



**CITY OF HUTTO, TEXAS
SPECIAL CALLED CITY COUNCIL MEETING
THURSDAY, DECEMBER 13, 2018 AT 7:00 PM
CITY HALL - CITY COUNCIL CHAMBERS
401 WEST FRONT STREET**

CITY COUNCIL

Doug Gaul, Mayor
Tom Hines, Place 2, Mayor Pro-tem
Scott Rose, Place 1
Nathan Killough, Place 3
Tim Jordan, Place 4
Patti Turner, Place 5
Terri Grimm, Place 6

AGENDA

1. **CALL SESSION TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **CITY COUNCIL COMMENTS**

4A. General Comments from City Council

5. **PUBLIC COMMENT**

Any citizen wishing to speak during public comment regarding an item on or off the agenda may do so after completing the required registration card. 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. Each person providing public comment will be limited to 3 minutes.

5A. Remarks from visitors. *(Three-minute time limit)*

REGULAR AGENDA ITEMS

6. **RESOLUTIONS:**

6A. A resolution to Restructure the Organization and Amend the Bylaws of the Hutto Economic Development Corporation, Type B, and set new priorities. (City Attorney)

6B. Consideration and possible action concerning appointment, removal, and acceptance of resignation of Economic Development Corporation Type A and Type B Board members. (City Attorney)

6C. Consideration and possible action on a resolution authorizing the City Manager to utilize Texas Water Development Board (TWDB) remaining unused funds (RUF) toward the design and construction of an expansion to the Central Waste Water Treatment Plant and authorizing the City Manager to execute a contract with an engineering firm for the design of the expansion of the Central Waste Water Treatment Plant. (Matt Rector)

7. **EXECUTIVE SESSION:**

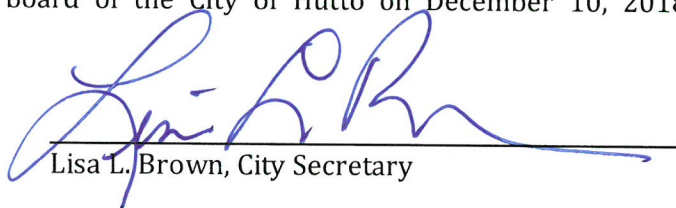
The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 [Litigation/Consultation with Attorney], 551.072 [Deliberations 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].

7A. Executive Session, as authorized by Texas Government Code Section 551.071, Consultation with Attorney, regarding Waste Transfer Station license application.

8. **ADJOURNMENT**

CERTIFICATION

I certify that this notice of the December 13, 2018 Special Called Meeting of the Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on December 10, 2018 at 6:30 p.m.



Lisa L. Brown, 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) 759-4033 or lisa.brown@huttotx.gov for assistance.

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 6A.

AGENDA DATE: December 13, 2018

PRESENTED BY:

ITEM:

A resolution to Restructure the Organization and Amend the Bylaws of the Hutto Economic Development Corporation, Type B, and set new priorities. (City Attorney)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Hutto City Council has the authority to restructure the Hutto Economic Development Corporation and amend the Bylaws, and has determined it to be in the best interest of the City of Hutto to do so.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

City Attorney has reviewed materials.

STAFF RECOMMENDATION:

Staff recommends approval.

SUPPORTING MATERIAL:

1. [Amended Bylaws - REVISED](#)
2. [Restructure and Bylaw amendment](#)

**AMENDED AND RESTATED BYLAWS OF
THE HUTTO ECONOMIC DEVELOPMENT CORPORATION, TYPE B**

Effective December 13, 2018

Article I: Powers and Purposes

Section 1.1: Corporate Identity: Offices. The name of the corporation is the Hutto Economic Development Corporation, Type B d/b/a Hutto Community Development Corporation (the "Corporation"). The principal office of the Corporation shall be at 401 W. Front Street, Hutto, TX 78634. The Corporation may relocate such principal office and have such other offices as the Board of Directors shall determine.

Section 1.2: Powers, Purposes and Authority. In order to implement the purposes for which the Corporation was formed, as set forth in its Articles of Incorporation, the Corporation shall have all the authority and powers of every nature and kind whatsoever, both expressed and implied, which are authorized or permitted by the terms of the Development Corporation Act of 1979, Chapter 501 of the Local Government Code, as amended (the "Act"). The Corporation shall have and may exercise each power and authority enumerated in the Act as if such power and authority were specifically set forth herein; provided that the Corporation shall be governed by Chapter 505 of the Local Government Code and any other term or provision of the Act, Chapter 505 of the Local Government Code shall govern and prevail. The Corporation shall have the power and authority to undertake any lawful action not inconsistent with the Act and it shall promote economic development benefiting the City of Hutto, Texas (the "City"), including without limitation promoting industrial, manufacturing, commercial, retail, parks and residential development to encourage employment and the public welfare, both within the City limits and areas outside of the City limits which contribute to the economic welfare of the City. The powers of the Corporation shall include the authority to contract and be contracted with and, absent a conflict with Chapter 505 of the Local Government Code, the power to purchase, lease, sell and mortgage real estate, and to issue obligations for or otherwise finance all or part of the cost of one or more Projects as defined in the Act.

Section 1.3: Annual Corporate Budget. At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of anticipated revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications as shall be in such form as may be prescribed from time to time by the City Manager and/or Council. The budget shall not be effective until same has been approved by the City Council. The Corporation's fiscal year shall start on October 1 and end on September 30th of the following year and may be changed by action of the Board and approval of the City Council.

Section 1.4: Books and Records: Review of Financial Statements. The Corporation shall keep correct and complete books and records of all accounts and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors. All books and records of the Corporation may be inspected by any director or his or her agent or attorney at a reasonable time; and at all times the City Manager and /or City Council of the City (the "City of Hutto") will have access to the books, records and financial statements of

the Corporation. At the direction of the City Manager and/or Council, the books, records, accounts and financial statements may be maintained for the Corporation by the staff of the City. In such event, the Corporation shall pay to the City reasonable compensation for such services.

Section 1.5: Powers in General. The Corporation may exercise all powers granted under the Act consistent with its Certificate of Formation, these Bylaws and the Resolutions, Orders and Ordinances of the City Council.

Article II: Board of Directors

Section 2.1: Appointment, Powers, Number and Term of Office. The Board of Directors shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation and these Bylaws.

The Board of Directors shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation and these Bylaws.

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board"), appointed by the Hutto City Council and subject to the applicable limitations imposed by the Act, other applicable legislation and these Bylaws. The Board may, by contract, resolution or otherwise, give general or limited or special powers and authority to the Officers of the Corporation.

The Board may plan and direct its work through the Chairman who will be charged with the responsibility of carrying out the Corporation's programs as adopted and planned by the Board.

The Board shall consist of seven (7) persons who shall each be appointed by the City Council. No more than four (4) of the seven (7) directors may be City employees or City Council members. The term of each directorship will be for two (2) years. All directors must be residents of the City of Hutto or its Extraterritorial Jurisdiction "ETJ" to ensure Hutto residents have the opportunity to sit on and participate in the activities of the Hutto Economic Development Corporation. Those filling vacancies shall serve out the term of those seats.

Any Director, or all Directors, may be removed from office at any time by majority vote of the City Council, for cause or at will. Any vacancy occurring on the Board shall be filled by appointment by majority vote of the City Council.

Section 2.2: Meetings of Directors in General. The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Secretary no later than 10 days prior to the date of the Board meeting. The Board may hold its meetings at any place authorized by the Act and as the Board may from time to time determine; provided that. In the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City. The Board shall conduct its meetings in accordance with the requirements of the Act and Chapter 505 of the Local Government Code as amended.

Section 2.3: Regular Meetings. Regular meetings of the Board shall be held at such times and places as shall be designated, from time to time, by resolution of the Board. Notice of regular meetings need not be given to each of the Directors, but public notice of each meeting shall be given in the manner prescribed by law.

Section 2.4: Special Meetings. Special meetings of the Board shall be held whenever called by the Chairperson, by the Secretary or by a majority of the Directors then in office, or upon advice of or by request of the City Council.

The Secretary or his/her designee shall give or cause public notice to be given of each special meeting. Special notice of each special meeting shall also be given to each Director either by mail, telephone, electronically or in person at least two (2) hours before the meeting. Notice required by law to be given to any other person or entity shall be given in the manner prescribed by law. Except as otherwise provided by law or unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting. At any meeting at which every Director is present, even though without any notice, any matter pertaining to the purposes of the Corporation may be considered and acted upon, except as otherwise provided by law.

Section 2.5: Quorum. A majority of the Directors fixed by these Bylaws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law. Any member of the Board may request a record vote on any matter to come before the Directors and that record vote will become a part of the minutes.

Section 2.6: Conduct of Business. At the meetings of the Board, matters pertaining to the purposes of the Corporation shall be considered in such order from time to time as the Board may determine.

Section 2.7: Compensation of Directors. Compensation of Directors. Directors shall not receive any compensation for their services as Directors except that they shall be reimbursed for their actual expenses incurred in the performance of their official duties.

Section 2.8: Board Committees. The Board may designate two (2) or more directors to constitute an official committee of the Board to exercise such authority as is delegated and approved by resolution of the Board. It is provided, however, that all final, official actions of the Corporation may be exercised only by the full Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 2.9: Advisory Board. The Board may appoint an advisory board or boards to assist the Board and perform such other duties as the Board may from time to time assign to the advisory board. An advisory board shall be made up of no more than seven (7) individuals. At the time the Board creates an advisory board, the Board shall adopt rules and regulations regarding membership of the advisory board. The advisory boards may make recommendations to the Board, but all final, official actions of the Corporation shall be exercised only by the Board. The Board shall create a small business, convention and tourism advisory board which may include board members of the Hutto Chamber of Commerce, in addition to such other advisory boards desired by the Board.

Section 2.10: Texas Open Meetings Act and Open Records Act. Meetings of the Board, Board committees, and the advisory board are subject to the Texas Open Meetings Act, Texas Government Code Chapter 551, and the Corporation is subject to the Texas Open Records Act, Texas Government Code Chapter 552.

Article III: Officers

Section 3.1: Titles and Terms of Office. The Officers of the Corporation shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer, and such person may hold more than one office, except the Chairperson shall not hold the office of Secretary. The Chairperson and each other Officer of the Corporation shall be appointed by a majority vote of the Directors then in office and shall hold office for a term of two (2) years or until his or her successor is elected or appointed.

All Officers shall be subject to removal from office with or without cause at any time by a majority vote of the Directors then in office.

A vacancy in any office shall be filled by appointment by a majority vote of the Directors then in office.

Section 3.2: Chairperson The Chairperson shall be the Chief Executive Officer of the Corporation, and, subject to the control of the Board of Directors, the Chairperson shall be in general charge of the proper lies and affairs of the Corporation. The Chairperson shall preside at all meetings of the Board of Directors in furtherance of the purposes of this Corporation; the Chairperson may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, notes and other instruments in the name of the Corporation.

The Chairperson shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or matters incidental to the operation and functions of the Board. The Chairperson shall have the authority to appoint ad-hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.

Section 3.3: Vice Chairperson. The Vice Chairperson shall have such powers and duties as may be assigned by the Board of Directors and shall exercise the powers of the Chairperson during the Chair person's absence or inability to act. Any action taken by the Vice Chairperson in the performance of the duties of the Chairperson shall be with conclusive evidence of the absence or inability of the Chairperson to act at the time such action was taken.

Section 3.4: Treasurer. The Treasurer shall have custody of all the funds and securities of the Corporation that come in to his or her hands. When necessary, or proper, the Treasurer may sign or endorse, on behalf of the Corporation for collection or payment checks, notes and other obligations and shall deposit any funds received to the credit of the Corporation in such bank or banks or depositories as shall be designated by the Board of Directors. Whenever required by the Board of Directors, the Treasurer shall enter or cause to be entered regularly in the books of the Corporation to be kept by the Treasurer for that purpose full and accurate amounts of all monies received and paid out on account of the Corporation. The Treasurer shall perform all acts incident to the position of the Treasurer subject to the control of the Board of Directors. The Treasurer, if

required by the Board of Directors, shall give such bond for the faithful discharge of his /her duties in such form as the Board of Directors may require.

Section 3.5: Secretary. The Secretary shall keep or shall cause to be kept the minutes of all meetings of the Board of Directors, its committees and those of Executive Sessions in books provided for that purpose. The Secretary shall attend to giving and serving notices in furtherance of the corporate purposes. The Secretary may attest or sign with the Chairperson in the Corporation's name, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation. The Secretary shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board of Directors may direct, all of which shall during business hours be open to inspection at the office of the Corporation; and the Secretary shall in general perform all duties incident to the office of Secretary subject to the control of the Board of Directors.

In the absence of the Secretary, the Chairperson may appoint any other Board of Director to act as Secretary during such absence.

Section 3.6: Compensation. Officers of the Board shall not receive any compensation for their services as Officers except that they may be reimbursed for their actual expenses incurred in the performance of their official duties.

Article JV: Provisions Regarding Bylaws

Section 4.1: Effective Date. These Bylaws shall become effective only upon the occurrence of the following events:

- (1) the adoption of these Bylaws by the Board of Directors; and
- (2) the approval of these Bylaws by the City Council.

Section 4.2: Amendments to Bylaws. These Bylaws may be amended at any time and from time to time by the Hutto City Council, or by majority vote of the Directors then in office, but only with approval of the City Council.

Section 4.3: Interpretation of Bylaws. These Bylaws shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these Bylaws, or the application thereof to a person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these Bylaws to any other person or circumstance shall not be affected thereby.

Article V: General Provisions

Section 5.1: Principal Office. The current principal office of the Corporation is at shall be at 401 W. Front Street, Hutto, TX 78634. The Corporation may relocate such principal office and have such other offices as the Board shall determine.

Section 5.2: Seal. The seal of the Corporation shall be as determined by the Board of Directors. The Board may determine the Corporation will have no seal.

Section 5.3: Notice and Waiver of Notice. Whenever any notice whatsoever is required to be given to the Board of Directors under the Act, the Certificate of Formation or these Bylaws, such notices shall be deemed to be sufficient if given by depositing it for mailing in a post office box in a sealed postpaid wrapper addressed to the person entitled thereto at his or her post office address, as it appears on the books of the Corporation, and such notice shall be deemed given on the day of such mailing.

Attendance of a Director at a meeting shall constitute a waiver of notice of such meeting except where a Director attends a meeting for the sole purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A written waiver of notice, signed by the person or persons entitled to notice, whether before or after the time stated there in, shall be deemed equivalent to the giving of such notice.

Neither the business to be transacted nor the purpose of any regular or special meeting of the Board of Directors need be set forth in any notice to a Director of such meeting unless required by the Board of Directors.

Any notice whatsoever that may be required to be given to the public by law, shall be given in the manner prescribed by law.

Section 5.4: Resignations. Any Director or Officer may resign at any time. Any such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the Chairperson or the Secretary. Absent a written notice of the resignation, the City Council of the City shall cause a notice of the resignation to be provided. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation. Notwithstanding the effective date, a resigning Director shall serve until such time as her or her successor takes office.

Section 5.5: Approval of the City Council. To the extent these Bylaws refer to any approval or action to be taken by the City, such shall be evidenced by a certified copy of a Resolution, Ordinance, Order or Motion duly adopted by the City Council.

Section 5.6: Organizational Control. The City Council may, at its sole discretion and at any time, alter or change the structure, organization or activities of the Corporation (including the termination of the Corporation), subject to the Act and any limitation on the impairment of contracts. The Corporation shall comply with all financial and administrative ordinances and policies of the City.

Section 5.7: Dissolution of the Corporation. Upon dissolution of the Corporation, title to or other interest in any real or personal property then owned by the Corporation shall vest in the City except and unless as authorized by the City Council.

Section 5.8: Staff and organizational management. The Board may hire and terminate an employee of the Corporation with the recommendation of the City Manager. The City shall continue to provide some staffing and legal support at the direction of the City Manager and the Corporation shall reimburse the City for any and all expenses necessary for such support.

Section 5.9: Indemnification. The Corporation shall indemnify any current or former director, officer, or employee of the Corporation, or any person who may have served at the Corporation's request as a director, officer, or employee of another corporation or entity in which it owns shares of stock or other ownership interest or of which it is a creditor,⁶ against expenses actually and necessarily incurred

by such person and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil, criminal, arbitral, or investigative in nature, in which such person was, is, or is threatened to be made a named defendant or respondent by reason of being or having been such a director, officer, or employee (whether or not the person is or was such at the time such costs or expenses are incurred by or imposed upon such person) as is required by Section 8.051 of the Texas Business Organizations Code ("TBOC"). The Corporation may indemnify any such person against and for any such expenses or costs and may advance expenses to any such person as is permitted by and according to the terms of Section 8.101 of the TBOC.

Section 5.10: Insurance. The Corporation may at the discretion of the Board of Directors purchase and maintain insurance on behalf of the Corporation and any person whom it has the power to indemnify pursuant to law, the Certificate of Formation, these Bylaws or otherwise, including without limitation directors and officers liability insurance.

The Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type B were adopted at a duly called meeting of the Board of Directors of the Corporation held on September 18 , 201 7. The Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type B shall become effective upon the date of their approval by resolution of the City Council of the City of Hutto, Texas.

By: _____

By: _____
Doug Gaul, Mayor

RESOLUTION NO. _____

**A RESOLUTION TO RESTRUCTURE THE ORGANIZATION
AND AMEND THE BYLAWS OF THE HUTTO ECONOMIC
DEVELOPMENT CORPORATION, TYPE B, AND SET NEW
PRIORITIES**

WHEREAS, the Board of the Hutto Economic Development Corporation, Type B, is appointed by the Hutto City Council, and;

WHEREAS, the City Council has determined that it's in the best interest of the City of Hutto to restructure the Hutto Economic Development Corporation, Type B, to approve amendments to Bylaws, and;

WHEREAS, the City Council has the authority and sole discretion per Section 5.6 of the Bylaws, to alter or change the structure, organization or activities of the Corporation,

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

- 1) Section 1.1 of the Hutto Economic Development Corporation, Type B, Bylaws, Corporate Identity: Offices shall be amended in its entirety to read as follows:

“The name of the corporation is the Hutto Economic Development Corporation, Type B D/b/a Hutto Community Development Corporation (the “Corporation”). The principal office of the Corporation shall be at 401 W. Front Street, Hutto, TX 78634. The Corporation shall relocate such principal office and have such other offices as the Board of Directors shall determine.”

Section 5.1 of the Hutto Economic Development Corporation, Type B, Bylaws, Principal Office shall be amended in its entirety to read as follows:

“The current principal office of the Corporation shall be at 401 W. Front Street, Hutto, TX 78634. The Corporation may relocate such principal office and have such other offices as the Board of Directors shall determine.”

- 2) Section 2.1 of the Hutto Economic Development Corporation, Type B, Bylaws, Appointment, Powers, Number and Term of Office shall be amended in its entirety to read as follows:

“The Board of Directors shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation and these Bylaws.

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board"), appointed by the Hutto City Council and subject to the applicable limitations imposed by the Act, other applicable legislation and these Bylaws. The Board may, by contract, resolution or otherwise, give general or limited or special powers and authority to the Officers of the Corporation.

The Board may plan and direct its work through the Chairman who will be charged with the responsibility of carrying out the Corporation's programs as adopted and planned by the Board.

The Board shall consist of seven (7) persons who shall each be appointed by the City Council. No more than four (4) of the seven (7) directors may be City employees or City Council members. The term of each directorship will be for two (2) years. All directors must be residents of the City of Hutto or its Extraterritorial Jurisdiction "ETJ" to ensure Hutto residents have the opportunity to sit on and participate in the activities of the Hutto Economic Development Corporation. Those filling vacancies shall serve out the term of those seats.

Any Director, or all Directors, may be removed from office at any time by majority vote of the City Council, for cause or at will. Any vacancy occurring on the Board shall be filled by appointment by majority vote of the City Council."

- 3) That Section 4.2 of the Hutto Economic Development Corporation, Type B, Bylaws, Amendments to Bylaws shall be amended in its entirety to read as follows:

"These Bylaws may be amended at any time and from time to time by the Hutto City Council, or by majority vote of the Directors then in office, but only with approval of the City Council."

- 4) That Section 5.8 of the Hutto Economic Development Corporation, Type B, Bylaws, Staff and organizational management shall be amended in its entirety to read as follows:

"The Board may hire and terminate an employee of the Corporation with the recommendation of the City Manager. The City shall continue to provide some staffing and legal support at the direction of the City Manager and the Corporation shall reimburse the City for any and all expenses necessary for such support."

Furthermore, the Hutto City Council hereby resolves that the Hutto Economic Development Corporation shall also do business as (D/b/a) the Hutto Community Development Corporation from hence forth, shall work in partnership with the City staff to implement the following priorities:

- Implement a small business loan program,
- Develop and implement a business retention program,
- Fund entertainment opportunities for the community as appropriate,
- Assist City with GAP Financing projects utilizing its sales tax revenue when available,
- Assist City with the development, redevelopment of parks utilizing its sales tax revenue when available.

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

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this the **13th** day of **December 2018**.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

6B.

AGENDA DATE: December 13, 2018

PRESENTED BY:

ITEM:

Consideration and possible action concerning appointment, removal, and acceptance of resignation of Economic Development Corporation Type A and Type B Board members. (City Attorney)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

As stated in the January 2018 Amended and Restated Bylaws of the Hutto Economic Development Corporation, the Hutto City Council has the authority to appoint the Board of Directors. Likewise, the Council may accept resignations and remove from office members of the Board of the Hutto Economic Development Corporation, Type A and Type B.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

City Attorney has reviewed materials.

STAFF RECOMMENDATION:

Staff recommends approval.

SUPPORTING MATERIAL:

There are no supporting documents.

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 6C. **AGENDA DATE:** December 13, 2018

PRESENTED BY: Matt Rector

ITEM:

Consideration and possible action on a resolution authorizing the City Manager to utilize Texas Water Development Board (TWDB) remaining unused funds (RUF) toward the design and construction of an expansion to the Central Waste Water Treatment Plant and authorizing the City Manager to execute a contract with an engineering firm for the design of the expansion of the Central Waste Water Treatment Plant. (Matt Rector)

STRATEGIC GUIDE POLICY: Infrastructure & Growth

ITEM BACKGROUND:

The Central Waste Water Treatment Plant was scheduled to under go an intermediate expansion in FY 2020 to provide some additional capacity on a temporary basis allowing the city to wait a couple of years before beginning the larger expansion that is necessary. However, growth has and continues to exceed expectations. Because of this it is necessary to begin the process of expanding the plant now. Fiscally, staff believes, that it is better to skip the intermediate step and proceed to the maximum capacity of the plant at this time.

BUDGETARY AND FINANCIAL SUMMARY:

The remaining TWDB funds total \$1,800,000 so the application to the TWDB would be to allocate \$1.8 million toward the project. The design contract would be an amount not to exceed \$1.8 million.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of the resolution.

SUPPORTING MATERIAL:

1. [Resolution](#)

RESOLUTION NO. R18-12-13-6C

A RESOLUTION AUTHORIZING THE CITY MANAGER TO UTILIZE THE REMAINING UNUSED FUNDS (RUF) FOR THE DESIGN AND CONSTRUCTION OF THE EXPANSION OF THE CENTRAL WASTE WATER TREATMENT PLANT AND TO ENGAGE AN ENGINEERING FIRM TO COMPLETE THE DESIGN OF THE CENTRAL WASTE WATER TREATMENT PLANT

WHEREAS, the City Council of the City of Hutto, Texas, recognizes the need to provide a safe and reliable wastewater services for the citizens of Hutto, Texas, and;

WHEREAS, the City recognizes the need for long term wastewater master planning that aims to serve Hutto, and;

WHEREAS, The City recognizes the need for the infrastructure to mitigate continued growth and wastewater treatment concerns, and;

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

That the City Council hereby authorizes the City Manager to utilize the remaining unused funds (RUF) for the design and construction of the expansion of the Central Waste Water Treatment Plant and to engage an engineering firm to complete the design of the Central Waste Water Treatment Plant in an amount not to exceed \$1,800,000.

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this the 13th day of December, 2018.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary