



City of Hutto

Agenda

City Council Meeting

Thursday, November 19, 2020 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

Page

1. CALL SESSION TO ORDER
2. ROLL CALL
3. INVOCATION
4. PLEDGE OF ALLEGIANCE
5. CITY COUNCIL COMMENTS

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

5.1. General Comments from City Council

5.2. Council Commission Liaison Reports.

6. PUBLIC COMMENT

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

Any citizen wishing to speak during public comment may do so after completing the required registration form. Comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on November 19, 2020. The email must include name, address, phone # and email to be recognized properly.

Citizens wishing to comment by phone may call:

Toll Free Call In: 1-800-717-4201

Conference ID: 242-3288

Once you are in the conference call press *5 to signal that you are requesting to speak during public comment.

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

7. CITY MANAGER COMMENTS

8. CITY ATTORNEY COMMENTS

- 8.1. RQ-0384-KP. Questions Relating to the Use of Public Improvement District Assessments to Pay Certain Costs and the Necessity of Attorney General Review of Promissory Notes issued by a Local Government Corporation. 8 - 14

[Hutto RQ0384KP Questions related to the use of Public Improvement Assessments.](#)

9. CONSENT AGENDA ITEMS

- 9.1. Consideration and possible action on approval of the September 8, 2020 Special Called City Council meeting minutes. 15 - 17

[September 8, 2020 - Minutes](#)

- 9.2. Consideration and possible action on approval of the September 17, 2020 City Council meeting minutes.

- 9.3. Consideration and possible action on approval of the October 1, 2020 City Council meeting minutes.

- 9.4. Consideration and possible action on the approval of the October 15, 2020 City Council meeting minutes.

- 9.5. Consideration and possible action on a resolution declaring void the June 19, 2019 Development Agreement and the June 19, 2019 Prorata Share Agreement for the Covered Bridge Development Project and Related Alternative Action. 18 - 19

[Hutto Resolution Declaring June 19 2019 Covered Bridge Development Agreement Void 11.19.20](#)

- 9.6. Consideration and possible action to approve Resolution No. R- 2020-106 approving and authorizing the City Manager to execute contract documents with Bell Contractors, Inc. for the Lakeside Estates Lift Station decommissioning project. (Samuel Ray) 20 - 114

[Agenda Item Report - AIR-20-402 - Pdf](#)

[Hutto Resolution R-2020-106](#)

[00520 - Agreement](#)

[00610 - EJCDC Performance Bond](#)

[00615 - EJCDC Payment Bond](#)

[00700 11.16](#)

[00800 - Supplementary Conditions 11.13](#)

9.7.	Consideration and possible action to approve Resolution No. R- 2020-107 approving and authorizing the City Manager to execute a cost sharing agreement with Nexus Private Capital for the installation of an offsite wastewater line related to the Lakeside Estates Lift Station decommissioning project. (Samuel Ray). Hutto Resolution R-2020-107 Nexus Management LLC Hutto Offsite Sewer Agreement	115 - 125
9.8.	Consideration and possible action to approve Resolution No. R- 2020-108 approving and authorizing the City Manager to execute a cost sharing agreement with Harris & Straub, LLC, for the installation of an offsite wastewater line related to the Lakeside Estates Lift Station decommissioning project. (Samuel Ray). Hutto Resolution R-2020-108 Cost Sharing Agreement Southgate Hutto Development Inc.	126 - 137
9.9.	Consideration and possible action to approve Resolution No. R- 2020-109 approving and authorizing the City Manager to execute a cost sharing agreement with Developer for The Bridge Community Church for the installation of an offsite wastewater line related to the Lakeside Estates Lift Station decommissioning project. (Samuel Ray). Hutto Resolution R-2020-109	138
10.	ORDINANCES	
10.1.	Consideration and possible action on an "ordinance authorizing the issuance, sale and delivery of the "city of Hutto, Texas general obligation refunding bonds, series 2020a"; authorizing the levy of an ad valorem tax in support of said bonds; and approving and authorizing the execution of a paying agent/registrar agreement, an escrow agreement, an official statement and all other instruments and procedures related thereto"(City Attorney) Tax-Exempt Ordinance v1 cmp v2 REDLINE Tax-Exempt Ordinance V1 cmp v2 EscrowAgrmnt Hutto (Tax-Exempt 2020A Sufficiency) Sufficiency Certificate Series 2020A (Hutto) PARA (Hutto 2020 AB)	139 - 269
10.2.	Consideration and possible action on an "ordinance authorizing the issuance, sale and delivery of the "city of Hutto, Texas general obligation refunding bonds, taxable series 2020b"; authorizing the levy of an ad valorem tax in support of said bonds; and approving and authorizing the execution of a paying agent/registrar agreement, an escrow agreement, an official statement and all other instruments and procedures related thereto"(City Attorney) Taxable Ordinance 2020B v2 Taxable Ordinance 2020B v1 cmp v2 REDLINE EscrowAgrmnt Hutto (Taxable 2020B Verification) PARA (Hutto 2020 AB)	270 - 408
11.	RESOLUTIONS	

- 11.1. Consideration and possible action on Resolution R-2020-124 approving the amendments to the bylaws of the River Creek Development Corporation. 409 - 417
[River Creek Resolution Amending Bylaws R-2020-124](#)
- 11.2. Consideration and possible action on Resolution R-2020-125 approving the amendments to the bylaws of the Cottonwood Development Corporation. 418 - 426
[Cottonwood Resolution Amending Bylaws R-2020-125](#)
- 11.3. Consider and take action on a Resolution declaring the Office of the Mayor vacant. 427 - 428
[Hutto Resolution Declaring Office of Mayor Vacant](#)
- 11.4. Consideration and possible action on Resolution R-2020-111 approving the second amended and restated bylaws of the Hutto Economic Development Corporation, Type B dba Hutto Community Development Corporation. 429 - 437
[2020-11-02 Bylaws Amendment\(signed\)](#)
- 11.5. Consideration and possible action to direct staff to prepare a Resolution calling a special election for the purpose of filling a vacancy for Mayor in accordance with Section 3.06 of the City Charter.
12. OTHER BUSINESS
 - 12.1. Update on School Zone speed limits. (Byron Frankland)
 - 12.2. Presentation of Forensic Audit Report by Eide Bailly Auditor.
 - 12.3. Presentation of Forensic Audit Report for the Transition, Severance and Separation Agreements, including any retention agreements, by Eide Bailly Auditor.
 - 12.4. Consideration and possible action on approving the purchase of a wastewater easement from KMHR LP ET AL located on Chris Kelley Blvd., Hutto TX to support the Lakeside Estates Lift Station Abandonment project in the amount of \$56,644. 438 - 446
[Agenda Item Report - AIR-20-416 - Pdf](#)
[Hughhins Property Easement](#)
 - 12.5. Presentation of land use assumptions and capital improvements plan for the 2021 update to the City of Hutto Water and Wastewater Impact Fee and request for a public hearing. 447 - 469
[Agenda Item Report - AIR-20-417 - Pdf](#)
[Council Packet Items Presentation 11-19](#)
 - 12.6. Consideration of and possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, and Local Government Corporations.(City Secretary)
 - 12.7. Consideration and possible action on appointing a Mayor Pro Tem.
 - 12.8. Consideration and possible action on appointing a Assistant City Manager.
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 Local Government Code Section 551.071 relating to the Forensic Audit Report and Forensic Audit Report for the Transition, Severance and Separation Agreements; including any retention agreements.
- 13.2. Receive legal advice pursuant to Texas Local Government Code Section 551.071 relating to Development Agreement with RSI Communities-Texas LLC executed September 17, 2017.
- 13.3. Receive legal advice pursuant to Texas Local Government Code Section 551.071 relating to the Hutto CO-OP Pubic Improvement District 2020 Annual Service Plan Update.
- 13.4. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.

14. ACTION RELATIVE TO EXECUTIVE SESSION

- 14.1. Consider and possible action on legal advice pursuant to Texas Local Government Code Section 551.071 relating to the Forensic Audit Report and Forensic Audit Report for the Transition, Severance and Separation Agreements, including any retention agreements.
- 14.2. Consider and possible action on legal advice pursuant to Texas Local Government Code Section 551.071 relating to Development Agreement with RSI Communities-Texas LLC executed September 17, 2017.
- 14.3. Consider and possible action on legal advice received pursuant to Texas Local Government Code Section 551.071 relating to the Hutto CO-OP Pubic Improvement District 2020 Annual Service Plan Update.
- 14.4. 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.

15. ADJOURNMENT

16. CERTIFICATION

I certify that this notice of the November 19, 2020 Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on November 16, 2020 at 5:33 P.M.



Holly Nagy

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