



City of Hutto

Agenda

City Council Meeting

Thursday, February 4, 2021 at 7:00 PM

City Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at www.huttotx.gov

Page

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

Led by Julie Hammond, Church of Jesus Christ of the Latter Day Saints.

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.

Comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on February 4, 2021. The email must include name, address, phone # and email to be recognized properly. Citizens wishing to comment by phone may call:

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. CONSENT AGENDA ITEMS

- 8.1. Consideration and possible action on the January 21, 2021 City Council workshop minutes. 8

[January 21, 2021 workshop minutes](#)

- 8.2. Consideration and possible action on the January 21, 2021 Regular City Council meeting minutes. 9 - 21

[January 21, 2021 Regular meeting minutes](#)

- 8.3. Consideration and possible action on Resolution No. R-2021-019 accepting the infrastructure improvements for the subdivision known as Hutto Crossing Phase 4 Section 9B. (Tony Host) 22 - 46

[Agenda Item Report - AIR-21-007 - Pdf](#)

[Hutto Crossing 4-9B Concurrence Letter](#)

[Hutto Crossing 4-9B Construction Summary](#)

[Hutto Crossing 4-9B TDLR](#)

[Hutto Crossing Ph 4 Sec 9B -Final Cost & Quantities](#)

[Hutto Crossing Ph 4 Sec 9B Maint Bond](#)

[Hutto Crossing Phase 4-9 B Final Subdivision Checklist](#)

[Hutto Crossing Phase 4 Section 9B acceptance resolution](#)

- 8.4. Consideration and possible action on Resolution No. R-2021-020 accepting the infrastructure improvements for the subdivision known as Highlands North Phase 1. (Tony Host) 47 - 66

[Agenda Item Report - AIR-21-008 - Pdf](#)

[Highland North Phase 1 Completion Letter S&S 1-7-21](#)

[Highland North Phase 1 Maintenance Bond](#)

[Highland North Phase 1 project check list](#)

[Highland North Phase 1 01-13-21 TAS approval](#)

[Highland North Phase 1 Construction Summary](#)

[Highland North Phase 1 Surety Rider](#)

[Highland North Phase 1 acceptance resolution](#)

9. ORDINANCES

- 9.1. Consideration and possible action on Ordinance No. O-2021-002 providing a budget amendment to accommodate the Pro-Rata Share Agreement for Mustang Creek – HISD Improvements between the City of Hutto and Hutto ISD (First Reading) (Misti Hancock) 67 - 82

[Item 9.1 ORDINANCE 2021-002 HISD Pro Rata](#)
[Item 9.1 Mustang Creek Pro Rata Agreement & Actual Costs](#)
[Item 9.1 Budget Amendment HISD Mustang Creek](#)

- | | | |
|------|--|-----------|
| 9.2. | Consideration and possible action on Ordinance No. O-2021-004 providing a budget amendment to accommodate the Professional Services Agreement between the Hutto CDC and the City of Hutto. (First Reading)(Misti Hancock) | 83 - 85 |
| | ORDINANCE NO. O- 2021-004_HEDC Admin_Prof Services CDC Budget Amendment | |
| 9.3. | Consideration of a Public Hearing and possible action on Ordinance No. O-2021-003 amending the City of Hutto Water and Wastewater Impact Fees.(First Reading)(Samuel Ray) | 86 - 193 |
| | CIAC Written Recommendation to City Council -Signed Hutto - Ordinance O-2021-003-Amending the Water and Wastewater Impact Fees 2.1.21
O-2021-003 Water and Wastewater Impact Fee Report Exhibit A | |
| 9.4. | Consideration and possible action on Ordinance No. O-2021-005 ordering a special election on proposed amendments to the home rule city charter of the City of Hutto to be held on May 1, 2021; providing for the publication and posting of notice; proposing amendments to the home rule city charter of the City of Hutto; providing for early voting and election day voting; providing for performance of required administrative duties; making provisions for the conduct of such election; certifying provision of required accessible voting systems; and providing for other matters related to such election.(Second Reading)(City Attorney) | 194 - 223 |
| | Hutto - Charter Amendments Ordinance 2.1.21
Hutto Charter Ord Exh Measure A-AA 2.4.21 | |

10. RESOLUTIONS

- | | | |
|-------|---|-----------|
| 10.1. | Consideration and possible action on Resolution No. R-2021-021 ordering a general election for May 1, 2021, for the purpose of electing City Council, Place 2 and City Council, Place 5, designating election precincts and polling places, providing for early voting and election day voting, providing for performance of required administrative duties, and providing other matters relating to such election. (City Attorney) | 224 - 239 |
| | Resolution No. R-2021-021 - General Election Place 2 and 5 | |
| 10.2. | Consideration and possible action on Resolution No. R-2021-023 supporting the proposed Low-Income Housing Tax Credit project Carver Ridge Apartments, LP (Ashley Lumpkin) | 240 - 242 |
| | Agenda Item Report - AIR-21-010 - Pdf | |

11. OTHER BUSINESS

- | | | |
|-------|---|-----------|
| 11.1. | Update on Durango Farms by Bob Wunsch. | |
| 11.2. | Presentation on Temporary Signs (10.410 Signs, Hutto Unified Development Code)(Ashley Lumpkin). | 243 - 249 |
| | Agenda Item Report - AIR-21-011 - Pdf | |

- | | | |
|-------|--|-----------|
| 11.3. | Consideration and possible action on a presentation regarding Traffic Impact Fees. (Samuel Ray)
Agenda Item Report - AIR-21-014 - Pdf | 250 - 251 |
| 11.4. | Consideration and possible action on a Presentation regarding Water Supply Study. (Samuel Ray, DCS Engineering)
Agenda Item Report - AIR-21-017 - Pdf | 252 |
| 11.5. | Consideration of and possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, and Local Government Corporations.(City Secretary).
Agenda Item Report - AIR-21-009 - Pdf
Boards Commissions List 1-28-21 | 253 - 280 |
| 11.6. | Discussion on FY 2018-2020 Economic Development Corporation and Hutto Community Development Corporation expenditures. (Councilmember Sutton)
EDC CheckDetail Oct 2017 to Sept 2020 | 281 - 310 |
| 11.7. | Discussion and possible action on funding any chamber agreements, voiding any chamber agreements or MOUs, and directing City Manager to cease spending funds or staff time for anything related to the chamber. (Councilmember Rose) | |
| 11.8. | Discussion and possible action on restrictions placed on City Councilmember's, Board and Commission member's attendance at events not sponsored by the City. (Councilmember Gordon)(Councilmember Rose) | |
| 11.9. | Discussion and possible action on Brushy Creek Amphitheater Noise Issues.(City Manager)(Stacy Schmitt)
Brushy Creek Amphitheater Events Summary 129
Brushy Creek Amphitheater Rental Option
BrushyCreekAmp 06-17-19
WPC Site Aerial | 311 - 318 |

12. EXECUTIVE SESSION

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 [Litigation/Consultation with Attorney], 551.072 [Deliberations regarding real property], 551.073 [Deliberations regarding gifts and donations], 551.074 [Deliberations regarding personnel matters] or 551.076 [Deliberations regarding deployment/implementation of security personnel or devices] and 551.087 [Deliberations regarding Economic Development negotiations].

- | | |
|-------|---|
| 12.1. | Receive legal advice pursuant to Texas Government Code Section 551.071 relating to the Durango License Agreement; and deliberate regarding real property involved in Durango License Agreement pursuant to Texas Government Code Section 551.072. |
| 12.2. | Receive legal advice pursuant to Texas Local Government Code Section 551.071 relating to waiving the attorney-client privilege for Bojorquez Law |

Firm fee bills.

- 12.3. Receive legal advice pursuant to Texas Local Government Code Section 551.071 relating to waiving the attorney-client privilege for McGinnis Lochridge memorandum related to the employment of former Councilmember by the Hutto EDC, and relating to the former Councilmember's employment with Hutto EDC.
- 12.4. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 12.5. Discussion pursuant to Texas Government Code Section 551.074 personnel matters relating to Legal Services and City Attorney.

13. ACTION RELATIVE TO EXECUTIVE SESSION

- 13.1. Consideration and possible action on legal advice received relating to the Durango License Agreement; and deliberate regarding real property involved in Durango License Agreement pursuant to Texas Government Code Section 551.072.
- 13.2. Consideration and possible action on legal advice received pursuant to Texas Local Government Code Section 551.071 relating to waiving the attorney-client privilege for Bojorquez Law Firm fee bills.
- 13.3. Consideration and possible action on legal advice received pursuant to Texas Local Government Code Section 551.071 relating to waiving the attorney-client privilege for McGinnis Lochridge memorandum related to the employment of former Councilmember by the Hutto EDC, and relating to the former Councilmember's employment with Hutto EDC.
- 13.4. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 13.5. Consideration and possible action on discussions held pursuant to Texas Government Code Section 551.074 personnel matters relating to Legal Services and City Attorney.

14. ADJOURNMENT

15. CERTIFICATION

I certify that this notice of the **February 4, 2021** Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on **February 1, 2021** at **5:00 P.M.**



Holly Nagy

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