit "A"**, together with adjacent roadways, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereinafter be included within the territorial limits of the City of Hutto, Texas and designated as AG (Agriculture) Zoning District.

SECTION III.

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Hutto, and hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

SECTION IV.

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official maps and boundaries of the City of Hutto, heretofore adopted and amended, so as to include the aforementioned territory hereby annexed, be and are hereby amended as part of the City of Hutto, Texas, as required by law.

SECTION V.

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as **Exhibit "B"**, is hereby approved.

SECTION VI.

That the City Secretary is hereby directed and authorized to file a certified copy of this ordinance in the Office of the County Clerk of Williamson County, Texas.

SECTION VII.

If any section, subsection, sentence, phrase, or word of this ordinance be found to be illegal, invalid or unconstitutional or if any portion of said Property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this ordinance or the application of any other section, sentence, phrase or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this ordinance and would have annexed the valid Property without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION VIII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are hereby expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

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

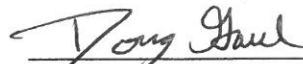
SECTION IX.

This ordinance shall take effect and be in force from and after its passage.

READ and APPROVED on first reading on this the **5th** day of **September, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

READ, PASSED and ADOPTED on second reading of ordinance this **19th** day of **September, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

CITY OF HUTTO, TEXAS



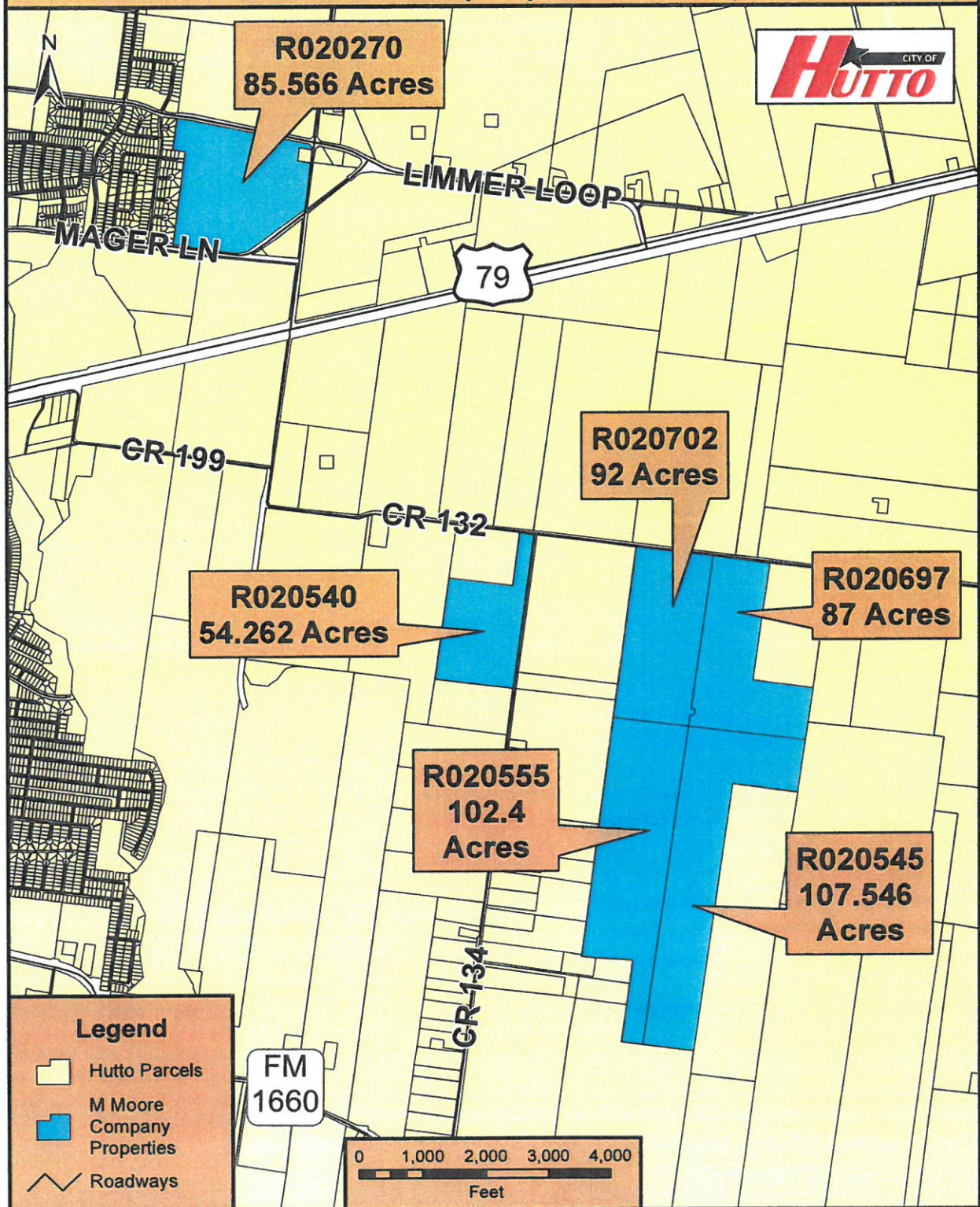
Doug Gath, Mayor

ATTEST:



Lacie Hale, City Secretary

M Moore Company Overall Map



**CITY OF HUTTO
MUNICIPAL SERVICE PLAN
FOR PROPOSED ANNEXATION OF**

EXHIBIT "B"

**528.774 acres, more or less, of land, out of the
John Kuykendall Survey, Abstract No. 378, the M. Farley Survey, Abstract No. 238, the Josias B.
Bealle Survey, Abstract No. 97, the James Hickman Survey, Abstract No. 291, and the J.H.
Fredenburgh Survey, Abstract No. 237, in Williamson County, Texas.**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056.

FIRE

Existing Services: Williamson County Emergency Service District #3

Services to be Provided:

Provides fire suppression and emergency services to the area. Primary fire response will be provided by Williamson County Emergency Service District #3, located at the following address: 501 Exchange Boulevard. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

POLICE

Existing Services: Williamson County Sheriff's Department

Services to be Provided:

Upon annexation, the City of Hutto Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriations.

BUILDING INSPECTION

Existing Services: None

Services to be Provided:

The Development Services Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes that regulate building construction within the City of Hutto. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

PLANNING AND ZONING

Existing Services: Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

Services to be Provided:

The Hutto Development Services Department has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

LIBRARY

Existing Services: None

Services to be Provided:

City Library privileges will be available to future residents in this area.

HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE

Existing Services: Williamson Cities and County Health District

Services to be Provided:

Williamson Cities and County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed by Hutto Animal Control Division of the Police Department.

STREET MAINTENANCE

Existing Services: Williamson County

Services to be Provided:

Maintenance and access to adjacent existing street facilities will be provided/overseen by appropriate City of Hutto departments.

STORM WATER MANAGEMENT

Existing Services: Williamson County Flood Plain Administrator

Services to be Provided

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage in public rights of way upon approval of the construction. Property owners and/or Home Owner's Associations or similar entities will maintain drainage facilities located on private property. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations.

STREET LIGHTING

Existing Services: Oncor Electric Delivery

Services to be Provided:

There are no existing street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development until such time as any internal streets have been accepted by the City Council.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided:

The City of Hutto, through its appropriate departments, will be able to provide any necessary additional traffic control devices after the effective date of annexation.

WATER SERVICE

Existing Services: None

Services to be Provided:

Water service to the properties will be provided by Jonah S.U.D.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided:

Sanitary sewer service to the properties will be provided by City of Hutto.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided:

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

PARKS AND TRAILS

Existing Service: None

Services to be Provided:

All City operated parks and trail systems will be available to the residents of this area upon annexation.

MISCELLANEOUS

Existing Services: None

Services to be Provided:

All other applicable municipal services will be provided to the area in accordance with the City of Hutto's established policies governing extension of municipal services to newly-annexed areas.

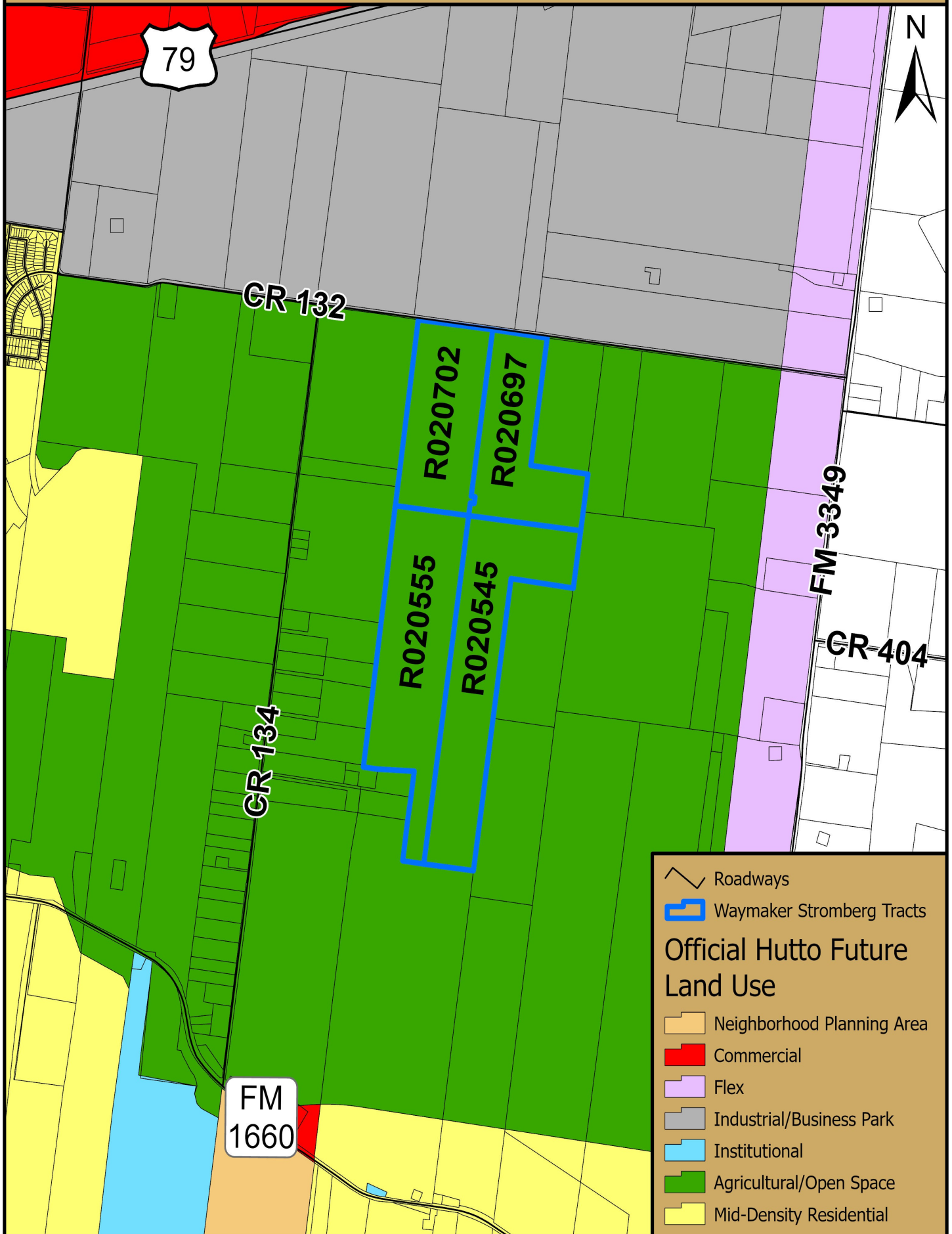
NOTE:

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.



Waymaker Stromberg

Waymaker Stromberg Future Land Use Map Amendment



Roadways
 Waymaker Stromberg Tracts
Official Hutto Future Land Use
 Neighborhood Planning Area
 Commercial
 Flex
 Industrial/Business Park
 Institutional
 Agricultural/Open Space
 Mid-Density Residential

Map Document: (K:\Site_Location_Maps\2021_Site_Location_Maps\

Waymaker_Stromberg_Future_Land_Use_Map_Amendment.mxd)

12/3/2021 -- 10:09:21 AM



FUTURE LAND USE MAP AMENDMENT REQUEST

Project Name: LPL / STROMBERG TRACTS - TBD
 Proposed Amendment: From: Open Space To: SF1 + Commercial
 Project Location/Address: +/- 390 Acres (R020545, R020555, R020697, R020702)
 Project Legal Description: See Attached Surveys

- 1) Proof of property ownership. Copy of deed or other documentation establishing ownership by and individual or entity. If owned by an entity, including a partnership, documentation that the person signing the Owner's Acknowledgment has the authority to do so.
- 2) An aerial map clearly depicting the subject property and surrounding properties; the same or additional map should identify the property's current FLUM designation and the designation of surrounding properties. The map should incorporate the Mobility Master Plan roadways and any identified pedestrian connections and/or trail systems.
- 3) Letter of Request. A Letter of Request from the owner/applicant outlining the justification for the proposed FLUM amendment. The Letter shall include:
 - a) Project justification based on the twelve criteria found in 10.203.12.3 of Hutto's Unified Development Code, as amended, as well as the following points:
 - i) How the proposed change will enhance the site and the surrounding area;
 - ii) Will the proposed amendment benefit the City as a whole? Will the proposed amendment enhance economic development within the City?
 - iii) Whether the necessary infrastructure is already in place or how this will be provided and the funding request (cost share with the city, special district creation, etc.);
 - iv) How the proposed change reflects the vision and goals as identified in the 2040 Comprehensive Plan;
 - v) How the subject property is compliant with surrounding land uses and zoning;
 - vi) How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and the uses shown on the Future Land Use Map;
 - vii) Whether uses adjacent to the proposed land use are similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility. If adjacent uses are dissimilar, how compatibility will be addressed;
 - viii) How the proposed land use is a better benefit to the public health, safety and welfare of the community than the current designation of future land use; and
 - ix) How the proposed land use contributes to the City's long-term economic well-being. Provide an updated mix of the land use breakdown for the city with the request outlining which development sector of the city will have the increase (commercial, business park/employment, industrial, or residential).
- 4) Statement of Relevant Goals and Objectives. This Statement from the applicant identifies which goals and objectives of the 2040 Comprehensive Plan are supported by the proposed land use change, and how they are supported or strengthened by the proposal.
- 5) Proposed Land Use and Development Information. This includes information on proposed land uses, building intensity, building height, building area, density, number of non-residential or residential dwelling units, parkland etc.
- 6) Identification of unique characteristics of the area that supports the proposed land use and any additional maps or other information from the applicant to support the proposed Amendment.
- 7) Completed Owner's Acknowledgement and Master Application.

FUTURE LAND USE MAP AMENDMENT REQUEST

About Future Land Use Map Amendments

The 2040 Comprehensive Plan Future Land Use Map (FLUM), was revised and adopted by the City Council in May 2017. The Comprehensive Plan is a general guide for Hutto's growth and development and including policy statements and objectives for the future. Each FLUM Amendment Request will be evaluated by both Planning and Zoning Commission and the City Council on its own merits. It is the responsibility of the property owner or applicant to provide evidence that the proposed FLUM amendment supports community goals and objectives as set forth within the 2040 Comprehensive Plan.

The adopted Unified Development Code provides that amendments to the FLUM should be reviewed for a minimum of twelve criteria, including an analysis of immediate infrastructure needs, as well as consideration for long-term effects of any proposed amendment. Hutto's City Council will consider each proposed FLUM Amendment Request carefully to determine whether it is consistent with the Comprehensive Plan's goals and policies, and whether it will be beneficial for Hutto's long-term economic health and in compliance with best practices in land use. After acceptance of a FLUM Amendment Request by the City Council, the applicant may proceed through the zoning process.

Incomplete submittals will not be accepted for review

FEES ☐ All required fees should be verified prior to submission. Payment may be provided by cash, check made payable to: City of Hutto, or via MyGovernmentOnline. WCESD #3 fees are separate and must be verified and paid directly to the ESD. www.huttofirerescue.org

Development Assessment Fee		\$1,125
Technology Fee		included with application fee
Total Fee		\$1,125

FOR DEPARTMENT USE ONLY:

Submittal date	Date accepted for review	Payment	Fees paid	PZ Mtg. date	CC Mtg. date
11.15.21	11.15.21	✓ #9475409648	\$1,125.00	12.7.21	1.6.22

FUTURE LAND USE MAP AMENDMENT REQUEST

1. **PROOF OF OWNERSHIP.** See attached deed. See attached proof that applicant signatory has the authority to sign.
2. **AERIAL MAP.** See attached aerial map.
3. **LETTER OF REQUEST.**
 - a. Justification based on the 12 criteria found in the UDC 10.203.12.3.
 - i. *The proposed future land use is consistent with, and will not conflict with the goals of community, neighborhood and other applicable land use and development plans.*
The proposed development would not conflict and will serve to enhance the goals of community, neighborhood and other applicable land uses by providing utility infrastructure and additional housing and retail opportunities.
 - ii. *The proposed future land use will not conflict with proposed, permitted or existing land uses in the future land use map or zoning map.*
The proposed development would not conflict and will serve to enhance the proposed, permitted and existing land uses by providing utility infrastructure and additional housing and retail opportunities.
 - iii. *There is enough physical and social infrastructure to serve the proposed future land use*
The development is proposed to provide needed utility infrastructure and light retail uses that would benefit adjacent properties as well
 - iv. *The site and its conditions are suited for and appropriate to the proposed future land use*
Yes, this site is well suited for development as a mixed-use retail and residential site. Undisclosed land uses on the Hutto Mega Site can be addressed with additional input from City Staff regarding compatibility needs.
 - v. *The proposed future land use does not threaten the public health, safety, and welfare*
A mixed-use retail and residential development would pose no threat to the public health, safety and welfare.
 - vi. *The proposed future land use does not create a public nuisance, or have an adverse impact on surrounding properties or the natural environment.*
A mixed-use retail and residential development would only create a positive impact on the adjacent properties being developed.
 - vii. *The proposed future land use does not threaten scenic, natural or historic resources.*
There are no identified scenic, natural or historic resources that would be threatened by development of this site.
 - viii. *The proposed future land use addresses a community need.*
Providing utility infrastructure and housing opportunities for the adjacent City owned Mega Site contributes to the ability of Hutto to provide water and

wastewater service within its corporate limits without over-extending the City's budget.

- ix. The proposed future land use corrects a clerical or administrative error on the future land use map*

The current future land use maps identify this area as open space which appears to be a more temporary designation from a prior City administration based on annexation practices at the time. The site's location along planned major transportation corridors with no floodplain or other natural elements to preserve would indicate a higher intensity use overall.

- x. The proposed future land use results in a logical and orderly development pattern.*
The development will provide utility infrastructure and housing opportunities for the adjacent City owned Mega Site. As development proceeds east toward 3349 there are few available tracts of land more suited to mixed-use development.

- xi. The proposed future land use is not merely intended to confer a benefit to the property owner*

The proposed future land use aligns needs for the larger region with a land use intensity which is appropriate for this specific tract. Designating privately held land for Open Space is more typically associated with land not suited for development (floodplain, environmentally sensitive areas, etc.) and appears to be a designation more temporary in nature for this tract.

- xii. The site is a legal building lot.*

Yes, this site can be developed for the intended uses per the development procedures outlined within the City of Hutto UDC.

b. Additional justification criteria.

- i.** The proposed mixed use project will enhance the surrounding area. The adjoining land is currently farm land with Agricultural zoning. The project is only 5,850 feet east of the Cottonbrook PUD Development 4,950 feet northeast of the Gola Ashton Woods subdivision which is in the vicinity of the Wallin Brohn Homes subdivision and planned Walther Meritage subdivision. The proposed project is in the path of growth of Hutto and will be the closest development to the city owned Mega Site and could contribute toward bringing a gravity and force main wastewater solution closer to this planned commercial/industrial development.
- ii.** The proposed development will enhance economic development in the City of Hutto by adding a more diverse mix of housing opportunities for more residents in the City Limits in addition to commercial/retail development not contemplated on the Mega Site.
- iii.** The proposed project will require a MUD or PID to finance utility infrastructure which will be city-owned facilities after construction. The closest city owned waste water line is +/-1.1 miles to the south at the South Regional WWTP. This development will bring both water and wastewater facilities to areas currently without service.
- iv.** This change in land use reflects the goals of the 2040 Comprehensive Plan by defining development in an area largely ignored as open space in the current plan.

A thoughtful mix of development types in this area will more fully develop the transitions between uses in the area.

- v. There is no impact on the adjacent land uses which are all currently agrarian.
 - vi. The adjacent uses are currently agrarian and the proposed project will not negatively affect the adjacent areas.
 - vii. The adjacent uses are currently agrarian and there are no compatibility issues with this proposed project.
 - viii. The current designation of Open Space is not the highest and best use of this land and appears to be a more temporary designation provided under previous administrations during rapid growth of the City's corporate limits. The proposed project will provide much needed housing and commercial uses. The proposed project could also provide a future elementary school site if Hutto ISD desires to acquire a site in the area.
 - ix. The proposed project fronts the Southeast Connector for which Williamson County is currently acquiring ROW and planning to construct frontage roads. This project will then abut a major controlled access highway on the south end and, likely, a greatly expanded commercial/industrial arterial in CR 132 on the north end. Commercial frontage and neighboring residential will benefit the city economically by increasing the tax base. The current concept plan supports over 1,500 single family residential lots which at current property values and tax rates will create at least \$2,900,000 of ad valorem tax revenue per year for the city of Hutto. Additionally, the future retail will provide sales tax and employment opportunities subsequent to the significant short term employment opportunities associated with construction of the project.
4. **RELEVANT GOALS & OBJECTIVES.** The primary objective of the proposed project is to provide attractive yet affordable housing for the future residents of Hutto.
5. **PROPOSED LAND USES AND DEVELOPMENT INFORMATION.** See attached concept plan for a detailed breakdown of lot sizes, commercial and mixed use areas, major roadway alignments and waterways/detention areas.
6. **UNIQUE CHARACTERISTICS.** This proposed project is uniquely situated and distinct in several ways. First, the project is located directly across CR 132 from the city owned Mega Site and 3.5 miles from the Taylor owned site (the proposed Samsung site). The proposed development will provide housing and commercial for the future employees working in the area. Hutto can provide opportunities for employees of these nearby sites to live, work and play in close proximity to their place of employment. This will reduce traffic demands on Hutto's transportation network, increase quality of life for residents and minimize Hutto's long term infrastructure maintenance costs. Hutto can capture the property tax and associated sales tax that these residents will pay rather than allowing leakage to unincorporated areas adjacent to Hutto and Taylor. Second, a MUD or PID will allow this proposed project to bring city owned wastewater lines from the wastewater treatment plant on 1660 to the front door of the mega-site which will make the mega-site more marketable and development friendly. Third, the proposed project fronts the Southeast Connector to be built by Williamson County. This major roadway will allow residents to move east/west efficiently and quickly and without further burdening highway 79.
7. **OWNERS ACKNOWLEDGEMENT AND MASTER APPLICATION.** See attached.



MASTER APPLICATION

Must accompany all application types
Unless otherwise indicated

City of Hutto Development Services
500 W. Live Oak Street Hutto TX 78634
512-759-3479 Planning
512-846-2640 Permits & Inspections
512-759-4038 Engineering
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: TBD-LPL/STROMBERG APPLICATION TYPE: FUTURE LAND USE MAP
APPLICANT INFORMATION (property owner or authorized agent) This will be the City's official contact AMENDMENT REQUEST

Name: HOA DUNLOP + JAMIE DOWDARTY
Company Name: WAYMAKER VENTURES, LLC
Address: 3310 N. CAPITAL OF TEXAS HIGHWAY #202, AUSTIN, TX, 78746
Phone: (512) 800-5630 Email: hdunlop@waymakerventures.com

PROPERTY INFORMATION

Address: R020545/R020555/R020697/R020702
Legal Description: Lot(s) _____ Block _____ Subdivision _____
Deed Reference: Volume _____ Page(s) _____ or Document No. _____
City Limits or ETJ: CITY Current Zoning District: OPEN SPACE

PROPERTY OWNER INFORMATION

Name: CATHERINE TORAN
Company Name: M. MOORE FAMILY FARMS, LLC
Address: 5000 PLAZA ON THE LAKE, SUITE 180, AUSTIN, TX, 78746
Phone: _____ Email: Catherine@prophetcapital.com

PROPERTY OWNER CONSENT/AGENT AUTHORIZATION

By my signature I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the submittal of this application. Additionally, my signature below indicates my awareness of the fee(s) required at the time of application submittal and that this fee(s) is non-refundable even in the event of application withdrawal or if reviewed and denied.

By signing this form, the owner of the property authorizes the City of Hutto to begin proceedings in accordance with the process for the type of application indicated on page one of this application. The owner further acknowledges that submittal of an application does not in any way obligate the City to approve the application and that although City staff may make certain recommendations regarding this application, the City Council may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.

Catherine Toran
Property Owner Signature

Manager Catherine Toran
Property Owner Printed Name

11.5.21
Date

THE STATE OF TEXAS

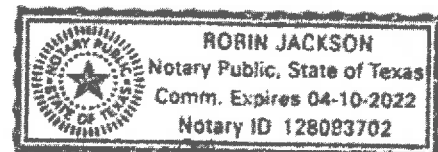
COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared Catherine Toran, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 5th day of November, 2021 A.D.

Robin Jackson
Notary Public Signature

Robin Jackson
Notary Public Printed Name

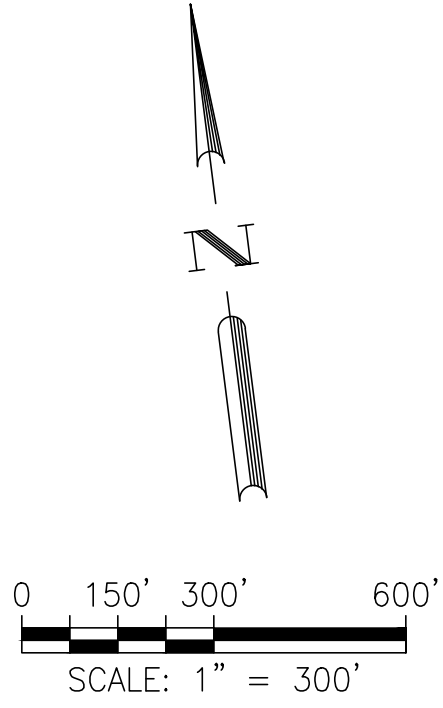
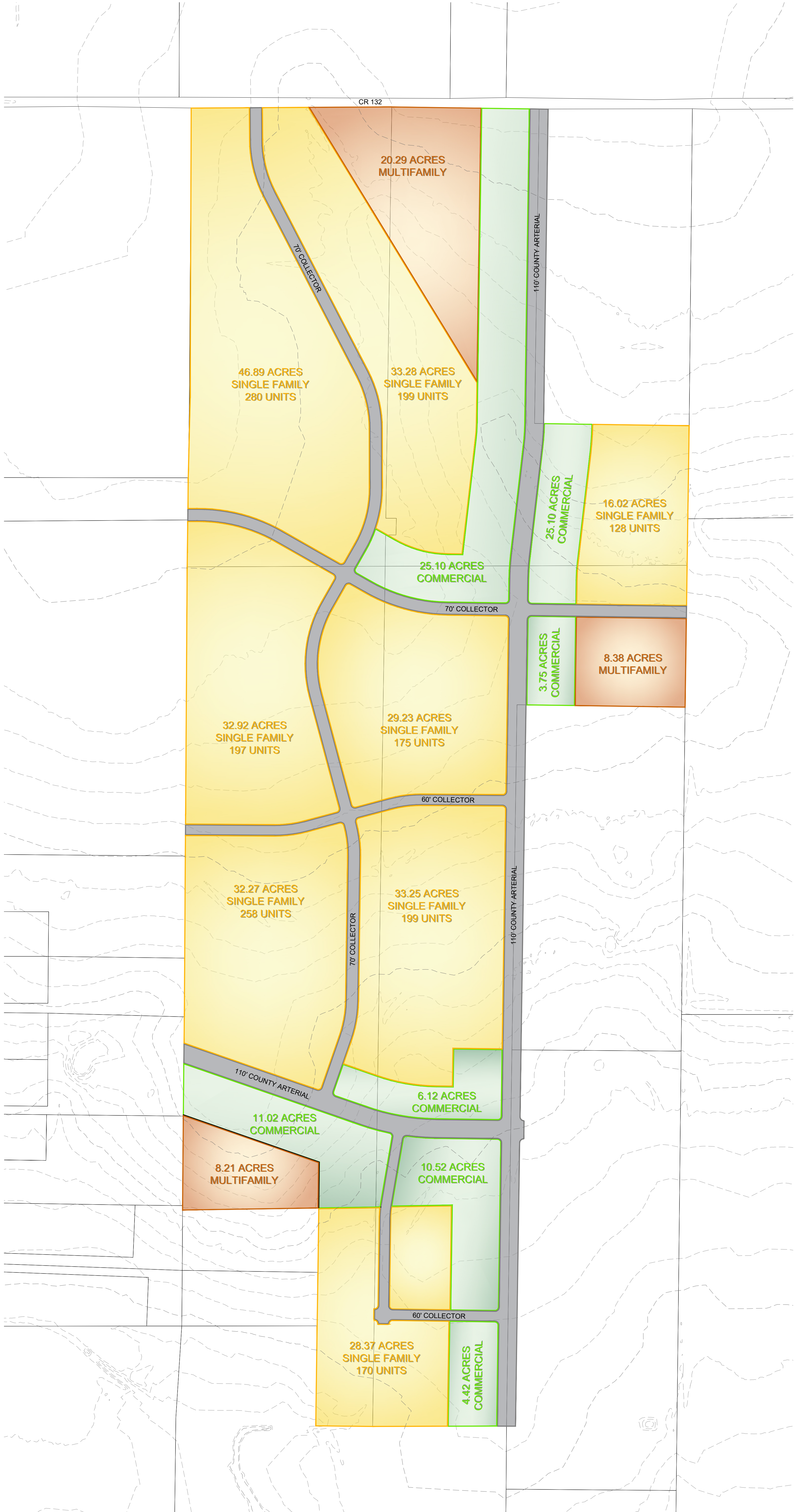


If there are multiple property owners attach separate page(s) with notarized signature(s)

March 2020

LPL-PTM & STROMBERG

CONCEPT PLAN



AGENDA ITEM REPORT

10.4.



To: City Council

Subject: Consideration and possible action on Ordinance No. O-2022-013 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. (First Reading) (Angie Rios)

Meeting: Thursday, April 7, 2022

Department: Finance /

Staff Contact: Angie Rios

BACKGROUND INFORMATION:

Budget amendments are required to increase the budget or to move budgeted amounts between departments.

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

The FY 2022 budget includes a new public works engineer and a capital projects engineer. The city has attempted to fill these new positions along with the city engineer position that has been vacant since October 1st but has been unsuccessful. The assistant city engineer position was vacated in February, leaving the city with four vacant engineering positions. In order to keep up with the rapid growth the city is experiencing, it is necessary to contract engineering services for plan reviews, service assessments and other projects. The proposed budget amendments request an increase to the budget along with transferring the budgeted engineering salaries to a professional services account to cover the outsourcing of engineering tasks.

There is a budget amendment request to transfer a portion of the salary savings from the Field Services Manager position to cover the additional salary needed to backfill the construction inspector position. This budget amendment does not change the total General Fund budget.

There is also a budget amendment request to add funds to the park & rec budget for the city to resume holding a summer camp. There is a corresponding amendment to the recreation revenue that will cover the requested expenditures.

AGENDA ITEM REPORT

10.4.



POLICY IMPLICATIONS:

ATTACHMENTS:

1. Budget Amendments 4-7-21
2. Budget amendment ordinance 4-7-22

EXHIBIT A
Budget Amendments
4/7/2021

General Services - Operating Fund (Fund 10)

Division	Original Budget	Proposed Budget Amendment	Revised Budget
Engineering (New Department)			
Professional Services	-	1,000,000	1,000,000
Planning & Development			
Salaries 10-030-021-6001	858,553	(175,000)	683,553
Fica/Medicare 10-030-021-6051	69,403	(13,500)	55,903
TMRS 10-030-021-6053	107,325	(21,000)	86,325
Health/Life Insurance 10-030-021-6061	94,162	(11,000)	83,162
Professional Services 10-030-021	860,000	(130,000)	730,000
Streets & Drainage			
Salaries 10-040-060-6001	858,553	(61,800)	796,753
Fica/Medicare 10-040-060-6051	69,403	(4,700)	64,703
TMRS 10-040-060-6053	107,325	(7,300)	100,025
Health/Life Insurance 10-040-060-6061	94,162	(4,500)	89,662
To reclass engineering salaries budget for unfilled positions to professional engineering services budget			
Construction Inspection			
Salaries 10-040-059-6001	117,168	7,000	124,168
Fica/Medicare 10-040-059-6051	9,339	600	9,939
TMRS 10-040-059-6053	14,442	850	15,292
Health/Life Insurance 10-040-059-6061	15,741	1,500	17,241
Parks & Recreation			
Salaries 10-090-040-6001	64,460	(7,000)	57,460
Fica/Medicare 10-090-040-6051	5,136	(600)	4,536
TMRS 10-090-040-6053	7,626	(850)	6,776
Health/Life Insurance 10-090-040-6061	9,500	(1,500)	8,000
To reclass a portion of the Field Services Mgr salary to cover increase in construction inspector salary			
Parks & Recreation			
Parks Recreation Program Fees 10-5402	5,000	105,000	110,000
Seasonal Labor 10-090-040-6003	-	71,640	71,640
FICA/Medicare 10-090-040-6051	5,136	5,480	10,616
Recreation Programs 10-090-040-6241	-	25,000	25,000
To increase the budget for summer camp program costs and revenue			

EXHIBIT A
Budget Amendments
4/7/2021

Utility Fund (50)

Division	Original Budget	Proposed Budget Amendment	Revised Budget
Administration			
Salaries 50-040-001-6001	389,614	(185,424)	204,190
Fica/Medicare 50-040-001-6051	31,365	(14,200)	17,165
TMRS 50-040-001-6053	48,503	(22,000)	26,503
Health/Life Insurance 50-040-001-6061	34,410	(13,500)	20,910
Public Works & Engineering			
Engineering Services 50-040-058-6404	195,000	500,000	695,000
Professional Services 50-040-058-6405	145,000	100,000	245,000
To reclass engineering salaries budget for unfilled positions to professional engineering services budget			

Utility Impact Fee Fund (52)

Division	Original Budget	Proposed Budget Amendment	Revised Budget
Professional Services - Water	250,000	21,000	271,000
Professional Services - Wastewater	400,000	21,000	421,000
To increase the budget for review of the water and wastewater impact fee plan			

Utility Capital Improvement Fund (55)

Division	Original Budget	Proposed Budget Amendment	Revised Budget
Lakeside Liftstation Abandonment 55-040-195-6621	-	91,000	91,000
Hwy 79 Distribution Line 55-040-191-6621	5,805,192	250,000	6,055,192
Glenwood Interceptor 55-040-182-6621	-	190,000	190,000
Transmission & Distribution Pumping 55-040-176-662	-	1,025,000	1,025,000
To increase the budget for engineering services on existing projects			

ORDINANCE NO. 0-2022-

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, 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.

WHEREAS, the City Council for the City of Hutto adopted the City's Fiscal Year 2021- 2022 Budget in September of 2021; and

WHEREAS, pursuant to Texas Local Government Code, Section 102.010, the City Council has determined that it is necessary to amend the City's FY 2021-2022 Budget, and that the budget amendment serves a municipal purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF HUTTO, TEXAS, THAT:

SECTION 1. That the appropriations for the fiscal year beginning October 1, 2021, and ending September 30, 2022, for the support of the general government of the City of Hutto, Texas, be amended as shown in Exhibit A.

SECTION 2. That the amendment, as shown in words and figures in Exhibit A, is hereby approved in all aspects and adopted as an amendment to the City budget for the fiscal year October 1, 2021 through September 30, 2022.

SECTION 3. The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this Ordinance in the manner and for the length of time prescribed by law and the City Charter.

SECTION 4. A copy of the amended budget shall be placed in the office of the Williamson County Clerk as required by Tex. Loc. Gov't. Section 102.011.

SECTION 5. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If a court of competent jurisdiction to be invalid shall adjudge any provision of this Ordinance, the invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. All ordinances or parts of ordinances and sections of the City Code of Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

SECTION 8. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter. 551, Tex. Gov't. Code

READ and APPROVED on the first reading this the 7th day of **April 2022**.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Angela Walton, Interim City Secretary

AGENDA ITEM REPORT

10.5.



To: City Council
Subject: Consideration of a public hearing and possible action on Ordinance No. O-2022-009 approving a Specific Use Permit for the property known as Hippo Café, 109 East Front Street, to allow a drive-thru window and approach. (Second Reading) (Ashley Lumpkin)
Meeting: Thursday, April 7, 2022
Department: Development Services /
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

The proposal consists of a .81 parcel, more or less, in the Megee's First Addition, Lots 1-10, Block 2. The restaurant was constructed in 2013. The property is zoned SD-A (Special District). A Specific Use Permit is required for drive-thru use.

WEST: SD-A Special District, Commercial and Residential Uses

NORTH: Railroad and Highway 79

EAST: SD-A Special District, Vacant

SOUTH: OT-4R Urban Residential, Residential and Vacant

SUMMARY OF REQUEST:

The Hippo Café is currently an eat-in and take-out restaurant. They are proposing to add a drive-thru window and menu board on the east side of the building. The proposal also includes adding asphalt pavement where there is currently a gravel drive. The driveway will be 17' plus wide. The menu board is located 60 feet from the proposed window and 80 feet from the street. The proposed drive-thru and window location meets the requirements per the UDC.

STAFF REVIEW:

Staff sent notices to adjacent property owners within 600' and to date has received one response in opposition and eight in favor.

Staff recommends approval of the Proposed SUP for drive thru and access drive.

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

AGENDA ITEM REPORT

10.5.



ATTACHMENTS:

1. Hippo Cafe Drive Thru Application
2. Updated Site Plan 12.22.21
3. Favor (Cuellar)
4. Favor (Hutto Bible Church)
5. Favor (Zuber)
6. Favor(Bartlett)
7. Favor(Daisy)
8. Favor(Johnson)
9. Favor(Renna)
10. Favor(Sanchez)
11. Object(Chepulis)



SPECIFIC USE PERMIT
APPLICATION

Must be accompanied by a
Master Application
May 2019

City of Hutto Development Services
500 W. Live oak Street Hutto TX 78634
512-759-3479 Planning
512-846-2640 Permits & Inspections
512-759-4038 Engineering
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: 21212 Hippo Cafe

PROPERTY ADDRESS: 109 E Front st Hutto, Tx, 78634

Current zoning district: SD-A Current Use: Restaurant

Proposed Use: Drive thru Window Code reference for specific use permit requirement: 16.304.10

Current zoning: North of property: _____ South of property: _____
East of property: _____ West of property: _____

FEES ☐ All required fees may be provided by cash, credit card or check made payable to: City of Hutto

REQUIRED FOR SUBMITTAL

All items listed must be included with application, unless otherwise noted.

- ☒ Complete Master application and Specific Use Permit application.
- ☐ Applicant has coordinated with staff on submittal requirements.
- ☐ Proof of ownership (copy of deed).
- ☒ Sketch of property by a registered professional land surveyor on (1) 8 1/2" x 11".
- ☐ Letter of intent explaining reason(s) for request.
- ☒ List of all property owners (from WCAD) within 200-ft of subject property.

REVIEW CRITERIA

- ☐ Uses requiring a specific use permit are listed in the permitted use tables of the UDC.
- ☐ Proposed use conforms to code requirements and is consistent with the comprehensive plan, community, neighborhood and other applicable land use and development plans.
- ☐ Proposed use is compatible with existing and permitted uses in the surrounding area and would not adversely affect property near the site.
- ☐ Site is a legal building lot.

PROCESSING

- ☐ Application intake, staff review and determination that it is complete, meeting scheduling, public notification (mailed/published/website notification).
- ☐ Notification required 16 days prior to scheduled meeting date (published).
- ☐ Notification required 16 days prior to scheduled meeting date (mailed).
- ☐ All final documents related to commission action are required 10 days prior to scheduled meeting date.
- ☐ All final documents related to city council action are required 10 days prior to scheduled meeting date.

FOR DEPARTMENT USE ONLY:

Submittal date	Date accepted for review	Check No.	Fees paid	PZ Mtg. date	CC Mtg. date



MASTER APPLICATION

Must accompany all application types unless otherwise indicated

City of Hutto Development Service:
500 W. Live Oak Street
Hutto TX 78634
Permits & Inspections: 512-846-26
Planning: 512-759-3479
Engineering: 512-759-4038
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: 21212 Hippo Café

APPLICATION TYPE: _____

APPLICANT INFORMATION (property owner or authorized agent) this will be the City's official contact.

Name: Anthony Mullens
Company Name: Renaissance Contracting LLC
Address: 13492 N. Hwy 183 #120, Austin, TX, 78750
Phone: 512-691-9047 Email: accounting@rcgroup.cc

PROPERTY INFORMATION

Address: 109 E Front St, Hutto, TX, 78634
Legal Description: Deed Lot(s) _____ Block _____ Subdivision _____
Reference: Volume _____ Page(s) _____ or Document No. _____
City Limits ☒ ETJ ☐ Current Zoning District: _____

PROPERTY OWNER INFORMATION

Name: Gary Bartlett
Company Name: _____
Address: 109 E. Front St, Hutto, TX, 78634
Phone: 254-760-4440 Email: _____

PROPERTY OWNER CONSENT/AGENT AUTHORIZATION

By my signature I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the submittal of this application. Additionally, my signature below indicates my awareness of the fee(s) required at the time of application submittal and that this fee(s) is non-refundable even in the event of application withdrawal or if reviewed and denied.

By signing this form, the owner of the property authorizes the City of Hutto to begin proceedings in accordance with the process for the type of application indicated on page one of this application. The owner further acknowledges that submittal of an application does not in any way obligate the City to approve the application and that although City staff may make certain recommendations regarding this application, the City Council may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.

Gary Bartlett
Property Owner Signature

GARY BARTLETT
Property Owner Printed Name

10-27-21
Date

THE STATE OF TEXAS

COUNTY OF Williamson

Before me, the undersigned authority, on this day personally appeared Gary Bartlett, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 27th day of October, 2021

K. Diaz
Notary Public Signature

Kelli Diaz
Notary Public Printed Name



If there are multiple property owners attach separate page(s) with notarized signature(s)

Letter of Intent

Owner: Hippo Café

Phone: 512.759.3729

109 E Front St, Hutto, TX, 78634

Email: gm@hippocafe.com

Contractor: Renaissance Contracting LLC.

Phone: 512.691.9047

13492 N Hwy 183 Ste #120, Austin, TX, 78750

Email: uziel@rcgroup.cc

To whom it may concern:

Hippo Café is a restaurant and we employed Renaissance Contracting LLC. to add on to the existing building a drive thru window and a drive thru. If you have any questions, please contact us at 512.759.3729, or you can also call our builder at 512.691.9047.

Thank You,

A handwritten signature in black ink, appearing to read 'B - Z - S' with a stylized flourish at the end.

Brian Leszcynski

General Manager

Property	Owner	Property Address	Tax Year	2022 Market Value
R021653	SUMMER LEGACY LLC	109 FRONT ST W, HUTTO, TX 78634	2022	N/A

2022 GENERAL INFORMATION

Property Status	Active
Property Type	Land
Legal Description	S5229 - Old Town Addn, BLOCK 1, Lot 6 (PT) & 7-9, ACRES 0.186
Neighborhood	T14QN - Hutto Nom-imp
Account	R-14-2008-0001-0007
Related Properties	R021652, R493588, P495217
Map Number	3-4357

2022 VALUE INFORMATION

Improvement Homesite Value	N/A
Improvement Non-Homesite Value	N/A
Total Improvement Market Value	N/A
Land Homesite Value	N/A
Land Non-Homesite Value	N/A
Land Agricultural Market Value	N/A
Total Land Market Value	N/A
Total Market Value	N/A
Agricultural Use	N/A
Timber Use	N/A
Total Appraised Value	N/A
Homestead Cap Loss	N/A
Total Assessed Value	N/A

2022 OWNER INFORMATION

Owner Name	SUMMER LEGACY LLC
Owner ID	O0417378
Exemptions	
Percent Ownership	100%
Mailing Address	PO BOX 26539 AUSTIN, TX 78755-0539
Agent	-

2022 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Williamson CAD		N/A	N/A	N/A	N/A
☒ CHU- City of Hutto		N/A	N/A	N/A	N/A
☒ F00- Wmsn ESD #3		N/A	N/A	N/A	N/A
☒ GWI- Williamson CO		N/A	N/A	N/A	N/A
☒ J02- EWC Higher Ed Center		N/A	N/A	N/A	N/A
☒ RFM- Wmsn CO FM/RD		N/A	N/A	N/A	N/A
☒ SHU- Hutto ISD		N/A	N/A	N/A	N/A
☒ W09- Upper Brushy Creek WCID		N/A	N/A	N/A	N/A

Improvement square footage on this page is NOT representative of leasable area utilized for income valuation of commercial properties. For that data please contact our office.

2022 IMPROVEMENTS

⌵ Expand/Collapse All

Improvement #	State Code	Homesite	Total Main Area (Exterior Measured)	Market Value
-	A1 - Residential Single Family	Yes	792 Sq. Ft	N/A

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	1945	792	N/A	⌵ Details
2	Open Porch	-	96	N/A	⌵ Details
3	Screen Porch	1945	128	N/A	⌵ Details

2022 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE	TIM USE	LAND SIZE
1 - Residential	A1 - Residential Single	Yes	N/A	N/A	N/A	8,102 Sq. ft



TOTALS

8,102 Sq. ft / 0.186000
acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG USE	APPRAISED	HS CAP LOSS	ASSESSED
2021	\$13,547	\$60,766	\$74,313	\$0	\$0	\$74,313	\$0	\$74,313
2020	\$13,525	\$57,727	\$71,252	\$0	\$0	\$71,252	\$0	\$71,252
2019	\$14,204	\$60,036	\$74,240	\$0	\$0	\$74,240	\$0	\$74,240
2018	\$14,976	\$58,456	\$73,432	\$0	\$0	\$73,432	\$0	\$73,432
2017	\$13,291	\$58,456	\$71,747	\$0	\$0	\$71,747	\$0	\$71,747

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
1/13/2009	ZARAFSHANI, ADAM	SUMMER LEGACY LLC	2009002401	
9/30/2004	GONZALES, ERNEST & ELED E	ZARAFSHANI, ADAM	2004078671	
4/15/2002	GONZALES MIGUEL & ENEMENCIA	GONZALES, ERNEST & ELED E	2002034147	
12/23/1993	GONZALES SANTOS & JOSEPHA	GONZALES SANTOS & JOSEPHA	-	2436/0771
2/18/2000	GONZALES MIGUEL & ENEMENCIA	GONZALES MIGUEL & ENEMENCIA	-	2000/011569
1/4/1999	MORALES, ELVERA ETAL	GONZALES MIGUEL & ENEMENCIA	9902122	
9/26/1986	GONZALES SANTOS & JOSEPHA	MORALES, ELVERA ETAL	-	AFFIDAVIT OF HEIRSHI/V1420/P114-117
4/1/1984	GONZALES, SANTOS	GONZALES SANTOS & JOSEPHA	-	360/322

Property	Owner	Property Address	Tax Year	2022 Market Value
P495217	HIPPO CAFE	109 FRONT ST W, HUTTO, TX 78634	2022	N/A

2022 GENERAL INFORMATION

Property Status: Active
Property Type: BPP4-GTO
Legal Description: BUSINESS PERSONAL PROPERTY @ 109 W FRONT ST
Neighborhood: -
Account: P-14-P194-2040-4125-06
Related Properties: R021653
Map Number: -

2022 VALUE INFORMATION

Total Assessed Value: N/A

2022 OWNER INFORMATION

Owner Name: HIPPO CAFE
Owner ID: O0610825
Exemptions:
Percent Ownership: 100%
Mailing Address: 109 FRONT ST W HUTTO, TX 78634
Agent: -

2022 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Williamson CAD		N/A	N/A	N/A	N/A
CHU- City of Hutto		N/A	N/A	N/A	N/A
F00- Wmsn ESD #3		N/A	N/A	N/A	N/A
GWI- Williamson CO		N/A	N/A	N/A	N/A
J02- EWC Higher Ed Center		N/A	N/A	N/A	N/A
RFM- Wmsn CO FM/RD		N/A	N/A	N/A	N/A
SHU- Hutto ISD		N/A	N/A	N/A	N/A
W09- Upper Brushy Creek WCID		N/A	N/A	N/A	N/A

Improvement square footage on this page is NOT representative of leasable area utilized for income valuation of commercial properties. For that data please contact our office.

2022 SEGMENTS

Segment #1: Total Value
Inventory: N/A
Segment #2: Total Value
Furniture And Fixtures: N/A

VALUE HISTORY

YEAR	VALUE
2021	\$20,850
2020	\$23,142

REPRINTED TAX RECEIPT



Receipt Number: GT-2021-3315860

Payor:

HIPPO CAFE (O0684863)
109 FRONT ST W
HUTTO, TX 78634

Owner:

HIPPO CAFE (O0684863)
109 FRONT ST W
HUTTO, TX 78634

Quick Ref ID:

P495217

Owner:

HIPPO CAFE (O0684863)

Owner Address:

109 FRONT ST W
HUTTO, TX 78634

Property:

P-14-P194-2040-4125-06

Legal Description:

BUSINESS PERSONAL PROPERTY @
109 W FRONT ST

Situs Address:

109 FRONT ST W HUTTO, TX 78634

Tax Year/Taxing Entity	Taxable Value	Tax Rate	Levy	Tax Paid	Amt Paid
2020					
City of Hutto	23,142	0.600000	138.85	138.85	138.85
Wmsn Co ESD #3	23,142	0.100000	23.15	23.15	23.15
Williamson CO	23,142	0.418719	96.90	96.90	96.90
Wmsn CO FM/RD	23,142	0.040000	9.26	9.26	9.26
Hutto ISD	23,142	1.466500	339.37	339.37	339.37
Upper Brshy Cr	23,142	0.020000	4.63	4.63	4.63
EWC Higher Ed	23,142	0.048440	11.21	11.21	11.21
2020 Totals			623.37	623.37	623.37

Total Payment Amount623.37

Check (Ref # 6828) Tendered623.37

Total Tendered623.37

Remaining Balance Due, including other fees,
as of 10/27/2021587.04

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

Date Paid:01/08/2021

Effective Date:01/07/2021

Station:PTManager

Cashier:JeanetteG

Property Owner Property Address
P495217 HIPPO CAFE 109 FRONT ST W HUTTO, TX 78634

Tax Year
2021

2021 Assessed Value
CERTIFIED \$20,850

2021 GENERAL INFORMATION

Property Status Active
Property Type Personal
Legal Description BUSINESS PERSONAL PROPERTY @ 109 W FRONT ST
Neighborhood -
Account P-14-P194-2040-4125-06
Map Number -

2021 OWNER INFORMATION

Owner Name HIPPO CAFE
Owner ID O0684863
Exemptions
Percent Ownership 100%
Mailing Address 109 FRONT ST W HUTTO, TX 78634
Agent -

2021

Tax Statement Details

TAXING ENTITY	TOTAL TAXES DUE	DATE PAID	AMOUNT PAID	BALANCE
City of Hutto	\$123.03	-	\$0.00	\$123.03
EWC Higher Ed Center	\$10.22	-	\$0.00	\$10.22
Hutto ISD	\$325.74	-	\$0.00	\$325.74
Upper Brshy Cr WC&ID 1A	\$4.01	-	\$0.00	\$4.01
Williamson CO	\$91.93	-	\$0.00	\$91.93
Wmsn Co ESD #3	\$22.94	-	\$0.00	\$22.94
Wmsn CO FM/RD	\$9.17	-	\$0.00	\$9.17
TOTALS	\$587.04		\$0.00	\$587.04

TOTAL TAXES DUE	Effective Date: 10/27/2021
Current Amount Due	\$587.04
Past Years Due	\$0.00
Total Due	\$587.04

2020

Tax Statement Details

TAXING ENTITY	TOTAL TAXES DUE	DATE PAID	AMOUNT PAID	BALANCE
City of Hutto	\$138.85	1-8-2021	\$138.85	\$0.00
EWC Higher Ed Center	\$11.21	1-8-2021	\$11.21	\$0.00
Hutto ISD	\$339.37	1-8-2021	\$339.37	\$0.00
Upper Brshy Cr WC&ID 1A	\$4.63	1-8-2021	\$4.63	\$0.00
Williamson CO	\$96.90	1-8-2021	\$96.90	\$0.00
Wmsn Co ESD #3	\$23.15	1-8-2021	\$23.15	\$0.00
Wmsn CO FM/RD	\$9.26	1-8-2021	\$9.26	\$0.00
TOTALS	\$623.37		\$623.37	\$0.00

DISCLAIMER

When using the online property tax payment option, there is a \$1.50 fee for all e-checks and a 2.15% fee for all credit card transactions. The vendor fees associated with credit card transactions and e-checks are passed along to the credit card or e-check users and are not paid by the Williamson County budget. Payments made using this service may take approximately 5-7 business days to post in our system and will show the date paid as the original payment date. If you received a tax bill and you have an escrow account, proper notification may not have been received from your mortgage company's tax service. Every effort has been made to offer the most current and correct information possible on these pages. The information included on these pages has been compiled by County staff from a variety of sources, and is subject to change without notice. The Williamson County Tax Office makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy or adequacy of such information and data. Williamson County Tax Office reserves the right to make changes at any time without notice. Original records may differ from the information on these pages. Verification of information on source documents is recommended. By using this application, you assume all risks arising out of or associated with access to these pages, including but not limited to risks of damage to your computer, peripherals, software and data from any virus, software, file or other cause associated with access to this application. The Williamson County Tax Office shall not be liable for any damages whatsoever arising out of any cause relating to use of this application, including but not limited to mistakes, omissions, deletions, errors, or defects in any information contained in these pages, or any failure to receive or delay in receiving information.

REMODEL COMMERCIAL SPACE
FOR
HIPPO CAFE
109 E FRONT ST,
HUTTO, TX 78634

INDEX OF DRAWINGS

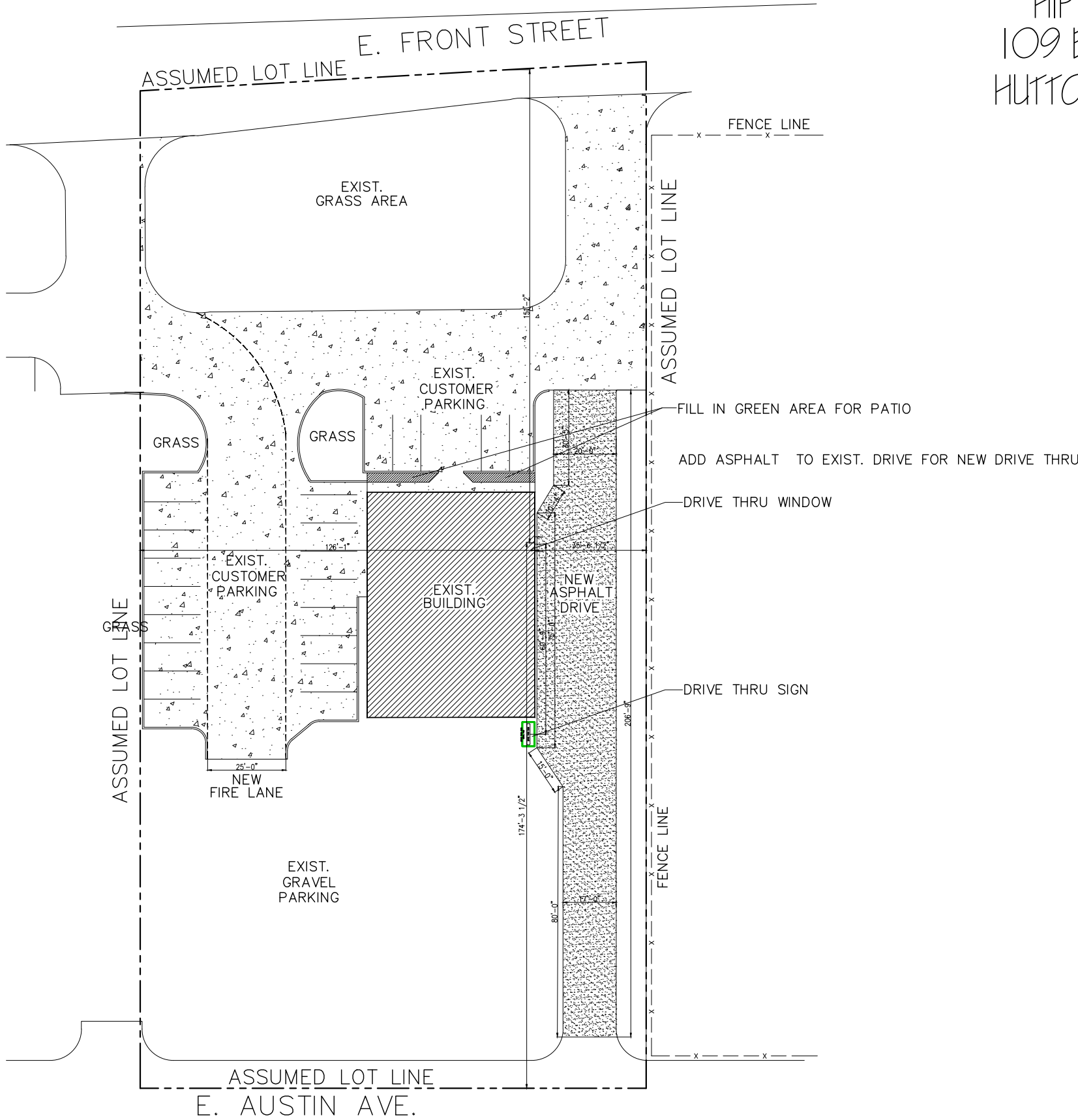
CI - COVER / SITE PLAN

AI - EXIST./ DEMO/ PROP. FLOOR PLAN

A2 - SECTIONS A-A & B-B

GENERAL PLAN NOTES

- 1. These plans conform to the 2015 IRC except as noted otherwise or as amended by specific jurisdiction.
- 2. Foundation Plans to be site specific & are engineered for each lot. Conflicts on plans shall be directed to the foundation engineer.
- 3. The requirements of the IECC Code are already incorporated on these plans; specific city requirements shall be noted where
- 4. Called-out dimensions govern over scaled dimensions
- 5. Details take precedence over drawing notes
- 6. Contractor shall verify all dimensions & coordinate with other trades to ensure conformance to these plans & specifications. Deviations & alternatives should be input upon on site conditions.



SITE PLAN

SCALE: 1:40

Renaissance

CONSTRUCTION FOR
HIPPO CAFE
109 E FRONT ST,
HUTTO, TX 78634

SHEET:
CI
OF: 1



PROPERTY OWNER NOTICE OF PUBLIC HEARING
TO BE HELD AT THE

CITY COUNCIL ON:
MEETING LOCATION:
MEETING TIMES:

March 3, 2022
500 W. Live Oak Street – City Hall
7:00 PM

Notice is hereby given to all interested persons that the **HUTTO CITY COUNCIL** will hold a public hearing regarding the Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**, to allow a drive-thru window and approach (UDC 10.304.10).

As one of the owners of property located within 600 feet of the subject properties, you are invited to attend this meeting to voice your support or opposition. Detailed information will be available on the City of Hutto website under Planning and Zoning Commission agenda/packet information at least 72-hours before the meeting date here: http://www.huttotx.gov/residents/services/planning_and_zoning_commission_agendas_and_minutes.php. You may also do one of the following before the meeting date:

1. Mail this form to: Development Services, 500 W. Live Oak Street, Hutto, TX 78634.
2. Email your response to: **planning@huttotx.gov** Include case name, public hearing date, your name and address, and if you are in favor or against the rezoning including comments.

For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or planning@huttotx.gov.

=====

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**.

Name:

Carlos Cuellar

Address:

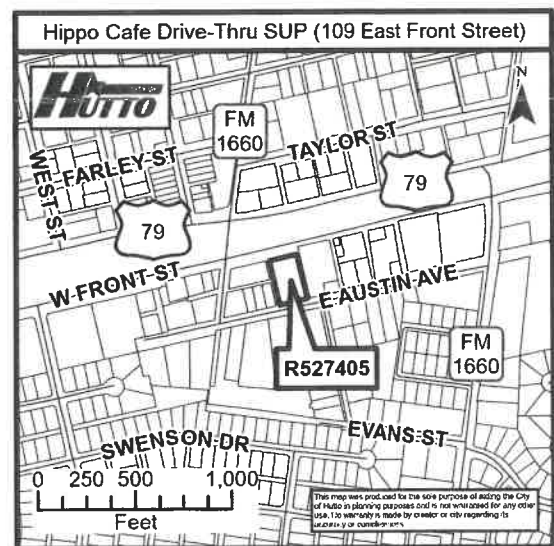
524 Will Smith Cir., Hutto, TX 78634

☒ **I AM IN FAVOR**

☐ **I OBJECT**

Write comments below, attach additional pages if needed.

SITE LOCATION MAP





**PROPERTY OWNER NOTICE OF TWO PUBLIC HEARINGS
TO BE HELD AT THE
PLANNING & ZONING COMMISSION ON: MARCH 1, 2022
CITY COUNCIL ON: APRIL 7, 2022
MEETING LOCATION: 500 W. Live Oak Street – City Hall
MEETING TIMES: 7:00 PM**

Notice is hereby given to all interested persons that the **HUTTO PLANNING & ZONING COMMISSION** and the **HUTTO CITY COUNCIL** will hold two separate public hearings regarding the Specific Use Permit request for the property known as **Hutto ISD 9th Grade Center** on FM 1660 to allow a parking lot with reduced landscaping.

As one of the owners of property located within 600 feet of the subject properties, you are invited to attend this meeting to voice your support or opposition. Detailed information will be available on the City of Hutto website under Planning and Zoning Commission agenda/packet information at least 72-hours before the meeting date here: http://www.huttotx.gov/residents/services/planning_and_zoning_commission_agendas_and_minutes.php. You may also do one of the following before the meeting date:

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For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or planning@huttotx.gov.

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hutto ISD 9th Grade Center** on FM 1660 to allow a parking lot with reduced landscaping.

Name: Tom Albers for Hill Country Bible Church Hutto dba Hutto Bible Church
Address: 301 West Street (and the property just south of Ninth Grade Center
Hutto TX (see below)

☒ **I AM IN FAVOR**

☐ **I OBJECT**

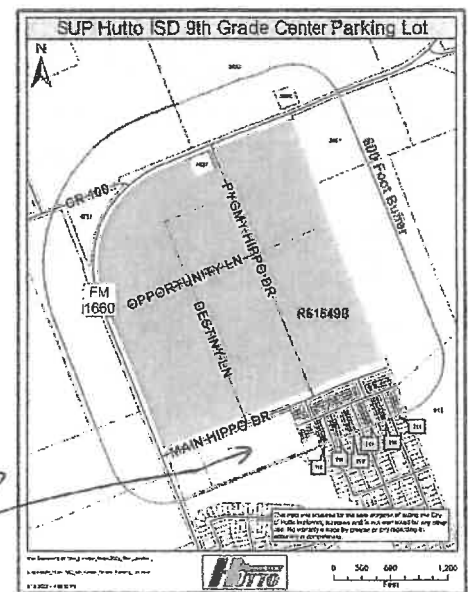
Write comments below, attach additional pages if needed.

Given the interior location and alternate uses of these lots, perimeter landscaping (richly populated) should suffice.

Thank you.

Hutto Bible Church Property

SITE LOCATION MAP





**PROPERTY OWNER NOTICE OF TWO PUBLIC HEARINGS
TO BE HELD AT THE
PLANNING & ZONING COMMISSION ON: DECEMBER 7, 2021
CITY COUNCIL ON: JANUARY 6, 2022
MEETING LOCATION: 500 W. Live Oak Street – City Hall
MEETING TIMES: 7:00 PM**

Notice is hereby given to all interested persons that the **HUTTO PLANNING & ZONING COMMISSION** and the **HUTTO CITY COUNCIL** will hold two separate public hearings regarding the Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**, to allow a drive-thru window and approach (UDC 10.304.10).

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1. Mail this form to: Development Services, 500 W. Live Oak Street, Hutto, TX 78634.
2. Email your response to: **planning@huttotx.gov** Include case name, public hearing date, your name and address, and if you are in favor or against the rezoning including comments.

For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or **planning@huttotx.gov**.

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**.

Name:

Watson Dental Lab

Address:

131 W. Austin Ave. Hutto, TX 78634

☒ **I AM IN FAVOR**

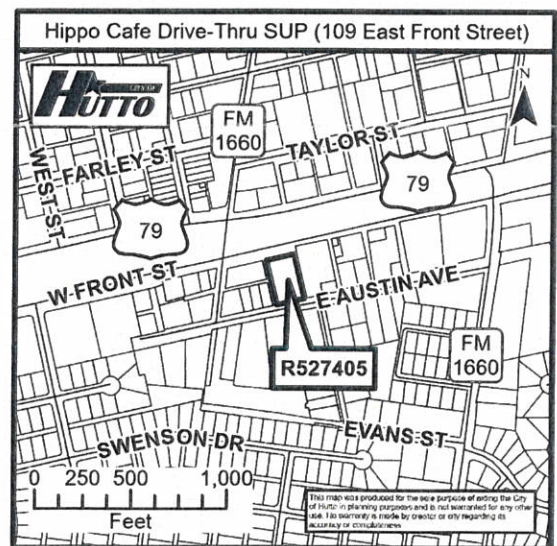
☐ **I OBJECT**

Write comments below, attach additional pages if needed.

SITE LOCATION MAP

*Wish them the very
best.*

Mike & Lora Zuber





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SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**.

Name:

GARY BARTLETT

Address:

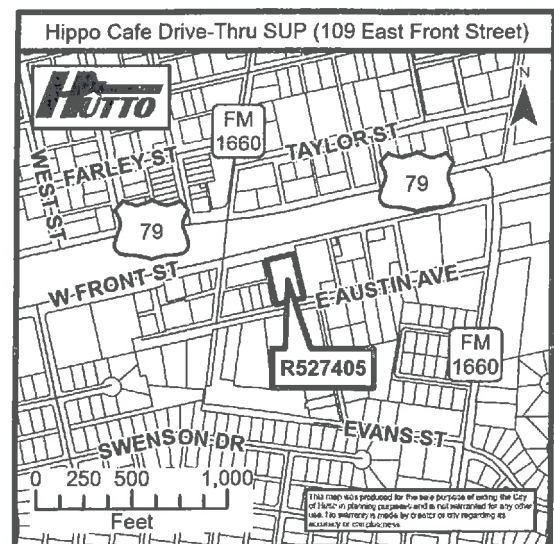
125 LALEY LOU LN. SALADO, TX 76571

☒ **I AM IN FAVOR**

☐ **I OBJECT**

Write comments below, attach additional pages if needed.

SITE LOCATION MAP





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SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**.

Name:

Andrea Faur, Daisy Development

Address:

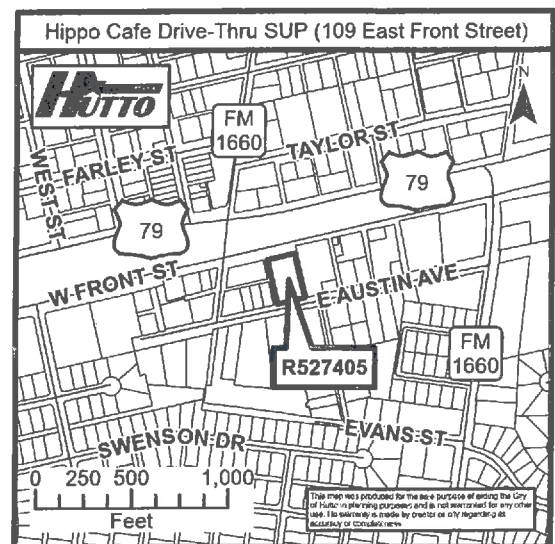
102 E Hwy 79, Hutto, TX 78634

☒ **I AM IN FAVOR**

☐ **I OBJECT**

Write comments below, attach additional pages if needed.

SITE LOCATION MAP



SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as Hippo Café 109 East Front Street.

Name:

Emelia Johnson

Address:

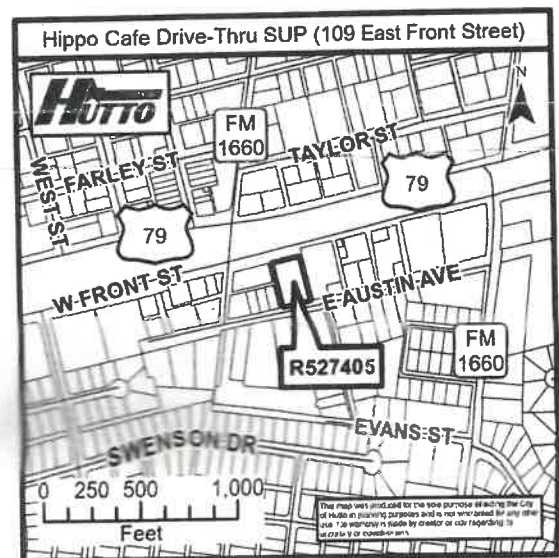
107 Taylor St, Hutto, TX

☒ I AM IN FAVOR

☐ I OBJECT

Write comments below, attach additional pages if needed.

SITE LOCATION MAP



Hippo Café 109 East Front Street Specific Use Permit/CC 3-3-22



PROPERTY OWNER NOTICE OF PUBLIC HEARING
TO BE HELD AT THE

CITY COUNCIL ON:
MEETING LOCATION:
MEETING TIMES:

March 3, 2022
500 W. Live Oak Street – City Hall
7:00 PM

Notice is hereby given to all interested persons that the **HUTTO CITY COUNCIL** will hold a public hearing regarding the Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**, to allow a drive-thru window and approach (UDC 10.304.10).

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For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or planning@huttotx.gov.

=====

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**.

Name: WALTER F. PENNA JR

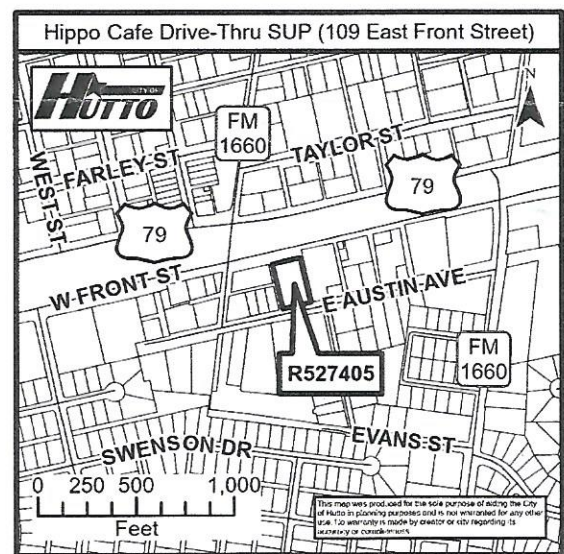
Address: 305 EAST AUSTIN AVE, HUTTO

☒ **I AM IN FAVOR**

☐ **I OBJECT**

Write comments below, attach additional pages if needed.

SITE LOCATION MAP





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For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or planning@huttotx.gov.

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**.

Name:

JESSE MANUEL SANCHEZ

Address:

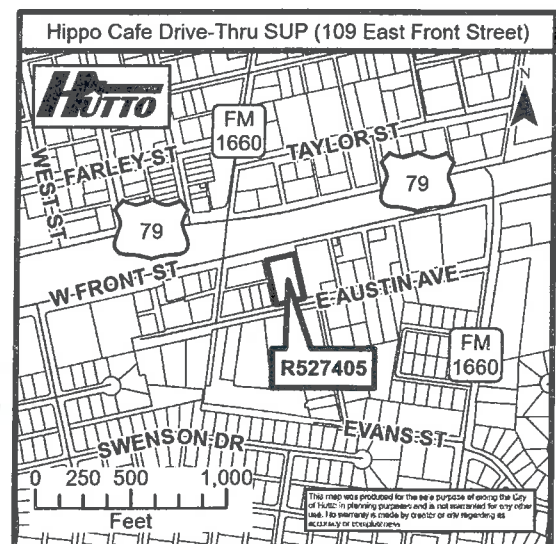
213 Brushy ST, Hutto TX 78634

☒ **I AM IN FAVOR**

☐ **I OBJECT**

Write comments below, attach additional pages if needed.

SITE LOCATION MAP





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For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or planning@huttotx.gov.

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Specific Use Permit request for the property known as **Hippo Café 109 East Front Street**.

Name: WARD LKEPULIS

Address: 101 Anthony St

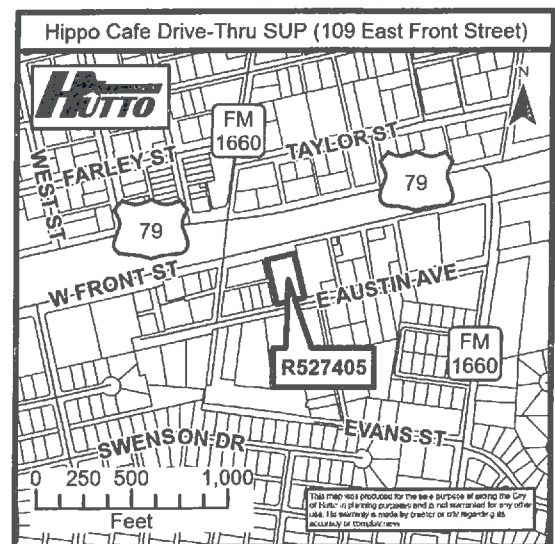
☐ I AM IN FAVOR

☒ OBJECT

Write comments below, attach additional pages if needed.

NEED Feasibility Study on owner of Cafe. Traffic line on side Road or Neighboring Parking Lot not set up for this. Longest when Train is passing is Bad enough.

SITE LOCATION MAP



AGENDA ITEM REPORT

10.6.



To: Planning and Zoning Commission

Subject: Consideration and possible action on Ordinance No. O-2022-001 for the proposed Planned Unit Development (PUD) zoning request for the property known as NorthStar Hutto Planned Unit Development (PUD), 11.74 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is active adult 55+ multi-family use. (Second Reading) (Ashley Lumpkin).

Meeting: Thursday, April 7, 2022

Department: Development Services

Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

The proposal consists of an 11.74 acre parcel that is part of the Landing Subdivision, more particularly Lot 3, Block A that was preliminary platted in December 2020. The property is zoned Multi-family (MF). The applicants met with staff and it was determined their unique product type would not be able to meet the multi-family design standards and density. Staff recommended they pursue the Planned Unit Development (PUD) option to present the deviations and additions to the UDC requirements and request approval.

WEST: ETJ, Church and Schmidt's Creek PUD, Proposed Residential

NORTH: Multi-Family, Vacant

EAST: Local Business, Vacant

SOUTH: Commercial PUD, Home Depot

SUMMARY OF REQUEST:

NorthStar Hutto (the "Project") is a proposed "active adult" community seeking a rezoning of its property from Multi-Family (MF) Zoning to a Multi-Family PUD zoning designation.

The overall site is approximately 11.74 acres in size. It is constrained with a 50' drainage easement on the west, a 40' drainage easement on the south and a 30' drainage easement along east property boundaries. This lot also includes West Live Oak Street R.O.W. dedication that will be finalized with platting. The net usable acreage is approximately 9.06 acres.

The Multi-Family district is a setting for development of multi-unit residential structures and developments, such as apartment and condominium complexes, garden and courtyard multifamily residential buildings, and residential loft buildings. Density must range from 14 to 20 dwelling units per acre net density, depending on the context of the development.

The proposed net density for the NorthStar Hutto PUD is 23.84 or 216 units. However, a developer participation agreement with the City in January of 2021 for the entire Landing project permits density based on gross acreage (20 per acre). The proposed density is acceptable and will be counted against the Landing projects maximum units of 920.

AGENDA ITEM REPORT

10.6.



The property will be mostly utilized by residents over the age of 55. Per the applicant, the average resident age is approximately 70. The proposal includes unique design elements which are necessary to accommodate a specific demographic who will reside at the project. The proposal consists of 4 large Class A, 3-story buildings. The larger size facilitates elevator access, which is not typically provided in all multi-family projects.

The applicants followed our new PUD submittal application (attached) designed to better determine what they meet, will not meet and exceed. The UDC deviations in the North Star PUD include the following:

- Building length will exceed 200' up to 260'
- Minimum building roof pitch will be 4:12 instead of 6:12
- 30% masonry, stone and or brick is proposed instead of the required 50%
- Proposing 1 large tree per 500 sq. ft. landscape area instead of 2 large trees. (net loss of approximately 166 trees) 332 are required per UDC.
- Vehicular use areas (parking lots) are to be screened by an 8' deep landscape area OR a 6' stained wood screen fence. (added fence option)

The development will be responsible for dedicating R.O.W. and constructing their portion of the extension of Live Oak (collector) as shown on the City's mobility Plan per UDC requirements. The development will provide amenities including a pool and cabana, dog park, fitness center, clubhouse, and detached garages. The main entry will feature architectural pavers drives and enhanced landscaping.

STAFF REVIEW:

Property owners within 600' were notified of the request and to date staff has received one in favor.

The PUD request meets the PUD criteria as outlined below:

- The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design.
- The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value.
- The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design.
- The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site.

AGENDA ITEM REPORT

10.6.



- The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience.
- The PUD will be served by adequate facilities including streets, fire protection, water and sanitation.
- The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or that arrangements are made to mitigate impacts.
- PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

Staff recommends approval of the Proposed NorthStar PUD. Planning and Zoning Commission recommends with a vote of 6-0 with the amendment to increase the maximum units allowed to 234 and that trees will be calculated not by number, but rather by caliper; 3" per 500 sq. ft. landscape area, (thus allowing flexibility to provide fewer, but larger trees).

FINANCIAL IMPACT:

None at this time.

POLICY IMPLICATIONS:

None at this time.

ATTACHMENTS:

1. NorthStar Hutto- PUD Zoning Change Application Form
2. NorthStar Sample Calendar
3. Senior Transitions of Austin
4. Legal Description
5. NorthStar Hutto - Design Considerations_Operational Programming
6. Live Oak ROW Description
7. NorthStar Hutto - Statement of Intent and UDC Compliance 11.03.2021
8. NorthStar Hutto - Supporting Site Plan and Exhibits 11.03.2021
9. NorthStar Hutto Buffer Map
10. Adjacent Property Owner Response
11. NorthStarPUD(Ord)



PUD ZONING CHANGE
APPLICATION

Must be accompanied by a
Master Application

City of Hutto Development Services
500 W. Live Oak Street Hutto TX 78634
512-759-3479 Planning
512-846-2640 Permits & Inspections
512-759-4038 Engineering
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: NorthStar Hutto

PROPERTY ADDRESS: 30°32'43.3"N 97°33'25.5"W

Current Zoning District (s): MF - Multi Family Proposed Zoning District(s): PUD - MF

Current Use: Undeveloped Proposed Use: Multi Family

Total Acreage: 11.74 Total # of Lots: 1 Future Land Use Map Designation High Density Residential

Current zoning: North of property: MF - Multi Family South of property: PUD Commercial

East of property: B-1 - Local Business West of property: Not Zoned / Development Agreements

FEES ☐ All required fees may be provided by cash, credit card or check made payable to: City of Hutto

REQUIRED FOR PUD (PLANNED UNIT DEVELOPMENT) ZONING SUBMITTAL

All items listed must be included with application, unless otherwise noted.

- ☐ Complete Master application and PUD Zoning Change application.
- ☐ Pre-application meeting with Development Services staff and WCESD#3 (Fire District) staff. **(Mandatory)**
- ☐ PUD Statement of Intent
- ☐ PUD Development Standards
- ☐ PUD Development Plan - Digital and one 24x36 Color copy of complete plan.
- ☐ Proof of ownership (copy of deed).
- ☐ Sketch of property by a registered professional land surveyor on (1) 8 1/2" x 11".
- ☐ List of all property owners within 600-ft of subject property boundary and mailing labels. Data to be obtained from the WCAD website. List and labels shall be of the property owner's 'mailing' address not the 'property' address.
- ☐ All submittal documents provided in digital format. On a CD (disk), electronic storage device, or emailed link to files.
- ☐ On-site public hearing notification sign(s) required. See Ordinance No. O-19-12-19-9A.

PROCESSING

- ☐ Application intake, staff review and determination that it is complete, meeting scheduling, public notification (mailed/published/website notification).
- ☐ Notification required 16 days prior to scheduled meeting date (published/mailed).
- ☐ All final documents related to commission(s) action are required 10 days prior to scheduled meeting date.
- ☐ All final documents related to city council action are required 10 days prior to scheduled meeting date.

FOR DEPARTMENT USE ONLY:

Submittal date	Date accepted for review	Payment type	Fees paid	HPC Mtg. date	PZ Mtg. date	CC Mtg. date

October 2021



MASTER APPLICATION

Must accompany all application types
Unless otherwise indicated

City of Hutto Development Services
500 W. Live Oak Street Hutto TX 78634
512-759-3479 Planning
512-846-2640 Permits & Inspections
512-759-4038 Engineering
planning@huttotx.gov
building@huttotx.gov
www.huttotx.gov

PROJECT NAME: NorthStar Hutto APPLICATION TYPE: PUD Zoning Change

APPLICANT INFORMATION (property owner or authorized agent) This will be the City's official contact

Name: Austin Dove
Company Name: The Sage Group
Address: 6106 Broadway, San Antonio, TX 78209
Phone: 210-493-3747 Email: adove@thesagegroup.net

PROPERTY INFORMATION

Address: _____
Legal Description: Lot(s) 3 Block A Subdivision Nathaniel Edwards Survey, A-225
Deed Reference: Volume _____ Page(s) _____ or Document No. 2021154181
City Limits or ETJ: City Limits Current Zoning District: MF

PROPERTY OWNER INFORMATION

Name: Justin Walker
Company Name: ~~Chalk Hill Ventures~~ HUTTO LANDING 3 Property owner LP
Address: 6601-E Hillcrest Avenue, Suite 212, Dallas, TX 75205
Phone: 214-274-4951 Email: justin@chalkhillventures.com

PROPERTY OWNER CONSENT/AGENT AUTHORIZATION

By my signature I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the submittal of this application. Additionally, my signature below indicates my awareness of the fee(s) required at the time of application submittal and that this fee(s) is non-refundable even in the event of application withdrawal or if reviewed and denied.

By signing this form, the owner of the property authorizes the City of Hutto to begin proceedings in accordance with the process for the type of application indicated on page one of this application. The owner further acknowledges that submittal of an application does not in any way obligate the City to approve the application and that although City staff may make certain recommendations regarding this application, the City Council may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.

Justin Walker
Property Owner Signature

Justin Walker, Manager
Property Owner Printed Name

11/16/21
Date

THE STATE OF TEXAS

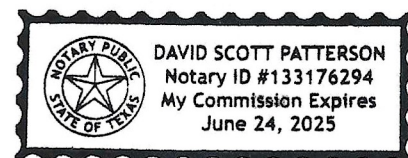
COUNTY OF Dallas

Before me, the undersigned authority, on this day personally appeared Justin Walker, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 16th day of November, 20 21 A.D.

David Patterson
Notary Public Signature

David Patterson
Notary Public Printed Name



If there are multiple property owners attach separate page(s) with notarized signature(s)

March 2020

The Planned Unit Development (PUD) process and zoning designation allows creativity, innovation and flexibility in land use, density, site planning and design for a parcel, that would result in a project more appropriate and desirable than what would result from strict application of this code. Applying Form Based Code to a parcel is preferred to the Planned Unit Development process.

A PUD plan and PUD development standards are required for a parcel that will be developed as a PUD. PUD plans and development standards are evaluated using all the following criteria.

Include a PUD statement of intent as to how the proposed PUD meets the PUD criteria.

- The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design.
- The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value.
- The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design.
- The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site.
- The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience.
- The PUD will be served by adequate facilities including streets, fire protection, water and sanitation.
- The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or that arrangements are made to mitigate impacts.
- PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

Include a PUD plan and PUD development standards that address the following site criteria (The form and content of the development plan shall be in sufficient detail to enable the city to evaluate the proposal and ascertain that it meets all criteria.)

IO.203.I2 Plan Amendment – Does the proposed PUD comply with the Future Land Use Map _____
If no, provide detailed summary stating why the proposed PUD is more appropriate than the FLUM as adopted per the criteria found in IO.203.I2.3.

IO.403 Bulk, Setbacks and Buffers – MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.403.3 Lot Dimensions and Area
- ☐ IO.403.4 Building Envelope
- ☐ IO.403.4.3 Riparian Setbacks
- ☐ IO.403.4.5 Setback Encroachments and Exceptions
- ☐ IO.403.6 Bufferyard
- ☐ IO.403.7 Residential Adjacency

IO.404 Site Design – MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.403.7 Siting and Orientation
- ☐ IO.403.7.3 Common Open Space
- ☐ IO.403.8 Siting and Orientation: non-residential sites and structures
- ☐ IO.403.9 Sidewalks
- ☐ IO.403.10 Internal Pedestrian Circulations
- ☐ IO.403.11 Signature Elements
- ☐ IO.403.12 Public Transit Facilities
- ☐ IO.403.13 Service Areas
- ☐ IO.403.14 Water Bodies and Retention

- ☐ IO.403.I5 Land Disturbance
- ☐ IO.403.I6 Defensible Space

- ☐ IO.405 Parking and Access - MEETS / DOES NOT MEET / EXCEEDS / NA

IO.406 Architectural Design - MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.406.3 Single household detached and two to four household residence design
- ☐ IO.406.4 Single household attached and multiple household residence design
- ☐ IO.406.6 Commercial, office, public, institutional and mixed-use building design
- ☐ IO.406.7 Industrial building design

IO.407 Landscaping - MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.407.3 General Standards
- ☐ IO.407.4 Required Landscaping: single, two, three and four household dwellings
- ☐ IO.407.5 Required Landscaping: non-residential and 5+ household residential development
- ☐ IO.407.6 Materials, Maintenance and Replacement
- ☐ IO.407.7 Irrigation
- ☐ IO.407.8 Tree Preservation and Removal
- ☐ IO.407.9 Tree Protection During Construction
- ☐ IO.407.10 Required Site Furniture

- ☐ IO.408 Fences and Walls - MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.409 Outdoor Lighting - MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.410 Signs - MEETS / DOES NOT MEET / EXCEEDS / NA

Chapter 6 Subdivision Standards - MEETS / DOES NOT MEET / EXCEEDS / NA

- ☐ IO.602 Applicability and exceptions
- ☐ IO.603 – IO.608 Lot Division and Adjustment Processes
- ☐ IO.609 Parkland and open space dedication
- ☐ IO.610 Pedestrian and Bicycle Facilities
- ☐ IO.611 Street Classification
- ☐ IO.612- IO.613 Street Design
- ☐ IO.614 Driveway and Easements
- ☐ IO.615 Road Adequacy Standards

- ☐ Chapter 7 Historic Preservation - MEETS / DOES NOT MEET / EXCEEDS / NA

Community INFORMATION

Welcome to Active Adult Living, NorthStar style. Opening Fall 2020, come home to your own personal oasis where you will enjoy an all-inclusive lifestyle featuring an active social calendar, healthy living, and resort-style amenities. Kick back and relax at our expansive pool and sundeck or sit in our luxurious hot tub. We didn't forget about your furry friends either, as they will enjoy a quarter-acre dog park equipped with plenty of shade for you to enjoy! After a long day of errands, stop by our culinary kitchen and pour yourself a glass of wine to take outside while you join the rest of your community in a game of pickleball or bocce ball. See why NorthStar is the place to call home!



Let our chef grill your protein to perfection at our Grill Master Event. Bring down your seasoned beef, chicken, fish, pork, or vegetables and our chef will grill it up.
March 20th at 6pm



Have your tech and smart device questions with our Tech class in March. All device questions are welcome!
March 12th at 11:30am

Social BUTTERFLY
OUR RESIDENT'S SPECIAL ACTIVITIES
DO YOU HAVE AN ACTIVITY?
Let us Know! We have residents looking to form a Bridge Group, Cards Group, Book Club, Garden Club, Restaurant Group and More!
Please visit the office or send your requests to
info@fitcasa.com



Try your luck at bowling the perfect game at our Wii Bowling event. No experienced required, no heavy lifting. Stop in and bowl a game with friends!
March 12th at 1pm



Welcome Chef David to the community for a cooking demo featuring grilled fish tacos.
March 3rd at 11am



Joker & Chicken Foot
Tuesdays & Fridays at 6:30pm

Checkers & Chess
Thurs. Mar. 26th at 2:30pm

Bingo
Saturdays at 4pm

Bridge
Saturdays at 7pm

Bunco!
Mar. 26th at 7pm



STAY FIT

Chair Yoga
Monday Mornings at 9:30am
A Yoga class for All Levels!

Tap Dance
Wed. Mar. 4th & 18th at 11am
Tap Shoes Not Required

Silver Sneakers
Friday Mornings at 10am
Cardio & Strength Training

Move & Stretch
Sat. Mornings at 9:30am
Light Stretch Class for All!

Line Dancing
Sat. Mar. 14th & 28th at 3pm
All Levels Welcome!



Let's get crafty with a spring themed raft on Thursday, March 26th at 1pm in the Multipurpose Room. Please RSVP to ensure we have enough supplies.



Welcome

TO THE NEXT VIBRANT CHAPTER OF YOUR LIFE

March 2020

(512) 591-4956
2211 Westinghouse Rd
Georgetown, TX 78626

Community Potluck

Please bring an appetizer, salad, side dish, entree, or dessert to our community potluck Friday, March 6th at 6pm. Non-alcoholic beverages and a specialty cocktail will be served. We have some serious chefs in the community; can't wait to see what everyone brings!

St. Patrick's Happy Hour

Wear your green and join us on Monday, March 16th for a festive St. Patrick's Happy Hour. Enjoy themed food and ice cold beer as we celebrate Irish style!

Birthday Celebration and Live Music

Get down with some great tunes, ice cold beverages, and sweet treats at our monthly Birthday Celebration and Live Music March 25th at 6pm!

Take and Bake Pizza

Create a Pizza masterpiece with our Take and Bake Pizza Night Tuesday, March 31st at 5pm! Grab a crust, add the sauce, cheese, and a selection of fresh toppings. Then, head home to bake. A hot, delicious, custom pizza in your home; yummy! RSVP is required to participate.

Quarter Bingo - Friday March 20th at 4pm

Get your pot of gold! Please bring quarters for a chance to win a big pot!



To RSVP for Events
Please Call (855) 398-2272



In this ISSUE

- Let's Get Crafty
- Grill Master Time
- Cooking Class
- Let's Bowl
- Community Events



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 6:30pm Resident Social Hour (Resident Event)	2 9:30am Chair Yoga	3 3pm Chef David Cooking Class 6:30pm Joker and Chicken Foot - (Resident Event)	4 9:30am Donut Social 9:45am Garden Club Interest Discussion 10am Bocce Ball (Res. Event) 11am Tap Dance Class	5 1:30 & 6:30pm Movie Showing: To Kill A Mockingbird	6 10am Silver Sneakers Fitness 6pm Community Potluck 6:30pm Joker and Chicken Foot (Resident Event)	7 9:30am Move & Stretch 4pm Bingo (Resident Event) 7pm Bridge (Resident Event)
8 1:30 & 6:30pm Movie Showing: You've Got Mail <i>Spring A head Remember to Adjust Your Clocks!</i>	9 9:30am Chair Yoga 1:30 & 6:30pm Movie Showing: Second Hand Lions	10 6:30pm Joker and Chicken Foot - (Resident Event)	11 9:30am Donut Social 10am Bocce Ball (Res. Event)	12 11:30am Tech Class 1pm Wii Bowling	13 10am Silver Sneakers Fitness 6:30pm Joker and Chicken Foot (Resident Event)	14 9:30am Move & Stretch 3pm Line Dancing 4pm Bingo (Resident Event) 7pm Bridge (Resident event)
15 6:30pm Resident Social Hour (Resident Event)	16 9:30am Chair Yoga 1pm Book Club (Resident Event) 6pm St. Patrick's Happy Hour	17 6:30pm Joker and Chicken Foot - (Resident Event) 	18 9:30am Donut Social 10am Bocce Ball (Res. Event) 11am Tap Dance Class	19 1:30 & 6:30pm Movie Showing: Ford vs Ferrari	20 10am Silver Sneaker Fitness 4pm Quarter Bingo 6pm Grill Master 6:30pm Joker and Chicken Foot - (Resident Event)	21 9:30am Move & Stretch 4pm Bingo (Resident Event) 7pm Bridge (Resident Event) <i>1st Day of Spring</i>
22 1:30 & 6:30pm Movie Showing: Marriage Story	23 9:30am Chair Yoga	24 6:30pm Joker and Chicken Foot - (Resident Event)	25 9:30am Donut Social 10am Bocce Ball (Res. Event) 6pm Birthday Celebration & Live Music	26 1pm Let's Get Crafty 2:30pm Checkers & Chess (Resident Event) 6pm Bunco!	27 10am Silver Sneaker Fitness 6:30pm Joker and Chicken Foot - (Resident Event)	28 9:30am Move & Stretch 3pm Line Dancing 4pm Bingo (Resident Event) 7pm Bridge (Resident Event)
29 6:30pm- Resident Social Hour (Resident Event)	30 9:30am Chair Yoga	31 5pm Take & Bake Pizza Night 6:30pm Joker and Chicken Foot - (Resident Event)				



Senior Transitions of Austin

"Your Trusted Source for Home Transitions"



Senior Transitions of Austin, LLC is a **women-led NASMM accredited company**. We are Senior Move Managers that cater to anyone in need of lifestyle transition turn-key services.

Whether it's downsizing to a new home, independent living, or assisted care – we do it all. We pack all of your belongings, help you downsize, organize, and even donate to the charity of your choice. We coordinate your move with an insured moving company and oversee the entire project from start to finish. When all of your belongings reach its destination, our friendly and skilled staff unpack and interior decorate your new home.

We work with our real estate partners and provide clean out services to expedite the sale of your home.

Our goal is to alleviate the stress as part of this transition by helping you relax, so you can love where you live. Choose us, and let us simplify your move today.

Phone: (512) 766-7014

Email: info@seniortransitionsofaustin.com

Website: www.SeniorTransitionsOfAustin.com





Senior Transitions of Austin

"Let Us Simplify Your Move Today"

Let's Begin

We will begin by meeting with you, for a free consultation, to gain a better understanding of your current home and lifestyle.

Careful Analysis

We will listen carefully to your future wants and needs as well as your budget and time frame. We will then analyze your new space and craft a detailed floor plan to determine what will move with you and present options for items you are parting with.

New Furnishings?

If you would like new furnishings, we can shop with you or for you to find the perfect items for your new space. Also, we can professionally stage your existing home and even help you find a Realtor if you do not already have one.

Moving Process

With our experience and local expertise, we can guide you through each step of your moving process. Our team will fully coordinate the packing and moving process so you remain stress free.

Setting Up

On your move day we will direct the movers, unpack, set-up, and tastefully decorate your new space to make sure you feel at home and love where you live.

Welcome Home

When you arrive, the furniture will be arranged, beds made, kitchen and bathrooms set up, and pictures hung. We can proudly say, "Welcome to your new home!"

Phone: (512) 766-7014

Email: info@seniortransitionsofaustin.com

Website: www.SeniorTransitionsOfAustin.com



NASMM

National Association of
Senior Move Managers

Premier Providers of Senior Relocation

SURVEYOR'S NOTES:

- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.00011.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

Source information from plans and markings will be combined with observed evidence of utilities pursuant to Section S.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

Utility locations are per observed evidence.

ALTA/NSPS NOTES

- Regarding Table "A" Item 2: Property address: "HWY 79, HUTTO, TX 78634" according to Williamson County Appraisal District.
- Regarding Table "A" Item 7(a): No buildings were observed at time of survey
- Regarding Table "A" Item 14: The southeast corner of the site is approximately 810 feet northwest of the intersection of 79 and Exchange Boulevard.
- PARKING SUMMARY**

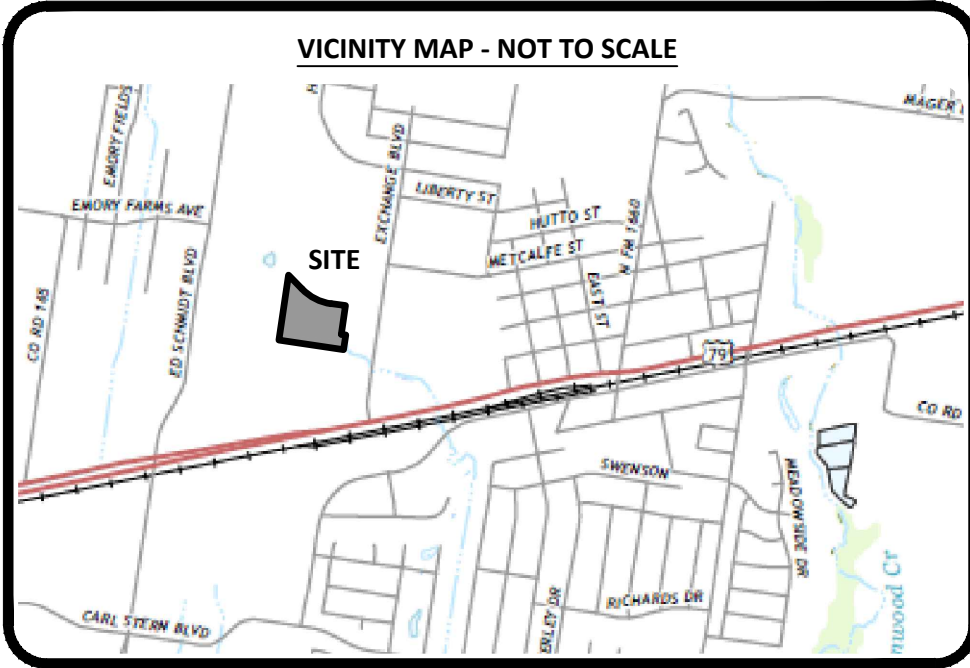
STRIPED UNMARKED SPACES: 0
STRIPED HANDICAP-MARKED SPACES: 0

LEGEND OF ABBREVIATIONS

- D.R.W.C.T. DEED RECORDS, WILLIAMSON COUNTY, TEXAS
- P.R.W.C.T. PLAT RECORDS, WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET

ALTA/NSPS LAND TITLE SURVEY

A TRACT SITUATED IN THE
NATHANIEL EDWARDS SURVEY, ABSTRACT #225
CITY OF HUTTO
WILLIAMSON COUNTY, TEXAS



PROPERTY DESCRIPTION

BEING a tract of land out of the Nathaniel Edwards Survey, Abstract Number 225, Williamson County, Texas, and being a portion of that tract of land described by deed to Kalogridis and Kalogridis Development, LLC, as recorded under Document Number 2017118415, Official Public Records of Williamson County, Texas, the subject tract being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with cap stamped "CUNNINGHAM" found in the west line of said Kalogridis tract, same being the northwest corner of the herein described tract;

THENCE through the interior of said Kalogridis tract, the following calls:

- South 44 degrees 24 minutes 09 seconds East, a distance of 243.69 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found at the beginning of a curve to the left, having a radius of 641.50 feet, with a delta angle of 38 degrees 49 minutes 22 seconds, whose chord bears South 63 degrees 48 minutes 50 seconds East, a distance of 426.40 feet;
- Along said curve to the left, an arc length of 434.67 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;
- South 83 degrees 13 minutes 31 seconds East, a distance of 189.19 feet to a 1/2 inch rebar with a cap stamped "CUNNINGHAM" found in the east line of said Kalogridis tract;

THENCE with the perimeter and to the corners of said Kalogridis tract:

- South 07 degrees 32 minutes 33 seconds West, a distance of 374.18 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;
- South 83 degrees 14 minutes 43 seconds East, a distance of 58.08 feet to a 1/2 inch rebar found;
- South 07 degrees 45 minutes 08 seconds West, passing at a distance of 165.26 feet a 1/2 inch rebar found, and continuing a total distance of 192.33 feet to a 1/2 inch rebar with an illegible cap found;
- North 82 degrees 26 minutes 48 seconds West, passing at a distance of 257.82 feet a 1/2 inch rebar with an illegible cap found, and continuing a total distance of 843.60 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;
- North 07 degrees 37 minutes 11 seconds East, passing at a distance of 19.11 feet a 1/2 inch rebar with cap stamped "CUNNINGHAM" found, passing at an additional distance of 260.28 feet to a 1/2 inch rebar with cap stamped "R" found, and continuing a total distance of 849.54 feet to the **POINT OF BEGINNING** and enclosing 11.744 acres (511,556 square feet) of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared with the benefit of a commitment for title insurance provided by Chicago Title Insurance Company, G.F. Number CTA-19A-CTA2101168ha, Effective Date May 23, 2021. This commitment was relied upon for encumbrance research, and the surveyor has performed no independent title search. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following exceptions from Schedule "B" were addressed as follows:

Item 10(h): intentionally not addressed on survey per client request

Item 10(i): Easement as recorded under Volume 239, Page 90, Deed Records of Williamson County, Texas. (easement is centered on a pipeline not located at time of survey (no surface evidence))

Item 10(k): Easement as recorded under Volume 282, Page 425, Deed Records of Williamson County, Texas. (unable to locate easement / affected tract due to ambiguous description)

Item 10(l): Easement as recorded under Volume 282, Page 479, Deed Records of Williamson County, Texas. (unable to locate easement / affected tract due to ambiguous description)

Item 10(m): Easement as recorded under Volume 292, Page 69, Deed Records of Williamson County, Texas. (unable to locate easement / affected tract due to ambiguous description)

Item 10(n): Easement as recorded under Volume 309, Page 230, Deed Records of Williamson County, Texas. (easement contains a description which includes the subject property)

Item 10(o): Easement as recorded under Volume 355, Page 257, Deed Records of Williamson County, Texas. (unable to locate easement / affected tract due to ambiguous description)

Item 10(p): Easement as recorded under Volume 423, Page 62, Deed Records of Williamson County, Texas. (unable to locate easement / affected tract due to ambiguous description)

Item 10(q): Easement as recorded under Volume 466, Page 138, Deed Records of Williamson County, Texas. (unable to locate easement / affected tract due to ambiguous description)

Item 10(t): Easement as recorded under Volume 832, Page 108, Deed Records of Williamson County, Texas. (easement is centered on a pipeline not located at time of survey (no evidence))

Item 10(w): Easement as recorded under Document Number 2005072780, Official Public Records of Williamson County, Texas. (easement crosses the subject property, shown hereon)

Item 10(aa): Easement as recorded under Document Number 2020160115, Official Public Records of Williamson County, Texas. (easement crosses the subject property, shown hereon)

Item 10(ab): Easement as recorded under Document Number 2002050183, Official Public Records of Williamson County, Texas. (easement contains a description which includes the subject property)

SURVEYOR'S CERTIFICATE

To: CH Ventures, LLC

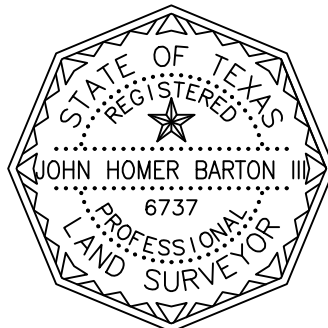
Chicago Title Insurance Company (G.F.# CTA-19A-CTA2101168ha)

Hutto Landing 3 Property Owner LP

BancorpSouth Bank

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9, & 14 of Table A thereof. The fieldwork was completed on May 21, 2021.

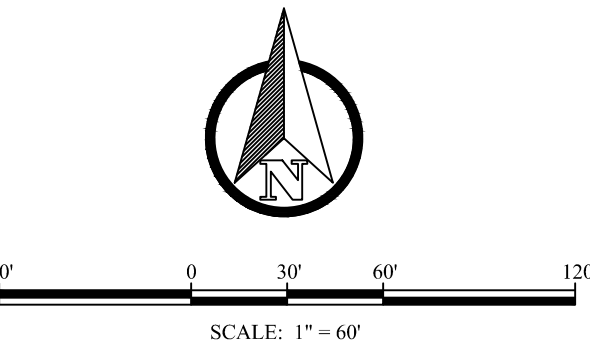
Date of Plat or Map: June 3, 2021



John H. Barton III, RPLS# 6737

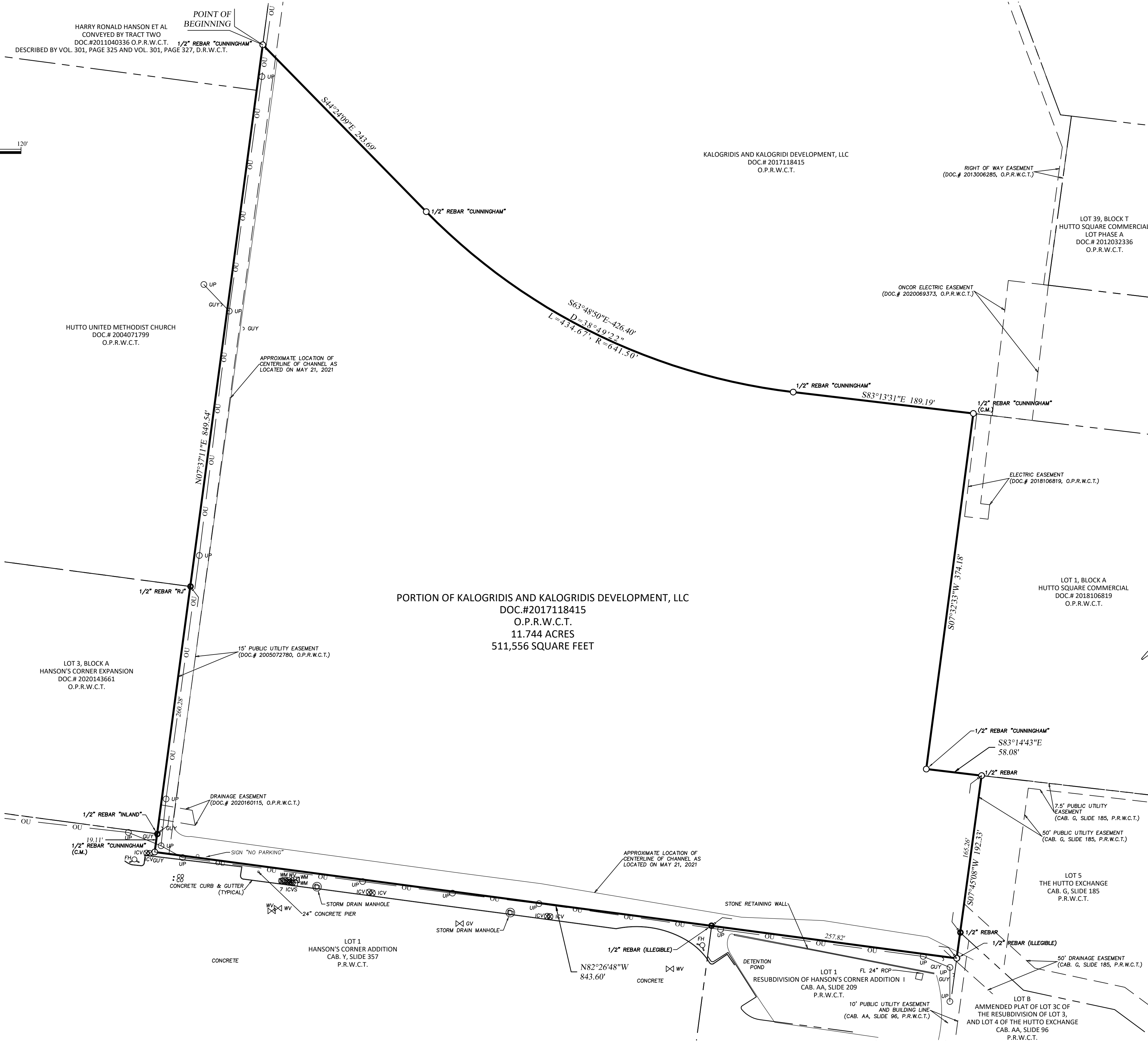
TERMS OF ACCEPTANCE OF SURVEY

This survey is issued pursuant to a real estate transaction and is appurtenant to the title commitment referenced in the "Title Commitment Notes" This survey is issued for use in such transaction. Notwithstanding any of the above statements, the surveyor has a contractual relationship with one client or entity. Review/requested revisions by other parties must be received by or through such entity. Client is responsible for reviewing survey (including, but not limited to: notations; existence or lack of spelling/grammatical/typographical errors; certified parties; dates; instruments) within thirty (30) days of the date of plat or map. After such time has passed, client accepts survey as issued, and further revisions are not embraced by the above certification. Additional or altered commitments for title insurance will require a new or re-issued survey. Please feel free to request pricing for this at info@bcsdw.com, or call (817) 864-1957.



LEGEND OF SYMBOLS

- air conditioning unit
- irrigation control valve
- cable tv
- electric meter
- fence or guardrail
- fire dept. connection
- fire hydrant
- bollard
- area drain
- grate inlet
- gas valve
- gas meter
- gas well
- sign
- sanitary sewer manhole
- storm water manhole
- telephone manhole
- tank fill lid
- telephone pedestal
- traffic signal pole
- utility clean out
- comm. utility cabinet
- electric utility cabinet
- comm. utility vault
- elect. utility vault
- water utility vault
- utility/service pole
- utility sign
- water shutoff
- water valve
- well
- water meter
- cable tv riser
- air release valve
- utility markings
- tree
- shrub/decorative tree or tree with diameter < 4 in.
- contour lines



5200 State Highway 121
Colleyville, TX 76034
Phone: 817-488-4960

JOB NO. 2021.001.192

DRAWN: BCS

CHECKED: JHB

TABLE OF REVISIONS

DATE SUMMARY

HUTTO 11 ACRES

CITY OF HUTTO,
TEXAS

SHEET:

VO1

ALTA/NSPS LAND
TITLE SURVEY

NorthStar Hutto Design Considerations (For Inclusion in PUD)

1. The development will be branded “NorthStar Hutto” (consistent with NorthStar Georgetown, an active adult community in Georgetown, TX, as well as our future active adult developments).
2. Each building will be elevator served. Based on current design, each elevator will be located proximate to the center of each building to allow for maximum efficiency relative to the walking distance (distance from units to the elevator bank).
3. Areas in bathrooms will have structural blocking installed to accommodate the installation of grab bars at the request of residents.
4. Walk-in showers will feature “low profile” shower pans as an accommodation to potential entry/exit concerns by residents.
5. The outdoor pool area will feature (i) a heated hot tub and spa, (ii) additional “extra length” railings to allow for more secure entry/exit by users and (iii) an ADA compliant pool lift apparatus.
6. Additional accessible sidewalk pathways (relative to minimum code requirements) connecting the indoor amenity area to the outdoor amenity area.
7. The outdoor amenity area will feature (i) pickleball courts, (ii) a resident garden area, (iii) a yoga/fitness lawn and (iv) expansive dog park.
8. The development will fully gated with 24/7 keycard accessible to clubhouse and amenity areas.
9. The development will feature detached, private garages for use by residents.
10. The development’s unit mix will not include any “efficiency” units typically seen in market-rate multifamily projects.

Operational Features and Amenities

1. Lifestyle, Fitness and Social Programming
 - a. Lifestyle and fitness programming will be offered and coordinated on a regular basis. Similar to NorthStar Georgetown, FitCasa (or similar provider), in conjunction with an on-site activities coordinator, will coordinate and conduct programming for residents of the community based upon a pre-determined (with resident input) monthly calendar. Activities include: Zoomba, weight training, aquatic fitness, cooking classes, trivia night, movie night, karaoke night and much more. Sample monthly calendar created in advance of the grand opening for NorthStar Georgetown.
2. Concierge
 - a. Concierge services will be provided to assist residents with all general inquiries. These inquiries would typically include (i) technology troubleshooting, (ii) transportation reservations, (iii) white glove maintenance service, (iv) any other general requests typical of a hospitality concierge.
3. Moving coordination/assistance
 - a. Moving and transition assistance will be offered to residents. NorthStar Georgetown utilized Senior Transitions of Austin (brochure attached). Services include assistance with packing, moving, space planning and unpacking/setup.

"W. LIVE OAK STREET"

Hutto, Texas

2.314 Acres

BEING a tract of land out of the Nathaniel Edwards Survey, Abstract Number 225, Williamson County, Texas, and being a portion of that tract of land described by deed to Kalogridis and Kalogridis Development, LLC, as recorded under Document Number 2017118415, Official Public Records of Williamson County, Texas, the subject tract being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83):

BEGINNING at a 1/2 inch rebar with cap stamped "CUNNINGHAM" for the easternmost southeast corner of said Kalogridis tract and the herein described tract, same being the easternmost northeast corner of Lot 1 in Block 1 of Hutto Square Commercial, an addition in Williamson County, Texas according to plat recorded in Document Number 2018106819 of the Official Public Records Williamson County, Texas;

THENCE North 36 degrees 52 minutes 25 seconds West, with the northeast line of said Lot 1, a distance of 28.93 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;

THENCE North 83 degrees 13 minutes 31 seconds West, with the north line of said Lot 1 passing at a distance of 312.66 a 1/2 inch rebar with cap stamped "CUNNINGHAM" found for the northwest corner of said Lot 1 and continuing through the interior of said Kalogridis tract a total distance of 501.85 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found at the beginning of a tangent curve to the right having a radius of 641.50 feet, with a delta angle of 38 degrees 49 minutes 22 seconds, whose chord bears North 63 degrees 48 minutes 50 seconds West a distance of 426.40 feet;

THENCE Through the interior of said Kalogridis tract and along said tangent curve to the right an arc length of 434.67 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;

THENCE North 44 degrees 24 minutes 09 seconds West, through the interior of said Kalogridis tract a distance of 243.69 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found in the west line thereof;

THENCE North 07 degrees 37 minutes 11 seconds East, with the west line of said Kalogridis tract, a distance of 105.30 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;

THENCE South 44 degrees 24 minutes 09 seconds East, through the interior of said Kalogridis tract, a distance of 308.48 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found at the beginning of a tangent curve to the left having a radius of 558.50 feet, with a delta angle of 38 degrees 49 minutes 22 seconds, whose chord bears South 63 degrees 48 minutes 50 seconds East, a distance of 371.23 feet;

THENCE Through the interior of said Kalogridis tract and along said tangent curve to the left, an arc length of 378.43 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;

"W. LIVE OAK STREET"

Hutto, Texas

2.314 Acres

THENCE South 83 degrees 13 minutes 31 seconds East, through the interior of said Kalogridis tract, a distance of 501.85 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found;

THENCE North 50 degrees 25 minutes 23 seconds East, through the interior of said Kalogridis tract, a distance of 38.01 feet to a 1/2 inch rebar with cap stamped "CUNNINGHAM" found in the east line of said Kalogridis tract;

THENCE South 09 degrees 30 minutes 23 seconds West, with the east line of said Kalogridis tract, a distance of 131.59 feet to the **POINT OF BEGINNING** and enclosing 2.314 acres (100,779 square feet) of land, more or less.


9/23/2021
John H. Barton III, RPLS# 6737



Planned Unit Development (PUD) NorthStar Hutto Apartments

Statement of Intent

NorthStar Hutto (the “Project”) is a proposed “active adult” community seeking a rezoning of its property from Multi-Family (MF) Zoning to a Multi-Family PUD (MF/PUD) zoning designation. This designation request is being made on the basis that some of the design requirements may not be translatable to the design of this development type (i.e., active adult community) and would most appropriately be developed as a Planned Unit Development constructed under modified development guidelines unique to the property use. Once complete, the Project will provide attractive housing for a currently underserved demographic within the City of Hutto.

The proposed Project is a multi-family (high density) development that will be utilized mostly by residents over the age of 55. As per our experience on other active adult 55+ projects, the likelihood is that the average resident age will be approximately 70 years of age (with general range from 55 to 80). The Project will incorporate unique design elements which are necessary to accommodate and provide a living experience which has been tailored to both the desires and needs of the demographic who will reside at the Project. The most prevalent attributes seek to facilitate (1) affordability, (2) accessibility and (3) access to amenities (all of which necessitate some slight modifications to the current MF Zoning designation).

The Project is proposed as a Class-A, 3-story project comprised of 4 large buildings. In some instances, the Project’s buildings are larger than normal (as compared to conventional multifamily projects) to help facilitate convenient elevator access throughout the Project. The requested modifications to the current MF zoning designation will assist the developer in controlling construction costs (which are normally higher than a conventional multifamily project) so that the Project remains viable and ultimately allows for rents to be lower.

While there are several deviations requested from the original zoning guidelines, it should be noted that the request does not deviate from most of the PUD criteria outlined by the City of Hutto.

The PUD request meets many of the PUD criteria as outlined below:

1. The PUD is (a) consistent with the spirit of the community, neighborhood and other applicable land use and development plans, (b) compatible with the character of adjacent development or recommended land uses, (c) would not adversely affect properties near the site, and (d) achieves the benefits of improved design.
2. The PUD will not adversely affect land with significant historical, cultural, recreational, or aesthetic value.
3. The PUD, while a site-specific use, will provide benefits for its residents by providing social and recreational elements as part of the project development.
4. The PUD does not impose an extensively dense development that would affect nearby land uses, congestion of traffic, excessive lighting, trash accumulation and litter, noise, air and water pollution, and other factors affecting the public health, safety, welfare, and convenience.

5. The PUD will be served by adequate facilities including streets, fire protection, and water and sanitation.
6. The PUD does not have a significantly greater burden on the City's existing infrastructure, public improvements and services than a development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or that arrangements are made to mitigate impacts.
7. PUD architectural design, landscaping, hardscaping and signage parameters will provide evidence of compatibility with the adjacent development, internal consistency of design, and conformance to city design standards, with the exception of those outlined in the amendments attached.

As part of this request, it should be underscored that this Project will be developed with the utmost sensitivity to architectural and landscape design. The outline of the Plan Amendments, set forth by this request, will not diminish the requirements set forth in the City's development standards to provide a quality architecturally distinctive project that is a benefit to the City, as well as the residents of the community.

City of Hutto UDC / Site Criteria

10.403 Bulk, Setbacks and Buffers

- ☒ 10.403.3 Lot Dimensions and Area- **MEETS**
- ☒ 10.403.4 Building Envelope- **MEETS**
- ☒ 10.403.4.3 Riparian Setbacks- **MEETS**
- ☒ 10.403.4.5 Setback Encroachments and Exceptions- **MEETS**
- ☒ 10.403.6 Buffer yard- **MEETS**
- ☒ 10.403.7 Residential Adjacency- **MEETS**

10.404 Site Design

- ☒ 10.403.7 Siting and Orientation- **MEETS**
- ☒ 10.403.7.3 Common Open Space- **MEETS**
- ☒ 10.403.8 Siting and Orientation: non-residential sites and structures- **N/A**
- ☒ 10.403.9 Sidewalks- **MEETS**
- ☒ 10.403.10 Internal Pedestrian Circulation- **MEETS**
- ☒ 10.403.11 Signature Elements- **PROPOSED NEW**

Existing UDC

Primary vehicular entrances to businesses, office and industrial parks, shopping and commercial centers, and development in MF and MH districts, on sites at least 10 acres, must include one or more signature elements. A signature element may include:

- ☐ *Public Art, with a theme unrelated to the primary use(s) of the site.*
- ☐ *Water Feature such as water fountain or waterfall.*
- ☐ *Clock or Bell Tower.*

Proposed PUD (shown bold)

Primary vehicular entrances to businesses, office and industrial parks, shopping and commercial centers, and development in MF and MH districts, on sites at least 10 acres, must include one or more signature elements. A signature element may include:

- ☐ *Public Art, with a theme unrelated to the primary use(s) of the site.*
- ☐ *Water Feature such as water fountain or waterfall.*
- ☐ *Clock or Bell Tower.*
- ☐ ***Unique signature architectural building element.***
- ☐ ***Entry Motor court with architectural paver drives and enhanced landscaping.***

- ☒ 10.403.12 Public Transit Facilities- **N/A**
- ☒ 10.403.13 Service Areas- **MEETS**
- ☒ 10.403.14 Water Bodies and Retention- **N/A**
- ☒ 10.403.15 Land Disturbance - **MEETS**
- ☒ 10.403.16 Defensible Space - **MEETS**

10.406 Architectural Design

- ☒ 10.406.3 Single household detached and two to four household residence design- **N/A**
- ☒ 10.406.4 Single household attached and multiple household residence design-
MEETS in all areas with exception of:

10.406.4.4.3 Long walls and facades

Existing UDC

- o *The Maximum length of a multifamily residential building as 200 ft.*
- o *Wall and roof plans must have offsets or setbacks with differential in horizontal plane of at least 4 ft. every no more than 50 ft.*
- o *Up to six townhouse units may be attached in a single row.*

Proposed PUD (shown bold) / See 'Exhibit B'

- o *The Maximum length of a multifamily residential building as **(260 ft.)***
- o *Wall and roof plans must have offsets or setbacks with differential in horizontal plane of at least 4 ft. every no more than 50 ft.*
- o *Up to six townhouse units may be attached in a single row.*

10.406.4.4.7 Building Roofs

Existing UDC

- o *On buildings with pitched roofs, the minimum roof pitch is 6:12.*
- o *On building where flat roofs are the predominate roof type, parapet walls must vary in height and/or shape at least once every no more than 50 ft. along a wall.*
- o *On buildings where sloping roofs are the predominant roof type, each building must have a variety of roof forms.*
- o *Roof forms must be designed to correspond and denote building elements and functions such as entrances and arcades.*

Proposed PUD (shown bold) / See 'Exhibit A'

- o *On buildings with pitched roofs, the minimum roof pitch is **4:12**.*
- o *On building where flat roofs are the predominate roof type, parapet walls must vary in height and/or shape at least once every no more than 50 ft. along a wall.*
- o *On buildings where sloping roofs are the predominant roof type, each building must have a variety of roof forms.*
- o *Roof forms must be designed to correspond and denote building elements and functions such as entrances and arcades.*

10.406.4.5.1 Building Materials

Existing UDC

- o *Predominant building exterior materials must be high quality, and used in their natural contact and color. Masonry, stone and/or brick must be used as dominant (at least 50% of exterior surface area) exterior materials. Wood, fiber-cement siding and stucco are examples of appropriate secondary exterior materials.*
- o *A waiver to building material standards may be considered for buildings designed in a modern or postmodern architectural style.*
- o *T1-11 and other plywood-based siding materials are prohibited.*
- o *Prefabricated and pre-engineered building are prohibited.*

Proposed PUD (shown bold) / See Exhibit 'A'

- *Predominant building exterior materials must be high quality, and used in their natural contact and color. Masonry, stone and/or brick must be used as dominant (at least **30%** of exterior surface area) exterior materials. Wood, fiber-cement siding and stucco are examples of appropriate secondary exterior materials.*
- *A waiver to building material standards may be considered for buildings designed in a modern or postmodern architectural style.*
- *T1-11 and other plywood-based siding materials are prohibited.*
- *Prefabricated and pre-engineered building are prohibited.*

- ☒ 10.406.6 Commercial, office, public, institutional, and mixed-use building design- **N/A**
- ☒ 10.406.7 Industrial building design- **N/A**

10.407 Landscaping

- ☒ 10.407.3 General Standards- **MEETS**
- ☒ 10.407.4 Required Landscaping: single, two, three and four household dwellings- **N/A**
- ☒ 10.407.5 Required Landscaping: non-residential and 5+ household residential development- **MEETS in all areas with exception of:**

10.407.5.1.2 Minimum Percentages

Existing UDC

Tree and shrub requirement for commercial, multifamily, office and professional, and institutional and civic uses.

For every 500 square feet of landscaping required, or portion thereof, as least two (2) large trees and four (4) shrubs are required. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

Proposed PUD (shown bold) / See Exhibit 'C'

*Tree and shrub requirement for commercial, multifamily, office and professional, and Institutional and civic uses. For every 500 square feet of landscaping required, or portion thereof, as least **one (1) large tree** and four (4) shrubs are required. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.*

10.407.5.2 Parking lot and vehicular use screening

Existing UDC

The perimeter of all vehicular use areas included parking areas, drive aisles, and loading areas shall be screened as follow:

- *Vehicular use areas shall be screened from all abutting rights-of-way by a continuous landscaped area not less than 10 ft. deep.*
- *Vehicular use areas shall be screened from all abutting private property by a continuous landscaped area not less than 8 ft. deep.*
- *Landscape screening shall contain one (1) large tree per thirty (30) linear feet, or portion thereof, and a continuous hedge not less than 3 ft. in height.*
- *In addition to the required vehicular use screening, all outdoor parking shall have landscaping islands within the parking area equal to not less than 7% of the gross parking lot area.*

- *Landscape islands shall be required on both ends of all parking aisles, if such spaces are not adjacent to another landscaped area or entry throat.*
- *Not more than ten (10) consecutive parking spaces shall be provided without a landscaped island. • Landscape islands shall be a minimum of 9 ft. wide and 18 ft. deep, and shall contain at least one (1) large tree and four (4) shrubs.*
- *Driveways and entry throats shall contain at least one (1) large tree and five (5) shrubs on each side.*
- *Required parking lot landscaping may be counted toward the minimum landscaped area required in Section 10.407.5.1.*

Proposed PUD (shown bold)

The perimeter of all vehicular use areas included parking areas, drive aisles, and loading areas shall be screened as follow:

- *Vehicular use areas shall be screened from all abutting rights-of-way by a continuous landscaped area not less than 10 ft. deep.*
- *Vehicular use areas shall be screened from all abutting private property by a continuous landscaped area not less than 8 ft. deep **or utilization of 6 ft stained wood screen fence.***
- *Landscape screening shall contain one (1) large tree per thirty (30) linear feet, or portion thereof, and a continuous hedge not less than 3 ft. in height.*
- *In addition to the required vehicular use screening, all outdoor parking shall have landscaping islands within the parking area equal to not less than 7% of the gross parking lot area.*
- *Landscape islands shall be required on both ends of all parking aisles, if such spaces are not adjacent to another landscaped area or entry throat.*
- *Not more than ten (10) consecutive parking spaces shall be provided without a landscaped island. • Landscape islands shall be a minimum of 9 ft. wide and 18 ft. deep, and shall contain at least one (1) large tree and four (4) shrubs.*
- ⊕ *Driveways and entry throats shall contain at least one (1) large tree and **SOD.***
- *Required parking lot landscaping may be counted toward the minimum landscaped area required in Section 10.407.5.1.*

- ☒ 10.407.6 Materials, Maintenance and Replacement- **MEETS**
- ☒ 10.407.7 Irrigation- **MEETS**
- ☒ 10.407.8 Tree Preservation and Removal- **MEETS**
- ☒ 10.407.9 Tree Protection During Construction- **MEETS**
- ☒ 10.407.10 Required Site Furniture- **N/A**
- ☒ 10.408 Fences and Walls- **MEETS in all areas with exception of:**

Existing UDC:

Permitted fence in 3+ household residential area to be no more than 3.5' height in front yard.

Proposed PUD (shown bold):

Permitted fence in 3+ household residential area to be **6' maximum** height in front yard.

- ☒ 10.409 Outdoor Lighting- **MEETS**

Chapter 6 - Subdivision Standards

- ☒ 10.602 Applicability and exceptions- **MEETS**
- ☒ 10.603-10.608 Lot Division and Adjustment Processes- **MEETS**
- ☒ 10.609 Parkland and open space dedication- **MEETS**
- ☒ 10.610 Pedestrian and Bicycle Facilities- **MEETS**
- ☒ 10.611 Street Classification- **MEETS**
- ☒ 10.612- 10.613 Street Design- **N/A**
- ☒ 10.614 Driveway and Easements- **MEETS**
- ☒ 10.615 Road Adequacy Standards- **MEETS**

- ☒ **Chapter 7 – Historic Preservation- N/A**

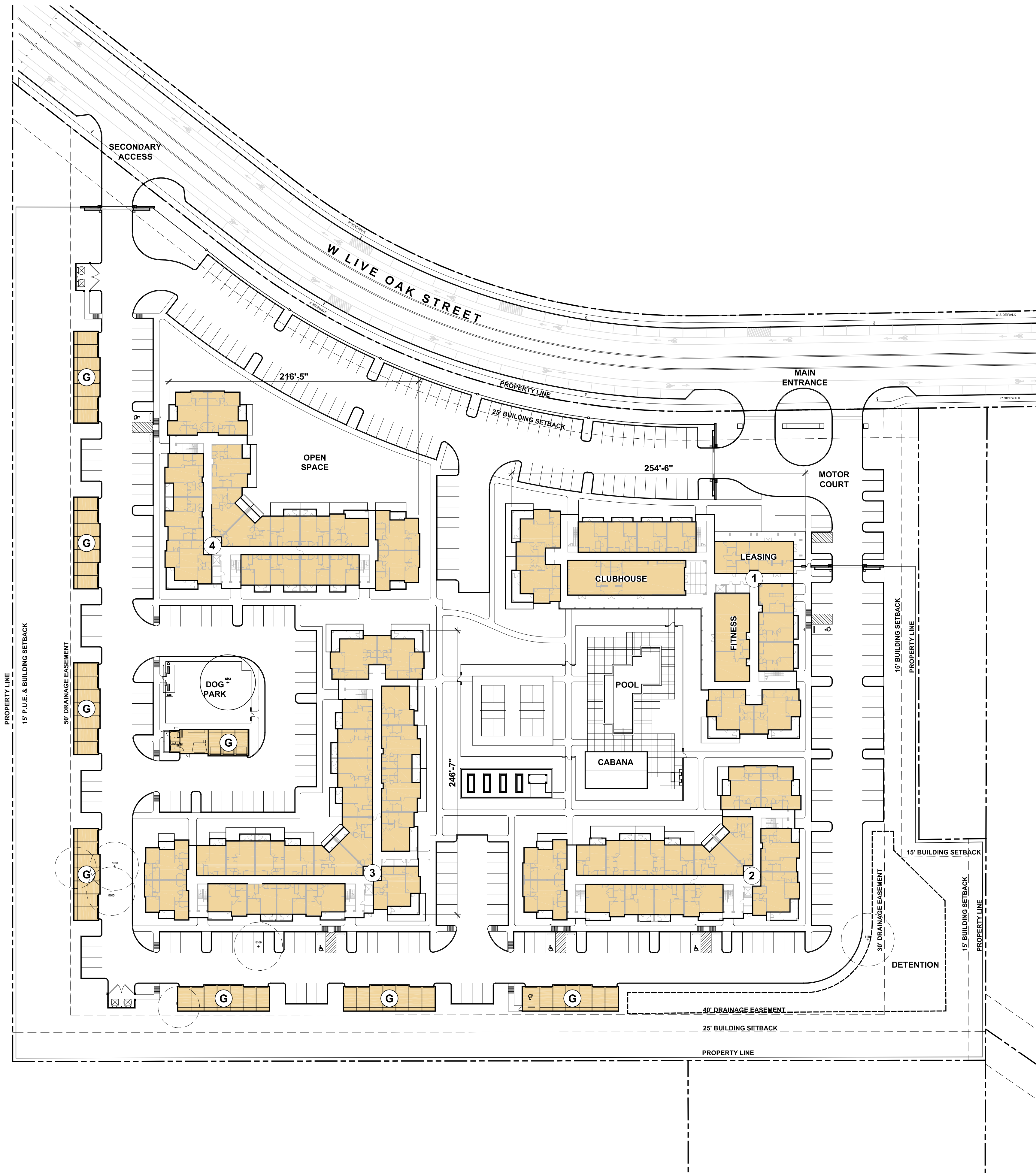
NORTHSTAR HUTTO - PUD APPLICATION EXHIBIT



CONCEPT PERSPECTIVE

NORTHSTAR HUTTO

HUTTO, TEXAS
11.05.2021

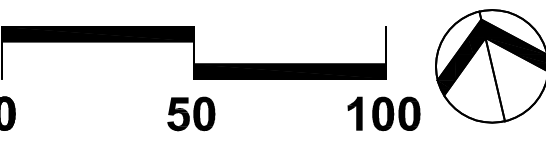


SITE TABULATIONS

TOTAL ACRES	NET USEABLE ACRES	TOTAL UNITS	NET DENSITY
11.74	9.06	216	23.84

PARKING TABULATIONS

SURFACE	DETACHED GARAGE	TOTAL PARKING	PARKING RATIO
314	52	366	1.69



PUD DEVELOPMENT PLAN - EXHIBIT B

NORTHSTAR HUTTO

HUTTO, TEXAS
11.05.2021



SITE TABULATIONS

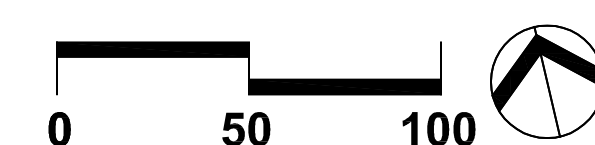
TOTAL ACRES	NET USEABLE ACRES	TOTAL UNITS	NET DENSITY
11.74	9.06	216	23.84

PARKING TABULATIONS

SURFACE	DETACHED GARAGE	TOTAL PARKING	PARKING RATIO
314	52	366	1.69

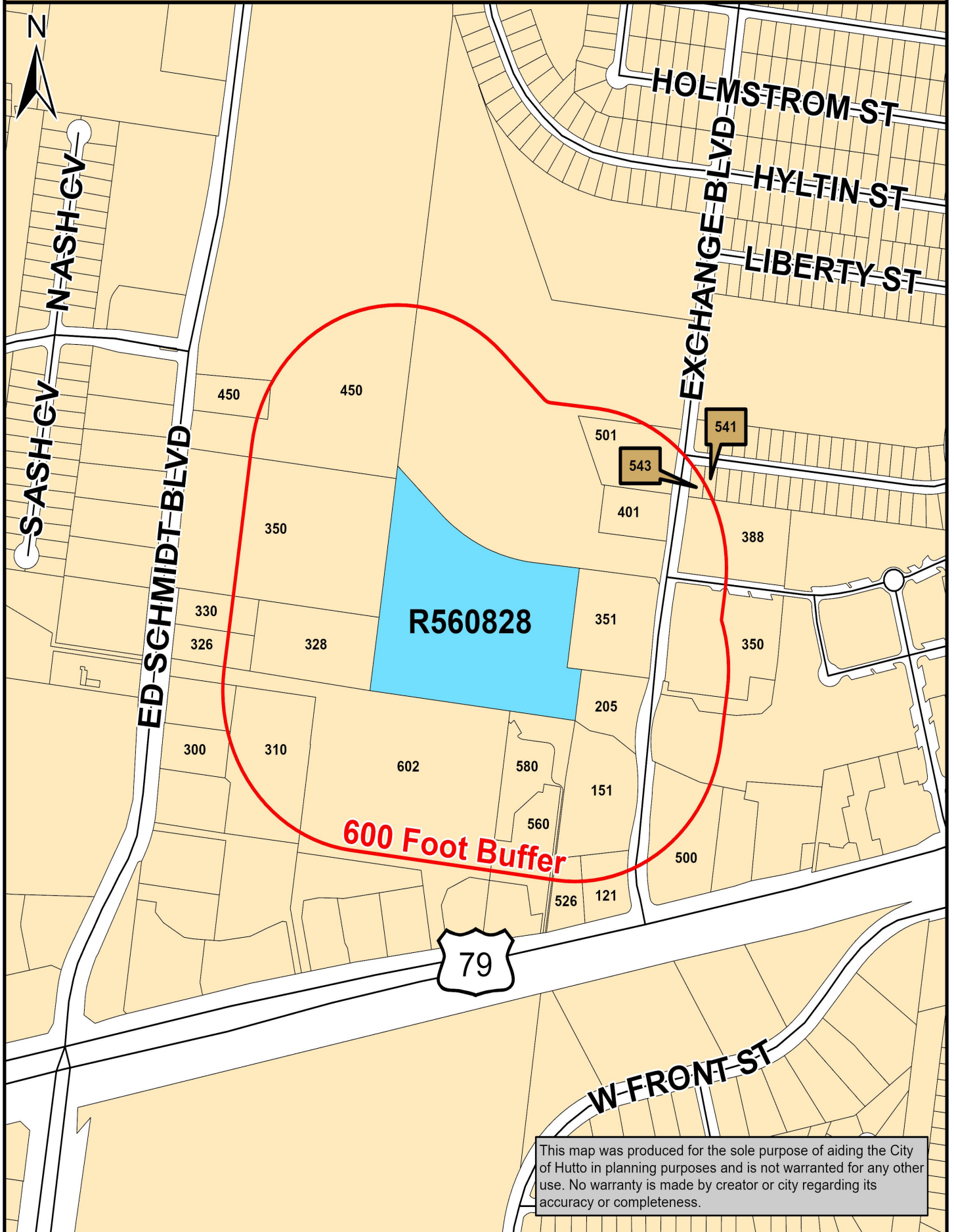
LANDSCAPE DESIGN GUIDELINES

- PROPOSED PUD TREE REQUIREMENTS
- a. 1 Large Trees for every 500sf of Landscaping Required
 - $413,782 \div 0.2 = 82,756$
 - $82,756 \div 500sf = 166$ Trees
 - 166 Large Trees Proposed
 - Exhibit does not reflect ornamental trees. Per UDC, two ornamental trees equals one large tree.



PROPOSED PUD TREE DENSITY - EXHIBIT C

NorthStar Hutto PUD



This map was produced for the sole purpose of aiding the City of Hutto in planning purposes and is not warranted for any other use. No warranty is made by creator or city regarding its accuracy or completeness.



PROPERTY OWNER NOTICE OF TWO PUBLIC HEARINGS
TO BE HELD AT THE

PLANNING & ZONING COMMISSION ON: **DECEMBER 7, 2021**
CITY COUNCIL ON: **JANUARY 6, 2022**
MEETING LOCATION: **500 W. Live Oak St. – City Hall**
MEETING TIME: **7:00 PM**

Notice is hereby given to all interested persons that the **HUTTO PLANNING AND ZONING COMMISSION** and **HUTTO CITY COUNCIL** will hold two separate public hearings regarding the proposed zoning change request for the property known as **NorthStar Hutto Planned Unit Development (PUD)**, 11.74 acres, more or less, of land, located off of Exchange Boulevard. The land use proposal is active adult 55+ multi-family use.

As one of the owners of property located within 600 feet of the subject properties, you are invited to attend this meeting to voice your support or opposition. Detailed information will be available on the City of Hutto website under Planning and Zoning Commission agenda/packet information at least 72-hours before the meeting date here: http://www.huttotx.gov/residents/services/planning_and_zoning_commission_agendas_and_minutes.php or City Council agenda/packet information at least 72-hours before the meeting date here: http://www.huttotx.gov/residents/services/city_council_agendas_minutes_and_packets.php. You may also do one of the following before the meeting date:

1. Mail this form to: Development Services, 500 W. Live Oak Street, Hutto, TX 78634.
2. Email your response to: planning@huttotx.gov Include case name, public hearing date, your name and address, and if you are in favor or against the rezoning including comments.

For additional information you may contact the Development Services-Planning staff at (512) 759-3479 or planning@huttotx.gov.

=====

SURROUNDING PROPERTY OWNER'S RESPONSE

Project Name: Zoning change request for the property known as **NorthStar Hutto Planned Unit Development (PUD)**, 11.74 acres, more or less, of land, located off of Exchange Boulevard.

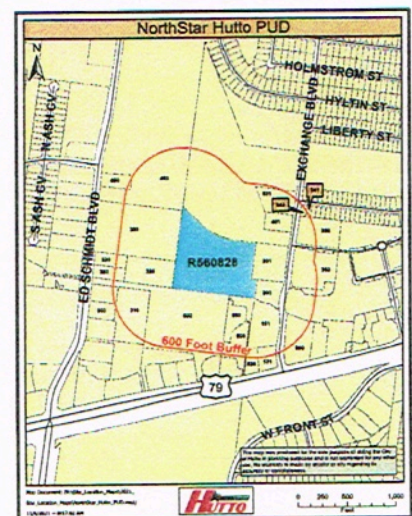
Name: 21044 SHERMAN WAY, LLC - STEVE McCoy
Address: 560 US-79

☒ **I AM IN FAVOR**

☐ **I OBJECT**

Write comments below, attach additional pages if needed.

SITE LOCATION MAP



ORDINANCE NO. 2022-0

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HUTTO, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO CHANGE THE ZONING FOR 11.74 ACRES, MORE OR LESS, OF LAND, TO BE KNOWN AS NORTH STAR PLANNED UNIT DEVELOPMENT (PUD) BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETING CLAUSE, PENALTY CLAUSE AND EFFECTIVE DATE.

WHEREAS, a request has been made to the City Council of the City of Hutto, Texas to amend the Official Zoning Map to zone the property described in **Exhibit "A"** being hereto and incorporated herein, and;

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed amendment on the 7th day of December, 2021, and;

WHEREAS, on the 6th day of January, 2022, after proper notification, the City Council held a public hearing on the requested amendment, and;

WHEREAS, the City Council determines that the zoning ordinance amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Article 14.02.002, Code of Ordinances (2007 Edition), City of Hutto, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

SECTION I.

That the City Council has considered and made findings on the following matters regarding the proposed amendment:

- 1) The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design; and
- 2) The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value; and
- 3) The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design; and
- 4) The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site; and
- 5) The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience; and

- 6) The PUD will be served by adequate facilities including streets, fire protection, water and sanitation; and
- 7) The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or arrangements are made to mitigate impacts; and
- 8) PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

That the Official Zoning Map of the City of Hutto, Texas, is hereby amended so that the zoning classification of the property described in **Exhibit "A"**, attached hereto and incorporated herein shall be, and is hereafter changed from MF (Multi Family Residential) Zoning District to now be designated as PUD (Planned Unit Development) Zoning District and is designated as the North Star Planned Unit Development (PUD), this includes the Development Plan described in **Exhibit "B"** attached hereto and incorporated herein.

SECTION II. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION III. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION IV. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION V. Open Meeting Clause

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

SECTION VI. Effective Date

This ordinance shall take effect and be in force from and after its passage.

READ and **APPROVED** on second reading on this the **6th** day of **January, 2022** at a meeting of the Hutto, Texas City Council; there being a quorum present.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED and **ADOPTED** on second reading of ordinance this **6th** day of **January, 2022** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor Pro Tem

Attest:

Holly Nagy, City Secretary

AGENDA ITEM REPORT

11.1.



To: City Council
Subject: Consideration and possible action on Resolution R-2022-033 approving the Transportation Impact Fee Credit and Developer Participation Agreement between the City of Hutto and MA Durango Farms, LLC, in the amount of \$1,017,080.00; and authorizing the Interim City Manager to execute the agreement. (Matt Wojnowski, Legal)
Meeting: Thursday, April 7, 2022
Department: Engineering /
Staff Contact:

BACKGROUND INFORMATION:

MA Durango Farms, LLC, ("Owner") is the owner of approximately 105.60 acres in Williamson County, Texas (the "Property") located within the corporate boundaries of the City. The Owner desires to proceed with development of the Property pursuant to a Development Plan, which identifies the on-site and/ or off-site transportation facilities necessary for serving full development of the Property.

The City has adopted a Transportation Impact Fee program pursuant to Texas Local Government Code Chapter 395, codified in City Code Chapter 30, Article VIII, et seq., as amended, by Ordinance No. O-18-07-19-9A, under which impact fees are imposed on new development for impacts to the City's transportation facilities because of said development. Transportation impact fees are collected and must be spent by the City on impact fee eligible transportation facilities identified within the City's adopted Transportation Impact Fee Capital Improvements Plan for the Service Area ("TIP"), as amended, within the service area(s) in which the new development is located. The Impact Fee Program provides for credits against impact fees for contribution of land, improvements or funding for construction of any System Facility that is required or agreed to by the City, identified as impact fee eligible on the adopted TIP. The Property is located within the City's Transportation Service Area. The City has determined the maximum transportation impact fees to be assessed against new development within service area to be \$2,396.00 per service unit (vehicle-miles of demand), and has set the Transportation Impact Fee Collection Rate per service unit as \$1,960.78; and

The Owner has filed with the City a Transportation Impact Fee Credit Application requesting a full credit of the \$1,017,080.00 ("Fee"). Certain transportation facilities are identified as impact fee eligible within the City's adopted TIP and therefore eligible for impact fee credit. Owner has agreed to dedicate the right-of-way and/or construct the transportation improvements for which credits against transportation impact fees shall be granted.

SUMMARY OF REQUEST:

Staff recommends City Council approve this Resolution.

AGENDA ITEM REPORT

11.1.



STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 20220331-Hutto-Res-Approving TIF Credit Agreement MA_Partners

RESOLUTION NO. R-2022-___

A RESOLUTION OF THE CITY OF HUTTO, TEXAS, APPROVING THE TRANSPORTATION IMPACT FEE CREDIT AGREEMENT BETWEEN THE CITY OF HUTTO AND MA DURANGO FARMS, LLC, IN THE AMOUNT OF \$1,017,080.00; AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the MA Durango Farms, LLC, (“Owner”) is the owner of approximately 105.60 acres in Williamson County, Texas (the “Property”) located within the corporate boundaries of the City; and

WHEREAS, the Owner desires to proceed with development of the Property pursuant to a Development Plan, which identifies the on-site and/ or off-site transportation facilities necessary for serving full development of the Property; and

WHEREAS, the City has adopted a Transportation Impact Fee program pursuant to Texas Local Government Code Chapter 395, codified in City Code Chapter 30, Article VIII, et seq., as amended, by Ordinance No. O-18-07-19-9A, under which impact fees are imposed on new development for impacts to the City’s transportation facilities because of said development; and

WHEREAS, transportation impact fees are collected and must be spent by the City on impact fee eligible transportation facilities identified within the City’s adopted Transportation Impact Fee Capital Improvements Plan for the Service Area (“TIP”), as amended, within the service area(s) in which the new development is located; and

WHEREAS, the Impact Fee Program provides for credits against impact fees for contribution of land, improvements or funding for construction of any System Facility that is required or agreed to by the City, identified as impact fee eligible on the adopted TIP; and

WHEREAS, the Property is located within the City’s Transportation Service Area; and

WHEREAS, the City has determined the maximum transportation impact fees to be assessed against new development within service area to be \$2,396.00 per service unit (vehicle-miles of demand), and has set the Transportation Impact Fee Collection Rate per service unit as \$1,960.78; and

WHEREAS, the Owner has filed with the City a Transportation Impact Fee Credit Application requesting a full credit of the \$1,017,080.00 (“Fee”); and

WHEREAS, certain transportation facilities are identified as impact fee eligible within the City’s adopted TIP and therefore eligible for impact fee credit; and

WHEREAS, Owner has agreed to dedicate the right-of-way and/or construct the transportation improvements for which credits against transportation impact fees shall be granted; and

WHEREAS, the City Council desires to authorize the Interim City Manager to execute the Transportation Impact Fee Credit Agreement, attached as Exhibit A.

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

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this

Resolution as if fully set forth herein.

SECTION 2: That the Hutto City Council hereby approves and authorizes the Interim City Manager to execute the agreement, attached as Exhibit A, a copy of same being attached hereto and incorporated herein for all purposes.

SECTION 3: 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.

RESOLVED this ____ day of March, 2022.

Mike Snyder, Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

Dorothy Palumbo
City Attorney

By: _____
Cristian Rosas-Grillet
Assistant City Attorney

TRANSPORTATION IMPACT FEE CREDIT AGREEMENT

THIS TRANSPORTATION IMPACT FEE CREDIT AGREEMENT (the “Agreement”) is made and entered into effective as of the Effective Date (as defined below), by and among THE CITY OF HUTTO, TEXAS (the “City”), a Texas home rule municipal corporation, and MA Durango Farms, LLC, a Texas limited liability company authorized to do business in Texas (the “Owner”) (the City and the Owner a “Party,” and collectively, the “Parties”).

RECITALS

WHEREAS, the Owner is the owner of approximately 105.60 acres in Williamson County, Texas, as described by metes and bounds in Exhibit A (the “Property”) located within the corporate boundaries of the City. A map of the Property showing its location is attached hereto as Exhibit B; and

WHEREAS, the Owner desires to proceed with development of the Property as described or illustrated on the Development Plan, attached hereto as Exhibit C, which identifies the on-site and/ or off-site transportation facilities necessary for serving full development of the Property; and

WHEREAS, the City has adopted a Transportation Impact Fee program pursuant to Texas Local Government Code Chapter 395, codified in City Code Chapter 30, Article VIII, et seq., as amended, by Ordinance No. O-18-07-19-9A, under which impact fees are imposed on new development for impacts to the City’s transportation facilities because of said development; and

WHEREAS, transportation impact fees are collected and must be spent by the City on impact fee eligible transportation facilities identified within the City’s adopted Transportation Impact Fee Capital Improvements Plan for the Service Area (“TIP”), as amended, within the service area(s) in which the new development is located; and

WHEREAS, the Impact Fee Program provides for credits against impact fees for contribution of land, improvements or funding for construction of any System Facility that is required or agreed to by the City, identified as impact fee eligible on the adopted TIP; and

WHEREAS, the Property is located within the City’s Transportation Service Area; and

WHEREAS, the City has determined the maximum transportation impact fees to be assessed against new development within service area to be \$2,396.00 per service unit (vehicle-miles of demand), and has set the Transportation Impact Fee Collection Rate per service unit as \$1,960.78; and

WHEREAS, the Owner has filed with the City a Transportation Impact Fee Credit Application (the “Credit Application”), attached as Exhibit H, requesting a full credit of the \$1,017,080.00 (“Fee”); and

WHEREAS, the Fee is calculated based by multiplying the New Development Vehicle Miles, which were calculated as described in Exhibit G, resulting in a Fee of \$1,017,080.00; and

WHEREAS, certain transportation facilities depicted on Exhibit D are identified as impact fee eligible within the City’s adopted TIP and therefore eligible for impact fee credit; and

WHEREAS, Owner has agreed to dedicate the right-of-way and/or construct the transportation improvements shown on Exhibit D for which credits against transportation impact fees shall be granted; and

NOW, THEREFORE, for and in consideration of the mutual agreements, covenants, and conditions contained herein, and other good and valuable consideration, the City and the Owner hereby covenant and agree as follows:

1. Recitals. The recitals contained in this Agreement are true and correct as of the Effective Date and form the basis upon which the Parties negotiated and entered into this Agreement.
2. Transportation Improvements. Owner agrees to dedicate the rights-of-way for and/or construct the system facilities identified in Exhibit D. For any transportation improvement which has been previously dedicated or constructed by Owner on the Property and accepted by the City prior to execution of this Agreement, the improvement shall be identified as completed on Exhibit D.
3. Credits. The City agrees to credit transportation impact fees for the Project and the development of the Property in the amount of \$1,017,080.00 as allowed by Section XIV of Ordinance O-18-07-19-19A, Transportation Impact Fee Ordinance, which authorizes the City to credit the contribution of land, improvements or funding for construction of a "System Facility" (as defined in Ordinance O-18-17019-19A) that is required or agreed to by the City. The Parties agree that the estimated value for the transportation improvements subject to this Agreement, expressed in current dollars, shall be as set forth in Exhibit E.
4. Phasing. The Parties acknowledge that, where it is anticipated that the project will be developed in phases, the anticipated construction of improvements by phase shall be as depicted in Exhibit D, which is attached hereto and incorporated herein by reference.
5. Allocation of Credits by Phase. The general allocation of credits to each phase of the development shall be as shown on Exhibit F, which is attached hereto and incorporated herein by reference. The Parties agree that the credits identified in this Agreement shall not be deemed to have been created until the system facility for which credit is to be granted has been dedicated and accepted (in the case of right-of-way) or constructed and final acceptance by the City has been obtained. The Parties further agree that, prior to the application of a credit against transportation impact fees otherwise due for any unit of development; the following events shall take place:
 - (a) The number of credits resulting from such improvement has been valued; and
 - (b) Concurrent with final plat approval, a credit allocation shall be provided by the developer for the phase of development to which the credit is to be applied, which allocation may either assign the credit, expressed in dollars, to each finally platted lot or may create a credit-pool to be utilized by that phase of development.

6. Term and Effective Date. The initial term of this Agreement shall be ten (10) years from its Effective Date.

7. Agreement to Run with the Land. Owner shall have the right to assign this Agreement to any person or entity ("Owner's Assignee") with the written consent of the City, provided: (a) the assignment is in writing executed by the Owner and its assignee; and (b) the assignment incorporates this Agreement by reference and binds the Owner's Assignee to perform (to the extent of the obligations assigned) in accordance with this Agreement. Each Owner's Assignee shall become a Party to this Agreement upon the execution of such assignment. In no event may this Agreement be construed to authorize assignment of any credits attributable to a system facility to be dedicated or constructed hereunder for use outside the boundaries of the Property.

8. Amendment. This Agreement shall not be modified or amended except as follows:

(a) Any amendment or modification to this Agreement or any Exhibit or schedule hereto shall be in writing and signed by the Parties.

(b) Any revision, amendment, or modification to this Agreement, the Development Plan, or any Exhibit or schedule thereto, shall become effective on the date executed by the Parties or, as applicable, upon the date of approval by the City Council or designated city official.

9. Exhibits. The exhibits attached to this Agreement are incorporated as part of this Agreement for all purposes as if set forth in full in the body of this Agreement.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement to be effective as of the date subscribed by the City's City Manager.

CITY OF HUTTO, TEXAS

OWNER

MA Durango Farms, LLC
a Texas limited liability company

Isaac Turner
Interim City Manager

David Howell
Owner

APPROVED AS TO FORM:

City Contract Compliance Manager:

By signing, I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.

ATTEST:

EXHIBIT LIST

A	Description of the Property
B	Map of Property
C	Development Plan
D	Eligible Transportation Improvements
E	Opinion of Probable Cost for Transportation Improvements
F	Allocation of Credits
G	Durango Farms Transportation Impact Fee Credit Worksheet
H	TIF Credit Application

Williamson County, Texas
 J. Shelton Survey, Abstract No. 560
 E. Thomason Survey, Abstract No. 844
 W.J. Brown Survey, Abstract No. 105

94.560 Acres
 Page 1 of 3

"EXHIBIT _"

DESCRIPTION OF 94.560 ACRES OF LAND IN THE J. SHELTON SURVEY, ABSTRACT NO. 560, THE E. THOMASON SURVEY, ABSTRACT NO. 844, AND THE W.J. BROWN SURVEY, ABSTRACT NO. 105, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CERTAIN CALLED 96.99 ACRE TRACT DESIGNATED AS TRACT ONE AND DESCRIBED IN THE DEED TO JERRY E. ROZNOVAK AND WIFE, HILDA ROZNOVAK OF RECORD IN VOLUME 443, PAGE 472, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 94.560 ACRES OF LAND, AS SURVEYED BY LANDDEV CONSULTING, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod with a plastic cap stamped "RJ Survey" (Grid Coordinates: N= 10,177,139.20, E= 3,174,174.80) found in the west right-of-way line of F.M. 1660, a variable-width right-of-way, in the north line of the said 96.99 acre tract, at the easterly southeast corner of a certain called 201.06 acre tract described in the deed to Billie B. Davenport of record in Volume 1079, Page 938, Deed Records of Williamson County, Texas, same being the southwest corner of a certain called 4.758 acre tract described in the deed to the State of Texas of record in Volume 476, Page 605, Deed Records of Williamson County, Texas, same being the northwest corner of a certain called 3.722 acre tract described in the deed to the State of Texas of record in Volume 476, Page 607, Deed Records of Williamson County, Texas, for the northeast corner and **POINT OF BEGINNING** of the tract described herein;

THENCE leaving the easterly southeast corner of the said 201.06 acre tract, crossing the said 96.99 acre tract, with the west right-of-way line of said F.M. 1660, and the west line of the said 3.722 acre tract, with the east line of the tract described herein, the following five (5) courses and distances:

1. with the arc of a curve to the left, having a radius of 1,186.28 feet, an arc distance of 167.73 feet, and a chord which bears S 05°38'19" E, a distance of 167.59 feet to a calculated point-of-tangency, from which a destroyed Texas Department of Transportation (TXDOT) Type-1 concrete right-of-way monument found bears S 84°08'53" W, a distance of 0.45 feet,
2. S 09°45'32" E, a distance of 467.63 feet to a Texas Department of Transportation (TXDOT) Type-1 concrete right-of-way monument found at a point-of-curvature,
3. with the arc of a curve to the right, having a radius of 1,106.28 feet, an arc distance of 335.98 feet, and a chord which bears S 01°06'29" E, a distance of 334.69 feet to a Texas Department of Transportation (TXDOT) Type-1 concrete right-of-way monument found at a point-of-tangency,
4. S 07°51'42" W, a distance of 790.50 feet to a ¾-inch iron rod found at an angle point, and
5. S 07°39'43" W, a distance of 421.01 feet to a ½-inch iron rod with a plastic cap stamped "RJ Survey" found in the west line of the said 3.722 acre tract, in the north line of a certain called 0.51 acre tract described in the deed to Nadine Carole Johnson and Dennis Johnson of record in Document No. 2006083936, Official Public Records of Williamson County, Texas, for a southeast corner of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "RPLS 1433" found in the west right-of-way line of said F.M. 1660 at the northeast corner of the said 0.51 acre tract bears S 82°31'24" E, a distance of 21.83 feet;

THENCE N 82°16'34" W, leaving the west right-of-way line of said F.M. 1660, and the west line of the said 3.722 acre tract, crossing the said 96.99 acre tract, with the north line of the said 0.51 acre tract, and with a south line of the tract described herein, a distance of 179.38 feet to a 1/2-inch iron rod with a plastic cap stamped "RJ Survey" found at the northwest corner of the said 0.51 acre tract, for a re-entrant corner of the tract described herein;

THENCE S 07°29'25" W, continuing across the said 96.99 acre tract, with the west line of the said 0.51 acre tract, with the east line of the tract described herein, a distance of 114.42 feet to a ½-inch iron rod with a plastic cap stamped "RPLS 1433" found at a re-entrant corner of the said 96.99 acre tract, at the southwest corner of the said 0.51 acre tract, same being the northwest corner of a certain called 4/5ths of an acre described in the special warranty deed with life estate to Robert W. Kaderka and wife, Bonnie Kaderka of record in Document No. 2015074295, Official Public Records of Williamson County, Texas, for an angle point in the east line of the tract described herein;

THENCE S 07°42'22" W, with the east line of the said 96.99 acre tract, with the west line of the said 4/5ths of an acre tract, and with the west line of a certain called 0.51 acre tract described in the deed to Bruce Craig Cunningham of record in Volume 1954, Page 227, Official Public Records of Williamson County, Texas, with the east line of the tract described herein, a distance of 180.55 feet to a ½-inch iron rod with a plastic cap stamped "RJ Survey" found at an angle point;

THENCE S 06°40'19" W, with the east line of the said 96.99 acre tract, with the west line of the said 0.51 acre tract, and with the west line of a certain called 0.484 acre tract described in the deed to Marla Dawn Burns of record in Document No. 9722814, Official Public Records of Williamson County, Texas, with the east line of the tract described herein, a distance of 200.68 feet to a ½-inch iron rod found in the north line of a certain called 0.480 acre tract described in the deed to John A. Drummond, Sr. of record in Document No. 9662944, Official Public Records of Williamson County, Texas, at the southwest corner of the said 0.484 acre tract, same being a southeast corner of the said 96.99 acre tract, for a southeast corner of the tract described herein;

THENCE N 81°53'59" W, with the north line of the said 0.480 acre tract and a south line of the said 96.99 acre tract, with a south line of the tract described herein, a distance of 10.57 feet to a fence corner post found at a re-entrant corner;

THENCE S 08°03'45" W, with the west line of the said 0.480 acre tract and the west line of a certain called 0.59 acre tract described in the deed to Jonathan M. Wagner and Marci H. Wagner of record in Document No. 2016117309, Official Public Records of Williamson County, Texas, with the east line of the said 96.99 acre tract, with the east line of the tract described herein, a distance of 223.01 feet to a concrete monument found in the north line of a certain called 2.47 acre tract described in the deed to Charles E. Holland and Deborah D. Holland of record in Volume 868, Page 561, Deed Records of Williamson County, Texas, at the southwest corner of the said 0.59 acre tract, same being a southeast corner of the said 96.99 acre tract, for a southeast corner of the tract described herein;

THENCE N 82°23'05" W, with the north line of the said 2.47 acre tract, with a south line of the said 96.99 acre tract, with a south line of the tract described herein, a distance of 242.61 feet to a 3/8-inch iron rod found at the northwest corner of the said 2.47 acre tract, at the northeast corner of Block 4, Hutto and Metcalfe Addition, a subdivision according to the plat of record in Book 66, Page 148, Deed Records of Williamson County, Texas, and as shown on the Revised Map of City of Hutto of record in Cabinet A, Slide 221, Plat Records of Williamson County, Texas, for a re-entrant corner of the tract described herein;

THENCE S 07°38'01" W, with the west line of the said 2.47 acre tract and an east line of the said 96.99 acre tract, with the east line of said Block 4 and Block 3, said Hutto and Metcalfe Addition, with an east line of the tract described herein, a distance of 298.64 feet to a ½-inch iron rod found at the southeast corner of said Block 3, Hutto and Metcalfe Addition, and the northeast corner of a certain called 0.659 acre tract described in the deed to Dennis O. Johnson and Nadine C. Johnson of record in Document No. 2001074832, Official Public Records of Williamson County, Texas, for the southerly southeast corner of the tract described herein;

THENCE S 77°34'56" W, crossing the said 96.99 acre tract, with the north line of the said 0.659 acre tract, with the south line of the tract described herein, a distance of 253.79 feet to a ¾-inch iron rod found at the northwest corner of the said 0.659 acre tract, and the northeast corner of Lot 2, Block 2, said Hutto and Metcalfe Addition, for an angle point in the south line of the tract described herein,

THENCE S 77°37'39" W, continuing across the said 96.99 acre tract, with the north line of said Lot 2, Block 2, Hutto and Metcalfe Addition, with the south line of the tract described herein, a distance of 91.78 feet to a concrete monument found in a west line of the said 96.99 acre tract, at the intersection of the south line of an alley and the east right-of-way line of East Street, a 60-foot right-of-way, as shown on the said Hutto and Metcalfe Addition subdivision plat, at the northwest corner of said Lot 2, Block 2, Hutto and Metcalfe Addition, for the southerly southwest corner of the tract described herein;

THENCE N 12°28'30" W, with the east right-of-way line of said East Street, the west line of the said 96.99 acre tract, with the west line of Lot 6, Block 2, and the west line of Block 5, said Hutto and Metcalfe Addition, with a west line of the tract described herein, a distance of 439.34 feet to a ½-inch iron rod with a plastic cap stamped "RJ Survey" found at the northeast terminus of said East Street, at the northwest corner of said Block 5, said Hutto and Metcalfe Addition, for an angle point in the south line of the tract described herein;

THENCE N 82°21'12" W, with the south line of the said 96.99 acre tract, with the north terminus of said East Street, with the northeast terminus of Capitol Street, a 50-foot right-of-way, as shown on the said Hutto and Metcalfe Addition subdivision plat, with the south line of the tract describe herein, a distance of 220.17 feet to a ½-inch iron rod with a plastic cap stamped "RJ Survey" found at an angle point in the north right-of-way line of said Capitol Street, at the east corner of Block 9, said Hutto and Metcalfe Addition, for an angle point in the south line of the tract described herein;

THENCE S 76°41'29" W, with the south line of the said 96.99 acre tract, with the north right-of-way line of said Capitol Street, with the south line of Block 9 and Block 13, said Hutto and Metcalfe Addition, a distance of 350.53 feet to a ½-inch iron rod with a plastic cap stamped "RJ Survey" found in the east line of Lot 4, Block F, Hutto Square Section 1, a subdivision according to the plat of record in Cabinet W, Slides 263-267, Plat Records of Williamson County, Texas, at a southwest corner of the said 96.99 acre tract, for a southwest corner of the tract described herein;

THENCE with the west line of the said 96.99 acre tract, the east line of said Hutto Square Section 1, the east line of Hutto Square Section 2, a subdivision according to the plat of record in Cabinet Y, Slides 154-157, Plat Records of Williamson County, Texas, with the east line of Hutto Square Section 3, a subdivision according to the plat of record in Cabinet CC, Slides 138-139, Plat Records of Williamson County, Texas, with the west line of the tract described herein, the following four (4) courses and distances:

1. N 07°40'21" E, a distance of 55.89 feet to a ½-inch iron rod with a plastic cap stamped "4391" found at the north corner of Lot 4, the east corner of Lot 5, southeast corner of Lot 39, and the south corner of Lot 40, Block F, said Hutto Square Section 1, for an angle point of the tract described herein,
2. N 07°38'18" E, a distance of 655.93 feet to a ½-inch iron rod with a plastic cap stamped "RJ Survey" found in the east line of Lot 48, Block F, said Hutto Square Section 2, for an angle point of the tract described herein,
3. N 07°46'41" E, a distance of 230.55 feet to a ½-inch iron rod with a plastic cap stamped "RPLS 4391" found at the northeast corner of Lot 51 and the southeast corner of Lot 52, Block F, said Hutto Square Section 2, for an angle point of the tract described herein, and
4. N 07°46'30" E, a distance of 2,059.60 feet to a concrete monument found in the east line of Lot 91, Block F, said Hutto Square Section 3, at the northwest corner of the said 96.99 acre tract, same being a re-entrant corner of the said 201.06 acre tract, for the northwest corner of the tract described herein;

THENCE S 82°15'43" E, with the north line of the said 96.99 acre tract and a south line of the said 201.06 acre tract, with the north line of the tract described herein, a distance of 1,222.52 feet to the **POINT OF BEGINNING** and containing 94.560 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid.

THE STATE OF TEXAS

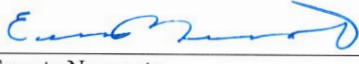
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Ernesto Navarrete, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the parcel of land described herein is based upon a survey performed upon the ground under my direct supervision during the month of April, 2019.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 03rd day of May 2019 A.D.

LANDDEV CONSULTING, LLC
5508 Highway 290 West, Suite 150
Austin, Texas 78735


Ernesto Navarrete
Registered Professional Land Surveyor
No. 6642 – State of Texas



"EXHIBIT _"

DESCRIPTION OF 10.554 ACRES OF LAND IN THE E. THOMASON SURVEY, ABSTRACT NO. 844, AND THE CANUTILLO COLONY DITCH COMPANY SURVEY, ABSTRACT NO. 693, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CERTAIN CALLED 11.10 ACRE TRACT DESIGNATED AS TRACT TWO AND DESCRIBED IN THE DEED TO JERRY E. ROZNOVAK AND WIFE, HILDA ROZNOVAK OF RECORD IN VOLUME 443, PAGE 472, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 10.554 ACRES OF LAND, AS SURVEYED BY LANDDEV CONSULTING, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch iron rod with a plastic cap stamped "RJ Survey" (Grid Coordinates: N= 10,177,139.20, E= 3,174,174.80) found in the west right-of-way line of F.M. 1660, a variable-width right-of-way, in the north line of a certain called 96.99 acre tract designated as Tract One and described in said deed to Jerry E. Roznovak and wife, Hilda Roznovak of record in Volume 443, Page 472, Deed Records of Williamson County, Texas, at the easterly southeast corner of a certain called 201.06 acre tract described in the deed to Billie B. Davenport of record in Volume 1079, Page 938, Deed Records of Williamson County, Texas, same being the southwest corner of a certain called 4.758 acre tract described in the deed to the State of Texas of record in Volume 476, Page 605, Deed Records of Williamson County, Texas, and the northwest corner of a certain called 3.722 acre tract described in the deed to the State of Texas of record in Volume 476, Page 607, Deed Records of Williamson County, Texas, from which a concrete monument found in the east line of Lot 91, Block F, said Hutto Square Section 3, a subdivision according to the plat of record in Cabinet CC, Slides 138 and 139, Plat Records of Williamson County, Texas, at the northwest corner of the said 96.99 acre tract, same being a re-entrant corner of the said 201.06 acre tract bears N 82°15'43" W, a distance of 1,222.52 feet;

THENCE S 82°15'43" E, crossing the said F.M. 1660 right-of-way, a distance of 97.80 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set in the east right-of-way line of said F.M. 1660, in the north line of the said 11.10 acre tract, at the northeast corner of the said 3.722 acre tract and the southeast corner of a certain called 1.529 acre tract described in the deed to the State of Texas of record in Volume 476, Page 603, Deed Records of Williamson County, Texas, in the south line of a certain called 135 acre tract described in the deed to Janet Lynn Barnard, Trustee for the Janet Lynn Barnard Family 1984 Trust of record in Volume 1126, Page 800, Deed Records of Williamson County, Texas, same being the southwest corner of a certain called 65.234 acre tract conveyed to CMSAL-2 L.L.C. of record in Document No. 2011084930, Official Public Records of Williamson County, Texas, and described in Document No. 1999014821, Official Public Records of Williamson County, Texas, for the northwest corner and **POINT OF BEGINNING** of the tract described herein, from which a Texas Department of Transportation (TXDOT) Type-I concrete right-of-way monument found in the east right-of-way line of said F.M. 1660, in the east line of the said 1.529 acre tract, and the west line of a certain called 28.449 acre tract described in the deed to North Town Commons, LLC of record in Document No. 2007062953, Official Public Records of Williamson County, Texas, bears N 03°15'10" W, a distance of 192.32 feet, and from which a ½-inch iron rod found bears N 02°00'51" W, a distance of 10.60 feet;

THENCE S 82°15'43" E, with the north line of the said 11.10 acre tract and the south line of the said 135 acre tract, with the south line of the said 65.234 acre tract, with the north line of the tract described herein, a distance of 498.95 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set for the northeast corner of the said 11.10 acre tract, at a re-entrant corner of the said 135 acre tract, in the south line of the said 65.234 acre tract, for the northeast corner of the tract described herein;

THENCE S 07°38'01" W, with the east line of the said 11.10 acre tract and the west line of the said 135 acre tract, with the east line of the tract described herein, at a distance of 9.91 feet, passing a ½-inch iron rod with a plastic cap stamped "PAPE DAWSON" found, and continuing for a total distance of 17.36 feet to a calculated point for a southeast corner of the tract described herein, from which a ½-inch iron rod found bears N 74°00'05" E, a distance of 0.23 feet;

THENCE leaving the west line of the said 135 acre tract, crossing the said 11.10 acre tract, with a south, east, and north line of the tract described herein, the following three (3) courses and distances:

1. N 82°21'59" W, a distance of 50.00 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set for a re-entrant corner,
2. S 07°38'01" W, a distance of 50.00 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set for a re-entrant corner, and
3. S 82°21'59" E, a distance of 50.00 feet to a calculated point in the east line of the said 11.10 acre tract and west line of a certain called 72.025 acre tract described in the deed to Mager Meadows, LP of record in Document No. 2004018146, Official Public Records of Williamson County, Texas, for a northeast corner of the tract described herein, from which a ½-inch iron rod found bears S 61°01'59" E, a distance of 0.33 feet;

THENCE S 07°38'01" W, with the east line of the said 11.10 acre tract and the west line of the said 72.025 acre tract, with the east line of the tract described herein, a distance of 1,292.44 feet to a ½-inch iron rod found in the north line of a certain called

9.862 acre tract described in the deed to Herbert L. Prewitt and wife, Connie E. Prewitt of record in Volume 876, Page 655, Deed Records of Williamson County, Texas, at the southwest corner of the said 72.025 acre tract and the southeast corner of the said 11.10 acre tract, for the southeast corner of the tract described herein;

THENCE N 82°26'32" W, with the south line of the said 11.10 acre tract and the north line of the said 9.862 acre tract, with the south line of the tract described herein, at a distance of 2.07 feet, passing a concrete monument found 0.12 feet north of the line, and continuing for a total distance of 285.57 feet to a 5/8-inch iron rod found in the east right-of-way line of said F.M. 1660, and the south line of the said 11.10 acre tract, at a southeast corner of the said 3.722 acre tract and the northeast corner of a certain called 0.311 acre tract described in the deed to the State of Texas of record in Volume 476, Page 612, Deed Records of Williamson County, Texas, at the northwest corner of the said 9.862 acre tract, for the southwest corner of the tract described herein;

THENCE crossing the said 11.10 acre tract, with the east right-of-way line of said F.M. 1660, with the east line of the said 3.722 acre tract, with the west line of the tract described herein, the following four (4) courses and distances:

1. N 07°21'46" E, a distance of 421.34 feet to a destroyed Texas Department of Transportation (TXDOT) Type-1 concrete right-of-way monument found at an angle point,
2. N 07°33'54" E, a distance of 324.41 feet to a destroyed Texas Department of Transportation (TXDOT) Type-1 concrete right-of-way monument found at an angle point,
3. N 13°27'20" W, a distance of 513.66 feet to a destroyed Texas Department of Transportation (TXDOT) Type-1 concrete right-of-way monument found at an angle point, and
4. N 03°15'10" W, a distance of 138.59 feet to the **POINT OF BEGINNING** and containing 10.554 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Ernesto Navarrete, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the parcel of land described herein is based upon a survey performed upon the ground under my direct supervision during the month of April and May, 2019.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 20th day of May 2019 A.D.

LANDDEV CONSULTING, LLC
5508 Highway 290 West, Suite 150
Austin, Texas 78735


Ernesto Navarrete
Registered Professional Land Surveyor
No. 6642 – State of Texas

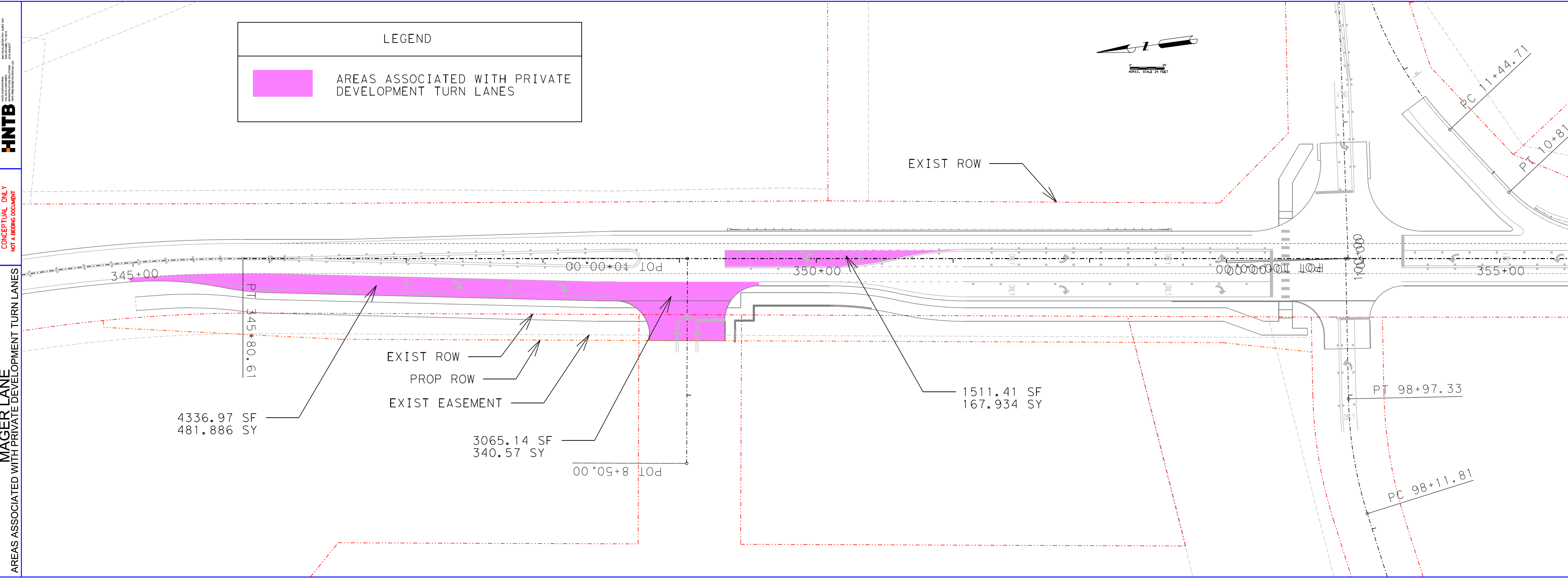




LAND USE SUMMARY		
RESIDENTIAL PHASE I		ACRES
45' x 110'		89 units
50' x 120'		15 units
60' x 130'		32 units
TOTAL		30.3 AC.
RESIDENTIAL PHASE II		
45' x 110'		34 units
50' x 120'		56 units
60' x 130'		22 units
TOTAL		22.4 AC.
TOTAL RESIDENTIAL		52.7 AC.
MULTI FAMILY TRACT 1		16.9 AC.
MULTI FAMILY TRACT 2		5.0 AC.
COMMERCIAL		2.5 AC.
PARK		6.0 AC.
OPEN SPACE*		22.5 AC.
*Includes Easements and Floodplain		
TOTAL		105.6 AC.
		636 UNITS



Scale: 1" = 300'
Date: June 17, 2021



HNTB Corporation
The HNTB Companies
Infrastructure Solutions

701 Brazos St,
Suite 450
Austin, TX 78701

Telephone (512) 691-2200
hntb.com

David Howell
Vice President - Land Development
MA Durango Farms, LLC
15443 KNOLL TRAIL DR STE 130
Dallas, TX 75248



January 6, 2022

Dear Mr. Howell,

Below is a preliminary engineer's Opinion of Probable Cost for the Final FM 1660 Widening at Mager Ln Project. This estimate includes the total construction cost and removed pay items that are associated with the private development turn lanes. "Construction Cost After Rebate" subtracts the removed pay items from the "Construction Cost" total.

Best regards,

John Perez

A handwritten signature in blue ink, appearing to read "John Perez".

Senior Project Manager

OPINION OF PROBABLE COST

FM 1660 Widening At Mager Ln
CSJ: 1566-01-N/A

ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	COSTS
100	6002 PREPARING ROW	STA	14	\$ 2,426.29	\$ 33,701.17
104	6009 REMOVING CONC (RIPRAP)	SY	55	\$ 20.00	\$ 1,100.00
104	6015 REMOVING CONC (SIDEWALKS)	SY	965	\$ 11.99	\$ 11,570.35
104	6021 REMOVING CONC (CURB)	LF	313	\$ 16.75	\$ 5,242.75
105	6020 REMOVING STAB BASE & ASPH PAV (12")	SY	2161	\$ 3.20	\$ 6,915.20
110	6001 EXCAVATION (ROADWAY)	CY	1258	\$ 3.18	\$ 4,000.44
132	6025 EMBANKMENT (FINAL) (DENS CONT) (TY C1)	CY	1267	\$ 3.80	\$ 4,814.60
160	6003 FURNISHING AND PLACING TOPSOIL (4")	SY	3293	\$ 1.76	\$ 5,795.68
164	6001 BROADCAST SEED (PERM) (RURAL) (SANDY)	SY	3293	\$ 0.25	\$ 823.25
164	6009 BROADCAST SEED (TEMP) (WARM)	SY	1647	\$ 0.30	\$ 493.95
164	6011 BROADCAST SEED (TEMP) (COOL)	SY	1647	\$ 0.30	\$ 493.95
166	6001 FERTILIZER	AC	1	\$ 643.53	\$ 643.53
168	6001 VEGETATIVE WATERING	MG	57	\$ 10.96	\$ 624.72
169	6001 SOIL RETENTION BLANKETS (CL 1) (TY A)	SY	3293	\$ 0.52	\$ 1,712.36
216	6001 PROOF ROLLING	HR	9	\$ 118.00	\$ 1,062.00
247	6366 FL BS (CMP IN PLC)(TY A GR 5)(FNAL POS)	CY	1081	\$ 43.42	\$ 46,937.02
260	6002 LIME (HYDRATED LIME (SLURRY))	TON	53	\$ 210.00	\$ 11,226.60
260	6073 LIME TRT (SUBGRADE)(8")	SY	3240	\$ 3.41	\$ 11,048.40
310	6001 PRIME COAT (MULTI OPTION)	GAL	651	\$ 3.90	\$ 2,538.90
347	6001 TOM (ASPHALT) PG 76-22	TON	27	\$ 113.69	\$ 3,016.20
347	6002 TOM-C (AGGREGATE) SAC-A	TON	416	\$ 106.94	\$ 44,487.04
400	6001 STRUCT EXCAV	CY	202	-	-
400	6006 CUT & RESTORING PAV	SY	418	\$ 229.17	\$ 95,793.06
402	6001 TRENCH EXCAVATION PROTECTION	LF	58	\$ 10.68	\$ 619.44
416	6030 DRILL SHAFT (TRF SIG POLE) (24 IN)	LF	12	\$ 191.84	\$ 2,302.08
416	6031 DRILL SHAFT (TRF SIG POLE) (30 IN)	LF	24	\$ 250.00	\$ 6,000.00
416	6032 DRILL SHAFT (TRF SIG POLE) (36 IN)	LF	28	\$ 280.00	\$ 7,840.00
420	6074 CL C CONC (MISC)	CY	23	\$ 718.21	\$ 16,413.35
432	6001 RIPRAP (CONC)(4 IN)	CY	46	\$ 405.11	\$ 18,635.06
432	6031 RIPRAP (STONE PROTECTION)(12 IN)	CY	47	\$ 166.74	\$ 7,836.78
432	6045 RIPRAP (MOW STRIP)(4 IN)	CY	35	\$ 632.08	\$ 22,122.80
450	6103 RAIL (TY PR11)	LF	129	\$ 80.32	\$ 10,361.28
462	6010 CONC BOX CULV (6 FT X 3 FT)	LF	67	\$ 781.56	\$ 52,364.52
464	6008 RC PIPE (CL III)(36 IN)	LF	36	\$ 136.35	\$ 4,908.60
464	6025 RC PIPE (CL V)(18 IN)	LF	38	\$ 102.66	\$ 3,901.08
466	6134 HEADWALL (CH - PW - S) (DIA= 36 IN)	EA	1	\$ 9,328.69	\$ 9,328.69
466	6151 WINGWALL (FW - 0) (HW=4 FT)	EA	1	\$ 7,745.41	\$ 7,745.41
466	6181 WINGWALL (PW - 1) (HW=6 FT)	EA	1	\$ 22,400.00	\$ 22,400.00
467	6356 SET (TY II) (18 IN) (RCP) (3: 1) (C)	EA	1	\$ 1,683.34	\$ 1,683.34
467	6358 SET (TY II) (18 IN) (RCP) (4: 1) (C)	EA	1	\$ 1,626.55	\$ 1,626.55
467	6441 SET (TY II) (36 IN) (CMP) (4: 1) (C)	EA	1	\$ 7,202.03	\$ 7,202.03
496	6004 REMOV STR (SET)	EA	5	\$ 455.95	\$ 2,279.75
496	6006 REMOV STR (HEADWALL)	EA	1	\$ 1,633.05	\$ 1,633.05
496	6007 REMOV STR (PIPE)	LF	147	\$ 12.97	\$ 1,906.59
496	6099 REMOVE STR (RAIL)	LF	136	\$ 29.12	\$ 3,960.32
502	6001 BARRICADES, SIGNS AND TRAFFIC HANDLING	MO	8	\$ 4,464.44	\$ 35,715.52
506	6002 ROCK FILTER DAMS (INSTALL) (TY 2)	LF	110	\$ 24.58	\$ 2,703.80
506	6011 ROCK FILTER DAMS (REMOVE)	LF	110	\$ 17.35	\$ 1,908.50
506	6038 TEMP SEDMT CONT FENCE (INSTALL)	LF	2457	\$ 3.84	\$ 9,434.88
506	6039 TEMP SEDMT CONT FENCE (REMOVE)	LF	2457	\$ 0.92	\$ 2,260.44
508	6001 CONSTRUCTING DETOURS	SY	1128	\$ 77.52	\$ 87,434.12
510	6001 ONE-WAY TRAF CONT (FLAGGER CONT)	HR	32	\$ 62.93	\$ 2,013.76
512	6009 PORT CTB (FUR & INST)(LOW PROF)(TY 1)	LF	360	\$ 20.95	\$ 7,542.00
512	6010 PORT CTB (FUR & INST)(LOW PROF)(TY 2)	LF	40	\$ 31.81	\$ 1,272.40
512	6033 PORT CTB (MOVE)(LOW PROF)(TY 1)	LF	100	\$ 6.67	\$ 667.00
512	6034 PORT CTB (MOVE)(LOW PROF)(TY 2)	LF	40	\$ 9.54	\$ 381.60
512	6057 PORT CTB (REMOVE)(LOW PROF)(TY 1)	LF	720	\$ 9.17	\$ 6,602.40
512	6058 PORT CTB (REMOVE)(LOW PROF)(TY 2)	LF	80	\$ 10.90	\$ 872.00
529	6008 CONC CURB & GUTTER (TY II)	LF	176	\$ 18.70	\$ 3,286.53
529	6038 CONC CURB (RIBBON)	LF	40	\$ 36.34	\$ 1,453.60
530	6005 DRIVEWAYS (ACP)	SY	459	\$ 55.82	\$ 25,621.38
531	6002 CONC SIDEWALKS (5")	SY	1341	\$ 47.64	\$ 63,885.24
531	6004 CURB RAMPS (TY 1)	EA	2	\$ 1,940.19	\$ 3,880.38
540	6001 MTL W-BEAM GD FEN (TIM POST)	LF	426	\$ 27.16	\$ 11,570.16
540	6016 DOWNSTREAM ANCHOR TERMINAL SECTION	EA	1	\$ 1,464.81	\$ 1,464.81
544	6001 GUARDRAIL END TREATMENT (INSTALL)	EA	3	\$ 3,391.67	\$ 10,175.01
618	6046 CONDT (PVC) (SCH 80) (2")	LF	75	\$ 15.00	\$ 1,125.00
618	6053 CONDT (PVC) (SCH 80) (3")	LF	480	\$ 24.00	\$ 11,520.00
618	6054 CONDT (PVC) (SCH 80) (3") (BORE)	LF	700	\$ 38.72	\$ 27,104.00
620	6007 ELEC CONDR (NO.8) BARE	LF	1230	\$ 1.65	\$ 2,029.50
620	6008 ELEC CONDR (NO.8) INSULATED	LF	1492	\$ 1.50	\$ 2,238.00
620	6009 ELEC CONDR (NO.6) BARE	LF	35	\$ 1.80	\$ 63.00
620	6010 ELEC CONDR (NO.6) INSULATED	LF	60	\$ 2.05	\$ 123.00
624	6002 GROUND BOX TY A (122311)W/APRON	EA	1	\$ 920.00	\$ 920.00
624	6004 GROUND BOX TY B (122322)W/APRON	EA	6	\$ 1,061.50	\$ 6,369.00
636	6001 ALUMINUM SIGNS (TY A)	SF	78	\$ 40.00	\$ 3,120.00
644	6001 IN SM RD SN SUP&AM TY10BWG(1)SA(P)	EA	9	\$ 630.69	\$ 5,676.21
644	6076 REMOVE SM RD SN SUP&AM	EA	5	\$ 109.19	\$ 545.95
658	6098 INSTL OM ASSM (OM-1)(WFLX)GND	EA	6	\$ 97.00	\$ 582.00
662	6061 WK ZN PAV MRK REMOV (W)4"(DOT)	LF	65	\$ 0.56	\$ 36.26
662	6063 WK ZN PAV MRK REMOV (W)4"(SLD)	LF	4402	\$ 0.58	\$ 2,553.16
662	6071 WK ZN PAV MRK REMOV (W)8"(SLD)	LF	82	\$ 1.02	\$ 83.64
662	6075 WK ZN PAV MRK REMOV (W)24"(SLD)	LF	112	\$ 7.00	\$ 784.00
662	6095 WK ZN PAV MRK REMOV (Y)4"(SLD)	LF	7600	\$ 0.56	\$ 4,256.00
666	6030 REFL PAV MRK TY I (W)8"(DOT)(100MIL)	LF	453	\$ 0.70	\$ 317.10
666	6036 REFL PAV MRK TY I (W)8"(SLD)(100MIL)	LF	1151	\$ 0.86	\$ 989.86
666	6048 REFL PAV MRK TY I (W)24"(SLD)(100MIL)	LF	161	\$ 6.51	\$ 1,048.11
666	6054 REFL PAV MRK TY I (W)(ARROW)(100MIL)	EA	10	\$ 137.82	\$ 1,378.20
666	6078 REFL PAV MRK TY I (W)(WORD)(100MIL)	EA	10	\$ 157.63	\$ 1,576.30
666	6170 REFL PAV MRK TY II (W) 4" (SLD)	LF	3072	\$ 0.14	\$ 430.08
666	6176 REFL PAV MRK TY II (W) 8" (DOT)	LF	453	\$ 0.45	\$ 203.85

ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	COSTS
666	6178	REFL PAV MRK TY II (W) 8" (SLD)	LF	1151	\$ 0.35 \$ 402.85
666	6182	REFL PAV MRK TY II (W) 24" (SLD)	LF	161	\$ 3.32 \$ 534.52
666	6184	REFL PAV MRK TY II (W) (ARROW)	EA	10	\$ 55.94 \$ 559.40
666	6192	REFL PAV MRK TY II (W) (WORD)	EA	10	\$ 61.29 \$ 612.90
666	6207	REFL PAV MRK TY II (Y) 4" (SLD)	LF	4208	\$ 0.15 \$ 631.20
666	6303	RE PM W/RET REQ TY I (W)4"(SLD)(100MIL)	LF	3072	\$ 0.34 \$ 1,044.48
666	6315	RE PM W/RET REQ TY I (Y)4"(SLD)(100MIL)	LF	4208	\$ 0.35 \$ 1,472.80
672	6007	REFL PAV MRKR TY I-C	EA	44	\$ 4.60 \$ 202.63
672	6009	REFL PAV MRKR TY II-A-A	EA	212	\$ 4.02 \$ 852.24
677	6001	ELIM EXT PAV MRK & MRKS (4")	LF	3224	\$ 0.32 \$ 1,031.68
677	6001	ELIM EXT PAV MRK & MRKS (4")	LF	4600	\$ 0.32 \$ 1,472.00
677	6003	ELIM EXT PAV MRK & MRKS (8")	LF	82	\$ 0.86 \$ 70.52
677	6003	ELIM EXT PAV MRK & MRKS (8")	LF	85	\$ 0.86 \$ 73.10
677	6005	ELIM EXT PAV MRK & MRKS (12")	LF		\$ 2.78 \$ -
677	6005	ELIM EXT PAV MRK & MRKS (12")	LF	98	\$ 2.78 \$ 272.44
677	6007	ELIM EXT PAV MRK & MRKS (24")	LF	145	\$ 2.00 \$ 290.00
677	6007	ELIM EXT PAV MRK & MRKS (24")	LF	77	\$ 2.00 \$ 154.00
677	6008	ELIM EXT PAV MRK & MRKS (ARROW)	EA	2	\$ 31.22 \$ 62.44
677	6012	ELIM EXT PAV MRK & MRKS (WORD)	EA	2	\$ 31.22 \$ 62.44
680	6002	INSTALL HWY TRF SIG (ISOLATED)	EA	1	\$ 31,600.00 \$ 31,600.00
680	6004	REMOVING TRAFFIC SIGNALS	EA	1	\$ 5,312.50 \$ 5,312.50
680	SUB1	CONTROLLER FULL-ACTUATED W/CABINET	EA	1	\$ - \$ -
680	SUB10	SIGN R10-17T(36"x42")	EA	4	\$ - \$ -
680	SUB2	TRAFFIC SIGNAL CONTROLLER FOUNDATION	EA	1	\$ - \$ -
680	SUB3	GROUND ROD, 5/8" X 10' COPPER	EA	14	\$ - \$ -
680	SUB4	DETECTOR CARD RACK (8 SLOT & 4 SLOT)	EA	1	\$ - \$ -
680	SUB5	DETECTOR UNIT (DUAL CHANNEL)	EA	12	\$ - \$ -
680	SUB6	MAST ARM DAMPER	EA	4	\$ - \$ -
680	SUB7	LED RDWY LUMINAIRE (106W LED COBRA HEAD)	EA	4	\$ - \$ -
680	SUB8	SIGN "MAGER LN"D3-1G(72"x18")	EA	2	\$ - \$ -
680	SUB9	SIGN "FM 1660"D3-1G(72"x18")	EA	2	\$ - \$ -
682	6001	VEH SIG SEC (12")LED(GRN)	EA	8	\$ 260.00 \$ 2,080.00
682	6002	VEH SIG SEC (12")LED(GRN ARW)	EA	5	\$ 260.00 \$ 1,300.00
682	6003	VEH SIG SEC (12")LED(YEL)	EA	8	\$ 260.00 \$ 2,080.00
682	6004	VEH SIG SEC (12")LED(YEL ARW)	EA	9	\$ 260.00 \$ 2,340.00
682	6005	VEH SIG SEC (12")LED(RED)	EA	8	\$ 260.00 \$ 2,080.00
682	6006	VEH SIG SEC (12")LED(RED ARW)	EA	4	\$ 260.00 \$ 1,040.00
682	6018	PED SIG SEC (LED)(COUNTDOWN)	EA	2	\$ 670.90 \$ 1,341.80
682	6049	BACKPLATE W/REFL BRDR(4 SEC)	EA	4	\$ 115.00 \$ 460.00
682	6050	BACKPLATE W/REFL BRDR(5 SEC)	EA	1	\$ 137.46 \$ 137.46
682	6060	BACKPLATE W/REFL BRDR(3 SEC)	EA	7	\$ 110.00 \$ 770.00
684	6028	TRF SIG CBL (TY A)(14 AWG)(2 CONDR)	LF	211	\$ 1.40 \$ 295.40
684	6031	TRF SIG CBL (TY A)(14 AWG)(5 CONDR)	LF	978	\$ 1.88 \$ 1,837.70
684	6033	TRF SIG CBL (TY A)(14 AWG)(7 CONDR)	LF	1078	\$ 2.30 \$ 2,479.40
686	6031	INS TRF SIG PL AM(S1 ARM(28")LUM	EA	1	\$ 8,703.33 \$ 8,703.33
686	6035	INS TRF SIG PL AM(S1 ARM(32")LUM	EA	1	\$ 9,835.13 \$ 9,835.13
686	6039	INS TRF SIG PL AM(S1 ARM(36")LUM	EA	1	\$ 11,052.86 \$ 11,052.86
686	6047	INS TRF SIG PL AM(S1 ARM(44")LUM	EA	1	\$ 12,318.33 \$ 12,318.33
687	6001	PED POLE ASSEMBLY	EA	2	\$ 2,047.13 \$ 4,094.26
688	6003	PED DETECTOR CONTROLLER UNIT	EA	1	\$ 3,487.53 \$ 3,487.53
688	SUB1	SIGN, PED PUSH BUTTON (9"x15")(R10-eL)	EA	2	\$ - \$ -
3076	6001	D-GR HMA TY-B PG64-22	TON	1117	\$ 66.90 \$ 74,727.30
3076	6048	D-GR HMA TY-D PG76-22	TON	447	\$ 85.62 \$ 38,272.14
3084	6001	BONDING COURSE	GAL	2850	\$ 2.64 \$ 7,524.00
3085	6001	UNDERSEAL COURSE	GAL	2536	\$ 3.37 \$ 8,546.32
6001	6002	PORTABLE CHANGEABLE MESSAGE SIGN	EA	3	\$ 11,830.23 \$ 35,490.69
6010	6002	CCTV FIELD EQUIPMENT (DIGITAL)	EA	1	\$ 7,335.98 \$ 7,335.98
6010	SUB1	CISCO IR1101	EA	1	\$ - \$ -
6010	SUB2	MOXA/MEAN WELL POWER SUPPLY	EA	1	\$ - \$ -
6010	SUB3	EDR 810 SWITCH	EA	1	\$ - \$ -
6010	SUB4	AXIS Q6124-E	EA	1	\$ - \$ -
6010	SUB5	AXIS - T94A01 PENDANT KIT FOR MOUNTING CAMERA	EA	1	\$ - \$ -
6010	SUB6	CAT5E OUTDOOR CABLE PART VDC5-4DBSG-1K	EA	1	\$ - \$ -
6058	6002	BBU SYSTEM (STAND-ALONE BATT CABINET)	EA	1	\$ 7,468.75 \$ 7,468.75
6292	6001	RVDS(PRESENCE DETECTION ONLY)	EA	4	\$ 5,600.00 \$ 22,400.00
6292	6002	RVDS(ADVANCE DETECTION ONLY)	EA	2	\$ 5,763.74 \$ 11,527.48
6292	SUB1	RADAR PRESENCE DETECTOR COMM CABLE	LF	766	\$ - \$ -
6292	SUB2	RADAR ADVANCED DETECTOR COMM CABLE	LF	351	\$ - \$ -
6367	6002	INSTALLATION OF CELLULAR MODEM	EA	1	\$ 662.50 \$ 662.50

500 6001 MOBILIZATION (10%) \$ 119,103.14

CONSTRUCTION COST \$ 1,310,134.56

PAY ITEMS REMOVED FROM ESTIMATE ASSOCIATED WITH PRIVATE DEVELOPMENT TURN LANES

ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	COSTS
247	6366	FL BS (CMP IN PLC)(TY A GR 5)(FNAL POS)	CY	217	43.42 \$ 9,422.14
260	6002	LIME (HYDRATED LIME (SLURRY))	TON	11	210 \$ 2,310.00
260	6073	LIME TRT (SUBGRADE)(8")	SY	650	3.41 \$ 2,216.50
310	6001	PRIME COAT (MULTI OPTION)	GAL	130	3.9 \$ 507.00
347	6001	TOM (ASPHALT) PG 76-22	TON	5	113.69 \$ 568.45
347	6002	TOM-C (AGGREGATE) SAC-A	TON	55	106.94 \$ 5,881.70
3076	6001	D-GR HMA TY-B PG64-22	TON	331	66.9 \$ 22,143.90
3076	6048	D-GR HMA TY-D PG76-22	TON	110	85.62 \$ 9,418.20
3084	6001	BONDING COURSE	GAL	90	2.64 \$ 237.60
3085	6001	UNDERSEAL COURSE	GAL	130	3.37 \$ 438.10

REBATE \$ 53,143.59

CONSTRUCTION COST AFTER REBATE \$ 1,256,990.97

DISCLAIMER: THE INFORMATION IN THIS OPINION OF PROBABLE COST ESTIMATE ARE BASED ON THE ENGINEER'S BEST JUDGMENT, BEST PRACTICES, SIMILAR PROJECTS, AND AVAILABLE INFORMATION FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AVERAGE 12 CONSECUTIVE MONTH LOW-BID UNIT PRICE INFORMATION FOR HIGHWAY CONSTRUCTION PROJECTS AS OF DECEMBER 2021. THEREFORE, ACTUAL BID RESULTS MAY VARY AND THE ENGINEER DOES NOT GUARANTEE THE ACTUAL BID AND CONSTRUCTION COST RESULTS FOR COMPLETING THIS PROJECT.

Exhibit F – Allocation of Credits

Phase 1: 136 Single Family, 1 Multi-Family, 2 Commercial, and 11 Open Space/Drainage Lots (139 Developable Lots) shall receive Impact Fee Credits of \$4,036.03 per developable lot.

Phase 2: 112 Single family and 3 Open Space/Drainage Lots (112 Developable Lots) shall receive Impact Fee Credits of \$4,036.03 per developable lot.

Phase 3: 1 Commercial Lot (1 Developable Lot) shall receive Impact Fee Credits of \$4,036.03 per developable lot.

Exhibit G

Durango Farms Transportation Impact Fee Credit Worksheet - Revised January 10, 2022

Land Use	Development Units	Units	Vehicle Miles Per Development Unit	Total Vehicle Miles	Impact Fee per Development Mile	Total Fee
Phase 1 Single Family Lots (Amended Plat Only)	Dwelling Units	10	5.10	51.00	\$ 784.31	\$ 40,000
Phase 1 Daycare	1,000 SF	10,700	57.94	619.958	\$ 400.00	\$ 247,983
Phase 1 Office	1,000 SF	9,300	8.94	83.142	\$ 400.00	\$ 33,257
Phase 2 Single Family Lots	Dwelling Units	112	5.10	571.20	\$ 784.31	\$ 447,998
Phase 3 Condos	Dwelling Units	100	3.16	316.00	\$ 784.31	\$ 247,842
Total Impact Fee						\$ 1,017,080
Total Impact Fee Credit = FM 1660 Improvements OPC						\$ 1,256,991
Impact Fee Credit Balance						\$ 239,911

Notes: 1) Residential Fee = \$784.31 / VM
2) Non-Residential Fee = \$400 / VM

PUBLIC WORKS AND ENGINEERING
500 W. Live Oak Street
HUTTO, TX 78634
PH 512-759-4016
FAX 512-759-4017



APPLICATION FOR TRANSPORTATION IMPACT FEE CREDIT

Owner Information	Project Information
Name <u>MA DURANGO FARMS, LLC</u>	Name <u>DURANGO FARMS</u>
Address <u>15243 KNOW TRAIL</u>	Address <u>300 FM 1600 NORTH</u>
City, ST ZIP <u>DAKOTA TX 75248 #150</u>	City, ST ZIP <u>HUTTO TX 78634</u>
Phone <u>(214) 202-4248</u>	Final/RePlat Approved? <u>Phase 1</u> Yes ☒ No ☐
Email <u>dhowell@madex.com</u>	Plat Approval Date <u>AMENDED = 7/27/2021</u>
	Building Permit Submitted? Yes ☒ No ☐
	Date of Submission <u>N/A</u>

Claims for credit must be submitted prior to the time of application for a building permit, final plat, or replat as applicable. Any claim not so made shall be deemed waived.

Total TIF Required	Credit Information
Total Credit Requested	\$ <u>1,017,080</u>
Type of Credit Applied For: (check one)	\$ <u>1,017,080</u>
☐ CONTRIBUTION (attach a description of the project along with the following) 1. A certified copy of the development agreement in which the contribution was agreed; 2. If payment has been made, proof of payment; or 3. If payment has not been made, the proposed method of payment	
☐ DEDICATION OF LAND (attach a description of the project along with the following) 1. A drawing and legal description of the land prepared by a Registered Professional Land Surveyor licensed in the State of Texas 2. The appraised fair market value of the land at the date a building permit is proposed to be issued for the traffic generating land development activity, prepared by a professional Texas Real Estate Appraiser; and 3. If applicable a certified copy of the development agreement in which the land was agreed to be dedicated.	
☒ CONSTRUCTION/IMPROVEMENT (attach a description of the project along with the following) 1. The proposed plan of the specific construction prepared by a Professional Engineer licensed in the State of Texas 2. The project costs for the suggested improvements, which shall be based on similar project constructed in the area within the year prior to the project. This estimated cost shall be signed by a professional engineer licensed in the State of Texas. The cost shall include the cost of construction, professional services, and other expenses necessary to the construction/improvement.	
Applicant Information <u>owner</u>	
Name <u>DAVID HOWELL / MA DURANGO FARMS, LLC</u>	
Address <u>15243 KNOW TRAIL DR DAKOTA TX 75248</u>	
Phone <u>(214) 202-4248</u>	
Email <u>dhowell@madex.com</u>	
Applicant Signature & Date	Owner Signature & Date (if applicant is not owner)
	<u>[Signature]</u> <u>1/14/2022</u>

AGENDA ITEM REPORT

11.2.



To: City Council
Subject: Consideration and possible action on Resolution R-2022-034 prohibiting and condemning sexual assault and sexual harassment; prohibiting the nonreporting of sexual assault and sexual harassment; requiring training and providing an effective date (Mayor Snyder, Legal)
Meeting: Thursday, April 7, 2022
Department: City Council /
Staff Contact:

BACKGROUND INFORMATION:

Sexual harassment, sexual assault, and all other forms of sexual misconduct are harmful within the working environment. All City employees are entitled to a workplace free of unlawful discrimination or harassment by management, supervisors, co-workers, citizens, and vendors. The City prohibits employment discrimination on the basis of race, religion, color, sex, national origin, age, disability, marital status, veteran status, citizenship, genetic information, or any other characteristic protected by law. The City's Personnel Policies prohibit and require reporting of such conduct for City employees. The proposed Resolution condemns and prohibits such conduct for elected and appointed officials and requires the reporting of such conduct of any elected and appointed officials to the City Council and the City Manager.

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 20220401-Hutto-Res-Sexual Harassment Reporting

CITY OF HUTTO

RESOLUTION NO. _____

**RESOLUTION OF THE CITY OF HUTTO, TEXAS,
PROHIBITING AND CONDEMNING SEXUAL ASSAULT
AND SEXUAL HARASSMENT; PROHIBITING THE
NONREPORTING OF SEXUAL ASSAULT AND SEXUAL
HARASSMENT; REQUIRING TRAINING; AND
PROVIDING AN EFFECTIVE DATE**

WHEREAS, sexual harassment, sexual assault, and all other forms of sexual misconduct are harmful within the working environment; and

WHEREAS, all City employees are entitled to a workplace free of unlawful discrimination or harassment by management, supervisors, co-workers, citizens, and vendors; and

WHEREAS, the City prohibits employment discrimination on the basis of race, religion, color, sex, national origin, age, disability, marital status, veteran status, citizenship, genetic information, or any other characteristic protected by law; and

WHEREAS, the City's Personnel Policies prohibit and require reporting of such conduct for City employees; and

WHEREAS, the City prohibits supervisors and managers from dating any subordinate because such relationships can be disruptive to the work environment, create a conflict or the appearance of a conflict of interest, and lead to charges of favoritism, discrimination, and claims of direct or indirect sexual harassment; and

WHEREAS, past elected and appointed officials may have failed to report and take appropriate action to eradicate such conduct from the workplace; and

WHEREAS, the City Council desires to condemn and prohibit such conduct for elected and appointed officials and require the reporting of such conduct of any elected and appointed officials to the City Council and the City Manager.

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

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: The City Council hereby condemns sexual harassment, sexual assault, and all other forms of sexual misconduct in the workplace and by elected and appointed officials and requires the reporting of sexual harassment, sexual assault, and all other forms of sexual misconduct in the workplace and by elected and appointed officials.

SECTION 3. The City Council shall require training in the prevention and reporting requirements of sexual harassment, sexual assault, and all other forms of sexual misconduct for elected and appointed officials and the City Manager shall require training in the prevention and reporting requirements of sexual harassment, sexual assault, and all other forms of sexual misconduct for City employees.

SECTION 4. 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 5. This Resolution shall take effect immediately from and after its passage.

RESOLVED this ____ day of _____, 2022.

Mike Snyder, Mayor

ATTEST:

Angela Walton, City Secretary

APPROVED AS TO FORM:

Cristian Rosas-Grillet, Assistant City Attorney

AGENDA ITEM REPORT

11.3.



To: City Council
Subject: Consideration of a public hearing and possible action on Resolution No. R-2022-035 supporting the proposed Low-Income Housing Tax Credit project by the Harvest Ridge at Brushy Creek, LP on a tract of land zoned Multi-Family (MF) Zoning District. (Ashley Lumpkin)

Meeting: Thursday, April 7, 2022
Department: Development Services /
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

The low-income housing tax credit (LIHTC) program is one of the federal government's primary policy tools for encouraging the development and rehabilitation of affordable rental housing. These nonrefundable federal housing tax credits are awarded to developers of qualified rental projects. Affordable housing is governed by Section 42 of the IRS Tax Code, allowing for both 4% non-competitive and 9% competitive tax credits.

Harvest Ridge at Brushy Creek, LP has proposed a development for affordable rental housing at the southwest corner CR 1660 South and Swindoll Lane, otherwise also known as Harvest Ridge at Brushy Creek in the City of Hutto, Williamson County, Texas. Harvest Ridge at Brushy Creek, LP has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2021 Non-Competitive 4% Housing Tax Credits for this project. The project is approximately 312 units total, with a unit breakdown of 72 one-bedroom units, 120 two-bedroom units, and 120 three-bedroom units.

The property was zoned for multi-family in 2016. Additional acreage was rezoned to multi-family due to the lack of allowable curb cuts/access points onto CR 1660 South in 2021.

In 2021, similar items for a 9% Non-Competitive Housing Tax Credit project was before City Council with the same request south of the southeast corner of FM 1660 S and CR 137, near this property, which resulted in a vote of support for that project and well as on the opposite side of CR 137 by the Roers Company, also called The Narrows. Both of those projects received support.

SUMMARY OF REQUEST:

Roers Companies is requesting a resolution for their project.

STAFF REVIEW:

FINANCIAL IMPACT:

AGENDA ITEM REPORT

11.3.



POLICY IMPLICATIONS:

ATTACHMENTS:

1. Draft Resolution of No Objection for Hutto City Council

WHEREAS, **Harvest Ridge at Brushy Creek, LP** has proposed the construction of a **276-unit** development for affordable rental housing known as **Harvest Ridge at Brushy Creek** that will be located at **southeast quadrant of FM 1660 and County Road 137** in the **City of Hutto, County of Williamson** and

WHEREAS, **Harvest Ridge at Brushy Creek, LP** will submit an application to the Texas Department of Housing and Community Affairs for Housing Tax Credits for **Harvest Ridge at Brushy Creek**

It is hereby

RESOLVED, that in accordance with the requirements of Tex. Gov't Code §2306.67071 and 10 TAC §11.204(4), it is hereby found that:

1. Notice has been provided to the Governing Body in accordance with Tex. Gov't Code, §2306.67071(a); and
2. The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
3. The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov't Code, §2306.67071(b); and
4. After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application; and

FURTHER RESOLVED that for and on behalf of the Governing Body, **[name, position of authorized person]** are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

AGENDA ITEM REPORT

11.4.



To: City Council
Subject: Consideration and possible action on Resolution R-2022-017 authorizing the City to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Hutto and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits (Legal)
Meeting: Thursday, April 7, 2022
Department: Legal /
Staff Contact:

BACKGROUND INFORMATION:

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee ("ACSC") is composed of 178 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 178 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of Resolution Paragraphs:

- I. This paragraph authorizes the continuation of the City's membership in ACSC.
- II. This paragraph authorizes payment of the City's assessment to the ACSC in the amount of five cents (\$0.05) per capita.

AGENDA ITEM REPORT

11.4.



III. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to “*Atmos Cities Steering Committee*” and mailed to Brandi Stigler, Atmos Cities Steering Committee, c/o Arlington City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

SUMMARY OF REQUEST:

Staff recommends the City Council approve the Resolution.

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 20220323-Hutto-Res-ACSC 2022 Assessment

RESOLUTION NO. R-2022-017

**A RESOLUTION OF THE CITY HUTTO, TEXAS,
AUTHORIZING CONTINUED PARTICIPATION WITH
THE ATMOS CITIES STEERING COMMITTEE; AND
AUTHORIZING THE PAYMENT OF FIVE CENTS PER
CAPITA TO THE ATMOS CITIES STEERING
COMMITTEE TO FUND REGULATORY AND RELATED
ACTIVITIES RELATED TO ATMOS ENERGY
CORPORATION**

WHEREAS, the City of Hutto is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs;

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

I.

That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Hutto and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2022 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III.

A copy of this Resolution and approved assessment fee payable to “*Atmos Cities Steering Committee*” shall be sent to:

Brandi Stigler
Atmos Cities Steering Committee
c/o Arlington City Attorney’s Office, Mail Stop 63-0300
101 S. Mesquite St., Suite 300
Arlington, Texas 76010

PRESENTED AND PASSED on this the _____ day of _____, 2022, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Hutto, Texas.

Mike Snyder, Mayor

ATTEST:

Angela Walton, City Secretary

APPROVED AS TO FORM:
Dottie Palumbo, City Attorney

By: _____
Cristian Rosas-Grillet, Assistant City Attorney

AGENDA ITEM REPORT

12.1.



To: City Council
Subject: 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.
Meeting: Thursday, April 7, 2022
Department: City Secretary /
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT

12.2.



To: City Council
Subject: Discussion and possible action regarding Development Services Credit Card Fees (Angie Rios)
Meeting: Thursday, April 7, 2022
Department: Finance /
Staff Contact: Angie Rios

BACKGROUND INFORMATION:

During the January 2022 financial statement presentation, it was noted that most City departments were recovering most of their credit card fees with the newly implemented surcharge. Development services was the only exception. The council requested an analysis of the policies of surrounding governments, as well as an overview of options to continue to offset credit card fees.

SUMMARY OF REQUEST:

The City Fee Ordinance allows the city to apply a 2% surcharge on credit card transactions to offset the credit card charges being imposed on the city.

The finance department analyzed service charges and found that the fee on transactions for development services is approximately 2.9%. The rate is based on a number of factors. The most important factor is the characteristic of the card being used. These characteristics include debit versus credit, amount of rewards points, (debit or credit, rewards points being earned). The City also recently learned that the credit card processor for development service transactions will be increasing their fees by .08% per transaction beginning in April.

A survey showed that about half of the surrounding municipalities do not charge a fee to use credit cards for development service transactions.

We have identified the following options for development services:

Leave the surcharge at 2% for development service transactions
Increase the surcharge to 3% for development service transactions
Disallow credit card usage for development service transactions

STAFF REVIEW:

FINANCIAL IMPACT:

The city can continue to absorb a portion of the credit card fees for development services by making no changes to the fee that is charged. The city can cover the credit fees by increasing the fee

AGENDA ITEM REPORT

12.2.



charged to customers, or the city can choose to no longer accept credit cards in development services and eliminate all costs.

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Copy of Credit Card Fees - March 2022 Analysis

City of Hutto
Development Services Credit Card Fees

Summary of Unrecovered Fees - Fiscal 2022

	Charged	Collected	Unrecovered	Percent Collected
November	11,449.88	8,382.52	3,067.36	73.21%
December	45,946.32	29,525.94	16,420.38	64.26%
January	9,384.81	6,898.41	2,486.40	73.51%
February	3,432.97	2,497.56	935.41	72.75%
Total	70,213.98	47,304.43	22,909.55	67.37%

Effective Fee Percentage - Fiscal 2022

Month	Transactions	Charge	Effective Rate
November	430,325.30	11,449.88	2.66%
December	1,502,369.51	45,946.32	3.06%
January	350,722.84	9,384.81	2.68%
February	126,713.17	3,432.97	2.71%
Total	2,410,130.82	70,213.98	2.91%

Survey of Surrounding Towns

City	Accepts Credit Cards	Credit Card Fee
City of Cedar Park	Yes	No Charge
City of Pflugerville	Yes	No Charge
City of Round Rock	Yes	No Charge
City of Taylor	Yes	\$2.00 per Transaction
City of Hutto	Yes	2%
City of Georgetown	Yes	Recently increased application fees by 3% to cover credit card fees

AGENDA ITEM REPORT

12.3.



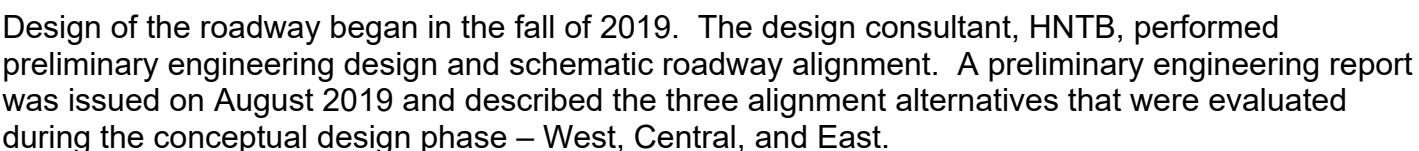
To: City Council
Subject: Update on the Hutto Arterial (CR132 Overpass) project. (Wade Benton)
Meeting: Thursday, April 7, 2022
Department: Engineering /
Staff Contact: Wade Benton

BACKGROUND INFORMATION:

The Hutto Arterial Project is a cooperative effort between the City of Hutto and Williamson County that will provide improved mobility on the east side of Hutto. The project was envisioned to be developed in three phases. Once completed, the project will create a new north/south corridor east of FM 1660 and generally align with the existing CR 132 and CR 133 corridors. Williamson County is the lead agency for design and right-of-way acquisition for the north and south segments. The City is assisting the County in coordination with land developers to reserve and/or dedicate right-of-way during the subdivision platting process.

The City of Hutto's portion of the project (middle segment) extends from the intersections of CR 132 and CR 199 on the south to CR 132 and Limmer Loop on the north. Characteristics of new road:

- Six lane divided (three lanes of traffic in each direction)
- Connect to FM 1660 at CR 133 to the north and near CR 134 to the south. 160' right-of-way needed for the roadway. The existing right-of-way is approximately 70' wide.
- Bridge crossing over US 79 and the Union Pacific railroad
- Access to US 79 was anticipated to be provided by the use of a "Jug Handle" connection near the Covert auto dealership.



Alternative “Central” was a slight modification to the West option with the alignment shifting the road approximately 100 feet east of existing CR 132 in order to avoid an existing UPRR cell tower located at the southeast corner of the intersection of CR 132 and US 79.

The project has been on hold since mid-2020.

Staff recommends a review of the proposed alignment given the redirection of the Perfect Game development. Review would include verification or modification of the roadway alignment to best fit

AGENDA ITEM REPORT

12.3.



existing conditions including environmental constraints, intersection layout for US 79 connection, ROW acquisition, utility conflicts, updated cost estimates and project schedule updates.

Upon completion of the alignment review, staff will bring back a recommendation to council for the road alignment location and an implementation plan to restart the project design and move to construction.

STAFF REVIEW:

FINANCIAL IMPACT:

Estimated construction cost in 2020 for the central portion was \$30 M to be funded from 2018 Proposition A, road and drainage bond funds

POLICY IMPLICATIONS:

None.

ATTACHMENTS:

1. Hutto Arterial Project Overview

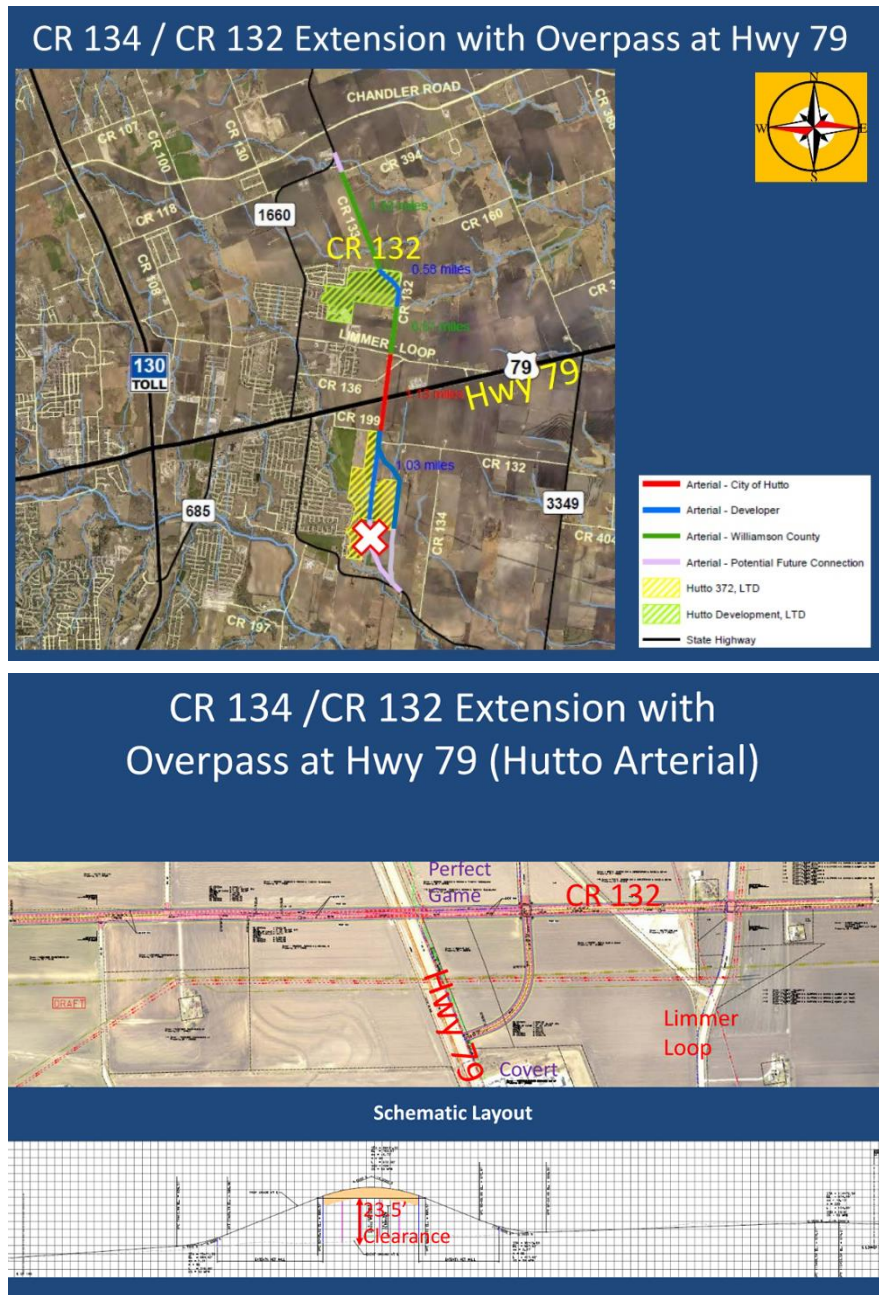
Hutto Arterial (CR 132 at US 79) Project Overview - April 7, 2022

The Hutto Arterial Project is a cooperative effort between the City of Hutto and Williamson County that will provide improved mobility on the east side of Hutto. The project was envisioned to be developed in three phases. Once completed, the project will create a new north/south corridor east of FM 1660 and generally align with the existing CR 132 and CR 133 corridors. Williamson County is the lead agency for design and right-of-way acquisition for the north and south segments. The City is assisting the County in coordination with land developers to reserve and/or dedicate right-of-way during the subdivision platting process. The graphic below was taken from the Hutto presentation to the Wilco Citizen Bond Committee Meeting on May 14, 2019.

The City of Hutto's portion of the project (shown in red) extends from the intersections of CR 132 and CR 199 on the south to CR 132 and Limmer Loop on the north and includes a bridge crossing over US 79 and the Union Pacific railroad. Ultimately, the new roadway will support three lanes of traffic in each direction and connect to FM 1660 at CR 133 to the north and near CR 134 to the south.

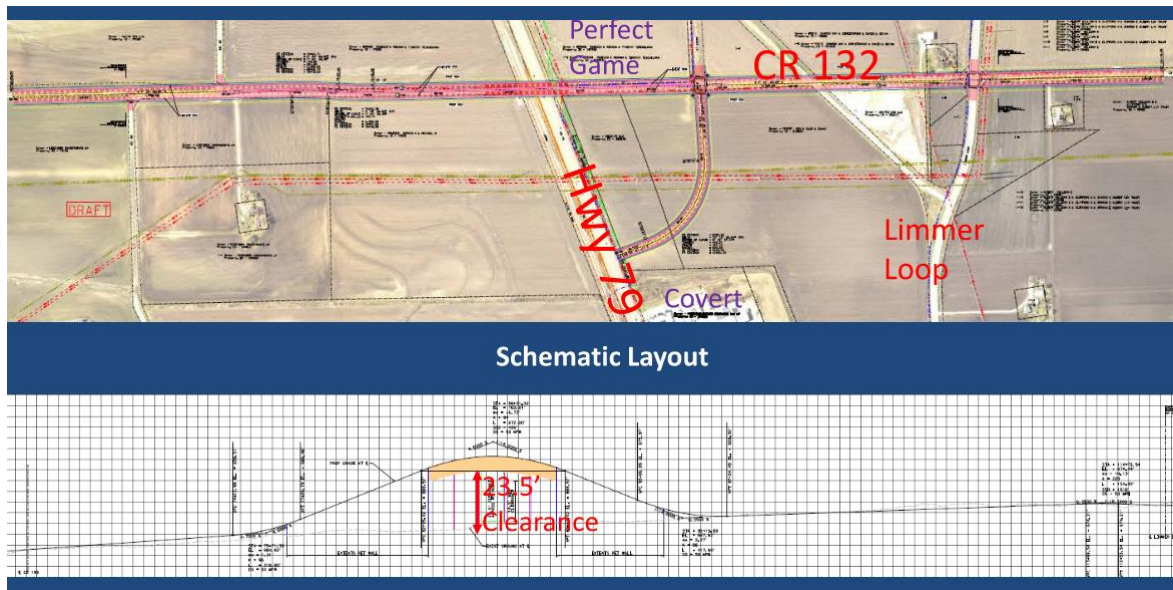
The original alignment of the Hutto segment followed the existing CR 132 alignment and would require real estate acquisition along both sides of the road to obtain the full 160' right-of-way needed for the roadway. The existing right-of-way is approximately 70' wide.

In addition, access to US 79 was anticipated to be provided by the use of a "Jug Handle" connection near the Covert auto dealership.

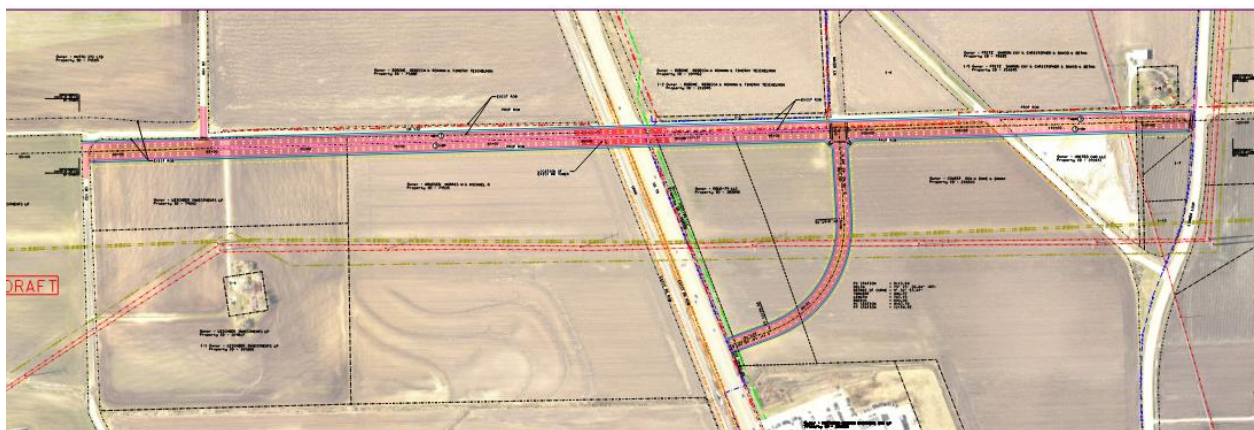


Design of the roadway began in the fall of 2019. The design consultant, HNTB, performed preliminary engineering design and schematic roadway alignment. A preliminary engineering report was issued on August 2019. The report described the three alignment alternatives that were evaluated during the conceptual design phase – West, Central, and East.

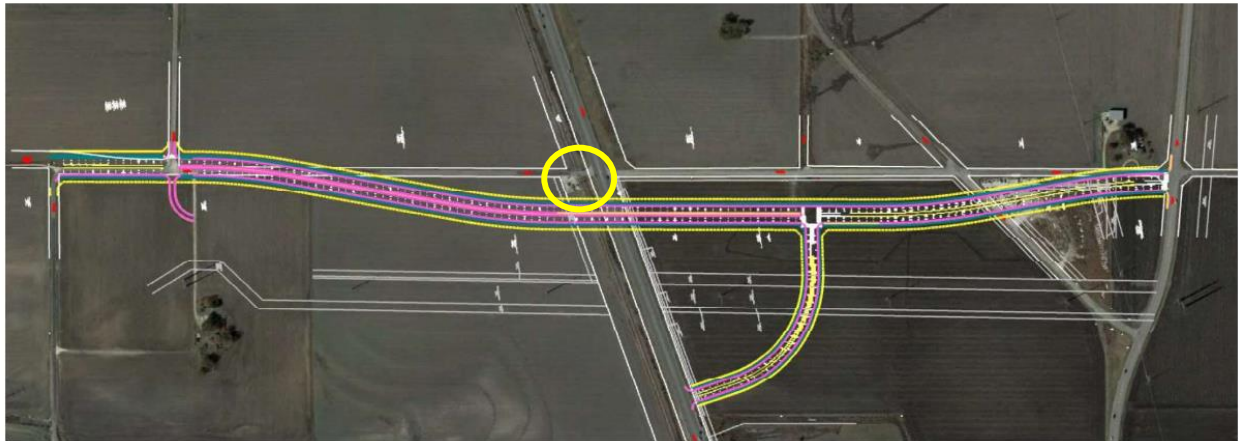
Alternative “West” was the initial alignment that followed the existing CR 132 with ROW acquisition needed on both sides of the existing road. This alternative was initially dismissed by staff due to its impact on the planned Perfect Game development.



Alternative “Central” was a slight modification to the West option with the initial alignment directly adjacent to the east side of the existing ROW line. A subsequent version of Central had the roadway located approximately 100 feet east of existing CR 132 to avoid any taking of right-of-way from Perfect Game.



The design team modified the “Central” alignment by shifting the road approximately 100 feet east of existing CR 132 in order to avoid an existing UPRR cell tower located at the southeast corner of the intersection of CR 132 and US 79 (shown by yellow circle).



The “East” alignment option shifted the road approximately 1,000 feet east of the existing CR 132. This alignment was recommended by the design team and staff to move forward into Final Design phase in order to maximize real estate available for Perfect Game. Bridge aesthetic conceptual plans were also developed during the schematic design and presented to city council in 2020.



The project has been on hold since February 2020.

Recommendation

Staff recommends a review of the proposed alignment given the redirection of the Perfect Game development with consideration given to current land ownership status and development trends in the project area. Review would include verification or modification of the roadway alignment to best fit existing conditions including environmental constraints, intersection layout for US 79 connection, ROW acquisition, utility conflicts, updated cost estimates and project schedule updates. Upon completion of the alignment review, staff will develop an implementation plan for consideration by city council.

Funding

Williamson County is responsible for design and construction of the northern and southern segments. The City of Hutto is responsible for design and construction of the central segment. Williamson County is actively progressing schematic design effort for the north and south segments. Right of way for the county segments is requested to be donated by developers. Estimated construction cost in 2020 for the central portion was \$30 M to be funded from 2018 Proposition A, road and drainage bond funds. To date, approximately \$1,106,511 has been spent to date on engineering studies and design.

AGENDA ITEM REPORT

12.4.



To: City Council
Subject: Discuss and consider action on transitioning Executive Director from city employee to HEDC employee (Mike Arismendez)
Meeting: Thursday, April 7, 2022
Department: City Secretary /
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT

12.5.



To: City Council
Subject: Discuss and consider action on the creation of EDC Manager position (Mike Arismendez)
Meeting: Thursday, April 7, 2022
Department: Economic Development /
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Economic Dev Mgr_Job desc_City of Hutto_PDF

Title: Economic Development Manager

FLSA: Exempt

Department: Economic Development

Status: Full-Time

OOE Category: Managers (regional/divisional)

Salary: \$88,000 - \$98,000

POSITION OVERVIEW

The Economic Development Manager performs and oversees development, coordination and administration of economic development focusing on short-term and long-term projects. Provides project management and technical assistance to support the community and/or economic development objectives as established by the City.

ESSENTIAL DUTIES

- Identifies and keeps abreast on current economic trends in relation to municipal economic growth and development.
- Determines the needs and objectives of various members of the business community, and relates to them the opportunities to be found in the City.
- Develops and implements global commerce public private partnerships, short and long-range strategies, objectives, policies and priorities related to economic development
- Develops, implements and evaluates strategic plans to retain, expand and attract new businesses.
- Evaluates assigned programs and functions through appropriate periodic review of the accomplishment of goals and objectives, data analysis and reporting.
- Create and coordinate with marketing and communications needs for Economic Development projects
- Completes request for information proposals.
- Ability to retrieve data and utilize impact analysis software to run incentive models for prospects.
- Effectively and persuasively communicates both orally and in writing, in order to conduct research and to prepare reports and correspondence.
- Performs routine statistical or frequency analysis on data collected; prepares reports, spreadsheets, and graphics for presentations.
- Identifies and shows land and buildings to prospects while conducting tours.

- Represents the City's interests in significant multi-party redevelopment and economic development activities.
- Provides oversight and management to various Boards and Commissions as assigned.
- Manages the financial resources within departmental and City financial systems, policies and procedures.
- Performs related duties as directed when such duties are a logical and appropriate assignment to the position.

PERFORMANCE REQUIREMENTS (Knowledge, Skills and Abilities):

- A broad knowledge in economic development and business finance.
- Working knowledge of real estate development.
- Knowledge of public and private development financing resources.
- Knowledge of effective project management techniques and strategies.
- Knowledge of state and federal regulations, current local zoning and land use laws and regulations, basic building codes, construction methods and practices.
- Excellent oral and written communications and interpersonal skills, for working with diverse
- Strong skills in planning and organizing, problem solving and decision making, interpersonal sensitivity, adaptability/flexibility, and time management.
- Management skills including leadership, management control, problem analysis, and decision making, adaptability/flexibility, stress tolerance and time management.
- Public presentation skills including the ability to present technical information in an understandable manner to citizens, non-technical professionals, officials and deliberative boards, commissions and legislative bodies.
- Ability to conduct self at all times in an ethical, professional and respectful manner.
- Ability to read, interpret and prepare complicated legal and financial documents to a high standard of accuracy and completeness.
- Ability to understand and analyze business financial data and the ability to apply these analytical skills, including financial analysis, to complicated economic development projects involving large amounts of money.
- Ability to develop and maintain a working knowledge of department operations and procedures as well as pertinent federal, state, and local regulations and an awareness of the work of the department and City.
- Ability to handle several tasks simultaneously, work independently and to meet deadlines in an environment of frequent interruptions.
- Demonstrated ability to utilize standard computer programs for word processing, spreadsheets, financial analyses, project scheduling and to learn new applications. – Ability to maintain consistent and punctual attendance.
- Ability and willingness to demonstrate the Public Service Competencies of Service Orientation, Results Orientation, and Teamwork and Cooperation.

Physical Requirements:

Physically perform the essential functions of the job, includes: Frequently operate a computer and read a computer screen or typewritten page. Frequently communicate verbally. Stand or sit for long periods of time. Move between work sites. Occasionally transport objects up to twenty-five (25) pounds.

REQUIRED MINIMUM QUALIFICATIONS (Education and Experience):

Bachelors degree in Urban Planning, Real Estate, Public Administration or a related field plus a minimum of 5 years of progressively responsible experience with economic or business development, 2 years of which were in managerial capacity.

DRAFT

AGENDA ITEM REPORT

12.6.



To: City Council
Subject: Discussion regarding bonding capacity and future debt issuances of the City of Hutto or the Hutto Economic Development Corporation (Jim Sabonis, Angie Rios)
Meeting: Thursday, April 7, 2022
Department: Finance /
Staff Contact: Angie Rios

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

The City's Financial Advisor, Jim Sabonis of Hilltop Securities, will discuss the City's future bonding capacity.

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Hutto General Debt Debt Funding Capacity Presentation 4.7.2022
2. HuttoTexas_Apr-01-2022 Bond rating



Contact

Jim Sabonis

Managing Director

717 N. Harwood St., Suite 3400

Dallas, TX 75201

Direct: 214.953.4195

Fax: 214.953.4050

jim.sabonis@hilltopsecurities.com

Andre Ayala

Managing Director

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Fax: 214.953.4050

andre.ayala@hilltopsecurities.com

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Vice President

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Fax: 214.953.4050

jorge.delgado@hilltopsecurities.com

City of Hutto, Texas

General Obligation Debt Funding Capacity for 2022 to 2025

April 7, 2022

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Summary

Financial Inputs

- 2022 Taxable Assessed Valuation (TAV) = Approx. \$2,821,000,000
 - ✓ Increase over 2021 TAV = Approx. \$644,000,000
 - ✓ Fiscal Year 2021 residential building permits = Approx. \$691,000,000
- S&P long-term debt rating = “AA-” / Stable Outlook revised March 31, 2022

Debt Issuance Constraints and Assumptions

- No increase in Debt Service Property Tax Rate = \$0.1561 (actual)
- Debt amortization = 25 years
- “AA-” tax-exempt interest rates as of March 28, 2022 plus 0.50% = approx. 3.70%
- TAV growth projection from 2023 to 2026 = Conservative Case and Base Case

General Obligation Debt Funding Capacity

	<u>Conservative Case</u>	<u>Base Case</u>
Par Amount of Bonds	\$38,570,000	\$55,775,000
Less: Financing Costs	(\$269,990)	(\$390,425)
<u>Less: Underwriter's Discount</u>	<u>(\$327,845)</u>	<u>(\$474,088)</u>
Project Fund	\$37,392,165	\$54,910,488

General Obligation “AA-, Stable Outlook” Standard & Poor’s Rating

Highest Quality Credit ↑	Long Term		Short Term (less than 3 years)			↓ Lowest Quality Credit
	Moody's	Fitch / S&P	Moody's	S&P	Fitch	
	Aaa	AAA	MIG 1	SP-1+	F1 (+ or -)	
	Aa1	AA+	MIG 2	SP-1	F2 (+ or -)	
	Aa2	AA	MIG 3	SP-2	F3 (+ or -)	
	Aa3	AA-	SG	SP-3	B (+ or -)	
	A1	A+				
	A2	A				
	A3	A-				
	Baa1	BBB+				
	Baa2	BBB				
	Baa3	BBB-				
	Ba1	BB+				
	Ba2	BB				

Ratings below the red line are speculative grade.

The City of Hutto’s General Obligation Long Term Debt is rated “AA-” / Stable Outlook by Standard & Poor’s revised March 31, 2022

Excerpts from Most Recent Standard and Poor's Rating Report

“AA-” / Stable Outlook revised March 31, 2022

The “AA-” rating reflects Standard & Poor's opinion of the City's:

- Rapidly expanding economy outside of Austin;
- Return to positive fiscal budgetary performance and increased available reserves;
- Expectation of positive fiscal year-end 2021 results with improved available reserve position;
- Standard fiscal management practices and policies; and
- Very weak debt profile given the amount of debt outstanding.

“Stable Outlook”

Upside scenario

S&P could raise the rating if the city continues to produce positive annual financial performance while establishing a sustained trend of very strong reserves. Also, the city's debt profile would need to moderate substantially.

Downside scenario

S&P could lower the rating if expected positive fiscal performance in 2021 is not achieved in audited results or if available reserves fall for any reason, whether it be for capital, high fixed costs, or otherwise.

General Obligation Debt Outstanding

Series	Issue Name	Interest Rates	Call Date	Final Maturity	Outstanding General Obligation Debt	Less: Self Supported Utility System Debt	Total Net Debt Service Property Tax Supported Debt
2012A	General Obligation Bonds	3.00%	Non Callable	8/1/2022	\$140,000	\$0	\$140,000
2012	General Obligation Bonds	3.00%	Non Callable	8/1/2022	335,000	(\$84,966)	250,034
2013	Certificates of Obligation	3.00% - 3.25%	8/1/2023 @ Par	8/1/2037	4,250,000	(\$2,252,500)	1,997,500
2013	General Obligation Bonds	2.00% - 3.00%	8/1/2023 @ Par	8/1/2029	2,895,000	(\$1,534,350)	1,360,650
2014	Certificates of Obligation	0.92% - 2.03%	8/1/2024 @ Par	8/1/2039	17,490,000	(\$17,490,000)	0
2015	Limited Tax Bonds	3.50% - 4.00%	8/1/2025 @ Par	8/1/2032	6,200,000	(\$5,332,000)	868,000
2016	General Obligation Bonds	2.00% - 2.75%	8/1/2025 @ Par	8/1/2036	5,815,000	\$0	5,815,000
2017	Limited Tax Notes	2.00% - 5.00%	Non Callable	2/1/2024	3,190,000	(\$1,371,700)	1,818,300
2017	Certificates of Obligation	2.25% - 5.00%	8/1/2027 @ Par	8/1/2042	79,670,000	(\$69,290,000)	10,380,000
2018	Limited Tax Refunding Bonds	3.00% - 5.00%	8/1/2027 @ Par	8/1/2047	11,000,000	(\$11,000,000)	0
2019	Certificates of Obligation	4.00%	8/1/2029 @ Par	8/1/2045	9,445,000	(\$9,445,000)	0
2019A	General Obligation Bonds	3.00% - 5.00%	8/1/2028 @ Par	8/1/2044	15,230,000	\$0	15,230,000
2019B	General Obligation Bonds (Taxable)	3.00% - 5.00%	8/1/2027 @ Par	8/1/2044	8,420,000	\$0	8,420,000
2020A	General Obligation Bonds	1.10% - 4.00%	8/1/2030 @ Par	8/1/2034	7,570,000	(\$5,720,000)	1,850,000
2020B	General Obligation Bonds (Taxable)	1.60% - 2.50%	8/1/2030 @ Par	8/1/2042	<u>10,135,000</u>	<u>(\$3,430,000)</u>	<u>6,705,000</u>
					\$181,785,000	(\$126,950,516)	\$54,834,484

Taxable Assessed Value = \$2,821,528,276

Total General Obligation Debt as a Percentage of TAV = 6.44%

Total Net Debt Service Property Tax Supported Debt as a Percentage of TAV = 1.94%

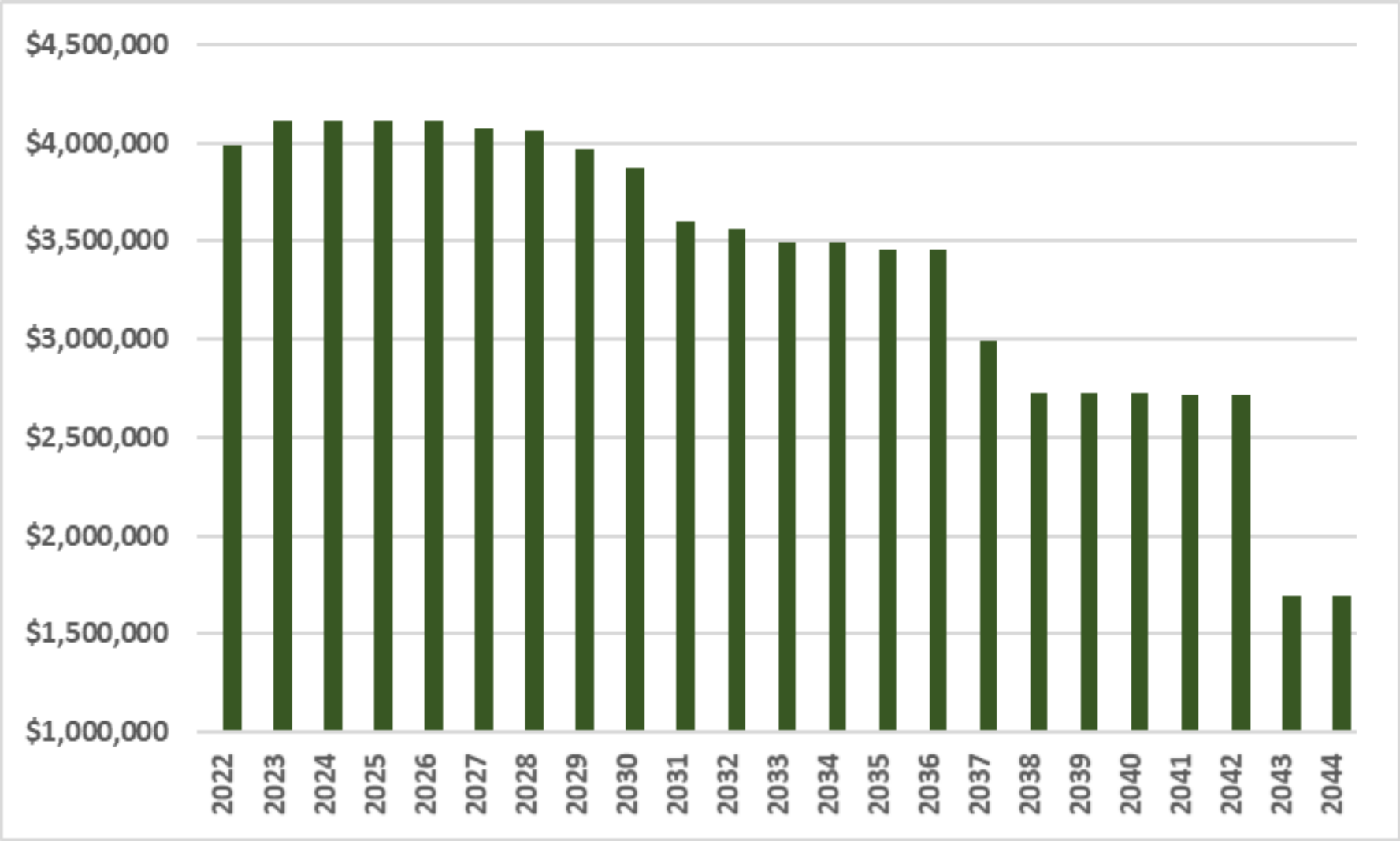
Authorized General Obligation Debt

Authorized General Obligation Debt

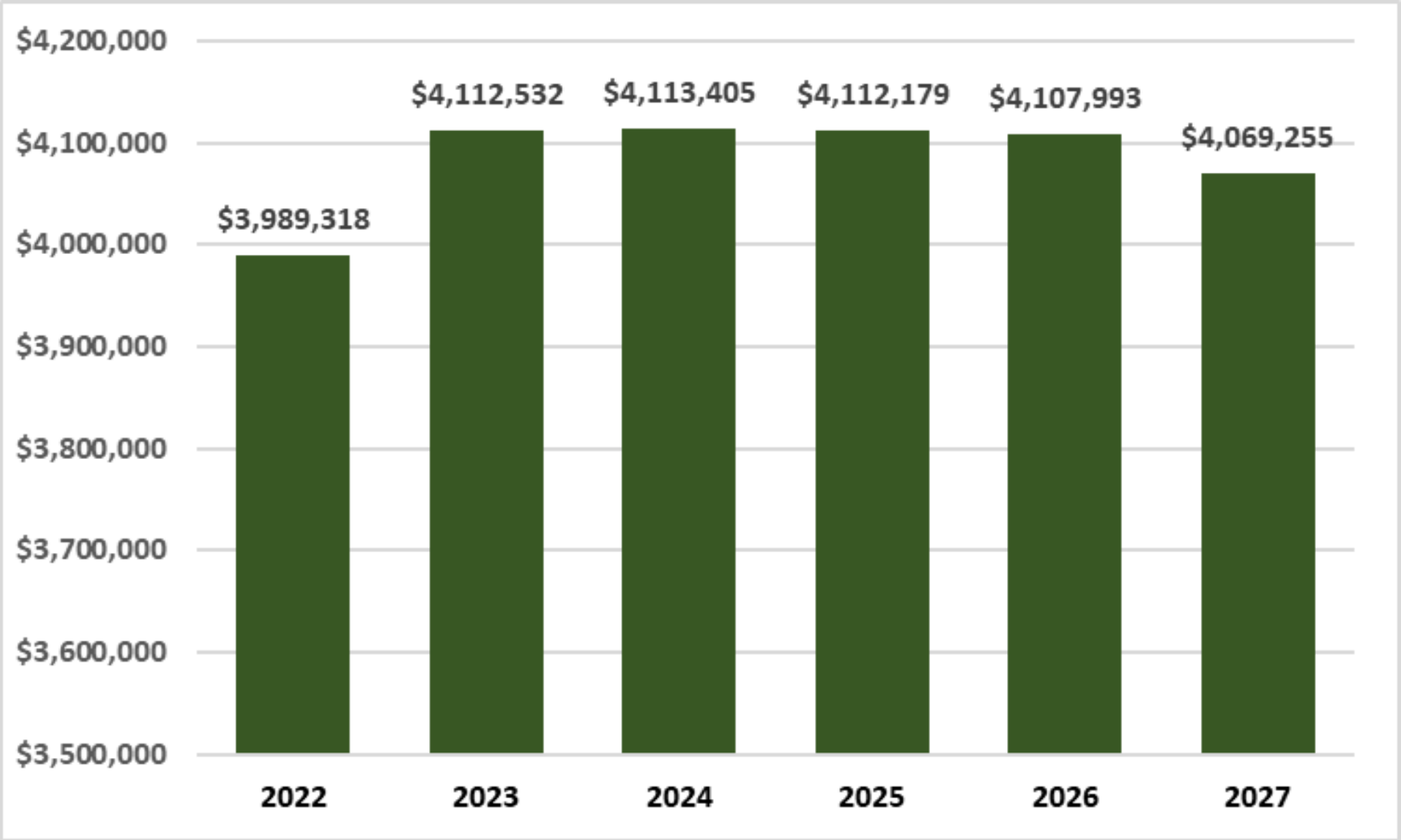
Purpose	Date Authorized	Amount Authorized	Amount Issued To-Date	Amount Authorized but Unissued
Road	November 6, 2018	\$70,000,000	\$16,500,000	\$53,500,000
Communication System	November 6, 2018	\$5,000,000	\$0	\$5,000,000
Parks & Recreation	November 6, 2018	\$50,000,000	\$8,500,000	\$41,500,000
		\$125,000,000	\$25,000,000	\$100,000,000

** The City also has a 1972 bond authorized but unissued for sewer projects in the amount of \$13,000.*

Annual Debt Service of Existing Property Tax Supported Debt



Annual Debt Service of Existing Property Tax Supported Debt Fiscal Years 2022 - 2027



Historical Taxable Assessed Values and Growth Rates

Fiscal Year	Certified Taxable Assessed Value	Annual % Growth	Annual Growth in Dollars
2018	\$1,604,564,959	13.94%	\$196,298,828
2019	\$1,825,461,789	13.77%	\$220,896,830
2020	\$2,056,466,255	12.65%	\$231,004,466
2021	\$2,156,530,974	4.87%	\$100,064,719
2022	\$2,821,528,276	30.84%	\$664,997,302

Timespan	Average Annual % Growth	Average Annual Growth in Dollars
1 Year	30.84%	\$664,997,302
3 Years	16.12%	\$332,022,162
5 Years	15.21%	\$282,652,429

Projected Taxable Assessed Values from FYs 2023 to 2026

Conservative Case

Fiscal Year	Number of Homes	Average TAV of Home ⁽¹⁾	Annual TAV Increase	Projected \$ ^{(2) (3) (4)}	Annual Growth %
2022				\$2,821,528,276 ⁽³⁾	30.8%
2023	1,500	\$315,000	\$472,500,000	\$3,322,243,559	17.7%
2024	1,000	\$319,725	\$319,725,000	\$3,675,190,994	10.6%
2025	750	\$324,521	\$243,390,656	\$3,955,333,561	7.6%
2026	500	\$329,389	\$164,694,344	\$4,159,581,240	5.2%
	3,750		\$1,200,310,000		
	938	= Average =	\$300,077,500		

Base Case

Fiscal Year	Number of Homes	Average TAV of Home ⁽¹⁾	Annual TAV Increase	Projected \$ ^{(2) (3) (4)}	Annual Growth %
2022				\$2,821,528,276 ⁽³⁾	30.8%
2023	2,000	\$315,000	\$630,000,000	\$3,507,958,842	24.3%
2024	1,700	\$324,450	\$551,565,000	\$4,129,683,018	17.7%
2025	1,445	\$340,673	\$492,271,763	\$4,704,548,441	13.9%
2026	1,228	\$357,706	\$439,352,548	\$5,237,991,958	11.3%
	6,373		\$2,113,189,311		
	1,593	= Average =	\$528,297,328		

Data Sources and Assumptions

1) Average TAV of completed new homes.

Conservative Case = 1.5% per year

Base Case = 3.0% per year

2) Tax Year 2021 / Fiscal Year 2022 per Williamson CAD.

3) Existing Taxable Assessed Value increase.

Conservative Case = 1.0% per year

Base Case = 2.0% per year

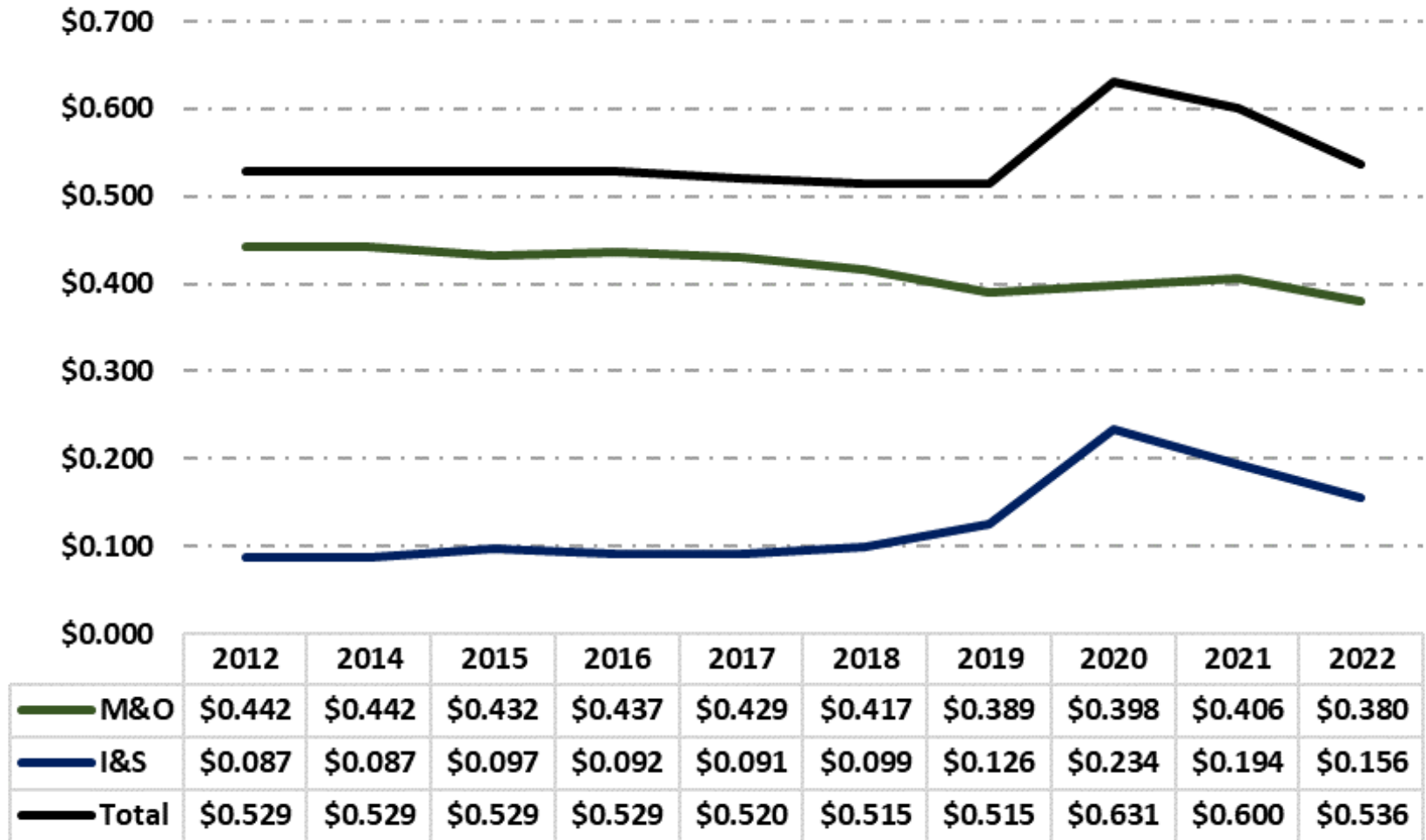
4) Fiscal Year 2021 Permit Data provided by City Staff.

Number of Permits 2,080

Average Value \$332,388

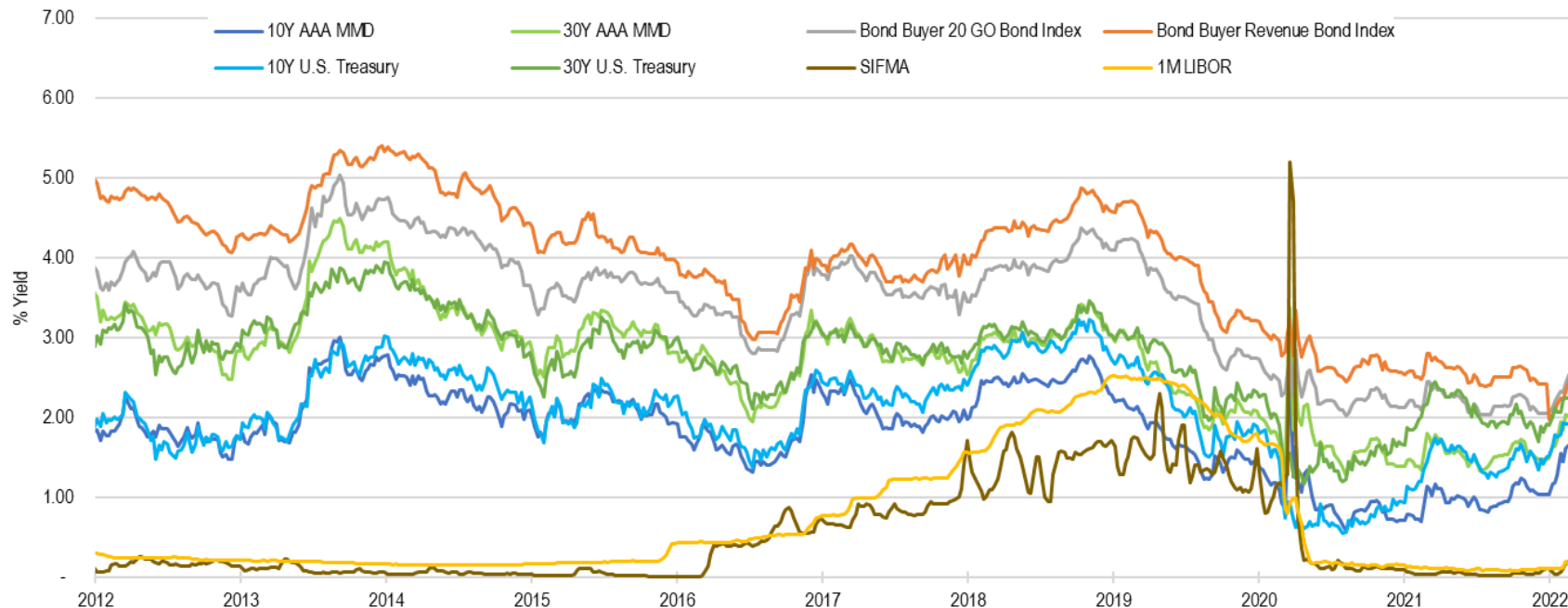
Total Value \$691,366,642

Historical Ad Valorem Tax Rates



Municipal Market Update dated March 25, 2022

Benchmark Interest Rates – 1/1/12 to 3/25/22



Rates Analysis – 1/1/12 to 3/25/22

	10Y AAA MMD	30Y AAA MMD	Bond Buyer 20 GO Bond Index	Bond Buyer Revenue Bond Index	10Y U.S. Treasury	30Y U.S. Treasury	SIFMA	1M LIBOR
Current	2.18	2.54	2.67	2.95	2.48	2.60	0.49	0.45
Maximum	3.01	4.49	5.03	5.40	3.23	3.94	5.20	2.52
Minimum	0.58	1.27	2.02	1.97	0.55	1.17	0.01	0.07
Average	1.83	2.69	3.44	3.91	2.03	2.72	0.50	0.71
% Time Lower	71.3%	33.1%	21.7%	19.1%	73.8%	34.5%	64.0%	61.8%

Source: Refinitiv Municipal Market Data, U.S. Treasury and Bloomberg

General Obligation Debt Funding Capacity Summary

	<u>Conservative Case</u>	<u>Base Case</u>
Debt Service Ad Valorem Property Tax Rate	Current Tax Rate of \$0.156105	
TAV Growth	<u>4 years of projected growth</u>	
	10.3 % per year	16.8% per year
	\$300 million per year	\$528 million per year
Bond Amortization	25 year maturity	
Bond Structure	Wrap around existing debt - min. impact	
Tax-Exempt Interest Rates	Current "AA-" bond rates as of 3/28/2022 plus 0.50%	
	All-in True Interest Cost approx. 3.70%	
GO Debt Capacity	\$35,785,000	\$55,775,000
Less: Financing Costs	(\$269,990)	(\$390,425)
<u>Less: Underwriter's Discount</u>	<u>(\$327,845)</u>	<u>(\$474,088)</u>
Project Fund	\$35,187,165	\$54,910,487
Total Principal and Interest	\$57,207,121	\$86,785,318
Avg. Annual Principal and Interest	\$2,288,285	\$3,471,413

Questions and Discussion

Appendix A

Detailed Debt Capacity Scenario Cashflow Models

Conservative Case - Detailed Debt Capacity Scenario Cashflow Model

A	B	C	D	E	F	G	H	I	J	K	L
Fiscal Year	Estimated Growth Factor ⁽¹⁾	Adjusted Taxable Assessed Valuation ⁽¹⁾	Existing Tax-Supported General Obligation Debt Service	Plus: Master Lease Payments	Total Tax-Supported Debt Service	\$35,785,000 General Obligation Bonds or Certificates of Obligation All-in True Interest Cost = 3.69% ⁽²⁾			Less: I&S Debt Service Funds on Hand ⁽³⁾	NET NEW Tax-Supported General Obligation Debt Service	Required Debt Service (I&S) Tax Rate ⁽⁴⁾
Ending 9/30						Principal	Interest	Total D/S			
2022	30.84%	\$ 2,821,528,276	\$ 3,989,318	\$ 500,000	\$ 4,489,318	\$ -	\$ -	\$ -	\$ -	\$ 4,489,318	\$ 0.1561
2023	17.75%	3,322,243,559	4,112,532	500,000	4,612,532	5,000	1,093,462	1,098,462	(577,627)	5,133,367	0.1561
2024	10.62%	3,675,190,994	4,113,405	500,000	4,613,405	10,000	1,245,610	1,255,610	(191,704)	5,677,311	0.1560
2025	7.62%	3,955,333,561	4,112,179	500,000	4,612,179	255,000	1,245,370	1,500,370	-	6,112,549	0.1561
2026	5.16%	4,159,581,240	4,107,993	500,000	4,607,993	580,000	1,238,919	1,818,919	-	6,426,912	0.1561
2027	0.00%	4,159,581,240	4,069,255	500,000	4,569,255	635,000	1,223,723	1,858,723	-	6,427,977	0.1561
2028	0.00%	4,159,581,240	4,066,785	500,000	4,566,785	655,000	1,206,514	1,861,514	-	6,428,299	0.1561
2029	0.00%	4,159,581,240	3,971,043	500,000	4,471,043	765,000	1,188,174	1,953,174	-	6,424,217	0.1560
2030	0.00%	4,159,581,240	3,872,807	500,000	4,372,807	885,000	1,166,219	2,051,219	-	6,424,026	0.1560
2031	0.00%	4,159,581,240	3,600,419	500,000	4,100,419	1,185,000	1,140,200	2,325,200	-	6,425,619	0.1560
2032	0.00%	4,159,581,240	3,558,218	500,000	4,058,218	1,265,000	1,104,531	2,369,531	-	6,427,749	0.1561
2033	0.00%	4,159,581,240	3,498,493	500,000	3,998,493	1,360,000	1,065,190	2,425,190	-	6,423,682	0.1560
2034	0.00%	4,159,581,240	3,492,356	500,000	3,992,356	1,415,000	1,020,446	2,435,446	-	6,427,801	0.1561
2035	0.00%	4,159,581,240	3,460,619	500,000	3,960,619	1,490,000	972,760	2,462,760	-	6,423,379	0.1560
2036	0.00%	4,159,581,240	3,456,006	500,000	3,956,006	1,550,000	921,504	2,471,504	-	6,427,510	0.1561
2037	0.00%	4,159,581,240	2,996,983	500,000	3,496,983	1,760,000	867,564	2,627,564	-	6,124,547	0.1487
2038	0.00%	4,159,581,240	2,724,235	500,000	3,224,235	1,865,000	805,964	2,670,964	-	5,895,199	0.1432
2039	0.00%	4,159,581,240	2,725,031	500,000	3,225,031	1,930,000	739,943	2,669,943	-	5,894,974	0.1432
2040	0.00%	4,159,581,240	2,727,445	500,000	3,227,445	1,995,000	671,235	2,666,235	-	5,893,680	0.1431
2041	0.00%	4,159,581,240	2,717,713	500,000	3,217,713	2,070,000	600,014	2,670,014	-	5,887,726	0.1430
2042	0.00%	4,159,581,240	2,720,888	500,000	3,220,888	2,145,000	525,908	2,670,908	-	5,891,795	0.1431
2043	0.00%	4,159,581,240	1,695,700	500,000	2,195,700	2,220,000	448,688	2,668,688	-	4,864,388	0.1181
2044	0.00%	4,159,581,240	1,696,675	500,000	2,196,675	2,305,000	365,438	2,670,438	-	4,867,113	0.1182
2045	0.00%	4,159,581,240	-	-	-	2,390,000	279,000	2,669,000	-	2,669,000	0.0648
2046	0.00%	4,159,581,240	-	-	-	2,480,000	189,375	2,669,375	-	2,669,375	0.0648
2047	0.00%	4,159,581,240	-	-	-	2,570,000	96,375	2,666,375	-	2,666,375	0.0647
			\$ 77,486,097	\$ 11,500,000	\$ 88,986,097	\$ 35,785,000	\$ 21,422,121	\$ 57,207,121	\$ (769,331)	\$ 145,423,887	

Uses of Funds	
Project Fund Deposit	\$ 37,972,165
Financing Costs	269,990
Underwriter's Discount	327,845
Total Par Amount	\$ 38,570,000

Notes & Assumptions

(1) Fiscal Year 2022 TAV is actual. Growth assumptions from Fiscal Years 2023-2026 based on existing residential permits and input received from City Staff.

(2) Assumes "AA" Rated Non Bank Qualified Interest Rates plus 0.50% as of 3/28/2022. Subject to Change at Anytime.

Forward yield curve indicates a 10 basis points per month increase assuming an issuance in August 2022.

(3) Assumes use of funds on hand to offset tax-rate impact during FY 2023. Adopted 2022 budget indicates \$1,059,041 of debt service fund balance.

(4) FY 2022 is actual. Subsequent Debt Service (I&S) Tax Rates calculated assuming 99% collections.

Base Case - Detailed Debt Capacity Scenario Cashflow Model

A	B	C	D	E	F	G	H	I	J	K	L
Fiscal Year	Estimated Growth Factor ⁽¹⁾	Adjusted Taxable Assessed Valuation ⁽¹⁾	Existing Tax-Supported General Obligation Debt Service	Plus: Master Lease Payments	Total Tax-Supported Debt Service	\$55,775,000 General Obligation Bonds or Certificates of Obligation All-in True Interest Cost = 3.66% ⁽²⁾			Less: I&S Debt Service Funds on Hand ⁽³⁾	NET NEW Tax-Supported General Obligation Debt Service	Required Debt Service (I&S) Tax Rate ⁽⁴⁾
Ending 9/30						Principal	Interest	Total D/S			
2022	30.84%	\$ 2,821,528,276	\$ 3,989,318	\$ 500,000	\$ 4,489,318	\$ -	\$ -	\$ -	\$ -	\$ 4,489,318	\$ 0.1561
2023	24.33%	3,507,958,842	4,112,532	500,000	4,612,532	-	1,672,892	1,672,892	(867,627)	5,417,797	0.1560
2024	17.72%	4,129,683,018	4,113,405	500,000	4,613,405	50,000	1,905,827	1,955,827	(191,414)	6,377,817	0.1560
2025	13.92%	4,704,548,441	4,112,179	500,000	4,612,179	750,000	1,904,627	2,654,627	-	7,266,805	0.1560
2026	11.34%	5,237,991,958	4,107,993	500,000	4,607,993	1,600,000	1,885,652	3,485,652	-	8,093,645	0.1561
2027	0.00%	5,237,991,958	4,069,255	500,000	4,569,255	1,680,000	1,843,732	3,523,732	-	8,092,986	0.1561
2028	0.00%	5,237,991,958	4,066,785	500,000	4,566,785	1,730,000	1,798,204	3,528,204	-	8,094,988	0.1561
2029	0.00%	5,237,991,958	3,971,043	500,000	4,471,043	1,860,000	1,749,764	3,609,764	-	8,080,806	0.1558
2030	0.00%	5,237,991,958	3,872,807	500,000	4,372,807	1,965,000	1,696,382	3,661,382	-	8,034,189	0.1549
2031	0.00%	5,237,991,958	3,600,419	500,000	4,100,419	2,040,000	1,638,611	3,678,611	-	7,779,030	0.1500
2032	0.00%	5,237,991,958	3,558,218	500,000	4,058,218	2,090,000	1,577,207	3,667,207	-	7,725,424	0.1490
2033	0.00%	5,237,991,958	3,498,493	500,000	3,998,493	2,165,000	1,512,208	3,677,208	-	7,675,700	0.1480
2034	0.00%	5,237,991,958	3,492,356	500,000	3,992,356	2,245,000	1,440,979	3,685,979	-	7,678,335	0.1481
2035	0.00%	5,237,991,958	3,460,619	500,000	3,960,619	2,320,000	1,365,323	3,685,323	-	7,645,942	0.1474
2036	0.00%	5,237,991,958	3,456,006	500,000	3,956,006	2,405,000	1,285,515	3,690,515	-	7,646,521	0.1475
2037	0.00%	5,237,991,958	2,996,983	500,000	3,496,983	2,490,000	1,201,821	3,691,821	-	7,188,804	0.1386
2038	0.00%	5,237,991,958	2,724,235	500,000	3,224,235	2,575,000	1,114,671	3,689,671	-	6,913,906	0.1333
2039	0.00%	5,237,991,958	2,725,031	500,000	3,225,031	2,670,000	1,023,516	3,693,516	-	6,918,547	0.1334
2040	0.00%	5,237,991,958	2,727,445	500,000	3,227,445	2,765,000	928,464	3,693,464	-	6,920,909	0.1335
2041	0.00%	5,237,991,958	2,717,713	500,000	3,217,713	2,860,000	829,753	3,689,753	-	6,907,466	0.1332
2042	0.00%	5,237,991,958	2,720,888	500,000	3,220,888	2,965,000	727,365	3,692,365	-	6,913,253	0.1333
2043	0.00%	5,237,991,958	1,695,700	500,000	2,195,700	3,070,000	620,625	3,690,625	-	5,886,325	0.1135
2044	0.00%	5,237,991,958	1,696,675	500,000	2,196,675	3,185,000	505,500	3,690,500	-	5,887,175	0.1135
2045	0.00%	5,237,991,958	-	-	-	3,305,000	386,063	3,691,063	-	3,691,063	0.0712
2046	0.00%	5,237,991,958	-	-	-	3,430,000	262,125	3,692,125	-	3,692,125	0.0712
2047	0.00%	5,237,991,958	-	-	-	3,560,000	133,500	3,693,500	-	3,693,500	0.0712
			\$ 77,486,097	\$ 11,500,000	\$ 88,986,097	\$ 55,775,000	\$ 31,010,318	\$ 86,785,318	\$ (1,059,041)	\$ 174,712,374	

Uses of Funds	
Project Fund Deposit	\$ 54,910,488
Financing Costs	390,425
Underwriter's Discount	474,088
Total Par Amount	\$ 55,775,000

Notes & Assumptions

(1) Fiscal Year 2022 TAV is actual. Growth assumptions from Fiscal Years 2023-2026 based on existing residential permits and input received from City Staff.

(2) Assumes "AA" Rated Non Bank Qualified Interest Rates plus 0.50% as of 3/28/2022. Subject to Change at Anytime.

Forward yield curve indicates a 10 basis points per month increase assuming an issuance in August 2022.

(3) Assumes use of funds on hand to offset tax-rate impact during FY 2023. Adopted 2022 budget indicates \$1,059,041 of debt service fund balance.

(4) FY 2022 is actual. Subsequent Debt Service (I&S) Tax Rates calculated assuming 99% collections.

RatingsDirect®

Summary:

Hutto, Texas; General Obligation

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Hutto, Texas; General Obligation

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Hutto GO

Long Term Rating

AA-/Stable

Outlook Revised

Rating Action

S&P Global Ratings revised its outlook to stable from negative on the City of Hutto, Texas' limited-tax debt outstanding and affirmed its 'AA-' long-term and underlying ratings (SPUR) on the debt. The outlook revision is based on Hutto's return to positive fiscal performance and increased available reserves.

Hutto's GO bonds, limited-tax bonds, and certificates of obligation constitute direct obligations of the city, payable from the proceeds of a continuing, direct annual ad valorem tax, within the limits prescribed by law, on all taxable property within its borders. The maximum allowable ad valorem tax rate in Texas is \$2.50 per \$100 of assessed value for all purposes, with the portion dedicated to debt service limited to \$1.50. We view the limited-tax GO debt pledge on par with the city's general creditworthiness. The ad valorem taxes are not levied on a narrower or distinctly different tax base, and there are no limitations on the fungibility of resources available for the payment of debt service.

Credit overview

The rating and outlook revision to stable reflect a return to positive fiscal budgetary performance, which has in turn led to an increase in available reserves. We expect economic metrics will remain stable, given potential for rapid growth in the city, which benefits from its favorable location in the greater Austin metropolitan statistical area (MSA). However, Hutto's debt profile is high and very weak, and we do not expect it will change in the near term. The city is involved with various litigation including a case involving Preston Hollow Capital (PHC) regarding a loan agreement. Although we do not anticipate any near-term negative fiscal impact from this litigation, future credit reviews will continue to take into consideration what, if any, potential impact could result from a negative outcome. A negative outcome that could materially weaken the city's fiscal metrics could negatively pressure the rating. Future credit reviews will also focus on the city's ability to establish a sustained trend of positive financial performance and building of reserves that are very strong and sustained above Hutto's formal reserve target.

The rating reflects our opinion of the city's:

- Rapidly expanding economy outside of Austin;
- Expectation of positive fiscal year-end 2021 results with improved available reserve position;
- Standard fiscal management practices and policies; and
- Very weak debt profile given the amount of debt outstanding.

Environmental, social, and governance

We view Hutto's environmental and social risks relative to its economy, management, financial measures, and debt and liability profile to be in line with our view of the sector standard. We note that the city is a party to various outstanding litigation and as such has a heightened level of risk related to governance. Litigation associated with the city Cottonwood Development Corp.'s (CDC's) loan agreement with PHC highlights risk culture and oversight challenges the city faces related to an initiated development loan. If a negative outcome affects city credit quality or if future challenges arise related to administrative oversight with any financial obligations that could affect credit quality, we could lower the rating.

Stable Outlook

Upside scenario

We could raise the rating if the city continues to produce positive annual financial performance while establishing a sustained trend of very strong reserves. Also, the city's debt profile would need to moderate substantially.

Downside scenario

We could lower the rating if expected positive fiscal performance in 2021 is not achieved in audited results or if available reserves fall for any reason, whether it be for capital, high fixed costs, or otherwise.

Credit Opinion

Pending litigation:

Uncertainty remains, associated with pending litigation between the CDC and PHC related to an executed loan agreement and what credit implications the litigation may have on the city. Our current view is that the litigation has had little financial impact on recent judgements in favor of the city. However, we could change our view of the rating on Hutto and/or outlook should ongoing litigation result in adverse publicity, reputational risk, and operational pressure.

The CDC, a local government corporation created by the city, executed a loan agreement with PHC, the proceeds of which were to be used for specific land development expenses. The proceeds of the loan (an initial tranche of about \$12.5 million) were used, in part, to acquire land. Soon after the loan agreement was initiated, PHC unilaterally declared breach of the loan agreement, alleging that the city failed to enter into a Chapter 380 agreement. The requirement to enter into a Chapter 380 agreement with the city was a condition of the second funding of the remaining \$20,000,000 of the loan. PHC initiated foreclosure proceedings on real property owned by CDC secured by the vendor's lien.

After attempts to reconcile irregularities in the loan documents failed, PHC sued both CDC and the city in federal court alleging that the contractual dispute between CDC and PHC constitutes an unconstitutional taking by the city in violation of the U.S. Constitution. The CDC denied the claim and sought a declaratory judgment regarding the validity and enforceability of the loan agreement and promissory note.

The report and recommendations of the U.S. magistrate judge issued on March 3, 2021, recommended that PHC's complaint be dismissed with prejudice for failure to state a claim. The U.S. district court judge issued a final order adopting the opinion of the magistrate judge, which PHC appealed. At this time, the litigation has no direct impact on our rating. Future reviews will continue to take the pending litigation into consideration and if an eventual outcome of the litigation has a material negative impact on the city, its finances, or other key credit metrics, a rating action may be warranted.

Rapidly expanding tax base north of Austin

In recent years, Hutto has experienced development and subsequent rapid market value growth as it benefits from a favorable location north of the expanding Austin MSA. Traditionally, the city has been characterized as a bedroom community with significant employment bases in and north of Austin. City officials report that in 2012, the staff issued 226 single-family home permits. In September 2021, they issued 251 permits simply for the month, and at the end of December, had issued 1,561 single-family home permits for the calendar year. Non-residential development has been slightly slower, although much busier than in previous years. In 2012 staff processed five site plans while in 2021 the city reviewed about 40. The city's top taxpayers are diverse, make up 6% of the total tax base, and include apartments, a power plant, commercial land, and an auto dealership. Although the overall tax base remains relatively small at a little over \$2 billion, we expect rapid development in the coming years similar to surrounding communities; as well, we expect key economic metrics will remain stable or improve, given the ongoing and anticipated development occurring in Hutto.

Stable budgetary performance in 2020 expected to carry through 2021 with improvement in reserves

In 2020, general fund revenues were primarily derived from property taxes (about 43% of total general fund revenues), sales taxes (30%), and licenses, permits, and fees (19%). General fund revenues, before transfers, totaled \$17.8 million, which exceeded general fund expenditures of \$15.4 million. Officials report revenues for 2021 exceeded the budget by more than 10%. New development and growth in the city contributed to large increases in sales tax and permit revenues. Expenditures for 2021 were below budget, which were mainly attributable to lower payroll due to turnover in staff and the difficulty in filling vacant positions. Also, salary expenditures were below budget and several projects were not completed during the year. Unaudited estimates show general fund revenues at \$22 million and general fund expenditures at \$14.5 million. Following a modest expected transfer out of the general fund, the fund will post a solid operating surplus. Some budgeted projects were not completed in 2021 so they intend to use some reserves to complete needed repairs and improvements. Officials estimate that the city will potentially need to spend \$2 million over the next two years. With the increase in ad valorem taxes, Hutto will be adding 11 new positions to continue to meet the demands for services in the expanding community. Officials also report use of American Rescue Plan Act funding, in the next few years, on one-time capital projects, which should also reduce any near-term liquidity or expenditure pressures. Given expected positive performance in fiscal 2021, we expect Hutto will add to its available general fund reserve position in the near term. The city's access to external liquidity is demonstrated through issuance of mainly tax-backed and GO bonds in the past 20 years. Investments comply with state and city guidelines, and we do not consider them aggressive. The city has one series of tax-backed debt obligations that have been privately placed, but there is no acceleration or other legal provisions that we believe would put any near-term pressure on available liquidity. We expect the city's liquidity will remain very strong.

Standard fiscal management practices

Financial management policies are guided by the city's fiscal and budgetary policy, which is reviewed and approved annually by the city council. Current policies and practices include the use of historical data in the budget process, as well as monthly budget reviews with the city council. Management examines historical collections, revenue and expenditure trends, current service levels, population growth, inflationary increases, and salary and benefit costs. Due to recent turnover in management staff, multiyear financial and capital plans are still being updated.

Investments follow state guidelines, pursuant to a formal policy, with monthly reports on holdings and performance to the council. The city's formal debt management policy includes a debt service coverage ratio for self-supporting utility debt, but it lacks other measurable parameters or limitations on debt issuance.

Pursuant to the city charter, Hutto is required to hold reserves of at least 10% of expenditures. In addition, its fiscal policy requires an emergency reserve at a minimum of 20% of budgeted expenditures. The fund balance decrease in fiscal 2019 caused the city to fall out of compliance with this threshold, but fiscal 2021's financial performance will bring the city back in compliance.

We note that the city is a party to various outstanding litigation and as such has a heightened level of risk related to governance. Litigation associated with the city CDC's loan agreement with PHC highlights risk culture and oversight challenges the city faces related to an initiated development loan. If a negative outcome affects city credit quality or if future challenges arise related to administrative oversight with any financial obligations that could affect credit quality, we could lower the rating.

High and very weak debt profile, given large amount of debt outstanding

Hutto has about \$182 million in limited-tax debt outstanding. It does not have any swaps or variable-rate debt. The city estimates over half of the debt is supported by revenues from the utility system. The city also has associated special assessment debt outstanding in a combined amount of about \$30 million related to improvement districts, although the debt is secured by special assessments collected within the specific project areas. Our debt calculations have been adjusted to reflect all debt and partial self-support. For fiscal 2020, total governmental debt service reflects 30% of total governmental expenditures, which is high and well above average. In November 2018, voters approved a \$125 million bond package for road, parks and recreation, and communication system improvements. While the city does not have any near-term plans for additional debt issuance, it has about \$100 million of authorized but unissued debt. Given the amount of debt outstanding relative to the size of the budget and possible debt issuance to address infrastructure needs in the medium term, we expect that the debt profile will remain elevated.

Hutto has one series of privately placed limited-tax obligations that were issued in 2014; however, we do not believe the legal provisions for the certificates pose any near-term challenge to the city's liquidity. Although not reflected in our assessment of direct debt, the city reports sales tax bonds and special assessment revenue bonds. These obligations were issued by and secured by revenues of the city's component units: the Hutto Economic Development Corp. and River Creek Local Government Corp.

Manageable debt profile

We do not view pension and other postemployment benefits liabilities as an immediate credit risk for the city. Hutto participates in the Texas Municipal Retirement System (TMRS), which is 100.7% funded with a net pension asset equal

to \$116,000 at the measurement date of Dec. 31, 2019. Contributions are actuarially determined, and the city has historically fully funded its annual required costs. Actuarial assumptions include a 6.75% discount rate and 25-year closed amortization period.

The city also participates in the Supplemental Death Benefits Fund, which provides group-term life insurance benefits to active and retired members of the TMRS pension plan. The plan is funded on a pay-as-you-go basis. A retiree health care plan provides certain continuing health care benefits to eligible retirees and selected beneficiaries. The benefits are also funded on a pay-as-you-go basis.

Strong institutional framework

The institutional framework score for Texas municipalities is strong.

Hutto, Texas -- Key Credit Metrics				
	Most recent	Historical information		
		2020	2019	2018
Strong economy				
Projected per capita EBI % of U.S.	98			
Market value per capita (\$)	92,988			
Population		23,134	22,007	
County unemployment rate(%)		5.9		
Market value (\$000)	2,831,292	2,209,707	2,076,430	2,291,938
Ten largest taxpayers % of taxable value	6.0			
Strong budgetary performance				
Operating fund result % of expenditures		18.3	(7.4)	4.0
Total governmental fund result % of expenditures		(2.8)	(5.3)	12.4
Very strong budgetary flexibility				
Available reserves % of operating expenditures		20.1	6.9	26.5
Total available reserves (\$000)		3,106	1,214	3,621
Very strong liquidity				
Total government cash % of governmental fund expenditures		123	89	135
Total government cash % of governmental fund debt service		414	555	938
Adequate management				
Financial Management Assessment	Standard			
Very weak debt & long-term liabilities				
Debt service % of governmental fund expenditures		29.8	16.0	14.4
Net direct debt % of governmental fund revenue	406			
Overall net debt % of market value	11.9			
Direct debt 10-year amortization (%)	30			
Required pension contribution % of governmental fund expenditures		4.1		
OPEB actual contribution % of governmental fund expenditures		0.0		
Strong institutional framework				

EBI--Effective buying income. OPEB--Other postemployment benefits. Data points and ratios may reflect analytical adjustments.

Related Research

- Through The ESG Lens 2.0: A Deeper Dive Into U.S. Public Finance Credit Factors, April 28, 2020

Ratings Detail (As Of April 1, 2022)		
Hutto GO		
Long Term Rating	AA-/Stable	Outlook Revised
Hutto GO		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (AGM)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (AGM)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (BAM)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (BAM)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (BAM)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (BAM)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (BAM)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (BAM) (SECMKT)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Hutto GO (BAM) (SECMKT)		
Unenhanced Rating	AA-(SPUR)/Stable	Outlook Revised
Many issues are enhanced by bond insurance.		

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AGENDA ITEM REPORT

12.7.



To: City Council
Subject: Discussion of mandatory Sexual Harassment Training with City Attorney for City Council and City Staff by June 1, 2022 (Mayor Snyder, Legal)
Meeting: Thursday, April 7, 2022
Department: Legal /
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT

12.8.



To: City Council
Subject: Discussion and possible action on developing a policy regarding noncompliance of reporting of workplace harassment by City Councilmembers (Mayor Snyder)
Meeting: Thursday, April 7, 2022
Department: City Council /
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT

12.9.



To: City Council
Subject: Discussion on Workplace Harassment policies and procedures (Interim City Manager Turner)
Meeting: Thursday, April 7, 2022
Department: City Manager /
Staff Contact: Irene Talioaga

BACKGROUND INFORMATION:

Interim City Manager Turner will provide an overview of training, policies and procedures for staff and City Councilmembers.

REQUIRED TRAINING COURSES:

New hires: Work Standards and Expectations (1st week of employment)

Yearly Training:

- Sexual Harassment
- Customer Service
- Cyber Security
- Equity & Inclusion
- Professionalism in the Workplace

Every 2 years:

- Ethics
- Handling Difficult Customers
- Workers Compensation & FMLA

Twice a year:

- Safety training
- Fire Drill

SUMMARY OF REQUEST:

AGENDA ITEM REPORT

12.9.



STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None