



**CITY OF HUTTO, TEXAS
SPECIAL CITY COUNCIL MEETING
THURSDAY, JULY 11, 2019 AT 7:00 PM**

**CITY HALL - CITY COUNCIL CHAMBERS
500 WEST LIVE OAK STREET**

CITY COUNCIL

Doug Gaul, Mayor
Tom Hines, Place 2, Mayor Pro-tem
Scott Rose, Place 1
Mike Snyder, Place 3
Peter Gordon, Place 4
Patti Turner, Place 5
Tanner Rose, Place 6

AMENDED AGENDA

1. **CALL SESSION TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Any citizen wishing to speak during public comment may do so after completing the required registration form.

In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the City Council.

No formal action, discussion, deliberation, or comment will be made by the City Council. Comments must be courteous and respectful. Accordingly, concerns, complaints, and assertions of character regarding specific individuals, including any citizens, staff member, City Board or Commission member or City Council member shall not be raised in a public forum; but should be addressed separately and privately with the City Manager or individual member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate or disruptive manner may be asked to leave the City Council Chambers. Each person providing public comment will be limited to 3 minutes.

4A. Remarks from visitors. (Three-minute time limit)

REGULAR AGENDA ITEMS

5. **RESOLUTIONS:**

- 5A. Consideration and possible action on a resolution authorizing the City Manager to purchase needed equipment for public safety, such as flood lights, generators, signal signs, and barricades at an amount not to exceed \$115,000.00. (Mark Nuñez)
- 5B. Consideration and possible action on a resolution amending City Council Protocols. (Emily Parks)

6. **ORDINANCES:**

- 6A. Consideration of a public hearing and possible action on the second and final reading of an ordinance regarding the proposed annexation of the Highlands North (Decker Tract), 75.812 acres, more or less, of land located on CR 132. (Ashley Lumpkin)
- 6B. Consideration of a public hearing and possible action on the first reading of an ordinance approving a specific use permit for the property located on Ed Schmidt Boulevard, Emory Farms Commercial Lots 2, 3, 4 and 5, 4.299 acres, more or less, of land, allowing a lodging establishment in the B-1 (Local Business) zoning district. (Ashley Lumpkin)
- 6C. Consideration of a public hearing and possible action on the second and final reading of an ordinance regarding the proposed annexation of Riverwalk South, 118.971 acres, more or less, of land located on CR 138. (Ashley Lumpkin)

7. **OTHER BUSINESS:**

- 7A. Consideration of and possible appointments to City Boards and Commissions. (Lacie Hale)

8. **CITY MANAGER COMMENTS:**

- 8A. Budget review and discussion. (Michel Sorrell)

9. **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].

- 9A. Executive Session, as authorized by Texas Government Code, Section 551.087, deliberations regarding Economic Development negotiations, regarding Project Expansion including a discussion regarding documents, terms and deal points.

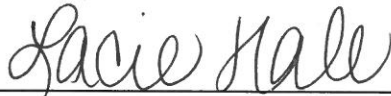
10. **ACTION RELATIVE TO EXECUTIVE SESSION:**

- 10A. Consideration and possible action to approve an interlocal agreement between the City of Hutto and Cottonwood Creek Development Corporation and authorize City Manager to execute.
- 10B. Consideration and possible action regarding Resolution reaffirming the City Manager authority on behalf of the City to create Cottonwood Development Corporation, and authorizing Cottonwood Development Corporation to do business subject to the Hutto City Council's review and approval of the bylaws of Cottonwood Development Corporation.

11. **ADJOURNMENT**

CERTIFICATION

I certify that this notice of the July 11, 2019 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on July 8, 2019 at 6:01 pm



Lacie Hale, City Secretary

The City of Hutto is committed to comply with the American with Disabilities Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4839 or lacie.hale@huttotx.gov for assistance.

CITY OF HUTTO

CITY COUNCIL AGENDA

AGENDA ITEM NO.: 5A.

AGENDA DATE: July 11, 2019

PRESENTED BY:

ITEM:

Consideration and possible action on a resolution authorizing the City Manager to purchase needed equipment for public safety, such as flood lights, generators, signal signs, and barricades at an amount not to exceed \$115,000.00. (Mark Nuñez)

STRATEGIC GUIDE
POLICY:

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

CITY ATTORNEY REVIEW:

STAFF RECOMMENDATION:

SUPPORTING MATERIAL:

There are no supporting documents.

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

RESOLUTION NO. R-_____

A RESOLUTION APPROVING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT WITH BARNSCO AND PATHMARK TRAFFIC FOR THE PURCHASE OF EQUIPMENT TO BE USED FOR PUBLIC WORKS AND PUBLIC SAFETY.

WHEREAS, the City requires equipment for traffic safety as well as public safety at Citywide events, and;

WHEREAS, the City requires compliance with statutory bid requirements, and;

WHEREAS, Barnsco and Pathmark Traffic were selected from three competitive quotes as the lowest price which meets competitive bidding statutes,

WHEREAS, the City wishes to engage Barnsco and Pathmark Traffic to acquire equipment for traffic safety and public safety, tabulation of quotes in Exhibit A;

WHEREAS, the City will use funding from the 2019 General Obligation Bonds for the acquisition of this equipment;

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

The Hutto City Council hereby authorizes the City Manager to enter into a purchase agreement with Barnsco and Pathmark Traffic to purchase equipment for public works and public safety not to exceed \$115,000.00.

CONSIDERED and RESOLVED on this the **11th** day of **July, 2019**.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

EXHIBIT A - BID COMPARISON

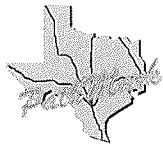
PORTABLE LIGHT TOWER W/GENERATOR (10)

<i>Barnsco</i>	<i>\$73,250</i>
Pathmark Tower	\$79,950
Equipment Share	\$84,500
Dobie Supply LLC	\$87,360

TRAILER MOUNTED MESSAGE BOARDS (3)

<i>Pathmark Tower</i>	<i>\$41,250</i>
Equipment Share	\$41,720
Dobie Supply LLC	\$44,985

Total Equipment Cost	<u>\$114,500</u>
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PATHMARK TRAFFIC

P.O. BOX 1066
SAN MARCOS, TX 78667

Price Quote

Date	Estimate #
7/5/2019	Q2805

Name / Address
CITY OF HUTTO

Ship To
CITY OF HUTTO 356 CO RD 199 HUTTO, TX 78634 LANCE ZEPLIN 512-595-1779

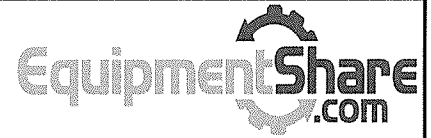
Terms		FOB		Ship Date		Project		Rep	
NET 30 DAYS		DELIVERED		7-10 DAYS				AC	
Item #	Quantity	U/M	Description				Price	Total	
Non-inventory It...	4		92"x54" SOLAR TECH MB2 STANDARD, TRAILER MOUNT MESSAGE BOARD				13,750.00	55,000.00	
Phone #		Fax #		E-mail			Subtotal		
(800) 547-0874		(800) 352-2092		sales@pathmark.net					
							\$55,000.00		

Price is good through 30 days.
Prices quoted are for above quantities shipped at one time.
Prices may change if quantities differ from those shown above.

Sales Tax (0.0%)	\$0.00
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Total	\$55,000.00
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EQUIPMENT SALE QUOTE



Company Name:	City of Hutto
Contact Name:	
Address:	
Phone:	
Fax:	
Email:	

Jobsite Name:			Quote Date 7/8/2019	
Jobsite Address:		Quotes are good for 30 days		
	Equipment Description			Total Sale Price
		Quantity	Price Each	
	Cabinet size 96"W X 48" H X 6" D Full matrix display	4.00	\$13,640.00	\$54,560.00
			Sale Cost	\$54,560.00
			Freight Cost	\$800.00
			Sub Total	\$55,360.00
			Tax @ 8.25%	\$0.00
			Grand Total	\$55,360.00



601 Commercial Drive
Buda, TX 78610

Estimate

Date	Estimate #
7/9/2019	26861

Name / Address
City of Hutto 500 W. Live Oak St. Hutto, TX 78634

Ship To
City of Hutto 356 CR 199 Hutto, TX 78634

P.O. No.	Terms	Rep
	Net 30	AC

Qty	Item	Description	U/M	Rate	Total
4.00	100 Quote...	Metro™ VMS (WVTMM-L) Size: 88" x 48" x 6" Weight: Approx. 1,500 lbs DELIVERED PRICE		14,995.00	59,980.00

Signature _____	Total \$59,980.00
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Phone #	Fax #	E-mail	Web Site
5124376499	512-444-0796	accounting@dobiesupply.com	www.dobiesupply.com



PATHMARK TRAFFIC
P.O. BOX 1066
SAN MARCOS, TX 78667

Price Quote

Date	Estimate #
7/5/2019	Q2805

Name / Address
CITY OF HUTTO

Ship To
CITY OF HUTTO 356 CO RD 199 HUTTO, TX 78634 LANCE ZEPLIN 512-595-1779

Terms		FOB		Ship Date		Project		Rep	
NET 30 DAYS		DELIVERED		7-10 DAYS				AC	
Item #	Quantity	U/M	Description				Price	Total	
Non-inventory It...	3		92"x54" SOLAR TECH MB2 STANDARD, TRAILER MOUNT MESSAGE BOARD				13,750.00	41,250.00	
Phone #		Fax #		E-mail		Subtotal			
(800) 547-0874		(800) 352-2092		sales@pathmark.net		\$41,250.00			

Barnsco

50 Ironhorse Drive
Hutto, Texas 78634
Phone (512)354-4970
Fax (512)255-6631

Quotation

DATE 5/8/2019
Quotation #
Customer ID

Quotation For: City of Hutto

Prepared by: Mike Peralez

Att: Lance

QUANTITY	U/M	ITEM DESCRIPTION	UNIT PRICE	AMOUNT
10	ea	V 4S 6KW Light Tower	\$ 7,325.00	\$ 73,250.00
		Free Freight for 10 lights 3-4 day lead time.		
		Price is good till equipment		
		runs out.		

Above prices are subject to state and local taxes.

FOB your yard

SUBTOTAL	\$ 73,250.00
TAX RATE	
TOTAL PRICE	\$ 73,250.00



PATHMARK TRAFFIC

P.O. BOX 1066
SAN MARCOS, TX 78667

Price Quote

Date	Estimate #
7/5/2019	Q2808

Name / Address
CITY OF HUTTO

Ship To
CITY OF HUTTO 356 CO RD 199 HUTTO, TX 78634 LANCE ZEPLIN 512-595-1779

Terms		FOB		Ship Date	Project		Rep
NET 30 DAYS		DELIVERED		7-10 DAYS ARO			AC
Item #	Quantity	U/M	Description			Price	Total
Non-inventory It...	10		PORTABLE LIGHT TOWER W/GENERATOR			7,995.00	79,950.00
Phone #		Fax #		E-mail		Subtotal \$79,950.00	
(800) 547-0874		(800) 352-2092		sales@pathmark.net			

Price is good through 30 days.
Prices quoted are for above quantities shipped at one time.
Prices may change if quantities differ from those shown above.

Sales Tax (0.0%)	\$0.00
Total	\$79,950.00



rent | track | own

Equipment Sales Quote # QU-1139

Remit To:

EquipmentShare - Austin
1251 County Road 118
Hutto, Tx 78634
Tel: 512-851-1055

Quote Details

Create Date	5 July 2019	Sales Rep	Nancy Vitale
Expire Date	5 August 2019	Phone	737-222-0242

Account Information

Account Name	City of Hutto	Order by	TBD
Account Number	8172	Phone	
Ship to	Austin Yard	Email	

Equipment Type	Price	QTY	Subtotal
2019 Wacker Neuson	\$8,450.00	10	\$84,500.00
LTV6L Light Tower			
Fuel Sensor Installed			
Standard Specs			
Delivery & PDI Included	\$0.00	1	\$0.00
Subtotal			\$84,500.00
Total			\$84,500.00

I acknowledge the terms and conditions of this purchase.

Customer Signature

Date



601 Commercial Drive
Buda, TX 78610

Estimate

Date	Estimate #
6/7/2019	26652

Name / Address
City of Hutto 500 W. Live Oak St. Hutto, TX 78634

Ship To
City of Hutto 356 CR 199 Hutto, TX 78634

P.O. No.	Terms	Rep
QUOTE	Net 30	AC

Qty	Item	Description	U/M	Rate	Total
10.00	100 Quote...	WCLT-4MK106K Compact diesel light tower w/Kubota D-1005 engine and 6 kW gen set.		8,616.00	86,160.00
1.00	Delivery Fee	Shipping & Handling Please note: These standard compact units are in stock. Can ship immediately. PLEASE CONTACT ALEX WITH QUESTIONS OR ADDITIONAL NEEDS ALEX@DOBIESUPPLY.COM -VB	ea	1,200.00	1,200.00

Signature _____	Total \$87,360.00
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Phone #	Fax #	E-mail	Web Site
5124376499	512-444-0796	accounting@dobiesupply.com	www.dobiesupply.com

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 5B.

AGENDA DATE: July 11, 2019

PRESENTED BY:

ITEM:

Consideration and possible action on a resolution amending City Council Protocols. (Emily Parks)

STRATEGIC GUIDE

POLICY:

ITEM BACKGROUND:

The Hutto City Council reviewed its council protocols at its 2019 Council Planning Retreat. Members requested changes to specific areas, including general edits, board member appointment procedures, council member document review and the Texas Public Information Act.

BUDGETARY AND FINANCIAL SUMMARY:

There are no Budgetary and Financial impacts at this time.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

CITY ATTORNEY REVIEW:

City Attorney has provided suggested language for the protocol changes.

STAFF RECOMMENDATION:

Staff recommends accepting the changes to the council protocols as they are written.

SUPPORTING MATERIAL:

There are no supporting documents.

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						



City Council Protocol Policy July 11, 2019

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1 Overview of Roles and Responsibilities

a) Role of the Mayor

The Mayor shall:

- 1) Act as the official head of the City for all ceremonial purposes
- 2) Chair Council meetings
- 3) Vote on propositions that come before the City Council, but shall have no power to veto.
- 4) When authorized by the City Council, sign all official documents such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts, and bonds.
- 5) Recognize comments from citizens at public meetings
- 6) Call for special meetings
- 7) Select substitute for City representation when Mayor cannot attend
- 8) Make judgment calls on proclamations, special presentations, etc.
- 9) Recommend subcommittees as appropriate for Council approval
- 10) Serve as the liaison between the Council and the City Manager and City Attorney in regard to official relations
- 11) Lead the Council into an effective, cohesive working team
- 12) Sign documents on behalf of the City
- 13) Work with City Manager to prepare Council agenda
- 14) Appoint Council Committees
- 15) Perform such other duties consistent with this Charter or as may be imposed upon him or her by the City Council.

b) Role of Mayor Pro-tem

The Mayor Pro-tem shall be chosen by the City Council at the first regular City Council meeting following each regular City election.

The Mayor Pro-tem shall:

- 1) Act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor
- 2) Represent the City at ceremonial functions at the request of the Mayor

c) Role of a Council Member

All members of the City Council, including those serving as Mayor and Mayor Pro Tem, have equal votes. No Council member has more power than any other Council member, and all should be treated with equal respect.

All Council members shall:

- 1) Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
- 2) Prepare in advance of Council meetings and be familiar with issues on the agenda. Stay focused and act efficiently during public meetings.
- 3) Represent the City at ceremonial functions at the request of the Mayor.
- 4) Be respectful of other people's time. Serve as a model of leadership and civility to the community.
- 5) Inspire public confidence in Hutto government.
- 6) Provide contact information to the City Manager's Office in case an emergency or urgent situation arises while a Council member is out of town.
- 7) Demonstrate honesty and integrity in every action and statement
- 8) Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Council Protocol Policy.

d) Meeting Chair's Responsibilities

The Mayor will chair official meetings of the City Council, unless the Mayor Pro Tem or another Council member is designated as Chair of a specific meeting. This individual maintains order, decorum, and the fair and equitable treatment of all speakers and keeps discussion and questions focused on the specific agenda item under consideration.

e) Council Protocol for Appointment to City Board or Commission or EDC Board of Directors:

No person can be appointed to a City created Board or Commission and/or the EDC Board unless that person has filled out and submitted an appropriate application to the City Secretary before the meeting at which they are appointed by the City Council. Provided, however, an application does not need to be submitted for: 1. A person being re-appointed to a position; or 2. A City Council Member being appointed to the EDC Board of Directors.

2 Meetings

a) Agenda Development and Posting

The agenda of each City Council meeting is prepared as a joint effort between the mayor, city manager, city secretary, and department directors. Two members of City Council may request placement of an item on the agenda to the City Manager or City Secretary no later than noon on the Tuesday of the week prior to the Thursday Council Meeting. The request should state the nature of the item, the desired action by city council and include any supporting material. Once all items are submitted they are reviewed and approved by the City Manager. Once approved, the agenda and packet are finalized and placed into

the City Council dropbox account on the Friday before the scheduled meeting date. The agenda is posted on the city hall bulletin board and on the city's website in accordance with the Texas Open Meetings Act.

b) Meeting Schedule

Regular meetings are held the first and third Thursdays of each month at 7:00 p.m., in the City Hall Council Chambers, 500 W. Live Oak Street, Hutto, Texas. Other meetings may arise on an as needed basis, such as budget work sessions. A schedule of regular meetings is determined in December for the upcoming year. At times, scheduling conflicts will arise and a regular meeting may be rescheduled to another day. This must be done by ordinance and approved by the City Council.

c) Work Sessions

Work Sessions have several purposes: 1) to discuss pending items for the Council agenda; 2) to discuss items that staff needs to bring to Council's attention; 3) to receive progress reports on current projects and 4) to hear regular updates from members of appointed Boards, Commissions, or Task Forces. Overall, the purpose of the work session is for Council and staff to meet and discuss various items in an informal manner where questions may be asked of each other and in-depth discussion can take place. No official action on City business is taken in work sessions.

Work sessions are not held regularly and the location and times vary. All work session agendas are posted in compliance with the Texas Open Meetings Act and are always open to the public.

Work sessions are attended by all members of the City Council, the City Manager, Assistant City Manager, and City Secretary. Depending on the agenda items, the city attorney, department directors, other staff members, consultants, board members, etc. will be invited. The Mayor presides over the work sessions.

d) Emergency Meetings

Special rules allow for posting notice of emergency meetings and for supplementing a posted notice with emergency items. These rules affect the timing and content of the notice but not its physical location. Section 551.045, Texas Government Code, provides:

- 1) In an emergency or when there is an urgent public necessity, the notice of a meeting or the supplemental notice of a subject added as an item to the agenda for a meeting for which notice has been posted in accordance with this subchapter is sufficient if it is posted for at least two hours before the meeting is convened.

- 2) An emergency or urgent public necessity exists only if immediate action is required of a governmental body because of:
 - a) An imminent threat to public health and safety; or
 - b) A reasonably unforeseeable situation
- 3) The governmental body shall clearly identify the emergency or urgent public necessity in the notice or supplemental notice under this section.
- 4) A person who is designated or authorized to post notice of a meeting by a governmental body under this subchapter shall post the notice taking at face value the governmental body's stated reason for the emergency or urgent public necessity.
- 5) For purposes of Subsection (b)(2), the sudden relocation of a larger number of residents from the area of a declared disaster to a governmental body's jurisdiction is considered a reasonably unforeseen situation for a reasonable period immediately following the relocation. Notice of an emergency meeting or supplemental notice of an emergency item added to the agenda of a meeting to address a situation described by this subsection must be given to the members of the news media as provided by Section 551.047 not later than one hour before the meeting.

The public notice of an emergency meeting must be posted at least two hours before the meeting is scheduled to begin. A government body may decide to consider an emergency item during a previously scheduled meeting instead of calling a new emergency meeting. The governmental body must post notice of the subject added as an item to the agenda at least two hours before the meeting begins.

In addition to posting the public notice of an emergency meeting or supplementing a notice with an emergency item, the governmental body must give special notice of the emergency meeting or emergency item to the news media who have previously (1) filed a request with the governmental body, and (2) agreed to reimburse the governmental body for providing the special notice. The notice to members of the news media is to be given by telephone, facsimile transmission or electronic mail.

Because Section 551.045 provides for a two-hour notice only for emergency meetings or for adding emergency items to the agenda, a governmental body adding a nonemergency items to its meeting agenda must satisfy the general notice period of Section 551.043 or Section 551.044, as applicable, regarding the subject of that item.

The public notice of an emergency meeting or emergency item must "clearly identify" the emergency or urgent public necessity for calling the meeting or for adding the item to the agenda of a previously scheduled meeting. The Act defines "emergency for purposes of emergency meetings and emergency items.

A governmental body's determination that an emergency exists is subject to judicial review. The existence of an emergency depends on the facts in a given case.

e) Public Comment

The City Council encourages and solicits public input on all matters both in and out of City Council meetings.

At each regular meeting, the Board will set aside 30 minutes to afford the public an opportunity to speak to the City Council regarding matters of concern or interest to the public regarding City affairs. Each speaker is given three minutes to address the City Council. The City Secretary is the designated timekeeper.

Comments on any subject, whether positive or negative, must be courteous and respectful. Accordingly, concerns, complaints and assertions of character regarding specific individuals, including any citizen, staff member, City Board or Commission member or City Council member shall not be raised in public forum; but should be addressed separately and privately with the City Manager or any member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate and disruptive manner may be asked to leave the City Council chambers.

No placards, banners, or signs will be permitted in the city council chamber or in any other room in which the city council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the city council are permitted.

Once public comment has been received for thirty minutes, the City Council may proceed to other business and persons who have not yet spoken may be rescheduled to the latter part of the meeting.

The audience and the viewers are reminded that the comments of the speakers reflect their own positions or opinions.

Council member's responses to any comment made by a speaker during public comment are restricted by law. The Council and its members are prohibited from discussing or acting upon any matter that was not listed under the action item portion of the agenda and not included on the posted notice. Therefore, Council members may not discuss the comments of speakers. Please understand that a lack of a response from Council members does not indicate agreement or approval of the comments.

However, the City Manager, City Attorney and City staff are not prohibited by law or City policy from responding as is deemed appropriate to comments made in the public comment portion of this meeting.

The Mayor or person chairing the City Council meeting shall read this policy prior to the commencement of the Public Comment portion of the meeting.

f) Public Hearings

The staff member that is responsible for the public hearing will make a brief presentation on the item and the Mayor will open the hearing for public comment. Individuals may sign up to speak, by completing a public comment card and submitting to the City Secretary prior to the start of the meeting. Each speaker will have three minutes to speak. The Mayor will close the public hearing when public comment has concluded.

g) Video and Streaming of Meetings

City Council meetings held at 500 West Live Oak St., except for some work sessions and those meetings or portions of meetings conducted in Closed Session pursuant to the Texas Government Code, are web streamed live, made available on the local Community Access Channel and archived on the City's website. Videos are archived on the City's website for up to two years for the sole purpose of being able to rebroadcast the meetings on the Community Access Channel and the web. Both forms of broadcasted meetings are for the convenient viewing by Hutto citizens, and are not the permanent record of City Council proceedings.

h) Proclamations

The Mayor issues proclamations as a way to give special recognition by the City to an individual, event, issue, etc. All requests for proclamations must go through the City Secretary's Office and be approved by the Mayor. Proclamations may be presented at a City Council meeting or prepared and mailed to the requester. If it is to be presented at a City Council meeting, there must be a representative at the meeting to receive the document.

i) Open Meetings Act

Every meeting of the City Council and Boards and Commissions must be conducted in accordance with Chapter 551 of the Government Code, commonly referred to as the Texas Open Meetings Act. The Act is based on the notion that public officials should discuss and vote on public business under public scrutiny, so that the public will have the opportunity to know what their public officials are doing. The Act contains criminal penalties for violations. To help educate government officials on the Act requirements, each elected or appointed member of a governing body must take at least one hour of training in the Open Meetings Act. The training must be completed no later than 90 days after the member takes the oath of office or assumes the responsibilities of the office.

The Attorney General's Office allows the requirement to be met in at least two ways:

- 1) A video is available to view online on the Attorney General's webpage concerning open government.
- 2) Certification of other entities such as the Texas Municipal League, to provide the training.

The training needs to be conducted in coordination with the City Secretary who is responsible for certifying that all elected and appointed officials are in compliance with the requirements under Government Code Chapter 551.

3 Financial Matters

a) Budget

The budget is the City's financial plan that presents the services to be provided to the community over the coming year and the funds necessary to perform these services. Hutto operates under a fiscal year that begins on October 1 and ends September 30. In early spring, staff begins the process of estimating anticipated revenues, identifying and evaluating potential expenditures and preparing a recommended budget. Special budget workshops will be scheduled with the Council throughout the summer, as needed, for the City Manager to present the recommended budget. Public Hearings are typically held on the budget in August, with the Council considering the budget at a September Council meeting. For more information, please reference the City of Hutto Fiscal and Budgetary Policy.

b) Training and Education

There are a number of training opportunities for council members that are offered by various organizations such as the Texas Municipal League and the National League of Cities. During the budget process, the City Council Members are asked to submit a training plan for the upcoming year. The City Manager's Office staff will assist any council member with registration, travel arrangements and forms that are required by the Finance Department.

c) Travel and Reimbursement

City Council members follow the City's Travel and Reimbursement Policy that is outlined in the City of Hutto Employee Manual.

d) Council Campaign Disclosures

Generally, candidates and officeholders are required to file reports of contributions and expenditures by January 15 and July 15 of each year. The reports filed on these dates are known as semiannual reports. These reports must be filed even if there is no activity to report for the period covered. Appointment of a Campaign Treasurer must be filed with City Secretary before accepting contributions or making expenditures. It is recommended that this form be filed at the time the candidate application is filed. A candidate that does not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures should sign page 2 of the form declaring "Modified Reporting" thereby eliminating the election reporting requirements, January 15 and July 15.

More information regarding campaign financial disclosures can be found at www.ethics.state.tx.us

4 Ethics

a) Conflicts of Interest

- 1) No city official or appointee shall intentionally or knowingly disclose any confidential information gained by reason of said official's or appointee's position concerning the property, operations, policies or affairs of the city, or use such confidential information for the pecuniary gain of said official or appointee, or others.
- 2) No city official or appointee shall intentionally or knowingly use one's official position or city-owned facilities, equipment, or supplies for the pecuniary gain or advantage of said official or appointee, or use city-owned vehicles, printing facilities, postage facilities or long-distance telephone service for personal reasons, for pecuniary gain or advantage, or in any political campaign.
- 3) Except as otherwise specifically authorized by ordinance, no city official or appointee shall intentionally or knowingly appear before the body of which the official is a member while representing himself, or any other person, group, association, interest, or business entity.
- 4) No city official or appointee shall intentionally or knowingly represent directly or indirectly any private person, group, or interest other than himself or a family member before any department, agency, commission or board of the city for economic benefit or pecuniary gain.
- 5) No city official or appointee shall vote on or participate in any decision-making process if the official or appointee has a direct financial interest in the outcome of the matter under consideration. No city official or appointee shall vote on or participate in any decision-making process on any matter concerning real property or a business entity if the city official or appointee has a substantial interest in the business entity or real property.
- 6) None of the foregoing shall be construed to prohibit any city official or appointee from representing his interest in his owner-occupied homestead before the council, board, commission or any department except for the body of which the official or appointee is a member.
- 7) In any action or proceeding in the municipal court of the city which was instituted by a city official or appointee in the course of official duties, no city official shall knowingly represent anyone other than himself or a family member. If a Council member elects to have a trial in municipal court, the city council, without the participation of the affected Council member, shall appoint a special judge to preside over the trial.

- 8) No city official or appointee shall act as a surety for any person or business entity that has any contract with the city, or on any bond required by the city for any city official or appointee.

b) Disclosure of interest

- 1) If any city official or appointee has a substantial interest in any real property or business entity involved in any decision pending before the body of which the city official or appointee is a member, the city official or appointee shall not vote or otherwise participate in the consideration of the matter.
- 2) In the case of a city official or appointee, the city official or appointee shall publicly disclose, verbally or in writing, the nature and extent of such interest to the body on which the city official or appointee serves prior to any discussion or determination of the matter to be considered or immediately upon discovery of the conflict of interest. The statement of disclosure shall be included in the official minutes of the body.

c) Financial Disclosure

- 1) No later than April 30th of each year, each city official shall file a sworn financial disclosure statement with the city secretary reflecting the financial situation of the city official as of December 31st of the previous year. Notwithstanding any other term or provision of this article, as used in this section:
 - a. The term “family member” shall include only the city official and the spouse and the minor children of the city official.
 - b. The term “substantial interest” shall include only the interests of the city official and the spouse and minor children of the city official.
- 2) A newly appointed city official shall file a sworn financial disclosure statement with the city secretary within thirty (30) days from the date the position with the city is assumed. Said statement shall reflect the financial situation as of date of employment or appointment and for the previous twelve (12) months; provided, however, such city official shall not be required to include in such statement the requirements of subsections (4)(f), (g), and (h) [sic] of this section.
- 3) Each person required to file a financial disclosure statement shall do so on a form supplied by the city, which shall include the following information:
 - a. The person’s name, residence address, business address and telephone number, and all names under which the person or family member does business.
 - b. Identification by street address, and legal description of all real property located within the city or its extraterritorial jurisdiction in which the person has a substantial interest.

- c. Identification of each business entity owning property or doing business within the city or its extraterritorial jurisdiction in which the person has a substantial interest.
 - d. Identification of each source of income amounting to ten (10) percent or more of the person's or family member's gross annual income as defined by the United States Internal Revenue Code.
 - e. Identification of the donor of each gift of more than five hundred dollars (\$500.00) in value received by the person or family member, including the value of the gift, where such donor has appeared before and requested action of the city council during the reporting period.
- 4) Identification of the donor of two or more gifts of an accumulated value of one thousand dollars (\$1,000.00) or more received by the person or family member, where such donor has appeared before and requested action of the city council during the reporting period.
 - 5) The city secretary shall maintain all financial disclosure statements required to be filed herein as public records and retain them for the period required by the Texas State Library Archives retention schedule GR1050-33, after which statements shall be destroyed.
 - 6) Within thirty (30) days of being appointed to the planning and zoning commission or board of adjustment and on each anniversary of that date, each member of such commission shall file with the city secretary a sworn statement identifying by street address and legal description all real property located within the city or its extraterritorial jurisdiction in which the member has a substantial interest.
 - 7) Any person who appears before the city council or commission who has had business dealings in the immediately preceding twelve-month period involving one or more transactions of five hundred dollars (\$500.00) or more each, for a total of twenty-five hundred dollars (\$2,500.00) or more, with a Council member, commissioner, or business entity in which a Council member or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with [section 1.01.009](#) of this code.

d) Gifts

No city official or appointee shall intentionally or knowingly solicit or accept any contribution, gift, or economic benefit with actual or constructive knowledge that same is:

- 1) Offered or given with intent to influence the judgment or discretion of such official; or

- 2) Given in consideration of the favorable exercise of such official's judgment or discretion in the past.

5 Communications

a) Correspondence To/From Council

The City Secretary receives and processes the City Council's incoming mail. All mail to the mayor and council members is reviewed and placed in the mailboxes located in the Council Executive Conference Room. All invitations are scanned and sent to the council members via email for action and the City Secretary will take care of confirming the members' attendance at an event and if necessary schedule the event on their calendar and post a potential quorum notice, in accordance with the Open Meetings Act.

All mail to the Mayor is opened and reviewed as to priority for response, copies needed for city staff and/or city council, notation of upcoming events, etc. All important letters addressed to the Mayor are copied to the Mayor and an original is kept in the official files in the City Secretary Office.

All needed responses to letters are coordinated between the Mayor, City Manager, and City Secretary.

b) Media Relations

The media frequently contacts council members for information and quotes. The Mayor is the designated representative of the Council to present and speak on the official city position. If the media contacts an individual council member, the council member should be clear about whether their comments represent the official City position or a personal viewpoint.

Below are three things to remember when dealing with the press.

- 1) Never go "off the record"
- 2) Choose words carefully and cautiously
- 3) Remember the media lives by tight deadlines

All official city statements that will be sent out as a press release will go through the City Manager's Office for distribution. The Public Information Officer maintains up-to-date contact information for all local media outlets. In order to ensure that all media outlets are treated fairly, all news releases should be submitted to the Public Information Officer for review and distribution.

c) Social Media

Individuals are encouraged to positively promote the City and share information on their own social media websites. However, councilmembers along with board and commission members should exercise caution when commenting or responding to other posts. Only factual information should be provided to city related topics as personal views may not reflect that of the entire Council or board or City. In addition, you should carefully check to ensure that no other council members or board or commission members have responded to the same topic in order to avoid a possible violation of the Open Meetings Act.

In general, responses should be referred to and handled by the City's Public Information Officer. In certain circumstances, the City Manager, PIO, and/or Mayor may determine that it is appropriate for someone else to respond directly.

d) Public Information Act

Texas Government Code, Chapter 552, known as the Texas Public Information Act, requires that most City records, including those in the possession of council members, be open to the public for inspection.

"Public Records" are broadly defined under the act to include "the portion of all documents, writings, letters, memoranda, or other written materials which contain public information." "Public information" includes "all information collected, assembled, or maintained by or for governmental bodies pursuant to law or ordinance or in connection with the transaction of official business."

Certain information is specifically excluded from the requirements of the Texas Public Information Act. While the list of exempt materials is too long to recite here, it includes such items as working papers being used to draft ordinances or resolutions, certain personnel records, information that would, if released, give an advantage to bidders, documents protected because of attorney-client relationships, and documents related to pending or ongoing litigation.

Despite the narrow exemptions established in the law, its effect is to require that most of the written material used or produced by council members be made available upon request, to the news media and other members of the public. If it is felt that certain records are exempt from the requirements of the law, and there has been no previous determination that particular types of records are exempt, the City Secretary's office will request an opinion from the Attorney General's Office, within the deadlines provided by the Texas Public Information Act.

If an Attorney General's opinion is requested, and the opinion subsequently holds that the information is public, and the City official persists in refusing to release it, Section

552.324(b) requires that a suit by a governmental body be brought no later than the 30th calendar day after the governmental body receives the decision it seeks to challenge.

The City of Hutto has designated the City Secretary as the Public Information Officer in regard to the Public Information Act and therefore all training requirements discussed under Chapter 552 of the Government Code are satisfied. Therefore all requests made under the Public Information Act shall be directed to the City Secretary.

For more information regarding the Public Information Act, please refer to the TML Handbook for mayors and council members.

e) Council Member Requests for Documents

Any council member can make a request for documents, but it is recommended that all requests are made in writing. Upon receipt of any request from a Council Member, the City Manager shall make a determination of whether the release of the document would be adverse to the interests of the City. Within 3 business days of receiving a request for documents from a council member, the City Manager shall send to all council members:

1. All requested document the City Manager is providing; and/or
2. A Statement identifying any documents he is not providing based on his determination that the release of the document would be adverse to the interests of the City.

Any council member can appeal the City Manager's decision to the city council as a whole and it shall be taken up at a City Council meeting. In consideration of any appeal, the City Council can go into Executive Session to the extent allowed by the Texas Public Information Act.

6 General Policies and Documents

a) Technology and Equipment Use & Electronic Communications and Systems Access Use

Electronic Tablets

The City implemented electronic distribution of agendas, reports, budget documents, etc. In order to access and use such documents, a City-issued electronic tablet will be provided for each Council member. City-issued electronic tablets are for official City business only; personal use is prohibited. The City understands that it is often inefficient to use both personal and City-issued hardware, such as electronic tablets.

Therefore, Council members have the option of using a personal electronic tablets. The City does not pay for any accessories for any of the electronic tablets, such as cases, styluses, screen covers, personal applications, etc.

When Council members complete their term of office, all City-issued equipment shall be returned to the City Manager.

E-mail account

Each Council member is assigned an individual City e-mail address with the huttotx.gov domain. E-mails to the Council as a whole can be sent to citycouncil@huttotx.gov. The City's e-mail system shall be used for the communication and exchange of information related to City business. City e-mail may not be used for personal or political purposes.

Council members can access their e-mail from their computer, phone, iPad, etc. through a web-based client; IT staff will assist with the set-up.

There should be no expectation of privacy when using City e-mail.

Please note, Council members are subject to the City's Technology and Equipment Use Policy that is outlined in the City of Hutto Employee Manual.

b) Political Activity

Council members have the right to endorse candidates for all Council seats or other elected offices. However, it is inappropriate to mention endorsements during Council meetings or at other official city meetings.

c) City Charter

The City of Hutto Charter is a written document that establishes the basic governmental structure, form of government, corporate boundaries, and municipal powers. In this respect, it is similar to a state or national constitution. As such, amendments to the City charter require an election and approval of the citizens of Hutto. The copy of the charter can be retrieved at www.huttotx.gov or in the City Secretary's Office.

d) Code of Ordinances

The City Code of Ordinances is the compilation of local laws that have been adopted and codified by the City Council. The City Code covers a wide range of areas, including taxes, court, environmental regulations, alcoholic beverages, business regulations, etc. Amendments to the City Code must be adopted by the Council. A copy of the code of ordinances can be found at www.huttotx.gov or in the City Secretary's Office.

e) Strategic Guide 2035

In 2007, the Hutto City Council began the development of a strategic guide that would provide direction for the community as it develops during the next 20 years. The Council reviews the guide each year at their annual work session and, if necessary, revises and makes modifications to the document. The guide is made up of a series of policies that include:

- Leadership
- Quality of Life
- Organizational Development
- Service Delivery
- Fiscal and Budgetary
- Public Safety
- Mobility
- Education
- Growth Guidance
- Infrastructure
- Economic Development

A complete copy of the 2035 Strategic Guide can be found at www.huttotx.gov or in the City Secretary's Office.

f) Hutto 2040 Comprehensive Plan

The Comprehensive Plan is a tool used by cities to guide growth in order to protect the public health, safety and welfare of residents and the city. It outlines the overall vision for

the city's future, and the steps needed to progress toward that vision. Hutto's Growth Guidance Plan, which was adopted in 2006, served as the city's Comprehensive Plan. However, Hutto's growth and evolution over the past decade warranted a more thorough evaluation of the community's vision and goals.

The Comprehensive Plan assists boards, commissions, City Council and staff in making recommendations and decisions related to Hutto's growth. It also aids property owners and potential developers in understanding the city's priorities and trajectory for the next 25 years. The Plan is updated approximately every 5 years.

Hutto's Comprehensive Plan, Hutto 2040, was built from a broad, diverse base of public input and review. Planning staff compiled responses from multiple outreach efforts, including the Sustainable Places Project, the 2013 Citizen Survey, and two successful public workshops. Several efforts included an online component and gathering input from residents who could not attend in meetings. The Comprehensive Plan outreach hit new levels of participation among residents, reaching those who do not typically attend public meetings on city business.

Staff developed the goals and objectives of Hutto 2040 based on the input received from residents. The goals and objectives are supported by available data and trends, with benchmarks providing a way to measure progress in the future.

g) Master Planning Documents

The City of Hutto recognizes the needs for long term planning for critical infrastructure and quality of life for its citizens. The City employs several master planning documents that are used and adjusted as goals are met and the City continues to grow. Currently, the City maintains the following master plans.

- Parks, Recreation, Open Space, and Trails Master Plan
- Water Master Plan
- Wastewater Master Plan
- Library Master Plan

A complete copy of the Master Planning Documents can be found at www.huttotx.gov or in the City Secretary's Office.



City Council Protocol Policy

~~September 21, 2017~~ June 28, 2018

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1 Overview of Roles and Responsibilities

a) Role of the Mayor

The Mayor shall:

- 1) Acts as the official head of the City for all ceremonial purposes
- 2) Chairs Council meetings
- 3) ~~The Mayor shall vote~~Vote on propositions that come before the City Council, but shall have no power to veto.
- 4) ~~The Mayor shall, w~~When authorized by the City Council, sign all official documents such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts, and bonds.
- 5) Recognizes comments from citizens at public meetings
- 6) Calls for special meetings
- 7) Selects substitute for City representation when Mayor cannot attend
- 8) Makes judgment calls on proclamations, special presentations, etc.
- 9) Recommends subcommittees as appropriate for Council approval
- 10) Serves as the liaison between the Council and the City Manager and City Attorney ~~in~~ regards to official relations
- 11) Leads the Council into an effective, cohesive working team
- 12) Signs documents on behalf of the City
- 13) Works with City Manager to prepare Council agenda
- 14) Appoints Council Committees
- 15) ~~The Mayor shall p~~Perform such other duties consistent with this Charter or as may be imposed upon him or her by the City Council.

b) Role of Mayor Pro-tem

The Mayor Pro-tem shall be chosen by the City Council at the first regular City Council meeting following each regular City election.

The Mayor Pro-tem shall:

- 1) Act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor
- 2) Represents the City at ceremonial functions at the request of the Mayor

c) Role of a Council Member

All members of the City Council, including those serving as Mayor and Mayor Pro Tem, have equal votes. No Council member has more power than any other Council member, and all should be treated with equal respect.

All Council members shall:

- 1) Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
- 2) Prepare in advance of Council meetings and be familiar with issues on the agenda. Stay focused and act efficiently during public meetings.
- 3) Represent the City at ceremonial functions at the request of the Mayor.
- 4) Be respectful of other people's time. Serve as a model of leadership and civility to the community.
- 5) Inspire public confidence in Hutto government.
- 6) Provide contact information to the City Manager's Office in case an emergency or urgent situation arises while a Council member is out of town.
- 7) Demonstrate honesty and integrity in every action and statement
- 8) Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Council Protocol Policy.

d) Meeting Chair's Responsibilities

The Mayor will chair official meetings of the City Council, unless the Mayor Pro Tem or another Council member is designated as Chair of a specific meeting. This individual maintains order, decorum, and the fair and equitable treatment of all speakers and keeps discussion and questions focused on the specific agenda item under consideration.

e) Council Protocol for Appointment to City Board or Commission or EDC Board of Directors:

~~e) Appointments~~

~~The City Council is responsible for making appointments to all City Boards and Commissions and various City programs. To promote a process that is efficient, transparent, and that allows input from the entire City Council, the following process shall be used to make appointments to the City's Boards and Commissions.:~~

- ~~1. The City Secretary shall advertise and collect applications.~~
- ~~2. After receipt of application, the City Secretary will verify that each applicant meets the qualifications for serving on the desired board or commission.~~
- ~~3. The list of applicants and vacancies will be sent to the entire City Council for consideration. (Applications will be available in drop box for review.)~~
- ~~4. Each City Council Member will have the opportunity to recommend applicants for appointment to each board or commission.~~
- ~~5. All board and commission appointments must be confirmed by a majority vote of the City Council.~~
- ~~6. With the exception of the Planning and Zoning Commission, the City Council will review all boards and commissions on an annual basis.~~

No person can be appointed to a City created Board or Commission and/or the EDC Board unless that person has filled out and submitted an appropriate application to the

City Secretary before the meeting at which they are appointed by the City Council. Provided, however, an application does not need to be submitted for: 1. A person being re-appointed to a position; or 2. A City Council Member being appointed to the EDC Board of Directors.

2 Meetings

a) Agenda Development and Posting

The agenda of each City Council meeting is prepared as a joint effort between the mayor, city manager, city secretary, and department directors. Two members of City Council may request placement of an item on the agenda to the City Manager or City Secretary no later than noon on the Tuesday of the week prior to the Thursday Council Meeting. The request should state the nature of the item, the desired action by city council and include any supporting material. Once all items are submitted they are reviewed and approved by the City Manager. Once approved, the agenda and packet are finalized and placed into the City Council dropbox account on the Friday before the scheduled meeting date. The agenda is posted on the city hall bulletin board and on the city's website in accordance with the Texas Open Meetings Act.

b) Meeting Schedule

Regular meetings are held the first and third Thursdays of each month at 7:00 p.m., in the City Hall Council Chambers, [401 W. Front St. 500 W. Live Oak Street](#), Hutto, Texas. Other meetings may arise on an as needed basis, such as budget work sessions. A schedule of regular meetings is determined in December for the upcoming year. At times, scheduling conflicts will arise and a regular meeting may be rescheduled to another day. This must be done by ordinance and approved by the City Council.

c) Work Sessions

Work Sessions have several purposes: 1) to discuss pending items for the Council agenda; 2) to discuss items that staff needs to bring to Council's attention; 3) to receive progress reports on current projects and 4) to hear regular updates from members of appointed Boards, Commissions, or Task Forces. Overall, the purpose of the work session is for Council and staff to meet and discuss various items in an informal manner where questions may be asked of each other and in-depth discussion can take place. No official action on City business is taken in work sessions.

Work sessions are not held regularly and the location and times vary. All work session agendas are posted in compliance with the Texas Open Meetings Act and are always open to the public.

Work sessions are attended by all members of the City Council, the City Manager, Assistant City Manager, and City Secretary. Depending on the agenda items, the city attorney, department directors, other staff members, consultants, board members, etc. will be invited. The Mayor presides over the work sessions.

d) Emergency Meetings

Special rules allow for posting notice of emergency meetings and for supplementing a posted notice with emergency items. These rules affect the timing and content of the notice but not its physical location. Section 551.045, Texas Government Code, provides:

- 1) In an emergency or when there is an urgent public necessity, the notice of a meeting or the supplemental notice of a subject added as an item to the agenda for a meeting for which notice has been posted in accordance with this subchapter is sufficient if it is posted for at least two hours before the meeting is convened.
- 2) An emergency or urgent public necessity exists only if immediate action is required of a governmental body because of:
 - a) An imminent threat to public health and safety; or
 - b) A reasonably unforeseeable situation
- 3) The governmental body shall clearly identify the emergency or urgent public necessity in the notice or supplemental notice under this section.
- 4) A person who is designated or authorized to post notice of a meeting by a governmental body under this subchapter shall post the notice taking at face value the governmental body's stated reason for the emergency or urgent public necessity.
- 5) For purposes of Subsection (b)(2), the sudden relocation of a larger number of residents from the area of a declared disaster to a governmental body's jurisdiction is considered a reasonably unforeseen situation for a reasonable period immediately following the relocation. Notice of an emergency meeting or supplemental notice of an emergency item added to the agenda of a meeting to address a situation described by this subsection must be given to the members of the news media as provided by Section 551.047 not later than one hour before the meeting.

The public notice of an emergency meeting must be posted at least two hours before the meeting is scheduled to begin. A government body may decide to consider an emergency item during a previously scheduled meeting instead of calling a new emergency meeting. The governmental body must post notice of the subject added as an item to the agenda at least two hours before the meeting begins.

In addition to posting the public notice of an emergency meeting or supplementing a notice with an emergency item, the governmental body must give special notice of the emergency meeting or emergency item to the news media who have previously (1) filed a request with the governmental body, and (2) agreed to reimburse the governmental body for providing the special notice. The notice to members of the news media is to be given by telephone, facsimile transmission or electronic mail.

Because Section 551.045 provides for a two-hour notice only for emergency meetings or for adding emergency items to the agenda, a governmental body adding a nonemergency item to its meeting agenda must satisfy the general notice period of Section 551.043 or Section 551.044, as applicable, regarding the subject of that item.

The public notice of an emergency meeting or emergency item must “clearly identify” the emergency or urgent public necessity for calling the meeting or for adding the item to the agenda of a previously scheduled meeting. The Act defines “emergency for purposes of emergency meetings and emergency items.

A governmental body’s determination that an emergency exists is subject to judicial review. The existence of an emergency depends on the facts in a given case.

e) Public Comment

The City Council encourages and solicits public input on all matters both in and out of City Council meetings.

At each regular meeting, the Board will set aside 30 minutes to afford the public an opportunity to speak to the City Council regarding matters of concern or interest to the public regarding City affairs. Each speaker is given three minutes to address the City Council. The City Secretary is the designated timekeeper.

Comments on any subject, whether positive or negative, must be courteous and respectful. Accordingly, concerns, complaints and assertions of character regarding specific individuals, including any citizen, staff member, City Board or Commission member or City Council member shall not be raised in public forum; but should be addressed separately and privately with the City Manager or any member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate and disruptive manner may be asked to leave the City Council chambers.

No placards, banners, or signs will be permitted in the city council chamber or in any other room in which the city council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the city council are permitted.

Once public comment has been received for thirty minutes, the City Council may proceed to other business and persons who have not yet spoken may be rescheduled to the latter part of the meeting.

The audience and the viewers are reminded that the comments of the speakers reflect their own positions or opinions.

Council member's responses to any comment made by a speaker during public comment are restricted by law. The Council and its members are prohibited from discussing or acting upon any matter that was not listed under the action item portion of the agenda and not included on the posted notice. Therefore, Council members may not discuss the comments of speakers. Please understand that a lack of a response from Council members does not indicate agreement or approval of the comments.

However, the City Manager, City Attorney and City staff are not prohibited by law or City policy from responding as is deemed appropriate to comments made in the public comment portion of this meeting.

The Mayor or person chairing the City Council meeting shall read this policy prior to the commencement of the Public Comment portion of the meeting.

f) Public Hearings

The staff member that is responsible for the public hearing will make a brief presentation on the item and the Mayor will open the hearing for public comment. Individuals may sign up to speak, by completing a public comment card and submitting to the City Secretary prior to the start of the meeting. Each speaker will have three minutes to speak. The Mayor will close the public hearing when public comment has concluded.

g) Video and Streaming of Meetings

City Council meetings held at ~~401 W. Front Street~~ 500 West Live Oak St., ~~with the exception of~~ except for some work sessions and those meetings or portions of meetings conducted in Closed Session pursuant to the Texas Government Code, are ~~broadcast live over the local Community Access Channel and~~ web streamed live, made available on the local Community Access Channel and archived on the City's website. Videos are archived on the City's website for up to two years for the sole purpose of being able to rebroadcast the meetings on the Community Access Channel and the web. Both forms of broadcasted meetings are for the convenient viewing by Hutto citizens, and are not the permanent record of City Council proceedings.

h) Proclamations

The Mayor issues proclamations as a way to give special recognition by the City to an individual, event, issue, etc. All requests for proclamations must go through the City Secretary's Office and be approved by the Mayor. Proclamations may be presented at a City Council meeting or prepared and mailed to the requester. If it is to be presented at a City Council meeting, there must be a representative at the meeting to receive the document.

i) Open Meetings Act

Every meeting of the City Council and Boards and Commissions must be conducted in accordance with Chapter 551 of the Government Code, commonly referred to as the Texas Open Meetings Act. The Act is based on the notion that public officials should discuss and vote on public business under public scrutiny, so that the public will have the opportunity to know what their public officials are doing. The Act contains criminal penalties for violations. To help educate government officials on the Act requirements, each elected or appointed member of a governing body must take at least one hour of training in the Open Meetings Act. The training must be completed no later than 90 days after the member takes the oath of office or assumes the responsibilities of the office.

The Attorney General's Office allows the requirement to be met in at least two ways:

- 1) A video is available to view online on the Attorney General's webpage concerning open government.
- 2) Certification of other entities such as the Texas Municipal League, to provide the training.

The training needs to be conducted in coordination with the City Secretary who is responsible for certifying that all elected and appointed officials are in compliance with the requirements under Government Code Chapter 551.

3 Financial Matters

a) Budget

The budget is the City's financial plan that presents the services to be provided to the community over the coming year and the funds necessary to perform these services. Hutto operates under a fiscal year that begins on October 1 and ends September 30. In early spring, staff begins the process of estimating anticipated revenues, identifying and evaluating potential expenditures and preparing a recommended budget. Special budget workshops will be scheduled with the Council throughout the summer, as needed, for the City Manager to present the recommended budget. Public Hearings are typically held on the budget in August, with the Council considering the budget at a September Council meeting. For more information, please reference the City of Hutto Fiscal and Budgetary Policy.

b) Training and Education

There are a number of training opportunities for council members that are offered by various organizations such as the Texas Municipal League and the National League of Cities. During the budget process, the City Council Members are asked to submit a training plan for the upcoming year. The ~~City Secretary's~~ City Manager's Office staff will assist any council member with registration, travel arrangements and forms that are required by the Finance Department.

c) Travel and Reimbursement

City Council members follow the City's Travel and Reimbursement Policy that is outlined in the City of Hutto Employee Manual.

d) Council Campaign Disclosures

Generally, candidates and officeholders are required to file reports of contributions and expenditures by January 15 and July 15 of each year. The reports filed on these dates are known as semiannual reports. These reports must be filed even if there is no activity to report for the period covered.

~~However, there is an exception to this requirement for officeholders who file with a local filing authority, do not have a campaign treasurer appointment on file, and do not accept more than \$500 in officeholder contributions or make more than \$500 in officeholder expenditures during the period covered by the report.~~

Appointment of a Campaign Treasurer must be filed with City Secretary before accepting contributions or making expenditures. It is recommended that this form be filed at the

time the candidate application is filed. A candidate that does not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures should sign page 2 of the form declaring "Modified Reporting" thereby eliminating the election reporting requirements, January 15 and July 15.

More information regarding campaign financial disclosures can be found at www.ethics.state.tx.us

4 Ethics

a) Conflicts of Interest

- 1) No city official or appointee shall intentionally or knowingly disclose any confidential information gained by reason of said official's or appointee's position concerning the property, operations, policies or affairs of the city, or use such confidential information for the pecuniary gain of said official or appointee, or others.
- 2) No city official or appointee shall intentionally or knowingly use one's official position or city-owned facilities, equipment, or supplies for the pecuniary gain or advantage of said official or appointee, or use city-owned vehicles, printing facilities, postage facilities or long-distance telephone service for personal reasons, for pecuniary gain or advantage, or in any political campaign.
- 3) Except as otherwise specifically authorized by ordinance, no city official or appointee shall intentionally or knowingly appear before the body of which the official is a member while representing himself, or any other person, group, association, interest, or business entity.
- 4) No city official or appointee shall intentionally or knowingly represent directly or indirectly any private person, group, or interest other than himself or a family member before any department, agency, commission or board of the city for economic benefit or pecuniary gain.
- 5) No city official or appointee shall vote on or participate in any decision-making process if the official or appointee has a direct financial interest in the outcome of the matter under consideration. No city official or appointee shall vote on or participate in any decision-making process on any matter concerning real property or a business entity if the city official or appointee has a substantial interest in the business entity or real property.
- 6) None of the foregoing shall be construed to prohibit any city official or appointee from representing his interest in his owner-occupied homestead before the council, board, commission or any department except for the body of which the official or appointee is a member.
- 7) In any action or proceeding in the municipal court of the city which was instituted by a city official or appointee in the course of official duties, no city official shall knowingly represent anyone other than himself or a family member. If a Council member elects to have a trial in municipal court, the city council, without the participation of the affected Council member, shall appoint a special judge to preside over the trial.

- 8) No city official or appointee shall act as a surety for any person or business entity that has any contract with the city, or on any bond required by the city for any city official or appointee.

b) Disclosure of interest

- 1) If any city official or appointee has a substantial interest in any real property or business entity involved in any decision pending before the body of which the city official or appointee is a member, the city official or appointee shall not vote or otherwise participate in the consideration of the matter.
- 2) In the case of a city official or appointee, the city official or appointee shall publicly disclose, verbally or in writing, the nature and extent of such interest to the body on which the city official or appointee serves prior to any discussion or determination of the matter to be considered or immediately upon discovery of the conflict of interest. The statement of disclosure shall be included in the official minutes of the body.

c) Financial Disclosure

- 1) No later than April 30th of each year, each city official shall file a sworn financial disclosure statement with the city secretary reflecting the financial situation of the city official as of December 31st of the previous year. Notwithstanding any other term or provision of this article, as used in this section:
 - a. The term “family member” shall include only the city official and the spouse and the minor children of the city official.
 - b. The term “substantial interest” shall include only the interests of the city official and the spouse and minor children of the city official.
- 2) A newly appointed city official shall file a sworn financial disclosure statement with the city secretary within thirty (30) days from the date the position with the city is assumed. Said statement shall reflect the financial situation as of date of employment or appointment and for the previous twelve (12) months; provided, however, such city official shall not be required to include in such statement the requirements of subsections (4)(f), (g), and (h) [sic] of this section.
- 3) Each person required to file a financial disclosure statement shall do so on a form supplied by the city, which shall include the following information:
 - a. The person’s name, residence address, business address and telephone number, and all names under which the person or family member does business.
 - b. Identification by street address, and legal description of all real property located within the city or its extraterritorial jurisdiction in which the person has a substantial interest.

- c. Identification of each business entity owning property or doing business within the city or its extraterritorial jurisdiction in which the person has a substantial interest.
 - d. Identification of each source of income amounting to ten (10) percent or more of the person's or family member's gross annual income as defined by the United States Internal Revenue Code.
 - e. Identification of the donor of each gift of more than five hundred dollars (\$500.00) in value received by the person or family member, including the value of the gift, where such donor has appeared before and requested action of the city council during the reporting period.
- 4) Identification of the donor of two or more gifts of an accumulated value of one thousand dollars (\$1,000.00) or more received by the person or family member, where such donor has appeared before and requested action of the city council during the reporting period.

5) The city secretary shall maintain all financial disclosure statements required to be filed herein as public records and retain them for ~~a the~~ period ~~of three (3) years required by the Texas State Library Archives retention schedule GR1050-33~~, after which statements shall be destroyed.

5)6) Within thirty (30) days of being appointed to the planning and zoning commission or board of adjustment and on each anniversary of that date, each member of such commission shall file with the city secretary a sworn statement identifying by street address and legal description all real property located within the city or its extraterritorial jurisdiction in which the member has a substantial interest.

6)7) Any person who appears before the city council or commission who has had business dealings in the immediately preceding twelve-month period involving one or more transactions of five hundred dollars (\$500.00) or more each, for a total of twenty-five hundred dollars (\$2,500.00) or more, with a Council member, commissioner, or business entity in which a Council member or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with section 1.01.009 of this code.

d) Gifts

No city official or appointee shall intentionally or knowingly solicit or accept any contribution, gift, or economic benefit with actual or constructive knowledge that same is:

- 1) Offered or given with intent to influence the judgment or discretion of such official; or
- 2) Given in consideration of the favorable exercise of such official's judgment or discretion in the past.

5 Communications

a) Correspondence To/From Council

The City Secretary receives and processes the City Council's incoming mail. All mail to the mayor and council members is reviewed and placed in the mailboxes located ~~outside of the City Secretary's Office - in the top cabinet, second from the left, in the Council Executive Conference - All Room.~~ All invitations are scanned and sent to the council members via email for action and the City Secretary will take care of confirming the members' attendance at an event and if necessary schedule the event on their calendar and post a potential quorum notice, [in accordance with the Open Meetings Act](#).

All mail to the Mayor is opened and reviewed as to priority for response, copies needed for city staff and/or city council, notation of upcoming events, etc. All important letters addressed to the Mayor are copied to the Mayor and an original is kept in the official files in the City Secretary Office.

All needed responses to letters are coordinated between the Mayor, City Manager, and City Secretary.

b) Media Relations

The media frequently contacts council members for information and quotes. The Mayor is the designated representative of the Council to present and speak on the official city position. If the media contacts an individual council member, the council member should be clear about whether their comments represent the official City position or a personal viewpoint.

Below are three things to remember when dealing with the press.

- 1) Never go "off the record"
- 2) Choose words carefully and cautiously
- 3) Remember the media lives by tight deadlines

All official city statements that will be sent out as a press release will go through the City Manager's Office for distribution. The Public Information Officer maintains up-to-date contact information for all local media outlets. In order to ensure that all media outlets are treated fairly, all news releases should be submitted to the Public Information Officer for review and distribution.

c) Social Media

Individuals are encouraged to positively promote the City and share information on their own social media websites. However, councilmembers along with board and commission members should exercise caution when commenting or responding to other posts. Only factual information should be provided to city related topics as personal views may not reflect that of the entire Council or board or City. In addition, you should carefully check to ensure that no other council members or board or commission members have responded to the same topic in order to avoid a possible violation of the Open Meetings Act.

In general, responses should be referred to and handled by the City's Public Information Officer. In certain circumstances, the City Manager, PIO, and/or Mayor may determine that it is appropriate for someone else to respond directly.

d) Public Information Act

Texas Government Code, Chapter 552, known as the Texas Public Information Act, requires that most City records, including those in the possession of council members, be open to the public for inspection.

"Public Records" are broadly defined under the act to include "the portion of all documents, writings, letters, memoranda, or other written materials which contain public information." "Public information" includes "all information collected, assembled, or maintained by or for governmental bodies pursuant to law or ordinance or in connection with the transaction of official business."

Certain information is specifically excluded from the requirements of the Texas Public Information Act. While the list of exempt materials is too long to recite here, it includes such items as working papers being used to draft ordinances or resolutions, certain personnel records, information that would, if released, give an advantage to bidders, documents protected because of attorney-client relationships, and documents related to pending or ongoing litigation.

Despite the narrow exemptions established in the law, its effect is to require that most of the written material used or produced by council members be made available upon request, to the news media and other members of the public. If it is felt that certain records are exempt from the requirements of the law, and there has been no previous determination that particular types of records are exempt, the City official must request an opinion from the Attorney General no later than the 10th business day after the date of receiving the written request. City Secretary's office will request an opinion from the Attorney General's Office, within the deadlines provided by the Texas Public Information Act.

If an Attorney General's opinion is requested, and the opinion subsequently holds that the information is public, and the City official persists in refusing to release it, [Section](#)

552.324(b) requires that a suit by a governmental body be brought no later than the 30th calendar day after the governmental body receives the decision it seeks to challenge.

The City of Hutto has designated the City Secretary as the Public Information Officer in regards to the Public Information Act and therefore all training requirements discussed under Chapter 552 of the Government Code are satisfied. Therefore all requests made under the Public Information Act shall be directed to the City Secretary.

For more information regarding the Public Information Act, please refer to the TML Handbook for mayors and council members.

Council Member Requests for Documents:

Any council member can make a request for documents, but it is recommended that all requests are made in writing. Upon receipt of any request from a City Manager, the City Manager shall make a determination of whether the release of the document would be adverse to the interests of the City. Within 3 business days of receiving a request for documents from a council member, the City Manager shall send to all council members: 1. All requested document the City Manager is providing; and/or 2. A Statement identifying any documents he is not providing based on his determination that the release of the document would be adverse to the interests of the City.

Any council member can appeal the City Manager's decision to the city council as a whole and it shall be taken up at a City Council meeting. In consideration of any appeal, the City Council can go into Executive Session to the extent allowed by the Texas Public Information Act.

6 General Policies and Documents

a) Technology and Equipment Use & Electronic Communications and Systems Access Use

Electronic Tablets

The City implemented electronic distribution of agendas, reports, budget documents, etc. In order to access and use such documents, a City-issued electronic tablet will be provided for each Council member. City-issued electronic tablets are for official City business only; personal use is prohibited. The City understands that it is often inefficient to use both personal and City-issued hardware, such as electronic tablets.

Therefore, Council members have the option of using a personal electronic tablets. The City does not pay for any accessories for any of the electronic tablets, such as cases, styluses, screen covers, personal applications, etc.

When Council members complete their term of office, all City-issued equipment shall be returned to the City Manager.

E-mail account

Each Council member is assigned an individual City e-mail address with the huttotx.gov domain. E-mails to the Council as a whole can be sent to citycouncil@huttotx.gov. The City's e-mail system shall be used for the communication and exchange of information related to City business. City e-mail may not be used for personal or political purposes.

Council members can access their e-mail from their computer, phone, iPad, etc. through a web-based client; IT staff will assist with the set-up.

There should be no expectation of privacy when using City e-mail.

Please note, Council members are subject to the City's Technology and Equipment Use Policy that is outlined in the City of Hutto Employee Manual.

b) Political Activity

Council members have the right to endorse candidates for all Council seats or other elected offices. However, it is inappropriate to mention endorsements during Council meetings or at other official city meetings.

c) City Charter

The City of Hutto Charter is a written document that establishes the basic governmental structure, form of government, corporate boundaries, and municipal powers. In this respect, it is similar to a state or national constitution. As such, amendments to the City charter require an election and approval of the citizens of Hutto. The copy of the charter can be retrieved at www.huttotx.gov or in the City Secretary's Office.

d) Code of Ordinances

The City Code of Ordinances is the compilation of local laws that have been adopted and codified by the City Council. The City Code covers a wide range of areas, including taxes, court, environmental regulations, alcoholic beverages, business regulations, etc. Amendments to the City Code must be adopted by the Council. A copy of the code of ordinances can be found at www.huttotx.gov or in the City Secretary's Office.

e) Strategic Guide 2035

In 2007, the Hutto City Council began the development of a strategic guide that would provide direction for the community as it develops during the next 20 years. The Council reviews the guide each year at their annual work session and, if necessary, revises and makes modifications to the document. The guide is made up of a series of policies that include:

- Leadership
- Quality of Life
- Organizational Development
- Service Delivery
- Fiscal and Budgetary
- Public Safety
- Mobility
- Education
- Growth Guidance
- Infrastructure
- Economic Development

A complete copy of the 2035 Strategic Guide can be found at www.huttotx.gov or in the City Secretary's Office.

f) Hutto 2040 Comprehensive Plan

The Comprehensive Plan is a tool used by cities to guide growth in order to protect the public health, safety and welfare of residents and the city. It outlines the overall vision for

the city's future, and the steps needed to progress toward that vision. Hutto's Growth Guidance Plan, which was adopted in 2006, served as the city's Comprehensive Plan. However, Hutto's growth and evolution over the past decade warranted a more thorough evaluation of the community's vision and goals.

The Comprehensive Plan assists boards, commissions, City Council and staff in making recommendations and decisions related to Hutto's growth. It also aids property owners and potential developers in understanding the city's priorities and trajectory for the next 25 years. The Plan is updated approximately every 5 years.

Hutto's Comprehensive Plan, Hutto 2040, was built from a broad, diverse base of public input and review. Planning staff compiled responses from multiple outreach efforts, including the Sustainable Places Project, the 2013 Citizen Survey, and two successful public workshops. Several efforts included an online ~~component, and~~ [component and](#) gathering input from residents who could not attend in meetings. The Comprehensive Plan outreach hit new levels of participation among residents, reaching those who do not typically attend public meetings on city business.

Staff developed the goals and objectives of Hutto 2040 based on the input received from residents. The goals and objectives are supported by available data and trends, with benchmarks providing a way to measure progress in the future.

g) Master Planning Documents

The City of Hutto recognizes the needs for long term planning for critical infrastructure and quality of life for its citizens. The City employs several master planning documents that are used and adjusted as goals are met and the City continues to grow. Currently, the City maintains the following master plans.

- Parks, Recreation, Open Space, and Trails Master Plan
- Water Master Plan
- Wastewater Master Plan
- Library Master Plan
- Mobility Master Plan – Coming 2017

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 6A.

AGENDA DATE: July 11, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

ITEM:

Consideration of a public hearing and possible action on the second and final reading of an ordinance regarding the proposed annexation of the Highlands North (Decker Tract), 75.812 acres, more or less, of land located on CR 132. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on June 6, 2019.

Upon completion of the second and final reading of the annexation ordinance the annexation process is complete. An annexation ordinance requires a second reading prior to final approval.

BUDGETARY AND FINANCIAL SUMMARY:

There is no financial impact.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

There are no related advisory board recommendations for this item.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council approve the second and final reading of the ordinance.

SUPPORTING MATERIAL:

1. [Notice Posted](#)
2. [Ordinance - Highlands North \(75.812 acres\) Annexation](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

The proposal to institute annexation proceedings to enlarge and extend the city limits boundary of said City to include the following described properties consisting of approximately 75.812 acres and to establish base zoning as SF-1 (Single Family Residential) heretofore referred to as the Highlands North (Decker Tract), to-wit:

The Highlands North (Decker Tract) property (75.812 acres) described as being situated in the Patrick O. Daugherty Survey, Abstract No. 184, in Williamson County, Texas.

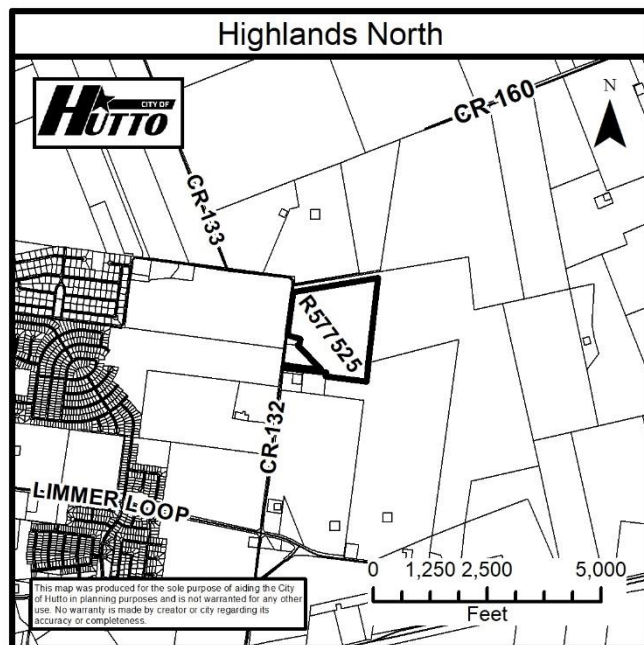
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on
July 11, 2019 at 7:00 p.m.

Hutto City Hall
500 W. Live Oak St., Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or planning@huttotx.gov

Publication Date: June 23, 2019



ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 75.812 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 75.812 acres, more or less, of land, situated in the Patrick O. Daugherty Survey, Abstract No. 184, in Williamson County, Texas (the "Property"), said Property being situated in Williamson County, Texas, 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 SF-1 (Single Family Residential) 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 **20th** day of **June, 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 **11th** day of **July, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

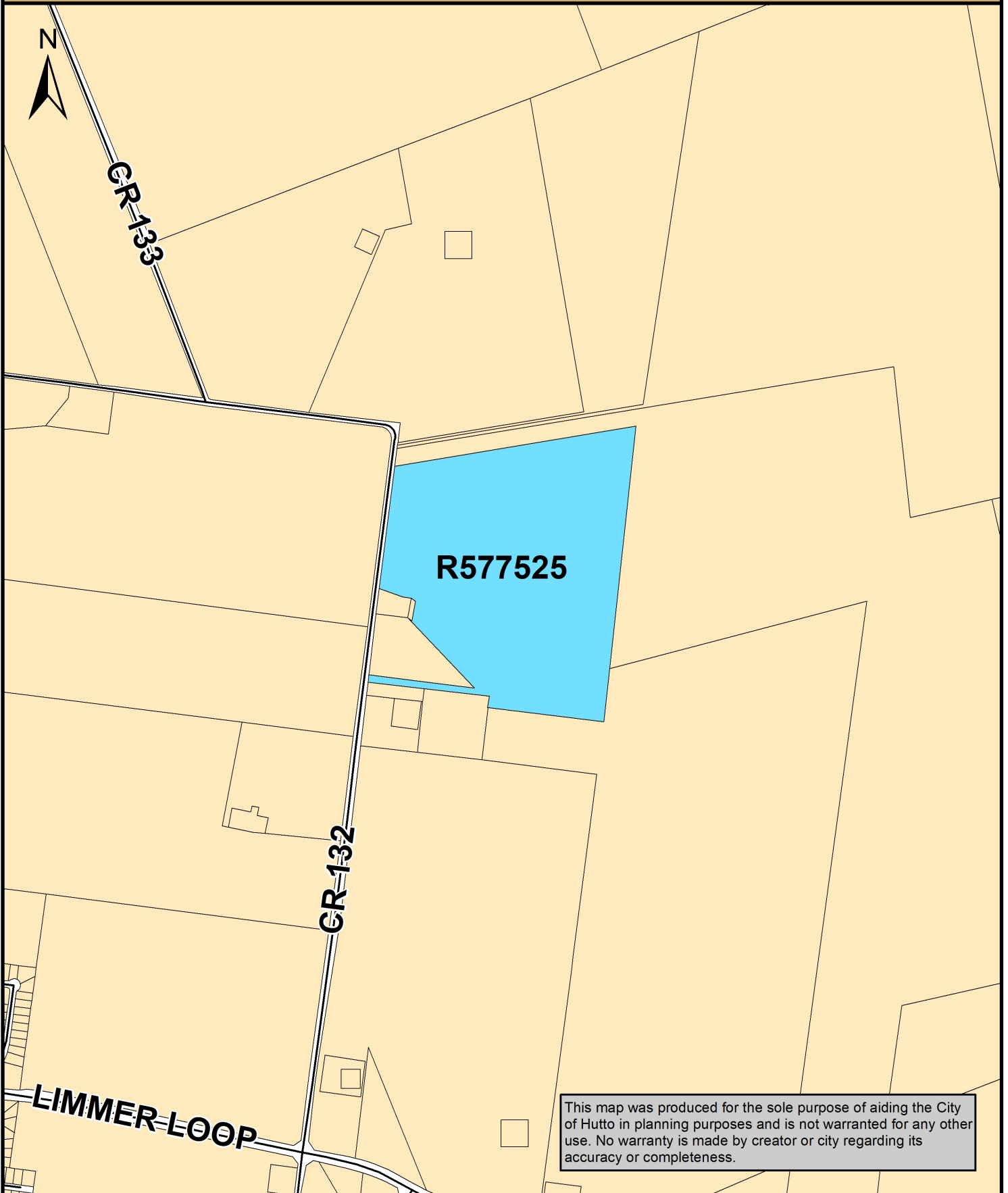
CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

Highlands North



TRACT 1 75.812 Acres

THAT PART OF THE PATRICK O. DAUGHERTY SURVEY, ABSTRACT NO. 184, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT REMAINDER OF A 101.51 ACRE TRACT OF LAND CONVEYED TO MARVIN H. DECKER AND WIFE, LORENE DECKER BY DEED RECORDED IN VOLUME 442, PAGE 309 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1/2" iron rod set on the east line of County Road 132 at the northwest corner of said Decker 101.51 Acre Tract, being also at the most westerly southwest corner of a 101.51 Acre Tract (Exhibit A) conveyed to Klaus Farms, LTD by deed recorded in Document No. 2007099204 of the Official Public Records of Williamson County, Texas, from which a 1/2" iron rod with cap marked RPLS 4967 bears, N07°06'04"E along the east line of said County Road 132 and the west line of said Klaus Farms, LTD tract a distance of 135.00 feet;

THENCE along the north and east line of said Decker 101.51 Acre Tract and along the westerly lines of said Klaus Farms, LTD 101.51 Acre Tract the following two courses:

1. N80°30'26"E a distance of 1843.61 feet to a channel iron marker found;
2. S04°54'54"W a distance of 1883.49 feet to a 5/8" iron rod found at the southwest corner of said Klaus Farms, LTD 101.51 Acre Tract, being also at the northwest corner of a 100 Acre Tract of land conveyed to Marvin H. Decker and wife, Lorene Decker by deed recorded in Volume 754, Page 769 of the Deed Records of Williamson County, Texas and on an easterly angle point of said Decker 101.51 Acre Tract;

THENCE S07°49'18"W along the east line of said Decker 101.51 Acre Tract and the west line of said 100 Acre Tract a distance of 401.65 feet to a 1/2" iron rod set;

THENCE N83°09'13"W across said Decker 101.51 Acre Tract a distance of 898.52 feet to a 1/2" iron rod set on the east line of a 5.66 Acre Tract of land (Tract 1) conveyed to Michael Edmonds, Sr., by deed recorded in Document No. 2004023887 of the Official Public Records of Williamson County, Texas;

THENCE along the east and north lines of said 5.66 Acre Tract, the north line of a 5.00 Acre Tract of land (Tract 2) conveyed to Michael Edmonds, Sr., by deed recorded in Document No. 2004023887 of the Official Public Records of Williamson County, Texas, and continuing across said Decker 101.51 Acre Tract the following three courses:

1. N06°50'47"E a distance of 85.50 feet to a 1/2" iron rod with cap marked RPLS 4967 at the northeast corner of said 5.66 Acre Tract;
2. N83°08'53"W a distance of 499.91 feet to a 1/2" iron rod with cap marked RPLS 4967 found at the northwest corner of said 5.66 Acre Tract and the Northeast corner of said 5.00 Acre Tract;
3. N83°09'52"W a distance of 437.45 feet to a 1/2" iron rod set on the west line of said 101.51 Acre Tract and the east line of said County Road 132, from which a 1/2" iron rod found at the northwest corner of said 5.00 Acre Tract bears, N83°09'52"W a distance of 4.07 feet;

THENCE N07°18'53"E along the west line of said Decker 101.51 Acre Tract and the east line

of said County Road 132 a distance of 50.00 feet to a 1/2" iron rod set;

THENCE continuing across said Decker 101.51 Acre Tract the following nine courses:

1. S83°09'52"E a distance of 437.04 feet to a 1/2" iron rod set;
2. S83°08'53"E a distance of 381.88 feet to a 1/2" iron rod set;
3. N44°43'30"W a distance of 726.71 feet to a 1/2" iron rod set at the southeast corner of a 1.0004 Acre Tract of land conveyed to Marc Decker by deed recorded in Document No. 2015038885 of the Official Public Records of Williamson County, Texas;
4. S82°51'07"E a distance of 30.05 feet to a 1/2" iron rod set;
5. N10°22'21"E a distance of 153.05 feet to a 1/2" iron rod set;
6. N65°41'31"W a distance of 10.30 feet to a 1/2" iron rod set;
7. N73°23'22"W a distance of 92.44 feet to a 1/2" iron rod set;
8. N70°08'30"W a distance of 91.15 feet to a 1/2" iron rod set;
9. N72°34'11"W a distance of 95.60 feet to a 1/2" iron rod set on the east line of said County Road 132 and the west line of said 101.51 Acre Tract, from which a 1/2" iron rod found in a driveway, approximately 1.7 feet deep at the northwest corner of said 1.0004 Acre Tract bears, S07°06'04"W along the east line of said County Road 132 and the west line of said Decker 101.51 Acre Tract a distance of 11.18 feet;

THENCE N07°06'04"E along the east line of said County Road 132 and the west line of said Decker 101.51 Acre Tract a distance of 968.72 feet to the said Point of Beginning.

Containing 75.812 acres, more or less, as shown on the Land Title Survey attached.

TRACT 2 5.524 Acres

THAT PART OF THE PATRICK O. DAUGHERTY SURVEY, ABSTRACT NO. 184, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT REMAINDER OF A 101.51 ACRE TRACT OF LAND CONVEYED TO MARVIN H. DECKER AND WIFE, LORENE DECKER BY DEED RECORDED IN VOLUME 442, PAGE 309 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a 1/2" iron rod set on the east line of County Road 132 at the northwest corner of said Decker 101.51 Acre Tract, being also at the most westerly southwest corner of a 101.51 Acre Tract (Exhibit A) conveyed to Klaus Farms, LTD by deed recorded in Document No. 2007099204 of the Official Public Records of Williamson County, Texas, from which a 1/2" iron rod with cap marked RPLS 4967 bears, N07°06'04"E along the east line of said County Road 132 and the west line of said Klaus Farms, LTD tract a distance of 135.00 feet;

THENCE along the east line of said County Road 132 and in part the west line of said 101.51 Acre Tract and the west line of a 1.0004 Acre Tract of land conveyed to Marc Decker by deed recorded in Document No. 2015038885 of the Official Public Record of Williamson County, Texas, the following two courses:

1. S07°18'53"W a distance of 979.90 feet to a 1/2" iron rod found in a driveway, approximately 1.7 feet deep at the northwest corner of said 1.0004 Acre Tract;
2. S07°06'53"W along the east line of said County, Road 132 and the west line of said 1.0004 Acre Tract a distance of 196.98 feet to a 1/2" iron rod set at the southwest

corner of said 1.0004 Acre Tract at the Point of Beginning;

THENCE S82°51'07"E along the south line of said 1.0004 Acre Tract and across said Decker 101.51 Acre Tract a distance of 245.93 feet to a 1/2" iron rod set at the southeast corner of said 1.0004 Acre Tract;

THENCE continuing across said Decker 101.51 Acre Tract the following three courses:

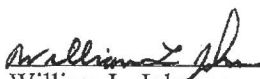
1. S44°43'30"E a distance of 726.71 feet to a 1/2" iron rod set;
2. N83°08'53"W a distance of 381.88 feet to a 1/2" iron rod set;
3. N83°09'52"W a distance of 437.04 feet to a 1/2" iron rod set on the east line of said County Road 132 and the west line of said 101.51 Acre Tract;

THENCE N07°18'53"E along the east line of said County, Road 132 and the west line of said 101.51 Acre Tract a distance of 453.04 feet to the said Point of Beginning.

Containing 5.524 acres, more or less, as shown on the Land Title Survey attached.

All iron rods set have RJ Surveying caps

Bearings are Texas Coordinate System of 1983, Central Zone (4203)

 21 DECEMBER 2018
William L. Johnson
Registered Professional Land Surveyor No. 5425
State of Texas

RJ Surveying & Associates, Inc.
2900 Jazz Street
Round Rock, TX 78664
Firm No. 10015400



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

EXHIBIT “B”

**75.812 acres, more or less, of land, out of the
Patrick O. Daugherty Survey, Abstract No. 184, 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 Jonah S.U.D.

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.

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.:

6B.

AGENDA DATE: July 11, 2019

PRESENTED BY:

Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

ITEM:

Consideration of a public hearing and possible action on the first reading of an ordinance approving a specific use permit for the property located on Ed Schmidt Boulevard, Emory Farms Commercial Lots 2, 3, 4 and 5, 4.299 acres, more or less, of land, allowing a lodging establishment in the B-1 (Local Business) zoning district. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

Property Owner: William Russ, Robert Castle

Current Land Use: Undeveloped

Proposed Land Use: Hotel

Future Land Use Designation: Low Density Residential/Commercial

Current Zoning: Local Business (B-1)

Surrounding Land Use and Zoning:

North: Vacant Commercial

South: Commercial (Insurance Company and Hampton Inn)

East: Hutto Discovery Church

West: Emory Farms Subdivision

Summary of Request

The properties total 4.299 acres of land, consisting of four tracts that front on Ed Schmidt Boulevard. The proposed use is for a hotel, which requires a specific use permit to locate in the B-1 zoning district.

A Specific Use Permit request is evaluated with the following criteria:

- The proposed use conforms to this code and is consistent with the comprehensive, neighborhood and other applicable land use and development plans.
 - The current Future Land Use Map identifies this area as Low-Density Residential and Commercial. The requested use is in compliance.
- The proposed use is compatible with existing and permitted uses in the surrounding area and would not adversely affect property near the site.
 - The proposed use is permitted by SUP in the **B-1** zoning district per UDC.
- The site is a legal building lot.
 - The property is currently platted and the four lots are legal lots.

All property owners within 200-feet have been notified by mail of the proposed specific use permit request. If responses are submitted staff will share them at the meeting, at the time of publishing the packet, staff had not received any communication for or against the request. Published notice of the request was placed in the Taylor Daily Press and on the City of Hutto website.

BUDGETARY AND FINANCIAL SUMMARY:

There is no financial impact.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Planning and Zoning Commission recommended approval to City Council on July 9, 2019.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Commission recommend approval of the proposed specific use permit request, to allow for the use of a school on the property to City Council.

Staff recommends that the Council approve the first reading of the ordinance. The Council may dispense with the second reading of the ordinance.

SUPPORTING MATERIAL:

1. [Notice Posted](#)
2. [Ordinance - Emory Farms Commercial Lots 2, 3, 4 and 5 \(4.299 acres\) SUP](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

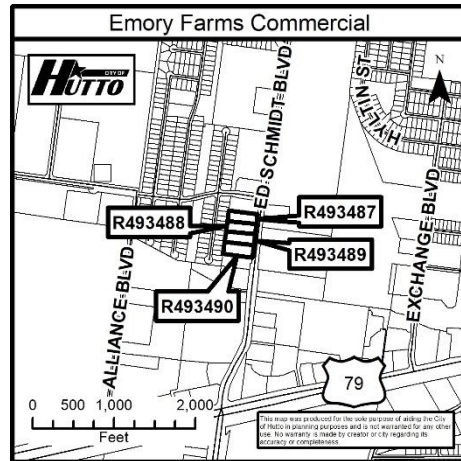
The request for a Specific Use Permit request for the property known as **Lots 2, 3, 4 and 5 of the Emory Farms Commercial Subdivision**, 4.299 acres, more or less, of land, located on Ed Schmidt Boulevard, to allow a lodging establishment in the B-1 (Local Business) zoning district.

A public hearing will be held on
July 11, 2019 at 7:00 p.m.

Hutto City Hall
500 W. Live Oak Street, Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or planning@huttotx.gov

Publication Date: June 26, 2019



ORDINANCE NO.

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A LODGING ESTABLISHMENT IN THE B-1 (LOCAL BUSINESS) ZONING DISTRICT ON 4.299 ACRES, MORE OR LESS, OF LAND, KNOWN AS LOTS 2, 3, 4 AND 5 OF THE EMORY FARMS COMMERCIAL SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; 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 grant a Specific Use Permit to allow a lodging establishment on the property known as Lots 2, 3, 4 and 5 of the Emory Farms Commercial Subdivision, described in Exhibit "A", being attached hereto and incorporated herein, and;

WHEREAS, on the 9th day of July, 2019, after proper notification, the Planning and Zoning Commission held a public hearing on the proposed Specific Use Permit request, and;

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed Specific Use Permit request on the 9th day of July, 2019, and;

WHEREAS, on the 11th day of July, 2019, after proper notification, the City Council held a public hearing on the proposed Specific Use Permit request, and;

WHEREAS, the City Council determines that the regulations 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.

1.

In accordance with the Unified Development Code Sections 10.203.18 and 10.204.2, the City Council has considered and made findings on the following matters regarding the proposed Specific Use Permit request:

10.203.18.3 Criteria

- The proposed use conforms to the Unified Development Code and is consistent with the comprehensive, neighborhood and other applicable land use and development plans.
- The proposed use is compatible with existing and permitted uses in the surrounding area and would not adversely affect property near the site.
- The site is a legal building lot.

10.203.18.5 Conditions

- The Planning and Zoning Commission and/or City Council may impose conditions on a specific use permit.

- Specific use permit approval does not run with the land, and expires with the end of the approved use.

10.203.18.6 Amendments

- Technical or engineering considerations during construction may call for minor deviations from approved specific use permits. Development Services staff may approve minor deviations if they conform to City regulations, and are consistent with the intent of the original specific use permit approval.
- Changes to approved specific use permits that Development Services staff finds are not minor deviations, including Planning and Zoning Commission imposed conditions, require approval through specific use permit review process, requiring a new application.

10.204.2 Effective date and expiration

- Specific use permits expire one (1) year from the date of approval by City Council.

2.

This Specific Use Permit request is subject to the conditions as identified by the City Council and incorporated herein. No permits shall be issued unless all of the following requirements are satisfied:

- Any future development, other than the use specified for this request, on the lot is required to obtain City Council approval prior to permitting.

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 first reading on this the **11th** day of **July, 2019** 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 first reading of ordinance this **11th** day of **July, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

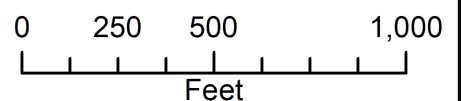
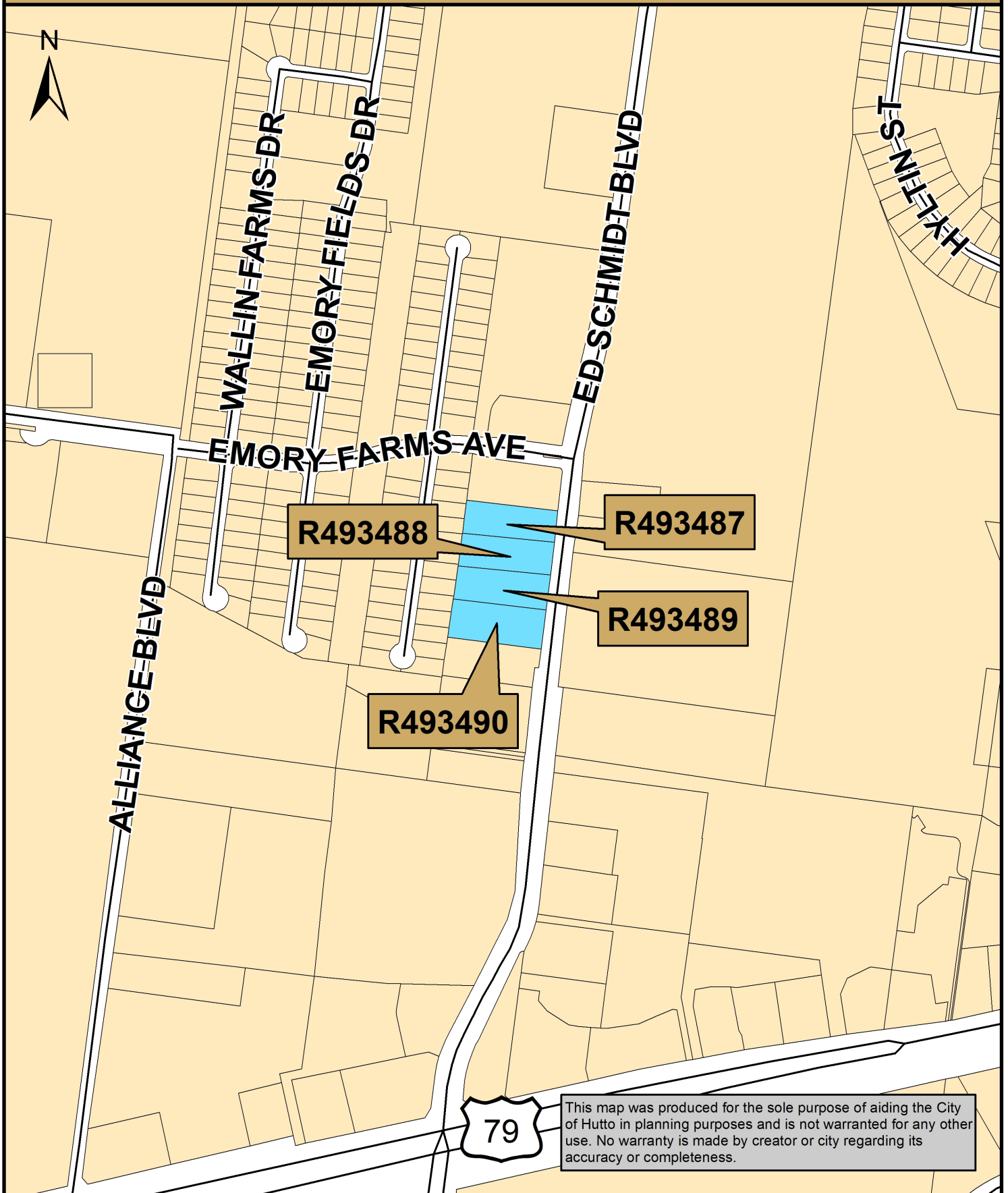
THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

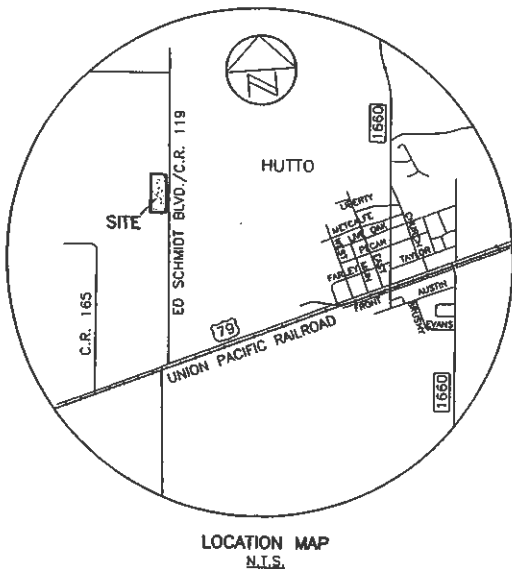
Attest:

Lacie Hale, City Secretary

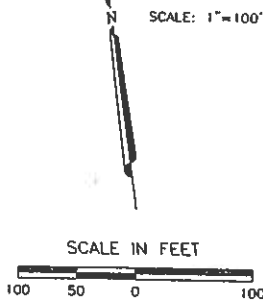
Emory Farms Commercial



EMORY FARMS
COMMERCIAL



LOCATION MAP
N.T.S.



LEGEND

•	1/2" REBAR FOUND
○	1/2" REBAR WITH CAP SET
◦	CALCULATED POINT
W/W.W.E.	WATER & WASTEWATER EASMT.
J.A.E.	JOINT ACCESS EASMT.
D.E.	DRAINAGE EASMT.
P.U.E.	PUBLIC UTILITY EASMT.

RECEIVED BY
CITY OF HUTTO

SEP 27 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
2807 Manchaca Rd., Building 1
Austin, Texas 78704
512-443-1724

PROJECT NO.:
420-001
DRAWING NO.:
420-001-PL4
PLOT DATE:
09/04/07
PLOT SCALE:
1"=100'
DRAWN BY:
COD
SHEET
01 OF 02

EMORY FARMS
SECTION ONE
FINAL PLAT
(CC/134)

EMORY FARMS
SECTION ONE
FINAL PLAT
(CC/134)

EMORY FARMS
SECTION ONE
FINAL PLAT
(CC/134)

EMORY FARMS
SECTION ONE
FINAL PLAT
(CC/134)

WHISTLING STRAITS, L.P.
REM. OF 137.448 ACRES
2004073689

EMORY FARMS AVE.
(90' R.O.W.)

LOT 1
1.405 ACRES
W/W.W.E.
DOC. 2005031585

LOT 2
1.020 ACRES
50' J.A.E.
D.E. & P.U.E.

LOT 3
1.032 ACRES
40' J.A.E.
D.E. & P.U.E.

LOT 4
1.043 ACRES

LOT 5
1.204 ACRES
50' J.A.E.
D.E. & P.U.E.

LOT 6
1.236 ACRES
25' J.A.E.
D.E. & P.U.E.

LOT 3
TOWNWEST COMMONS
SECTION 3
(CC/157)

LOT 2
TOWNWEST COMMONS
SECTION 3
(CC/157)

LOT 4
TOWNWEST COMMONS
SECTION 3
(CC/157)

LOT 1
TOWNWEST COMMONS
SECTION 3
(CC/157)

LOT 1
BLOCK A
FINAL PLAT OF
TOWNWEST COMMONS SECTION
FOUR
(CC/292)

LINE TABLE		
No.	BEARING	LENGTH
L1	S76°45'22"E	102.21'
L2	N83°33'51"W	15.03'
L3	S06°38'11"W	80.65'

CURVE TABLE						
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING
C1	90°26'04"	15.00'	15.11'	23.68'	21.29'	S37°06'25"E
C2	2°16'36"	3205.00'	63.68'	127.35'	127.34'	S07°22'15"W
C3	2°07'30"	3205.00'	59.44'	118.87'	118.86'	S09°34'18"W

CBR CR 119, L.P.
REM. OF 21.207 AC.
DOC. 2004038679

STATE OF TEXAS

COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS

THAT CBR CR 119, L.P., ACTING HEREIN BY AND THROUGH ROBERT M. CASTLE, MANAGING PARTNER, BEING THE OWNER OF A PORTION OF 7.005 ACRES IN THE NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, WILLIAMSON COUNTY, TEXAS, CONVEYED BY SPECIAL WARRANTY DEED, DATED SEPTEMBER 20, 2004, OF RECORD IN DOCUMENT NO. 2004073698 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

DO HEREBY SUBDIVIDE 6.940 ACRES OUT OF SAID TRACT, IN ACCORDANCE WITH CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE ACTS, HERETOFORE TO BE CALLED "EMORY FARMS COMMERCIAL" AND DO HEREBY DEDICATE TO THE PUBLIC ALL STREETS AND EASEMENTS SHOWN HEREON UNLESS OTHERWISE INDICATED, AND SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

Robert M. Castle
ROBERT M. CASTLE, MANAGING PARTNER
CBR CR 119, L.P.
519 TRADESMEN'S PARK DRIVE
HUTTO, TX. 78634
512-759-3763

09/05/07
DATE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERT M. CASTLE, KNOWN BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT. IT HAS BEEN ACKNOWLEDGED TO ME THAT HE EXECUTED THE FOREGOING INSTRUMENT AS THE OWNER OF THE PROPERTY DESCRIBED HEREON.

Louisa J. Kelley NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
SIGNATURE AND DATE

Louisa J. Kelley PRINTED NAME OF NOTARY AND NOTARY STAMP

3/1/11 DATE NOTARY COMMISSION EXPIRES



EMORY FARMS COMMERCIAL

METES AND BOUNDS DESCRIPTION

6.940 ACRES
NATHANIEL EDWARDS SURVEY

A DESCRIPTION OF 6.940 ACRES (302301 S.F.) OF LAND IN THE NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 7.005 ACRE TRACT OF LAND DESCRIBED TO CBR CR 119, L.P., BY SPECIAL WARRANTY DEED EXECUTED SEPTEMBER 15, 2004 AND RECORDED SEPTEMBER 20, 2004 IN DOCUMENT NO. 2004073698 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 6.940 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with found in the west right-of-way line of Ed Schmidt Boulevard (C.R. 119, right-of-way width varies) for the southeast corner of said 7.005 acre tract and the northeast corner of Lot 5, Block A, Final Plat of Townwest Commons Section 3, a subdivision of record in Cabinet CC, Slide 157 of the Plat Records of Williamson County, Texas;

THENCE North 82°22'56" West, with the south line of the 7.005 acre tract and the north line of said Lot 5, a distance of 351.59 feet to a 1/2" rebar found for the southwest corner of the 7.005 acre tract, the northwest corner of Lot 5 and the southeast corner of Lot 15, Block A, Emory Farms Section One, a subdivision of record in Cabinet CC, Slide 134 of the Plat Records of Williamson County, Texas;

THENCE North 07°57'29" East, with the west line of the 7.005 acre tract and the east line of said Block A, Emory Farms Section One, a distance of 864.95 feet to a 1/2" rebar found in the south right-of-way line of Emory Farms Avenue (right-of-way width varies), for the northwest corner of the 7.005 acre tract and the northeast corner of Lot 2, Block A, Emory Farms Section One;

THENCE over and across the 7.005 acre tract with the south right-of-way line of said Emory Farms Avenue, the following three (3) courses:

1. South 76°45'22" East, a distance of 102.21 feet to a 1/2" rebar with cap set;
2. South 82°23'05" East, a distance of 227.61 feet to a 1/2" rebar with cap set for a point of curvature;
3. Along a curve to the right having a radius of 15.00 feet, an arc length of 23.68 feet and chord which bears South 37°06'25" East, a distance of 21.29 feet to a 1/2" rebar with cap set for a point of curvature in the west right-of-way line of said Ed Schmidt Boulevard (C.R. 119) and the east line of the 7.005 acre tract;

THENCE with the west right-of-way line of Ed Schmidt Boulevard and the east line of the 7.005 acre tract, the following four (4) courses:

4. Along a curve to the left having a radius of 3205.00 feet, an arc length of 127.35 feet and chord which bears South 07°22'15" West, a distance of 127.34 feet to a 1/2" rebar with cap found;
5. South 06°14'09" West, a distance of 631.69 feet to a 1/2" rebar with cap set;
6. North 83°33'51" West, a distance of 15.03 feet to a 1/2" rebar with cap found;
7. South 06°38'11" West, a distance of 80.65 feet to the POINT OF BEGINNING, containing 6.940 acres of land, more or less.

STATE OF TEXAS

COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS

I, CLARK O. DANIEL, JR., REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE RESULTS OF AN ON-THE-GROUND SURVEY MADE UNDER MY SUPERVISION DURING THE MONTH OF DECEMBER 2003, THAT ALL CORNER MONUMENTS WERE RECOVERED OR SET IN THE PLAT RECORDS OF SAID COUNTY IN COMPLIANCE WITH THE SUBDIVISION ORDINANCES OF THE CITY OF HUTTO, TEXAS.

Clark O. Daniel, Jr.
CLARK O. DANIEL, JR. R.P.L.S. NO. 5861

9-04-2007
DATE



STATE OF TEXAS

COUNTY OF WILLIAMSON

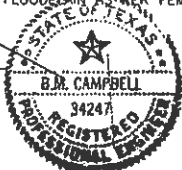
KNOW ALL MEN BY THESE PRESENTS

I, BARRY CAMPBELL, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SUBDIVISION ORDINANCES AND THE STORMWATER DRAINAGE POLICY ADOPTED BY THE CITY OF HUTTO, TEXAS.

NO PORTION OF THIS SUBDIVISION IS WITHIN THE 100-YEAR FLOODPLAIN AS SHOWN ON FEMA MAP 48491C0244C, EFFECTIVE DATE SEPTEMBER 27, 1991, AS SHOWN HEREON.

Barry Campbell, P.E.
BARRY CAMPBELL, P.E.
TEXAS REGISTRATION NO.
7113 BURNET ROAD, SUITE 212
AUSTIN, TEXAS, 78757
512-452-4008

9/5/07
DATE



PLAT NOTES:

1. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
2. SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF ALL STREETS WITHIN AND BOUNDING THIS SUBDIVISION.
3. THE BASIS OF BEARING OF THE SURVEY IS GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.
4. ALL LOTS IN THIS SUBDIVISION ARE RESTRICTED TO USES OTHER THAN SINGLE FAMILY RESIDENTIAL.
5. EACH LOT IN THIS SUBDIVISION SHALL PROVIDE FOR ON-SITE STORMWATER DETENTION.
6. DEVELOPMENT OF THIS SUBDIVISION SHALL COMPLY WITH APPLICABLE ZONING ORDINANCES OF THE CITY OF HUTTO, INCLUDING:
 - A. REQUIRED PROPERTY LINE SETBACKS.
 - B. BUILDING COVERAGE AND/OR IMPERVIOUS COVER LIMITATIONS
7. DEVELOPMENT OF LOTS WITHIN THIS SUBDIVISION SHALL CONFORM TO CITY OF HUTTO LANDSCAPE ORDINANCE REQUIREMENTS.
8. WATER AND WASTEWATER UTILITIES FOR THIS SITE SHALL BE PROVIDED BY THE CITY OF HUTTO.
9. ACCESS TO ED SCHMIDT BLVD. (CR119) AND EMORY FARMS AVE IS RESTRICTED TO LOCATIONS SHOWN. RECIPROCAL ACCESS AGREEMENT DOCUMENT IS RECORDED IN 2007082403 WILLIAMSON COUNTY, TEXAS.

APPROVAL
CITY OF HUTTO

PASSED AND APPROVED BY THE HUTTO CITY COUNCIL ON THE 2ND DAY OF July, 2007 A.D., AND AUTHORIZED TO BE FILED FOR RECORD BY THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

Kenneth L. Love
MAYOR KENNETH L. LOVE

9/5/2007
DATE

Debbie Chalf
CITY SECRETARY DEBBIE CHALF

9-8-07
DATE

STATE OF TEXAS

COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS

I, NANCY RISTER, CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 26TH DAY OF SEPTEMBER, 2007 A.D., AT 1:45 O'CLOCK P.M., AND DULY RECORDED THIS THE 26TH DAY OF SEPTEMBER, 2007 A.D., AT 1:52 O'CLOCK, P.M., IN THE PLAT RECORDS OF SAID COUNTY IN CABINET DD, SLIDES 336 AND 337

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

NANCY RISTER, CLERK OF WILLIAMSON COUNTY, TEXAS

BY: William Wehling DEPUTY
WILLIAM WEHLING



RECEIVED BY
CITY OF HUTTO
SEP 27 2007
COMMUNITY DEVELOPMENT
DEPARTMENT

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
2807 Manchaca Rd., Building 1
Austin, Texas 78704
512-443-1724

PROJECT NO.:
420-001
DRAWING NO.:
420-001-PL4
PLOT DATE:
09/04/07
PLOT SCALE:
1"=100'
DRAWN BY:
COD
SHEET
02 OF 02

CABINET DD

SLIDE 337

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 6C.

AGENDA DATE: July 11, 2019

PRESENTED BY: Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

ITEM:

Consideration of a public hearing and possible action on the second and final reading of an ordinance regarding the proposed annexation of Riverwalk South, 118.971 acres, more or less, of land located on CR 138. (Ashley Lumpkin)

**STRATEGIC GUIDE
POLICY:**

Well Balanced & Diversified Economy

ITEM BACKGROUND:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on June 6, 2019.

Upon completion of the second and final reading of the annexation ordinance the annexation process is complete. An annexation ordinance requires a second reading prior to final approval.

BUDGETARY AND FINANCIAL SUMMARY:

There is no financial impact.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

There are no related advisory board recommendations for this item.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council approve the second and final reading of the ordinance.

SUPPORTING MATERIAL:

1. [Notice Posted](#)
2. [Ordinance - Riverwalk South](#)

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

The proposal to institute annexation proceedings to enlarge and extend the city limits boundary of said City to include the following described properties consisting of approximately 118.971 acres and to establish base zoning as SF-1 (Single Family Residential) heretofore referred to as Riverwalk South, to-wit:

The Riverwalk South property (118.971 acres) described as being situated in the John Kelsey Survey, Abstract No. 377, in Williamson County, Texas.

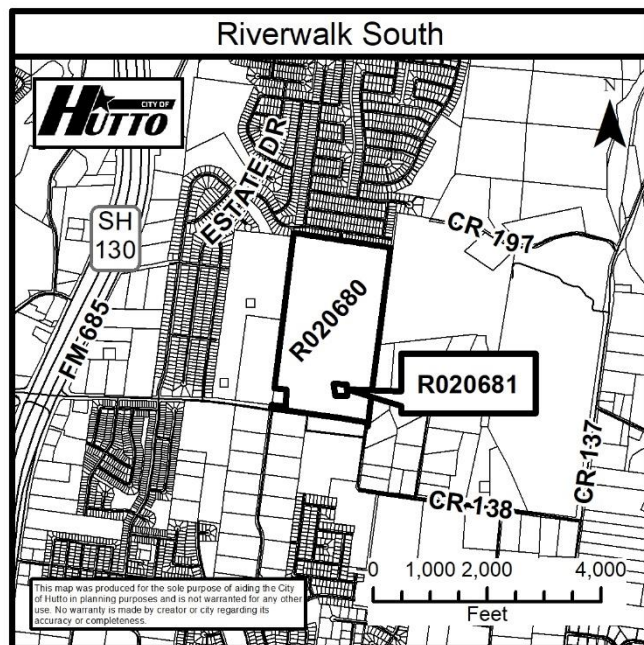
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on
July 11, 2019 at 7:00 p.m.

Hutto City Hall
500 W. Live Oak St., Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or planning@huttotx.gov

Publication Date: June 23, 2019



ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 118.971 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 118.971 acres, more or less, of land, situated in the John Kelsey Survey, Abstract No. 377, in Williamson County, Texas (the “Property”), said Property being situated in Williamson County, Texas, 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 SF-1 (Single Family Residential) 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 **20th** day of **June, 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 **11th** day of **July, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

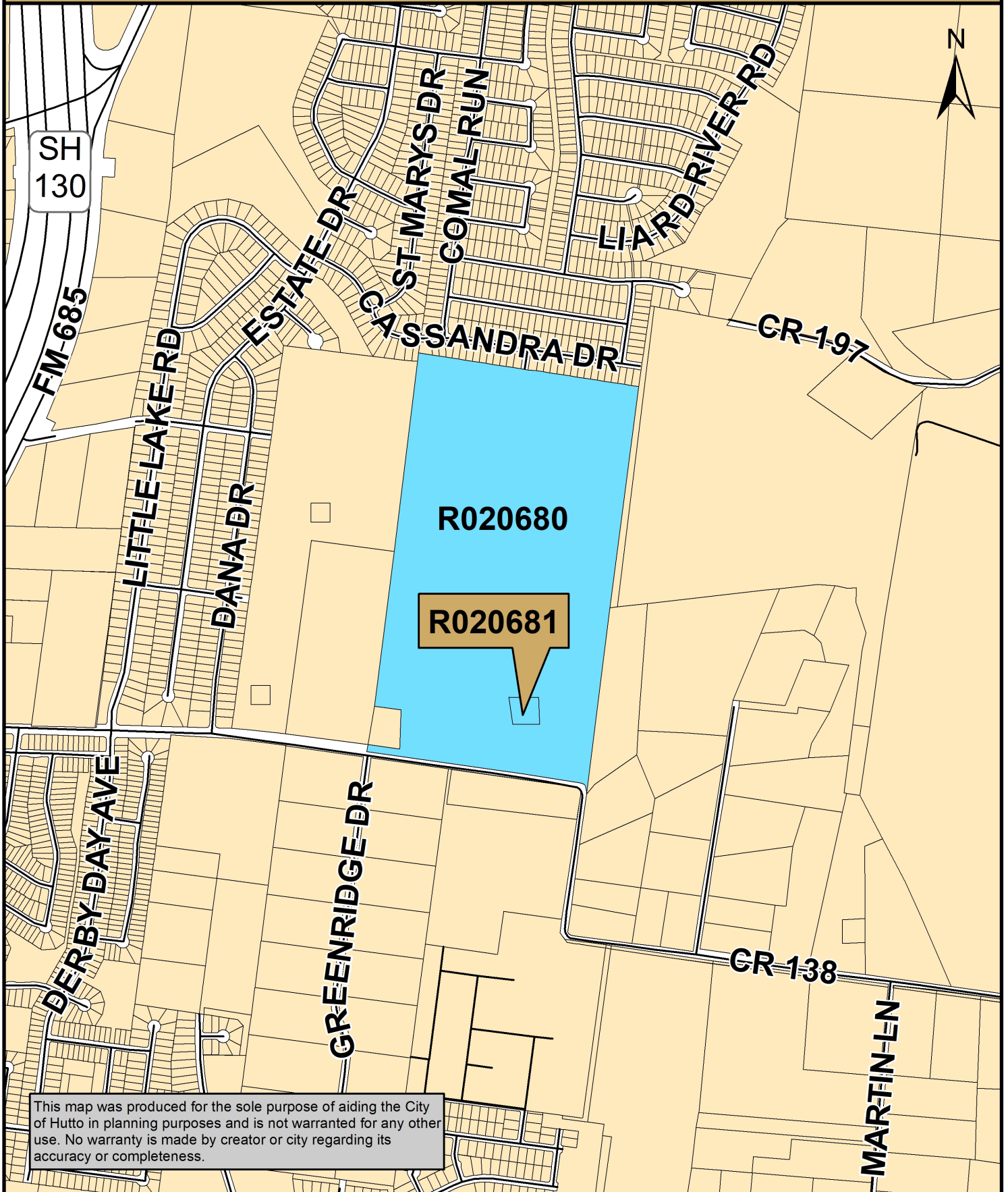
CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

Riverwalk South



1. The first part of the document is a list of names and their corresponding dates. The names are listed in a column on the left, and the dates are listed in a column on the right. The names are: John Doe, Jane Smith, and Bob Johnson. The dates are: 1/1/2020, 2/1/2020, and 3/1/2020.

2. The second part of the document is a table with two columns. The first column is labeled 'Name' and the second column is labeled 'Date'. The table contains the following data:

Name	Date
John Doe	1/1/2020
Jane Smith	2/1/2020
Bob Johnson	3/1/2020

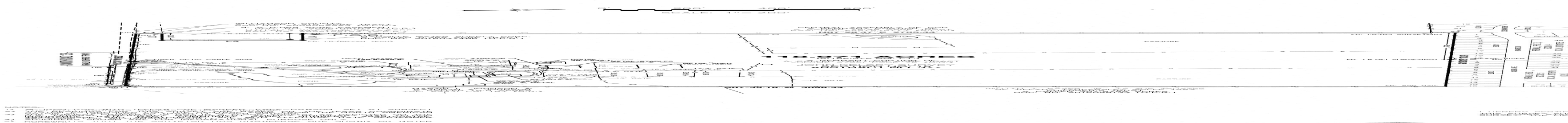


Table with 2 columns: Item, Description. The table contains 10 rows of data.

Item	Description
1	1/2\"
2	1/4\"
3	1/8\"
4	1/16\"
5	1/32\"
6	1/64\"
7	1/128\"
8	1/256\"
9	1/512\"
10	1/1024\"

Table with 2 columns: Item, Description. The table contains 10 rows of data.

Item	Description
1	1/2\"
2	1/4\"
3	1/8\"
4	1/16\"
5	1/32\"
6	1/64\"
7	1/128\"
8	1/256\"
9	1/512\"
10	1/1024\"

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

EXHIBIT “B”

**118.971 acres, more or less, of land, out of the
John Kelsey Survey, Abstract No. 377, 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 Manville WSC.

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.

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 7A.

AGENDA DATE: July 11, 2019

PRESENTED BY: Lacie Hale, City Secretary

ITEM:

Consideration of and possible appointments to City Boards and Commissions. (Lacie Hale)

**STRATEGIC GUIDE
POLICY:**

Quality of Life & Services

ITEM BACKGROUND:

On July 7, 2018, the City Council approved Ordinance 0-18-07-05-8B that changed the terms of service of the boards, commissions and corporation members to be realigned to match those of the council places and terms. Beginning July 1, 2018, new terms will expire on June 30, of the corresponding Council Member term. Transition to new terms for current board and commission members can be reappointed to the new terms based on the new expiration terms, or new appointments can be recommended during a council meeting in July. All current board and commission members have been assigned Place numbers to coincide with existing council members. On June 20, 2018, the Council re-appointed all seated board members to terms aligned with the corresponding member term.

There are several seats on the boards and commissions that were created as a result of the ordinance in July that need to be filled. Additionally, there are some board and commission members who have been reappointed that do not wish to continue past the expiration of their original term and intend to resign their position at that time.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Not applicable.

SUPPORTING MATERIAL:

1. B&C Spreadsheet

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

Boards and Commissions Master
Transition

Council Member Place 1	Scott Rose	May-20
Council Member Place 2	Tom Hines	May-21
Council Member Place 3	Mike Snyder	May-22
Council Member Place 4	Peter Gordon	May-20
Council Member Place5	Patti Turner	May-21
Council Member Place 6	Tanner Rose	May-22
Mayor (Place 7)	Doug Gaul	May-22

*All Boards and Commissions terms Realigned for appointment in June
Terms Run 7/1 to 6/30 unless otherwise indicated*

Last update: 7/9/2019

Planning & Zoning Commission							
Meets: 1st Tuesday @ 7:00pm of each month in the City Council Chamber							
2 yr Terms Per Charter							
Liaison - Ashley Lumpkin							
					Appointed	Term Ends	
	Place 1	Davey	Robinson	Vice-Chair	September 20, 2018	June 20, 2020	
	Place 2	Randal	Clark	Commissioner	December 6, 2019	June 20, 2020	
	Place 3	Jessica	Romigh	Chair	July 3, 2019	June 30, 2021	
	Place 4	Tony	Wertz	Commissioner	July 3, 2019	June 30, 2021	
	Place 5	Richard	Hudson	Commissioner	August 2, 2018	June 20, 2020	
	Place 6	Vacant		Commissioner		June 30, 2021	
	Place 7	Vacant		Commissioner		June 30, 2021	
Parks Advisory Board							
Meets: 2nd Wednesday @ 7:00pm of each month in the City Council Chamber							
Liaison - Jeffrey White							
					Appointed	Term Ends	
	Place 1	Katie	Weiss	Member	September 20, 2018	June 30, 2020	
	Place 2	Michael	Orman	Member	September 20, 2018	June 30, 2021	
	Place 3	Patrick	Donathan	Member	July 3, 2019	June 30, 2022	
	Place 4	Liaga	Gasu	Member	June 20, 2019	June 30, 2020	
	Place 5	Dana	Lively	Member	July 3, 2019	June 30, 2021	
	Place 6	Rose	McMillin	Member	June 20, 2019	June 30, 2022	
	Place 7	Perry	Savard	Acting Chair	June 20, 2019	June 30, 2022	
Library Advisory Board							
Meets: Quarterly @ 6:00pm of each month in the City Council Chamber							
Liaison - Lisa Riggs							
					Appointed	Term Ends	
	Place 1	Christina	Garza	Member	May 16, 2019	June 30, 2020	
	Place 2	Dwight	Baker	Chair	September 20, 2018	June 30, 2021	
	Place 3	Tara	Chappell	Vice Chair	July 3, 2019	June 30, 2022	
	Place 4	Kathi	Shilling	Member	September 20, 2018	June 30, 2020	
	Place 5	Havala	Merit	Member	May 16, 2019	June 30, 2021	
	Place 6	Vacant		Member		June 30, 2022	
	Place 7	Vacant		Member		June 30, 2022	
Zoning Board of Adjustments							
Meets: 4th Wednesday @ 7:00pm of each month in the City Council Chamber							
Liaison - Ashby Grundman							
					Appointed	Term Ends	
	Place 1	Bryan	Dempsey	Member	January 17, 2019	June 30, 2020	
	Place 2	Thomas	McGowan	Member	September 20, 2018	June 30, 2021	
	Place 3	David	Meyer	Member	July 3, 2019	June 30, 2022	
	Place 4	Wendell	Teltow	Member	June 20, 2019	June 30, 2020	
	Place 5	Vacant		Member		June 30, 2021	
	Place 6	Maureen	Rooker	Member	June 20, 2019	June 30, 2022	
	Place 7	Vacant		Member		June 30, 2022	
Historic Preservation Commission							
Meets: 4th Tuesday @ 6:00pm of each month in the City Council Chamber							
Liaison - John Byrum							
					Appointed	Term Ends	
	Place 1	DeAnne	Worley	Commissioner	July 3, 2019	June 30, 2020	
	Place 2	Mary	Belton	Commissioner	August 2, 2018	June 30, 2021	
	Place 3	Curtis	Orton	Commissioner	September 20, 2018	June 30, 2022	
	Place 4	Robert	Lykins	Commissioner	September 20, 2018	June 30, 2020	
	Place 5	Vacant		Commissioner		June 30, 2021	
	Place 6	Travis	Allen	Commissioner	June 20, 2019	June 30, 2022	
	Place 7	Vacant		Commissioner		June 30, 2022	
Building and Standards Commission							
Meets: As Needed in the City Council Chamber							
Liaison - Tamera Baird							
					Appointed	Term Ends	
	Place 1	Troy	Manella	Commissioner	January 3, 2019	June 30, 2020	
	Place 2	Olinda	Ramirez	Commissioner	September 20, 2018	June 30, 2021	
	Place 3	Kendrick	Whittington	Commissioner	August 2, 2018	June 30, 2022	
	Place 4	Bryan	Dempsey	Commissioner	June 20, 2019	June 30, 2020	
	Place 5	Tom	Brown	Commissioner	September 20, 2018	June 30, 2021	
	Place 6	Maureen	Rooker	Commissioner	June 20, 2019	June 30, 2022	
	Place 7	Richard	Hudson	Commissioner	June 20, 2019	June 30, 2022	
Ethics Review Commission							
Meets: As Needed in the City Council Chamber (at least once a year)							
Liaison - Lacie Hale							
					Appointed	Term Ends	
	Place 1	Craig	Cargill	Member	September 20, 2018	June 30, 2020	
	Place 2	Lori	Brown-Duncan	Member	September 20, 2018	June 30, 2021	
	Place 3	Vacant		Member		June 30, 2022	
	Place 4	Russell	Daniel	Chair	September 20, 2018	June 30, 2020	
	Place 5	Dana	Lively	Member	September 20, 2018	June 30, 2021	
	Place 6	Vacant		Member		June 30, 2022	
	Place 7	Vacant		Member		June 30, 2022	
Economic Development Corporation							
Meets: 1st Monday @ 6:30pm of each month in the City Council Chamber							
Liaison - Tim Jordan							
					Appointed	Term Ends	
	Place 1	Nelson	Nagle	Treasurer	July 3, 2019	June 30, 2021	
	Place 2	James	Guzman	Member	June 20, 2019	June 30, 2021	
	Place 3	Dan	Thornton	Secretary	July 3, 2019	June 30, 2021	
	Place 4	Don	Carlson	Member	July 3, 2019	June 30, 2021	
	Place 5	Kevin	LaFrance	Member	July 3, 2019	June 30, 2021	
	Place 6	Henry	Gideon	Vice-Chair	June 20, 2019	June 30, 2021	
	Place 7	Steve	Harris	Chair	June 20, 2019	June 30, 2021	

CITY OF HUTTO

CITY COUNCIL AGENDA

AGENDA ITEM NO.: 8A.

AGENDA DATE: July 11, 2019

PRESENTED BY:

ITEM:

Budget review and discussion. (Michel Sorrell)

STRATEGIC GUIDE
POLICY:

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

CITY ATTORNEY REVIEW:

STAFF RECOMMENDATION:

SUPPORTING MATERIAL:

There are no supporting documents.

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

CITY OF HUTTO

CITY COUNCIL AGENDA

AGENDA ITEM NO.: 10A.

AGENDA DATE: July 11, 2019

PRESENTED BY:

ITEM:

Consideration and possible action to approve an interlocal agreement between the City of Hutto and Cottonwood Creek Development Corporation and authorize City Manager to execute.

STRATEGIC GUIDE
POLICY:

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

CITY ATTORNEY REVIEW:

STAFF RECOMMENDATION:

SUPPORTING MATERIAL:

There are no supporting documents.

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

CITY OF HUTTO

CITY COUNCIL AGENDA

AGENDA ITEM NO.: 10B.

AGENDA DATE: July 11, 2019

PRESENTED BY:

ITEM:

Consideration and possible action regarding Resolution reaffirming the City Manager authority on behalf of the City to create Cottonwood Development Corporation, and authorizing Cottonwood Development Corporation to do business subject to the Hutto City Council's review and approval of the bylaws of Cottonwood Development Corporation.

STRATEGIC GUIDE
POLICY:

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

CITY ATTORNEY REVIEW:

STAFF RECOMMENDATION:

SUPPORTING MATERIAL:

There are no supporting documents.

Funding Source	Fund	Div	Dept	Object/Project	Total Requested Amount	Available FY Budget
Fiscal and Budgetary Comments:						
Fiscal Review Signature:						

