



**CITY OF HUTTO, TEXAS
REGULAR CITY COUNCIL MEETING
THURSDAY, MAY 17, 2018 AT 7:00 PM
CITY HALL - CITY COUNCIL CHAMBERS
401 WEST FRONT STREET**

CITY COUNCIL

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

AMENDED AGENDA

1. **CALL SESSION TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE**

5. **OTHER BUSINESS:**

5A. Consideration and possible action on the appointment of the Mayor Pro-tem position.

6. **CONSENT AGENDA:**

6A. Consideration and possible action concerning the amended minutes for April 5, 2018 City Council Regular Meeting, April 30, 2018 City Council and Hutto ISD Board of Trustees Joint Meeting, May 3, 2018 City Council Regular Meeting, and May 3, 2018 City Council and Hutto Economic Development Corporation Type B Special Called Joint Meeting. (Lisa Brown)

6B. Consideration and possible action on a resolution approving a Texas Local Gov't Code Chapter 380 Agreement for Project Oscar. (Helen Ramirez)

6C. Consideration and possible action on a resolution authorizing the City Manager to enter into an Advanced Funding Agreement (AFA) with Texas Department of Transportation for the purposes of reconstruction of U.S. 79 as required for the Co-Op District. (Robert Sims)

7. **CITY MANAGER COMMENTS:**

- 7A. Presentation regarding Project Oscar and the Co-Op District. (Helen Ramirez)
- 7B. Update on YMCA foundation and activity. (Bryon Borchers)
- 7C. Presentation of April Financial Statements and April Investment Report. (Anthony Emadi)

8. **CITY COUNCIL COMMENTS**

- 8A. General Comments from City Council

9. **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.

- 9A. Remarks from visitors. *(Three-minute time limit)*

10. **PUBLIC HEARINGS:**

- 10A. Open and conduct the second public hearing regarding the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137. (Ashley Lumpkin)
- 10B. Open and conduct a public hearing on the proposed zoning change for the property known as the RSI PUD, 315.28 acres, more or less, of land, located between CR 119 (west boundary) and FM 1660 North (east boundary) and the Hutto Parke Subdivision (south boundary), from SF-1 (single family residential) to Planned Unit Development (PUD) zoning district. (Ashley Lumpkin)

REGULAR AGENDA ITEMS

11. **ORDINANCES:**

- 11A. Consideration and possible action considering first reading of an ordinance approving a Fiscal Year 2017-2018 Budget Amendment concerning changes in City Council Compensation and Fund Accounts. (Anthony Emadi)
- 11B. Consideration of a public hearing and possible action on the adoption of an ordinance approving the Land Use Assumption and 10 Year Impact Fee Capital Improvement Plan and setting a public hearing for impact fees for June 21, 2018. (David Magana)

- 11C. Consideration and possible action on the second reading of an ordinance approving the right-of-way vacation of Short Street, a 50-Foot Right-Of-Way, approximately (0.4099 acres) 17,796 square feet in area, located adjacent to the Co-Op District development site on US 79 West. (David Magana)

12. **RESOLUTIONS:**

- 12A. Consideration and possible action concerning a resolution changing the name of the Old Hutto Football Stadium to Tevan Lee Nguyen Sr. Stadium. (Larry Foos and Kelly Gayados)
- 12B. Consideration and possible action authorizing the City Manager to negotiate and execute a Development Agreement with MK Developments. (Helen Ramirez)

13. **EXECUTIVE SESSION:**

- 13A. Executive Session, as authorized by Texas Government Code, Section 551.071, consultation with an attorney regarding Economic Development Corporation Bylaws, Chamber of Commerce, D.R. Horton, and board member activity.

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].

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

- 14A. Consideration and possible action regarding the Economic Development Corporation Bylaws, Chamber of Commerce, D.R. Horton and board member activity.

15. **ADJOURNMENT**

CERTIFICATION

I certify that this notice of the May 17, 2018 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on May 14, 2018 at_____.

Original Agenda Signed

Lisa 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: May 17, 2018

PRESENTED BY:

ITEM:

Consideration and possible action concerning the amended minutes for April 5, 2018 City Council Regular Meeting, April 30, 2018 City Council and Hutto ISD Board of Trustees Joint Meeting, May 3, 2018 City Council Regular Meeting, and May 3, 2018 City Council and Hutto Economic Development Corporation Type B Special Called Joint Meeting. (Lisa Brown)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

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. [April 5, 2018 Amended Minutes](#)
2. [April 30, 2018 Minutes](#)
3. [May 3, 2018 City Council Minutes](#)
4. [May 3, 2018 City Council and EDC TYPE B Joint Minutes](#)



**CITY COUNCIL
MEETING MINUTES
APRIL 5, 2018**

The Hutto City Council met in a special called session on Thursday, April 5, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul called the meeting to order at 7:00 p.m.

ROLL CALL

The mayor called the roll.

Members of the City Council that were present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Tim Jordan, Councilmember Terri Grimm, Councilmember Nathan Killough, and Councilmember Lucio Valdez.

Members of staff that were present were Odis Jones, City Manager; Helen Ramirez, Assistant City Manager; City Attorney, Bill Bingham; Anthony Emadi, Chief Financial Officer; Byron Frankland, Chief of Police; Ashley Lumpkin, Executive Director Development Services, Carolyn Horner, Planning Director, Anthony Host, Director of Construction; Eliska Padilla, Executive Director of Communication; Larry Foos, Director of Parks and Recreation; David Mason, Purchasing; David Magana, Executive Director of Engineering; Ryan Morgan, Manager of General Services; Jessica Bullock, Director of Economic Development; Sharon Parker; Assistant Events Manager; Kristi Robich, Downtown & Tourism Events Manager, and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the United States and Texas flags were lead by Mayor Gaul.

PROCLAMATIONS

Mayor Gaul presented a proclamation to Jessica Romigh of Keep Hutto Beautiful, declaring April 7, 2018 Great Hutto Cleanup Day. Ms. Romigh stated that this year there were more than 600 volunteers participating, an increase over last year's 229 volunteers.

Official Proclamation

Whereas, for thirteen years the Hutto Community has participated in the annual Don't Mess With Texas Trash Off, the signature litter prevention and cleanup event in Texas made possible through the hard work of volunteers; and;

Whereas, Keep Hutto Beautiful organizes the Great Hutto Cleanup, a community- wide day of service that brings citizens of Hutto and the surrounding area together to volunteer, dispose of unwanted recyclable materials, and be part of the Statewide Don't Mess With Texas Trash Off and the National Great American Cleanup; and;

Whereas, A clean community has a positive effect on safety, quality of life, economic development, and a more sustained environment; programs such as Hutto Adopt-A-Spot encourage cleaner communities and support the missions of Keep Texas Beautiful, Don't Mess With Texas, Keep America Beautiful and other organizations with a history of addressing litter by advocating individual responsibility, community partnerships and volunteerism, and;

Whereas, all residents are invited to support litter prevention and recycling initiatives in Hutto, Texas through volunteering for the Great Hutto Cleanup or taking advantage of the free Junk Round Up services happening that day;

Now, Therefore, I, DOUG GAUL, MAYOR, of the City of Hutto, do hereby
proclaim the April 7, 2018 as

"GREAT HUTTO CLEANUP DAY"

in Hutto, and encourage all citizens and organizations to partner with Keep Hutto Beautiful to be involved in the Great Hutto Cleanup and help keep the Hutto Community a clean and beautiful place to live, work and play.

Mayor Gaul presented a proclamation to Monica Benoit-Beatty, Executive Director of the Williamson County children's Advocacy Center declaring April Child Abuse Awareness Month in Hutto, Texas.

Official Proclamation

Whereas, our children are our most valuable resources and will shape the future of Texas; and;

Whereas, the US Census Department reported an estimated 2016 population of 139,582 children in Williamson County, Texas, and the Texas Department of Family & Protective Services reported 3,119 completed child abuse investigations in the county and 695 confirmed cases of child abuse or neglect; and the Williamson County Children's Advocacy Center forensically interviewed 638 children in the same time period; and;

Whereas, prevention remains the best defense for our children and families; and;

Whereas, all adults, 18 and over are considered mandated reporters in the State of Texas and are charged with officially reporting any and all suspected cases of abuse to the 1-800-252-5400 Abuse Hotline so that local professionals can properly investigate and intervene in a timely manner to keep children safe from abuse in Williamson County;

Now, Therefore, I, DOUG GAUL, MAYOR, of the City of Hutto, do hereby proclaim the Month of April 2018, as

“CHILD ABUSE AWARENESS AND PREVENTION MONTH”

and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families by that recognition; and, hereby recognize the Williamson County Children’s Advocacy Center for its outstanding service to protect the unprotected, seek justice against child maltreatment and encourage all citizens to be vigilant in recognizing and reporting child abuse in Hutto, Texas.

CITY COUNCIL COMMENTS

There were no comments by the council.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA ITEMS

- 8C. Consideration and possible action on the meeting minutes for January 8, 2018, City Council Special Called Meeting, the March 15, 2018 Regular City Council Meeting, and corrected minutes for January 18, 2018.

Motion: Council Member Hines made a motion to approve the minutes. Councilmember Killough seconded the motion.

<u>Vote</u> :	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

- 8D. Consideration and possible action to authorize the City Manager to negotiate and execute a management agreement with KOKE FM for the purposes of performing six (6) additional annual concerts.

Motion: Council Member Hines made a motion to approve the minutes. Councilmember Killough seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

REGULAR AGENDA ITEMS:

- 9A. Consideration and possible action on ordinance approving a tariff authorizing an annual rate review mechanism as a substitution for the annual interim rate adjustment process defined by section 104.301 of the Texas Utilities Code, and as negotiated between ATMOS Energy Corp., Mid-Tex Division ('Atmos Mid-Tex' or 'Company') and the Steering Committee of Cities served by Atmos; requiring the Company to reimburse Cities' reasonable ratemaking expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the open meetings act; declaring an effective date; and requiring delivery of this ordinance to the Company and Legal Counsel for the Steering Committee.

Anthony Emadi, Chief Financial Officer, presented an ordinance approving a tariff authorizing the annual rate review mechanism as a substitution for the annual interim rate adjustment process between ATMOS Energy Corp., Mid-Tex Division and the Steering Committee of Cities served by Atmos.

City Manager Odis Jones would like Mr. Emadi to work with the City Attorney on future ordinances of this type to negotiate a better deal on rates for the citizens of Hutto.

Motion: Councilmember Hines made a motion to approve the ordinance approving a tariff authorizing the annual rate review mechanism as a substitution for the annual interim rate adjustment process between ATMOS Energy Corp., Mid-Tex Division and the Steering Committee of Cities served by Atmos. Councilmember Killough seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

- 9B. Consideration of a public hearing and possible action on the first reading of an ordinance approving the Planned Unit Development (PUD) zoning ordinance

amendment for the Hutto Crossings PUD, 465.00 acres, more or less, of land, located at the southwest corner of Chris Kelley Boulevard and US 79 West.

Carolyn Horner presented the ordinance approving the Planned Unit Development zoning ordinance amendment for Hutto Crossings.

City Manager Odis Jones stated he did not recommend the Council approve the PUD at this time. He has been in negotiations with the developer and if were to go through now the City would have to pay the developer of \$11 million over the next 10 years that the City does not have. It was suggested that there be a two year extension.

Councilmember Hines asked what the plans were for the area – commercial business.

A public hearing was opened at 7:25 p.m. There being no comments the hearing was closed at 7:25 p.m.

Motion: Councilmember Killough made a motion to table the ordinance at this time. Councilmember Grimm seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

9C. Consideration of a public hearing and possible action on the first reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 2, Article 2.02, Section 2.02.122; Chapter 8, Article 8.04, Sections 8.04.105 and 8.04.108; and Chapter 16, Article 16.01, Sections 16.01.001 and 16.03.001.

Carolyn Horner presented an ordinance amending the Code of Ordinances to cleanup terminology used in other chapters of the Unified Development Code.

Councilmember Rose asked if we were getting rid of the Smartcode and was assured it was already done.

Motion: Councilmember Jordan made a motion to ordinance. Councilmember Rose seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
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Nays None

Action: The motion carried with 7 ayes and 0 nays.

9D. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Neal Tracts, 167.375 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on the south side of CR 199.

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps, the first reading of the ordinance for the annexation of the Neal Tracts out of the William Gatlin Survey.

Motion: Councilmember Hines made a motion to approve the first reading of the ordinance. Councilmember Jordan seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

Motion: Councilmember Jordan made a motion to dispense with the second reading of the ordinance. Councilmember Valdez seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

9E. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Overton-Wolter Tracts, 181.33 acres, more or less, of land, out of the John Dykes Survey, Abstract No. 186, located on the east side of CR 11 9, adjacent to the northeast boundary of the Huttoperke Subdivision. (Carolyn Horner)

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps, the first reading of the ordinance for the annexation of the Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps, the first reading of the ordinance for the

annexation of the Overton-Wolter Tracts out of the John Dykes Survey.

Motion: Councilmember Valdez made a motion to approve the first reading of the ordinance. Councilmember Jordan seconded the motion.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Hines
 Councilmember Scott Rose
 Councilmember Terri Grimm
 Councilmember Tim Jordan
 Councilmember Nathan Killough
 Councilmember Lucio Valdez
 Nays None

Action: The motion carried with 7 ayes and 0 nays.

9F. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Packsaddle Tracts, 169.99 acres, more or less, of land located on the east side of FM 1660 North and adjacent to the northern boundary of the Rivers Crossing Subdivision.

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps, the first reading of the ordinance for the annexation of the Packsaddle Tracts in the Rivers Crossing Subdivision.

Motion: Councilmember Valdez made a motion to approve the first reading of the ordinance. Councilmember Hines seconded the motion.

Vote: Ayes Mayor Doug Gaul
 Mayor Pro-tem Hines
 Councilmember Scott Rose
 Councilmember Terri Grimm
 Councilmember Tim Jordan
 Councilmember Nathan Killough
 Councilmember Lucio Valdez
 Nays None

Action: The motion carried with 7 ayes and 0 nays.

9G. Consideration and possible action on the first reading of an ordinance regarding the proposed annexation of the Wallin Family Hutto Investments Tract, 136.0 acres, more or less, of land, out of the John Dykes Survey, Abstract No. 186, located on the west side of FM 1660 North, along the northern boundary of the Hutto Parke Subdivision.

Ashley Lumpkin, Executive Director of Development Services, presented step 4 of 5 steps, the first reading of the ordinance for the annexation of the Wallin Family Hutto Investments Trust Tract out of the John Dykes Survey.

Motion: Councilmember Valdez made a motion to approve the first reading of the

ordinance. Councilmember Rose seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul
		Mayor Pro-tem Hines
		Councilmember Scott Rose
		Councilmember Terri Grimm
		Councilmember Tim Jordan
		Councilmember Nathan Killough
		Councilmember Terri Grimm
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

9H. Consideration and possible action on the creation of a Public Improvement District and the approval of a Public Improvement District ordinance for the Co-Op Development Project.

Motion: Councilmember Hines made a motion to instruct the City Manager to post notice for a public hearing on a possible action on a public improvement district for the Co-Op District project to be held on May 3, 2018. Councilmember Grimm seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul
		Mayor Pro-tem Hines
		Councilmember Scott Rose
		Councilmember Terri Grimm
		Councilmember Tim Jordan
		Councilmember Terri Grimm
		Councilmember Nathan Killough
	Absent:	
Nays	None	

Action: The motion carried with 6 ayes and 0 nays.

RESOLUTIONS:

10A. Consideration and possible action on a resolution authorizing the City Manager to enter into a contract with FTWOODS Construction for the construction of an Amphitheater.

David Mason presented the bid information for the amphitheater. The Competitive Sealed bid accepted was for \$2,876,000.00. Because the bidder was unable to provide the shade shelter the job was awarded to the back-up bidder. They are in the process of negotiating the price for the removable shade shelter which will cost between \$300,000-\$400,000. The additional cost also include the wider asphalt roads that were requested by the fire department.

Councilmember Grimm is uncomfortable voting on the project when the price is not fully negotiated.

Tony Host, Director of Construction stated the total needed for the project was \$3.4 million.

Councilmember Valdez asked how the project was being paid for and Councilmember Hines asked if the money was available. The City Manager stated the funds were provided for as part of the bond package approved in the November 2017 election.

Motion: Councilmember Jordan made a motion to approve a budget not to exceed \$3.4 million for the amphitheater. Councilmember Hines seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Nathan Killough Councilmember Lucio Valdez
	Nays	None

Action: The motion carried with 7 ayes and 0 nays.

CITY MANAGER COMMENTS

11A. Certificate of Appreciation for Parks and Recreation's Easter Egg Hunt, improving the quality of life for Hutto citizens.

City Manager Odis Jones presented a certificate to Parks and Recreation Department in appreciation of the superior job on the Hutto Egg where 20,000 eggs were picked up in approximately five minutes.

11B. Presentation made in accordance with City Charter regarding Budget Line Item Transfers within the same fund.

Anthony Emadi, CFO, presented the monthly Budget Line Items

11C. Presentation of the February Financial Statements including a property tax and sales tax yearly comparison, and, presentation of the investment balances as of February 28th, 2018.

Anthony Emadi, CFO, presented the February Financial Statements.

The meeting was recessed at 7:55p.m. for an Executive Session.

EXECUTIVE SESSION

12A. Executive Session, as authorized by Texas Government Code, Section 551.071, regarding consulting with an Attorney, and Section 551.087, economic development negotiations related to the Co-Op District and Project Butterfly.

The Council returned from Executive Session and the meeting was reconvened at 9:49 p.m.

ACTION RELATIVE TO EXECUTIVE SESSION

13A. Consideration and possible action relating to the Co-Op District and/or Project Butterfly.

No action was taken in Executive Session.

Following the Executive Session there was a second motion regarding the ordinance.

Motion: Councilmember Hines made a motion to reconsider the previous motion and allow the second reading of the ordinance. Councilmember Rose seconded the motion.

<u>Vote:</u>	Ayes	Mayor Doug Gaul Mayor Pro-tem Hines Councilmember Scott Rose Councilmember Terri Grimm Councilmember Tim Jordan Councilmember Lucio Valdez
	Absent	Councilmember Nathan Killough
	Nays	None

Action: The motion carried with 6 ayes, 0 nays, and 1 absent.

ADJOURNMENT

With no other business to conduct, the meeting was adjourned at 9:50 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED

Lisa L. Brown, City Secretary



**HUTTO CITY COUNCIL AND
HUTTO ISD BOARD OF TRUSTEES
JOINT MEETING MINUTES
APRIL 30, 2018**

The Hutto City Council and Hutto ISD Board of Trustees met in a special session on Monday, April 30, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul and President Gooding called the session to order at 7:00 p.m.

ROLL CALL

Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Tim Jordan, and Councilmember Lucio Valdez, and Councilmember Terri Grimm. Councilmember Nathan Killough was absent.

Members of the Hutto ISD Board of Trustees present were Connie Gooding, President; Billie Logiudice, Vice President; Morgan Hubbard, Secretary; Byron McDaniel, Phillip Boutwell, Terrence Owen and Scott Feller.

Members of City staff that were present were Helen Ramirez, Assistant City Manager; Byron Frankland, Chief of Police; David Magana, Executive Director of Engineering and Public Works, and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

Mayor Gaul led the Pledge of Allegiance.

PUBLIC COMMENT

There were no public comments.

AGENDA ITEMS

5A. Update and discussion on the following City of Hutto projects and initiatives:

1. County Road 137 discussion regarding flooding and ways to resolve.

David Magana discussed the plans to increase the conveyance of water in the bar ditches along CR 137 and the need to build culverts so the water flows better especially where the children cross in front of Farley Middle School. Mr. Magana stated the mobility plan calls for RM 1660 to have one lane each way with a center turn lane.

Helen Ramirez remarked that the HISD will need to improve the school driveway as part of these improvement measures.

Tom Hines also made remarks regarding the pooling of water in the driveways making it difficult for the children to cross.

Mayor Gaul asked for the timeline – the plan is to begin the project after school lets out and be completed by the time school starts in August. The estimated cost is \$10,000.

Scott Feller asked about the possibility of installing storm sewers in that area that would drain into the creek. Mr. Magana stated that there is already a bar ditch in that area and they are less expensive than sewers.

Helen Ramirez commented that a long-term consideration would be to look at storm sewers in that area, but from this point on there will be no open ditches in future subdivisions.

2. Updates on major projects and developments.

Fritz Park renovations are complete or substantially so. The recent Block Party was a big success.

East Street - lighting is complete. There is some minor landscaping needed.

Front Street – water line repair is essentially complete.

Innovation Park – is ongoing, they are working on the wastewater and storm drains.

Limmer Loop Sidewalk – there is a pre-construction meeting this week and construction is set to begin next month. Not sure of completion date.

Huttoparke Sidewalk – the City has applied for a grant to help pay for the construction

Co-Op – first tenant announcement on May 1st, and the plat approval will be on the agenda of the next council meeting.

Amphitheater – fill dirt is being brought in to fill in the low lying areas. Helen Ramirez commented the City would need to work with the HISD on transportation issues for the July 4th and Kokefest events. Celina Townsend, HISD Superintendent interjected that the school system is shut down for July 4th

5B. Update and discussion on the following Hutto ISD projects and initiatives:

1. Discussion on the Memorandum of Understanding Hutto ISD Board and Council interaction.

Connie Gooding discussed HISD's goal to improve relations with the City Council and to that end guidelines were drawn up by the Board primarily to keep the Board and the Council meeting.

Mr. Boutwell asked if the boundaries could be loosened with regard to meeting every quarter.

Terri Grimm commented there needs to be something in place to keep the Council and the Board meeting on a regular basis.

Ms. Gooding asked for volunteers from the Board and the Council to meet and rework the guidelines for meeting. Terri Grimm, Tim Jordan and Nate Killough will represent the council and Ms. Gooding and _____ will represent the Board. Tim Jordan commented that if the City Manager and the Superintendent are working well together the Council and Board work well together too.

2. Hutto ISD construction update.

Mr. Cardwell stated they will begin the construction at the Riverhorse Academy soon. He has a pre-construction meeting with Tony Host the next day. The portable building will be delivered soon. Mr. Boutwell asked if the City was going to pave that area. The City did not have the equipment to pave to the District specification so another company has been engaged. The original building will remain vacant but not sure how it will be used. The parking lot will be open after 4 p.m. and on weekends for public use.

ROTC – the program will be moving to a location south of the softball fields. Seven portable buildings will be brought in.

There will be a HVAC renovation at the high school this summer and at Nadine Johnson Elementary.

Kerley Elementary – the utilities are underway and the steel skeleton will be starting soon. Scheduled to open in August 2019. The school will have solar panels and rainwater harvesting,

3. Safety concerns regarding Chris Kelley Blvd.

Ms. Gooding expressed concerns for safety for school students with all the new retail construction occurring on Chris Kelley Blvd. and what measures can be taken.

A suggestion was made to install a wrought iron fence across the front of the school that would force the students to use the crosswalk at Carl Stern and Chris Kelley.

Scott Feller suggested a fence in the middle of Chris Kelley. He also questioned whether the entrance at Circle Drive needed to be maintained.

Terri Grimm suggested the speed limit in front of the school be reduced. Helen Ramirez and David Magana will approach TxDot about the issue.

Tom Hines wanted to know if there would be a sidewalk on Carl Stern in front of the new apartment complex. Helen Ramirez assured him there would be. She stated that a business or the apartments in this instant triggers the placement of a sidewalk.

The issue of bussing for the children that live in the new apartments and Carmel Creek was raised. Mr. Boutwell stated there would be a safety audit to determine the need for busses.

David Magana also informed the Council and Board about plans to replace the asphalt along the outside edges of Carl Stern from Chris Kelley to Front Street.

4. Budget and Tax Rate outlook presentation.

Dr. Harris, Interim Financial Officer, reviewed the 2018-19 Preliminary Budget. Current enrollment is 7,238 and expected enrollment in 2019 is 7,627. He stated that Hutto is the only District in the area that is not in Chapter 41 status (Robinhood), but that we should reach that status soon. He anticipates a 3 cent drop in the tax rate.

Terri Grimm did not participate in the discussion regarding #4 due to a conflict of interest.

ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED:

Lisa L. Brown, City Secretary



**CITY COUNCIL
MEETING MINUTES
MAY 3, 2018**

The Hutto City Council met in a regular session on Thursday, May 3, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul called the session to order at 7:00 p.m.

ROLL CALL

Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Nathan Killough, Councilmember Tim Jordan, and Councilmember Terri Grimm, and Councilmember Lucio Valdez.

Members of staff that were present were Odis Jones, City Manager; Mike Shaunessy, City Attorney; Helen Ramirez, Assistant City Manager; Bryon Frankland, Chief of Police; Jessica Bullock, Director of Economic Development; Eliska Padilla, Executive Director of Communications; Reena O'Brien, Director of Communications; Anthony Emadi, Chief Financial Officer; David Magaña, Executive Director of Engineering and Public Works; Kristi Robich, Events Manager; Sharon Parker, Assistant Events Manager; Anthony Host, Director of Construction; Ashley Lumpkin, Executive Director of Business Development and Planning; and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

Mayor Gaul led the Pledge of Allegiance and the Texas Pledge.

PROCLAMATION

Mayor Gaul presented a proclamation declaring May Motorcycle Safety Month to members of the Calaveras and Crossroads Capital Motorcycle Clubs. Weyman "Coop" Cooper spoke for a few minutes regarding road safety awareness for drivers around motorcycles.

PROCLAMATION

WHEREAS, motorcycle riding is a popular form of recreation and transportation for thousands of people across the state and nation; and

WHEREAS, motorcycles are a common and economical means of transportation that reduces fuel consumption and road wear, and contributes in a significant way to the relief of traffic and parking congestion; and

WHEREAS, the National Highway Traffic Safety Administration and the Motorcycle Safety Foundation have named May as Motorcycle Safety Awareness Month to encourage all highway users to unite in the safe sharing of roadways throughout the City of Hutto, Williamson County and Texas; and

WHEREAS, the City of Hutto, wishes to promote the safety campaign of the National Highway Traffic Safety Administration in their effort to ensure the safety and well being of all.

NOW, THEREFORE, I, Doug Gaul, Mayor of the City of Hutto, do hereby proclaim the month of May 2018 as

MOTORCYCLE SAFETY AWARENESS MONTH

Mayor Gaul also presented a proclamation declaring May as Historic Preservation Month to Kristi Robich, Sharon Parker and Jessica Bullock.

PROCLAMATION

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "This. Place. Matters." is the theme for National Preservation Month 2018, co-sponsored by the Hutto Historic Preservation Commission and the National Trust for Historic Preservation

NOW THEREFORE; I, DOUG GAUL, MAYOR OF THE CITY OF HUTTO, do hereby proclaim May, 2018 as

NATIONAL PRESERVATION MONTH

in Hutto and urge all citizens to recognize this month by dedicating ourselves to the task of recognizing and participating in this special observance.

CITY COUNCIL COMMENTS

Mayor Gaul wished to express his thanks to Kristi Robich and Sharon Parker for their efforts in putting on a very successful Sunset Block Party. Because of their efforts there was a tremendous turnout. He is looking for to the next one in May.

Councilman Lucio Valdez wanted to thank the Council and the citizens of Hutto for their support during his tenure on the Council.

Councilwoman Terri Grimm stated that she never wants to have to experience a day like yesterday where she observed an entire police force that was broken at the loss of a fellow officer. She wished to express her support and gratitude to the men and women of the Hutto Police and Fire departments, and she will fight to ensure both departments have all the equipment and resources they need to perform their duties.

PUBLIC COMMENT

There were no public comments.

PUBLIC HEARING:

- 8A. Open and conduct the first public hearing regarding the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137.

Ashley Lumpkin presented the the Pollard Tracts for annexation. The public hearing is the second step towards annexation.

Mayor Gaul opened the public hearing at 7:14 p.m. and there being no public comments closed the hearing at 7:14 p.m.

CONSENT AGENDA ITEMS

- 9A. Consideration and possible action on the meeting minutes for the April 12, 2018 City Council and Economic Development Corporation Board Meeting, April 16, 2018 Special Called City Council Meeting, April 18, 2018 Special Called City Council Meeting, April 19, 2018 Regular City Council Meeting, and amended minutes from March 15, 2018.
- 9B, Consideration and possible action on a resolution approving a Texas Local Gov't Code Chapter 380 agreement for JRS Company, Inc.

Motion: Councilmember Hines made a motion to pull 9B from the consent agenda. Councilmember Grim seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm

Action: The motion carried with 7 ayes, and 0 nays.

- 9C. Reconsideration and possible action on a resolution approving the proposed Co-Op District Preliminary Plat, 28.73 acres, more or less, of land, seven non-residential lots, located on US 79 West.
- 9D. Reconsideration and possible action on a resolution approving the proposed Co-Op District Final Plat, 28.73 acres, more or less, of land, seven non-residential lots, located on US 79 West.
- 9E. Consideration and possible action on a resolution authorizing the City Manager to negotiate and execute a Development Agreement by the City of Hutto for the development of the Mustang Creek Project.

Motion: Councilmember Hines made a motion to accept Items 9A, and 9C through 9E as presented. Councilmember Grimm seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm

Action: The motion carried with 7 ayes, and 0 nays.

REGULAR AGENDA ITEMS

ORDINANCES

- 10A. Consideration of a public hearing and possible action on the first reading of an ordinance approving the right-of-way vacation of Short Street, a 50-foot Right-of-Way,

approximately (0.4099 acres) 17,796 square feet in area, located adjacent to the Co-Op District development site on US 79 West.

Helen Ramirez, informed the Council this a proposed 50-foot right-of-way vacation of one of the streets need to for access and parking for the Co-Op development.

Councilwoman Grimm asked if the owners of Wag-a-Bag have expressed any concerns regarding access to their property. Ms. Ramirez advised her the City and MA Partners have been working with the owner of Wag-A-Bag on a solution to their egress issues. The developer, Bob Wunch has agreed to pay for any improvements to the area. TxDot is also requiring that the street be closed. There will eventually be a left turn lane from US 79 into the development.

Tony Host, Director of Construction, stated he has provided a preliminary plan to the owner of Wag-a-bag for the new driveway and he has agreed to the design.

Motion: Councilmember Killough made a motion to accept the first reading of an ordinance approving the right-of-way vacation of Short Street, a 50-foot Right-of-Way, approximately (0.4099 acres) 17,796 square feet in area, located adjacent to the Co-Op District development site on US 79 West. Councilmember Jordan seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm

Action: The motion carried with 7 ayes, and 0 nays.

City Attorney Mike Shaunessy advised the Council that they should not waive the second reading of the ordinance.

RESOLUTIONS

11A. Consideration and possible action on a resolution authorizing the City Manager to negotiate and execute a contract to renew electric rates when the current electric contract expires in March 2020.

Anthony Emadi advised the Council that electric rates are at an all time low (lowest in 15 years), but are expected to increase due to three coal plants being taken off-line. He explained that now would be a good time to lock in rates now for when the contracts expire.

Councilman Hines wanted to know if this resolution gives the City Manger the authority to make a deal – yes.

Motion: Councilmember Hines made a motion to authorize the City Manager to negotiate and execute a contract to renew electric rates when the current electric contract expires in March 2020. Councilmember Jordan seconded the motion.

Vote: Ayes Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm

Action: The motion carried with 7 ayes, and 0 nays.

ADJOURNMENT

There being no further business to be heard the Mayor adjourned the meeting at 7:31 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED:

Lisa L. Brown, City Secretary



**SPECIAL CALLED CITY COUNCIL AND HUTTO
ECONOMIC DEVELOPMENT CORPORATION TYPE B
MEETING MINUTES
MAY 3, 2018**

The Hutto City Council and Hutto Economic Development Corporation Type B Board met in a special session on Thursday, May 3, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul called the session to order at 7:31 p.m.

ROLL CALL

Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Nathan Killough, Councilmember Tim Jordan, and Councilmember Terri Grimm, and Councilmember Lucio Valdez.

Members of the Hutto Economic Development Type B Board present were Bill Gravel, Chairman; Bryon Borchers, Voce-Chairman; Scott Feller, Chris Carey, Dan Thornton and Nelson Nagle.

Members of staff that were present were Odis Jones, City Manager; Mike Shaunessy, City Attorney; Helen Ramirez, Assistant City Manager; Bryon Frankland, Chief of Police; Jessica Bullock, Director of Economic Development, Eliska Padilla, Executive Director of Communications, Reena O'Brien, Director of Communications, Anthony Emadi, Chief Financial Officer; Davis Magana, Executive Director of Engineering and Public Works,; Anthony Host, Director of Construction; Ashley Lumpkin, Executive Director of Business Development and Planning; Jessica, Director of Economic Development; and Lisa Brown, City Secretary.

EXECUTIVE SESSION

Executive Session, as authorized by Texas Government Code, Section 551.071, consulting with the City Attorney regarding Project Butterfly; and Section 551.087, update on economic development negotiations related to Project Butterfly by the City Manager.

The Council and EDC Board recessed to Executive Session ay 7:32 p.m. and reconvened at 8:16 p.m.

No action was taken in Executive Session.

ADJOURNMENT

With no further business to be had the meeting was adjourned at 8:16 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED:

Lisa L. Brown, City Secretary

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

6B.

AGENDA DATE: May 17, 2018

PRESENTED BY:

Helen Ramirez, Assistant City Manager

ITEM:

Consideration and possible action on a resolution approving a Texas Local Gov't Code Chapter 380 Agreement for Project Oscar. (Helen Ramirez)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

The City has entered into a master development agreement with MA Partners, LLC, (Developer) to provide for the planned mixed-use development known as the "Hutto Co-Op District" which will develop commercial, retail, restaurant and civic uses.

The City is desirous of locating within the Co- Op District Project a commercial entity.

The Company intends to enter into a 15-year lease agreement with the owner or master lessor of the Project, pursuant to which Developer will improve the Project, construct the shell building, and provide the Company with an allowance defraying a portion of the Company's tenant improvements, in return for which Company will agree to pay rent and other charges to the owner or master lessor of the Project and to operate the commercial business.

The purpose of the agreement is to promote economic development as contemplated by Chapter 380 of the Texas Local Government Code, without which the project would lack economic justification. In addition to providing entertainment for Hutto and surrounding area residents and visitors, the Company will make its best effort to hire residents of Hutto.

BUDGETARY AND FINANCIAL SUMMARY:

The City has agreed to reimburse to the Company 75% of the sales tax levied by the City on the Company's taxable sales (the "Incentive") for a period of ten (10) years (the "Incentive Period"), not to exceed one million, two hundred and seventy-nine thousand, two hundred dollars (\$1,279,200). The Company is projected to pay annual taxable sales of \$180,000. Of the amount collected, the Company will be rebated 75%, or approximately \$135,000 for a period of 10 years, with a Not To Exceed (NTE) amount of \$1,279,200.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not Applicable.

CITY ATTORNEY REVIEW:

City Attorney has reviewed the Economic Development Agreement.

STAFF RECOMMENDATION:

Staff recommends approval of the Chapter 380 Agreement.

SUPPORTING MATERIAL:

There are no supporting documents.

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 6C. **AGENDA DATE:** May 17, 2018

PRESENTED BY: Robert Sims, P.E., City Engineer

ITEM:

Consideration and possible action on a resolution authorizing the City Manager to enter into an Advanced Funding Agreement (AFA) with Texas Department of Transportation for the purposes of reconstruction of U.S. 79 as required for the Co-Op District. (Robert Sims)

STRATEGIC GUIDE POLICY: Infrastructure & Growth

ITEM BACKGROUND:

This is the intersection improvements to enter the Co Op Development site from US 79 at Co Op Boulevard.

BUDGETARY AND FINANCIAL SUMMARY:

The total estimated construction cost is \$790,000.

Engineering: \$180,000

Environmental: \$ 10,000

Construction: \$600,000

Total: \$790,000

The cost of the improvements will be paid for by the Tax Increment Reinvestment Zone (TIRZ) that has been established for the overall Co Op District Project.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of a resolution to enter into an Advance Funding Agreement with the Texas Department of Transportation.

SUPPORTING MATERIAL:

1. [Draft AFA for US 79 at Co Op Improvements](#)
2. [Resolution AFA between TXDOT and City of Hutto for Co Op District](#)
3. [US 79 Co Op -20180430-US79HuttoMedian-SpecialApproval](#)

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STATE OF TEXAS §

COUNTY OF WILLIAMSON §

**ADVANCE FUNDING AGREEMENT For
Locally Funded Highway Improvement Project
On-System**

THIS AGREEMENT is made by and between the State of Texas, acting by and through the **Texas Department of Transportation** called the "State", and the **City of Hutto**, acting by and through its duly authorized officials, called the "Local Government". The State and Local Government shall be collectively referred to as "the parties" hereinafter.

WITNESSETH

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision, and

WHEREAS, federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds, and

WHEREAS, the State and Local Government do not anticipate that federal funds will be used for the Project governed by this Agreement; and

WHEREAS, the Texas Transportation Commission passed Minute Order Number **115005** authorizing the State to undertake and complete a highway improvement generally described as **Local Project to improve the intersection of US 79 and Co-op Street** (Project), and

WHEREAS, the Governing Body of the Local Government has approved entering into this Agreement by resolution or ordinance dated **{Enter Date of Resolution}**, which is attached to and made a part of this Agreement as Attachment A, Resolution or Ordinance, for the improvement covered by this Agreement. A map showing the Project location appears in Attachment B, Location Map Showing Project, (Attachment B) which is attached to and made a part of this Agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as set forth in this Agreement, it is agreed as follows

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AGREEMENT

1. Responsible Parties:

The parties shall be responsible for the following work as stated in the article of the Agreement referenced in the table below:

1.	Local Government	Utilities	Article 8
2.	Local Government	Environmental Assessment and Mitigation	Article 9
3.	Local Government	Architectural and Engineering Services	Article 12
4.	Local Government	Construction Responsibilities	Article 13
5.	Local Government	Right of Way and Real Property	Article 15

2. Period of the Agreement

This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the Project is completed or unless terminated as provided below.

3. Scope of Work

The Local Government shall design and construct a raised median with an eastbound left turn lane and a westbound right turn lane at the intersection of US 79 at Co-Op Street, as shown in Attachment B. The Local Government shall also design and construct a traffic signal. If the traffic signal is warranted before construction is complete, the Local Government will fully construct the signal. If the traffic signal is not warranted before construction is complete, the Local Government will install the traffic signal poles only (with illumination), obtain and store the arms for future use, and construct/implement the remainder of the traffic signal only when warranted.

4. Project Sources and Uses of Funds

The total estimated cost of the Project is shown in Attachment C, Project Budget, (Attachment C) which is attached to and made a part of this Agreement.

- A. If the Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government must complete training. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled "Local Government Project Procedures and Qualification for the Texas Department of Transportation" and retains qualification in accordance with applicable TxDOT procedures. Upon request, the Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not

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continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.

- B. The expected cash contributions from the State, the Local Government, or other parties are shown in Attachment C. The State will pay for only those Project costs that have been approved by the Texas Transportation Commission.
- C. Attachment C shows, by major cost categories, the cost estimates and the party responsible for performing the work for each category. These categories may include but are not limited to: (1) costs of real property; (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other local project costs.
- D. The State will be responsible for securing the State share of the funding required for the development and construction of the local Project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.
- E. The Local Government will be responsible for all non-State participation costs associated with the Project, unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement. Where Special Approval has been granted by the State under 43 TAC §15.52, the Local Government shall only in that instance be responsible for overruns in excess of the amount specified in Attachment C to be paid by the Local Government.
- F. If the Project has been approved for a specified percentage or a periodic payment non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the specified percentage or the periodic payment schedule.
- G. When Special Approval has been granted by the State so that the Local Government bears the responsibility for paying cost overruns, the Local Government shall make payment to the State within thirty (30) days from the receipt of the State's written notification of those amounts.
- H. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering performed or reviewed by the State for the Project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction cost.
- I. The State will not execute the contract for the construction of the Project until the required funding has been made available by the Local Government in accordance with this Agreement.
- J. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation" or may use the State's Automated Clearing House (ACH) system for electronic transfer of funds in accordance with instructions provided

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by TxDOT's Finance Division. The funds shall be deposited and managed by the State and may only be applied by the State to the Project.

- K. The State will not pay interest on any funds provided by the Local Government.
- L. If a waiver for the collection of indirect costs for a service project has been granted under 43 TAC §15.56, the State will not charge the Local Government for the indirect costs the State incurs on the local Project, unless this Agreement is terminated at the request of the Local Government prior to completion of the Project.
- M. If the Local government is an Economically Disadvantaged County (EDC) and if the State has approved adjustments to the standard financing arrangement, this Agreement reflects those adjustments.
- N. Where the Local Government is authorized to perform services under this Agreement and be reimbursed by the State, the Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly, and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred the State may refuse to reimburse the Local Government for those costs.
- O. Upon completion of the Project, where Special Approval has been granted by the State under 43 TAC 15.52, the State will perform a final accounting of the Project costs. Any funds due by the Local Government or the State will be promptly paid by the owing party.
- P. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this Agreement or indirectly through a subcontract under this Agreement. Acceptance of funds directly under this Agreement or indirectly through a subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- Q. Payment under this Agreement beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this Agreement shall be terminated immediately with no liability to either party.

5. Termination of this Agreement

This Agreement shall remain in effect until the Project is completed and accepted by all parties, unless:

- A. The Agreement is terminated in writing with the mutual consent of the parties;
- B. The Agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party;
- C. The Local Government elects not to provide funding after the completion of preliminary engineering, specifications, and estimates (PS&E) and the Project does not proceed because of insufficient funds, in which case the Local Government agrees to reimburse the State for its reasonable actual costs incurred during the Project; or

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- D. The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against state funds, in which case the State may in its discretion terminate this Agreement.

6. Amendments

Amendments to this Agreement due to changes in the character of the work, terms of the Agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment.

7. Remedies

This Agreement shall not be considered as specifying the exclusive remedy for any Agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

8. Utilities

The party named in article 1, Responsible Parties, under AGREEMENT shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable state laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government's failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed with State funds for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, the Local Government shall provide, at the State's request, a certification stating that the Local Government has completed the adjustment of all utilities that must be adjusted before construction is completed.

9. Environmental Assessment and Mitigation

Development of a transportation project must comply with applicable environmental laws. The party named in article 1, Responsible Parties, under AGREEMENT is responsible for the following:

- A. The identification and assessment of any environmental problems associated with the development of a local project governed by this Agreement.
- B. The cost of any environmental problem's mitigation and remediation.
- C. Providing any public meetings or public hearings required for the environmental assessment process. Public hearings will not be held prior to the approval of Project schematic.
- D. The preparation of the NEPA documents required for the environmental clearance of this Project.

If the Local Government is responsible for the environmental assessment and mitigation, before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

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10. Compliance with Accessibility Standards

All parties to this Agreement shall ensure that the plans for and the construction of all projects subject to this Agreement are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

11. Procurement Standards

For projects being managed by the Local Government and on the State highway system or that include state funding, the Local Government must obtain approval from the State for its proposed procurement procedure for the selection of a professional services provider, a contractor for a construction or maintenance project, or a materials provider.

12. Architectural and Engineering Services

The party named in Article 1, Responsible Parties, under AGREEMENT has responsibility for the performance of architectural and engineering services. The engineering plans shall be developed in accordance with the applicable *State's Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum, conform to applicable American Association of State Highway and Transportation Officials (AASHTO) design standards.

In procuring professional services, the parties to this Agreement must comply with Texas Government Code 2254, Subchapter A. If the Local Government is the responsible party, the Local Government shall submit its procurement selection process for prior approval by the State. All professional service contracts must be reviewed and approved by the State prior to execution by the Local Government.

13. Construction Responsibilities

The party named in Article 1, Responsible Parties, under AGREEMENT is responsible for the following:

- A. Advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. Projects must be authorized by the State prior to advertising for construction.
- B. If the State is the responsible party, the State will use its approved contract letting and award procedures to let and award the construction contract.
- C. If the Local Government is the responsible party, the Local Government shall submit its contract letting and award procedures to the State for review and approval prior to letting.
- D. If the Local Government is the responsible party, the State must concur with the low bidder selection before the Local Government can enter into a contract with the vendor.

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- E. Upon completion of the Project, the party constructing the Project will issue and sign a "Notification of Completion" acknowledging the Project's construction completion and submit certification(s) sealed by a professional engineer(s) licensed in the State of Texas.
- F. Upon completion of the Project, the party constructing the Project will issue and sign a "Notification of Completion" acknowledging the Project's construction completion.

14. Project Maintenance

The Local Government shall be responsible for maintenance of locally owned roads and locally owned facilities after completion of the work. The State shall be responsible for maintenance of the state highway system after completion of the work if the work was on the state highway system, unless otherwise provided for in existing maintenance agreements with the Local Government.

15. Right of Way and Real Property

The party named in Article 1, Responsible Parties, under AGREEMENT is responsible for the provision and acquisition of any needed right of way or real property.

The Local Government shall be responsible for the following:

- A. Right of way and real property acquisition shall be the responsibility of the Local Government. Title to right of way and other related real property must be acceptable to the State before funds may be expended for the improvement of the right of way or real property.
- B. If the Local Government is the owner of any part of the Project site under this Agreement, the Local Government shall permit the State or its authorized representative access to occupy the site to perform all activities required to execute the work.
- C. All parties to this Agreement will comply with and assume the costs for compliance with all the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Title 42 U.S.C.A. Section 4601 et seq., including those provisions relating to incidental expenses incurred by the property owners in conveying the real property to the Local Government and benefits applicable to the relocation of any displaced person as defined in 49 CFR Section 24.2(g). Documentation to support such compliance must be maintained and made available to the State and its representatives for review and inspection.
- D. The Local Government shall assume all costs and perform necessary requirements to provide any necessary evidence of title or right of use in the name of the Local Government to the real property required for development of the Project. The evidence of title or rights shall be acceptable to the State, and be free and clear of all encroachments. The Local Government shall secure and provide easements and any needed rights of entry over any other land needed to develop the Project according to the approved Project plans. The Local Government shall be responsible for securing any additional real property required for completion of the Project.

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- E. In the event real property is donated to the Local Government after the date of the State's authorization, the Local Government will provide all documentation to the State regarding fair market value of the acquired property. The State will review the Local Government's appraisal, determine the fair market value and credit that amount towards the Local Government's financial share. If donated property is to be used as a funding match, it may not be provided by the Local Government. The State will not reimburse the Local Government for any real property acquired before execution of this Agreement and the obligation of federal spending authority.
- F. The Local Government shall prepare real property maps, property descriptions, and other data as needed to properly describe the real property and submit them to the State for approval prior to the Local Government acquiring the real property. Tracings of the maps shall be retained by the Local Government for a permanent record.
- G. The Local Government agrees to make a determination of property values for each real property parcel by methods acceptable to the State and to submit to the State a tabulation of the values so determined, signed by the appropriate Local Government representative. The tabulations shall list the parcel numbers, ownership, acreage and recommended compensation. Compensation shall be shown in the component parts of land acquired, itemization of improvements acquired, damages (if any) and the amounts by which the total compensation will be reduced if the owner retains improvements. This tabulation shall be accompanied by an explanation to support the determined values, together with a copy of information or reports used in calculating all determined values. Expenses incurred by the Local Government in performing this work may be eligible for reimbursement after the Local Government has received written authorization by the State to proceed with determination of real property values. The State will review the data submitted and may base its reimbursement for parcel acquisitions on these values.
- H. Reimbursement for real property costs will be made to the Local Government for real property purchased in an amount not to exceed eighty percent (80%) of the cost of the real property purchased in accordance with the terms and provisions of this Agreement. Reimbursement will be in an amount not to exceed eighty percent (80%) of the State's predetermined value of each parcel, or the net cost of the parcel, whichever is less. In addition, reimbursement will be made to the Local Government for necessary payments to appraisers, expenses incurred in order to assure good title, and costs associated with the relocation of displaced persons and personal property as well as incidental expenses.
- I. If the Project requires the use of real property to which the Local Government will not hold title, a separate agreement between the owners of the real property and the Local Government must be executed prior to execution of this Agreement. The separate agreement must establish that the Project will be dedicated for public use for a period of not less than 10 (ten) years after completion. The separate agreement must define the responsibilities of the parties as to the use of the real property and operation and maintenance of the Project after completion. The separate agreement must be approved by the State prior to its execution. A copy of the executed agreement shall be provided to the State.

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16. Insurance

If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

17. Notices

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

Local Government:	State:
City of Hutto ATTN: David Magaña, PE 210 US 79 East, Suite 103 Hutto, TX 78634	Texas Department of Transportation ATTN: Director of Contract Services 125 E. 11 th Street Austin, TX 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this Agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

18. Legal Construction

If one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

19. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party, and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

20. Ownership of Documents

Upon completion or termination of this Agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this Agreement shall be made

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available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

21. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

22. Sole Agreement

This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.

23. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State and the Local Government, or their duly authorized representatives for review and inspection at its office during the Agreement period and for four (4) years from the date of completion of work defined under this Agreement or until any impending litigation, or claims are resolved. Additionally, the State and the Local Government and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

24. Audit

Pursuant to Texas Government Code § 2262.154, the state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

25. Historically Underutilized Business (HUB) and Small Business Enterprise (SBE) Requirements

For projects with State funds and no federal funds, the Local Government will be required to follow the provisions of Texas Transportation Code §201.702 and 43 TAC §§9.354-9.355 (HUB) and §§9.314-9.315 (SBE). The Local Government must incorporate project goals

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approved by TxDOT into project documents before advertising for receipt of bids. Contractors must select HUBs and SBEs from TxDOT-approved or maintained sources. The Local Government will provide monthly updates of HUB/SBE (as appropriate) participation and report final accomplishments to TxDOT for credit to overall program goals.

For projects with no state or federal funds that are not on the state or federal highway systems, the Local Government should follow its own local or specific ordinances and procedures. Local Governments are encouraged to use HUBs and SBEs from TxDOT-approved or maintained sources. The Local Government must also report final HUB accomplishments to TxDOT for credit to overall program goals.

26. **Debarment Certifications**

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

27. **Pertinent Non-Discrimination Authorities**

During the performance of this Agreement, the Local Government, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities

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(42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.

- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

28. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.

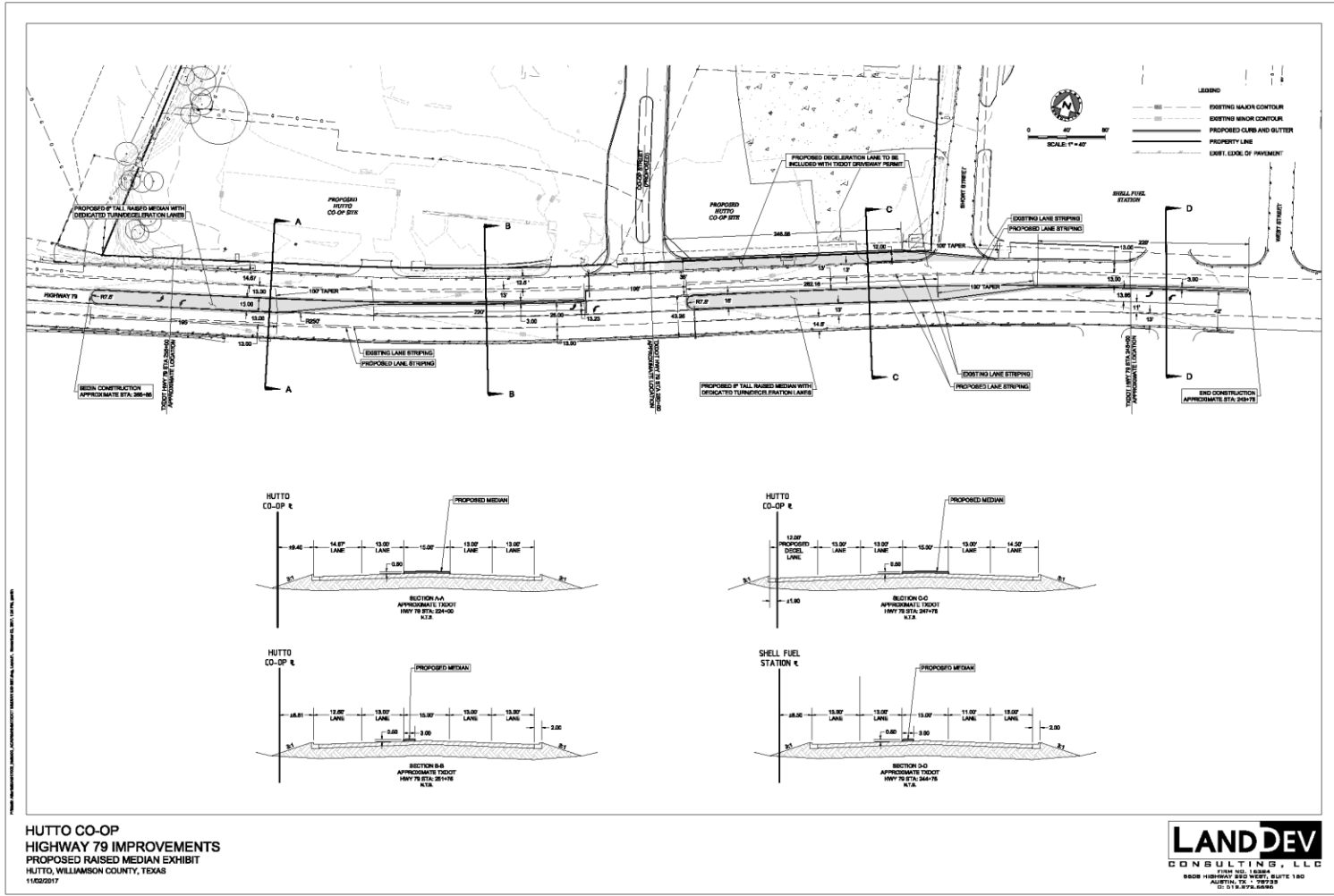
THIS AGREEMENT IS EXECUTED by the State and the Local Government.

THE STATE OF TEXAS	THE LOCAL GOVERNMENT
_____ Signature	_____ Signature
Kenneth Stewart _____ Typed or Printed Name	David V. Magaña, P.E. _____ Typed or Printed Name
Director of Contract Services _____ Typed or Printed Title	Exec. Director, Public Works & Engineering _____ Typed or Printed Title
_____ Date	_____ Date

**ATTACHMENT A
RESOLUTION OR ORDINANCE**

draft

ATTACHMENT B **LOCATION MAP SHOWING PROJECT**



ATTACHMENT C PROJECT BUDGET

Costs will be allocated based on 100% Local Government funding until the Local Government funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs including overruns.

Description	Total Estimated Cost	State Participation		Local Participation	
		%	Cost	%	Cost
Engineering (by Local)	\$180,000	0%	\$0	100%	\$180,000
Environmental (by Local)	\$10,000	0%	\$0	100%	\$ 10,000
Construction (by Local)	\$600,000	0%	\$0	100%	\$600,000
Subtotal	\$790,000		\$0		\$790,000
Environmental Direct State Costs	\$0	0%	\$0	0%	\$0
Right of Way Direct State Costs	\$0	0%	\$0	0%	\$0
Engineering Direct State Costs	\$0	0%	\$0	0%	\$0
Utility Direct State Costs	\$0	0%	\$0	0%	\$0
Construction Direct State Costs	\$0	0%	\$0	0%	\$0
Indirect State Costs	\$0	0%	\$0	0%	\$0
TOTAL	\$0		\$0		\$0

Initial payment by the Local Government to the State: \$0.00

Payment by the Local Government to the State before construction: \$0.00

Estimated total payment by the Local Government to the State \$0.00.

This is an estimate. The final amount of Local Government participation will be based on actual costs.

RESOLUTION NO. R-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF US 79 AT CO OP BOULEVARD; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the City is required to execute an Advanced Funding Agreement with the Texas Department of Transportation for a local project to improve the intersection of US 79 and Co Op Boulevard, which would benefit the citizens of Hutto.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, hereby authorizes the City Manager to execute an Advanced Funding Agreement with the Texas Department of Transportation for funding the improvement of US 79 and Co Op Boulevard, in the City of Hutto, Williamson County, Texas.

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

RESOLVED this _____ day of _____.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa Brown, City Secretary



Project CSJ: 0204-02-925
LG Name: City of Hutto
LG Texas ID No. (TIN): 74-1472192
District: Austin
Project Name: US 79 at Co-Op Street

Special Approval per TAC §15.52
Part A - LG Qualifications Statement
(Local Government Agency management
of project development process elements)

Local government (LG) agencies may manage elements of the project development process (environmental, right-of-way acquisition, utility relocation, design/bid document preparation, letting and award, and construction/project close-out) with written TxDOT approval. This approval is typically provided by language in the Advance Funding Agreement executed by TxDOT and the local government agency. Local government completion of Part A (pages 1-4) of this form is required. Upon receipt of completed Part A, the TxDOT district will evaluate the LG's capabilities to manage one or more elements of a project using Part B (pages 5-8) for recommendation to the TxDOT's Deputy Executive Director.

Describe the following items for the proposed project or program	
Project limits, type of work and any significant elements	Design and construction of raised median (to replace existing TWLTL) with eastbound left turn lane at Co-Op St, including signal warrant analysis. Design and construction of signal if warrants are met.
Preliminary estimated project costs	Professional Engineering = \$180,000; Environmental = \$10,000; ROW = \$0; Construction = \$600,000; Utilities = \$0
Anticipated Funding Sources	FHWA _____ % TxDOT _____ % Local <u>100</u> %

LG proposes to manage the following activities for this project	To be performed by LG with its own staff?	To be performed by consultant under contract with LG?
Environmental	No	Yes
Right-of-way acquisition	No	No
Utility relocation	No	No
Design and bid document preparation	No	Yes
Letting and award	Yes	Yes
Construction oversight, inspection, documentation and project close-out	No	Yes
Other_____	Select one...	Select one...
Other_____	Select one...	Select one...

Describe LG's approach to performing the proposed management services for this project
Executive Director of Public Works & Engineering David Magaña is serving as Responsible Person in Charge; city has selected consulting engineering firms Cobb Fendley and HNTB to perform environmental, design and construction oversight; city has assigned Executive Director of Public Works & Engineering David Magaña as project manager to manage consultant contract and oversee performance of project and invoicing.

Project CSJ:	0204-02-925
LG Name:	City of Hutto
LG Texas ID No. (TIN):	74-1472192
District:	Austin
Project Name:	US 79 at Co-Op Street

In evaluating a LG request to manage elements of the project development process for projects on the State Highway System or with TxDOT and/or FHWA funding, 43 TAC §15.52 requires TxDOT to consider six criteria. The LG is to provide information requested in Items 1 and 2 below. TxDOT district personnel will complete information on the remainder of the evaluation criteria in Part B (pages 5-8).

1. Previous experience of the LG in performing the type of work proposed

Attach an audited financial statement of Local Government Agency for most recent fiscal year. If TxDOT already has a copy of a Single Audit report or other audited financial statement for a recent year insert the fiscal year in the box to the right (submittal of an additional audit is not required).	
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Please provide information on up to two similar projects completed in the past 5 years performed by the LG or by consultants under contract to the LG.

PROJECT A

Name of previously completed project	Hutto Transportation Enhancement FM 1660 Hike and Bike Trail - CSJ 1566-01-014			
Describe type of work	LG managed and funded on-system project, included design, environmental, ROW acquisition, utility relocation, and construction Construction of Hike and Bike Trail south of Limmer Loop between FM 1660 and Exchange Blvd. Construction included grading, flex base, curb and gutter, pedestrian rail, drainage improvements, curb ramps, retaining wall, pedestrian bridge and pavement markings City of Hutto project, Binkley & Barfield served as Project Manager and LGPP Qualified Person			
Describe any complex items of work	Pre-construction meeting to be held Tuesday, May 15, 2018 at 10:00 am.			
Construction cost	Estimated:	\$ 1,200,839.54	Actual:	\$1,221,975.15
Letting date	Scheduled:	09/29/2017	Actual:	09/29/2017
Contract time	Scheduled:	162 working days	Actual:	162 working days
LG management activities performed by LG personnel	Responsible Person in Charge - maintained familiarity with day-to-day project operations, participated in decisions about change orders, reviewed the project regularly			
LG management activities performed by consultants	Project Manager & LGPP Qualified Person, design, environmental, utility coordination, ROW acquisition, construction oversight, contract management, invoice preparation			
Name of current LG employee contact who worked on project	Tony Host	Phone #	512-759-4025	
		Email	Anthony.Host@HuttoTX.gov	

Project CSJ: 0204-02-925
 LG Name: City of Hutto
 LG Texas ID No. (TIN): 74-1472192
 District: Austin
 Project Name: US 79 at Co-Op Street

PROJECT B

Name of previously completed project	East Street			
Describe type of work	LG managed and funded on-system project, included design, environmental, ROW acquisition, utility relocation, and construction. Rehabilitation of East Street from Farley Street to Pecan Street to add additional parking. Rehab consisted of grading, flex base, HMA paving, curb and gutter, water quality facilities, drainage improvements, signing, and pavement markings. City of Hutto project, RPS Klotz served as Project Manager and LGPP Qualified Person			
Describe any complex items of work	Conflicts in placement of communication utility lines impacted schedule			
Construction cost	Estimated:	\$ 1,100,000.00	Actual:	\$ 975,953.42
Letting date	Scheduled:	05/18/2017	Actual:	05/18/2017
Contract time	Scheduled:	185 working days	Actual:	230 working days
LG management activities performed by LG personnel	Responsible Person in Charge - maintained familiarity with day-to-day project operations, participated in decisions about change orders, reviewed the project regularly			
LG management activities performed by consultants	Project Manager & LGPP Qualified Person, design, environmental, utility coordination, ROW acquisition, construction oversight, contract management, invoice preparation			
Name of current LG employee contact who worked on project	Tony Host	Phone #	512-759-5025	
		Email	Anthony.Host@HuttoTX.gov	

2. The capability of the LG to perform the type of work proposed or to award and manage a contract for that work in a timely manner, consistent with federal, state, and Department regulations, standards, and specifications

Please describe the LG's proposed personnel.

Name of person to serve in the position of Responsible Person in Charge	Tony Host	Position/Title	Director of Construction
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- Must be full-time employee of LG;
- Must be able to administer project activities (cost, time, scope, adherence to contract requirements, construction quality, etc.);
- Must maintain familiarity with day-to-day project operations (including project safety);
- Must make or participate in decisions about change orders or supplemental agreements;
- Must visit and review the project regularly;
- Must review financial processes, transactions and documentation; and
- Must direct his/her project staff (agency or consultant) at all stages of the project.

Project CSJ: 0204-02-925
 LG Name: City of Hutto
 LG Texas ID No. (TIN): 74-1472192
 District: Austin
 Project Name: US 79 at Co-Op Street

Name of person to serve as Project Manager	Christen Eschberger	Position/Title	Sr. Project Manager, HNTB
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- a. Responsible for daily oversight of the project;
 b. Primary point of communication with TxDOT for day-to-day matters;
 c. May be same person as RPIC; and
 d. May be local government employee or consultant.

Project Manager's previous experience on projects of similar type, complexity and cost	Ms. Eschberger has served as the Project Manager on multiple LG managed and funded on-system projects, including: 0683-01-079 RM 620 Safety Improvements (Design, Env, ROW/Utility, Construction); 1566-01-012 FM 1660 @ Landfill Rd (Design, Env, ROW/Utility, Construction); 0151-03-036 SH 29 Two-Way Left Turn Lane (Design, Env, Utility, Construction); 0273-04-035 US 183 @ RM 1869 (Design, Env, ROW/Utility); 0683-01-090 RM 620 Ph 2 (Design, Env, Utility, Construction) 0337-01-043 SH 29 @ DB Wood (Design, Env, ROW/Utility)
Project Manager's previous experience on TxDOT and/or FHWA-funded projects	Ms. Eschberger is responsible for overseeing preliminary and final design, environmental assessment and documentation, utility coordination, right of way acquisition, and construction of many LG projects with state/federal funds, including: 0015-08-128 IH 35 NB Frontage Rd; 0204-02-027 US 79 Section 3; 2211-01-023 RM 2338; 0151-04-063 US 183; 0914-05-172 CR 351 @ Donahoe Creek; 2211-01-016 Williams Drive; 0914-05-141 CR 104 Ph 2

Name of person to serve in the position of Qualified Person	Christen Eschberger	Position/Title	Sr. Project Manager, HNTB
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- a. Must have completed TxDOT-required LGPP training prior to execution of AFA;
 b. May be same person as RPIC or PM; and
 c. May be LG employee or consultant.

Qualified Person's previous experience on projects of similar type, complexity and cost	Ms. Eschberger has served as the Project Manager on multiple LG managed and funded on-system projects, including: 0683-01-079 RM 620 Safety Improvements (Design, Env, ROW/Utility, Construction); 1566-01-012 FM 1660 @ Landfill Rd (Design, Env, ROW/Utility, Construction); 0151-03-036 SH 29 Two-Way Left Turn Lane (Design, Env, Utility, Construction); 0273-04-035 US 183 @ RM 1869 (Design, Env, ROW/Utility); 0683-01-090 RM 620 Ph 2 (Design, Env, Utility, Construction) 0337-01-043 SH 29 @ DB Wood (Design, Env, ROW/Utility)
Qualified Person's previous experience on TxDOT and/or FHWA-funded projects	Ms. Eschberger is responsible for overseeing preliminary and final design, environmental assessment and documentation, utility coordination, right of way acquisition, and construction of many LG projects with state/federal funds, including: 0015-08-128 IH 35 NB Frontage Rd; 0204-02-027 US 79 Section 3; 2211-01-023 RM 2338; 0151-04-063 US 183; 0914-05-172 CR 351 @ Donahoe Creek; 2211-01-016 Williams Drive; 0914-05-141 CR 104 Ph 2

Information submitted by:

 LG representative signature

 Tony Host

 LG representative printed name

5/11/18

 Date

 Director of Construction

 LG representative title

Project CSJ: 0204-02-925
 LG Name: City of Hutto
 LG Texas ID No. (TIN): 74-1472192
 District: Austin
 Project Name: US 79 at Co-Op Street

Special Approval per TAC §15.52
Part B - TxDOT Evaluation and Special Approval of LG Qualifications
*(Local Government Agency management
 of project development process elements)*

Local government (LG) agencies may manage elements of the project development process (environmental, right-of-way acquisition, utility relocation, design/bid document preparation, letting and award, and construction/project close-out) with written TxDOT approval. This approval is typically provided by language in the Advance Funding Agreement executed by TxDOT and the LG. Completion of Part A - LG Qualifications Statement and this Part B - TxDOT Evaluation and Special Approval of LG Qualifications are required for TxDOT to authorize the LG to manage one or more elements of a project.

In approving a LG request to manage elements of the project development process for projects on the State Highway System or with TxDOT and/or FHWA funding, 43 TAC §15.52 requires TxDOT to consider six criteria. TxDOT district personnel shall review Part A (pages 1-4), provide supplemental information by fully completing Part B (pages 5-8), and, based upon a determination of the adequacy of the LG's project delivery systems and accounting controls, recommend an appropriate role for the LG in project delivery on page 7 of this form.

43 TAC §15.52 regulations require the approval of the Executive Director (or authorized designee) for the LG to manage projects in the following cases:

	Applies
Any project on the State Highway System that improves freeway mainlanes	No
A roadway improvement project that is to be on the State Highway System for which less than 50 percent of the funds come from sources other than federal or state highway funding	No

1. LG's previous experience in performing the type of work proposed

In Section 1 of Part A (beginning on page 2), the LG submitted information on up to two similar projects completed in the past 5 years performed by the LG or by consultants under contract to the LG. Please rate if these previous projects are comparable or not comparable to the proposed new project.

	Yes/No
Project A Comparable	Select one...
Project B Comparable	Select one...

TxDOT Risk Rating of LG Agency: Select one...
 (for definition of ratings, see page 8)

Date of Rating: _____

2. District evaluation of LG capability to perform type of work proposed based on past projects identified above and other previous projects with TxDOT and/or FHWA funding

Please describe the LG's performance.

a. Timeliness and quality in acquisition of right of way	
b. Timeliness and quality in relocation of utilities	
c. Timeliness and quality of preparing environmental documents and obtaining required permits and clearances	

d. Timeliness and quality of project design and developing contract documents	
e. Timeliness and quality of letting and awarding construction contract	
f. Quality of performance in managing construction contractor and contract change orders	
g. Quality of performance in project inspection and documentation during construction	
h. Timeliness and quality of reimbursement requests throughout project	
i. Timeliness and quality of project close-out after project acceptance	
j. Timeliness of submitting supplemental funding when required	
k. Timeliness and adequacy in responding to audits	

3. The need for accelerated project delivery

Describe unique project situations requiring accelerated project delivery and any advantages of work being performed by LG rather than TxDOT.	
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4. Department resources available to perform or manage the highway improvement project in an efficient and timely manner

Describe any Department resource constraints that suggest the LG management of project development activities is in the best interest of TxDOT and the LG.	
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Project CSJ: 0204-02-925
 LG Name: City of Hutto
 LG Texas ID No. (TIN): 74-1472192
 District: Austin
 Project Name: US 79 at Co-Op Street

5. Cost effectiveness of local performance of the work as compared to awarding the highway improvement project through TxDOT's competitive bidding process

On federally funded projects, FHWA holds TxDOT entirely responsible for successful project delivery, including the proper acquisition of right of way, utility relocation, environmental, design, construction, and project close-out. LG management of the project requires the LG performance of activities plus TxDOT oversight to assure compliance with all federal and state requirements.

Explain why it is advantageous for successful delivery of this project for the LG to manage the proposed elements of project development.	
--	--

6. Any other considerations relating to the benefit of the state, the traveling public, and the operations of the Department

Please list any additional items to be considered in TxDOT's evaluation that are of benefit to the state, the traveling public, and the operations of the Department to allow the LG to manage the proposed elements of the project development process.	
---	--

Special approval for LG to manage the following items:

Environmental	Select ☐	ROW acquisition	Select ☐	☐	Select ☐
Design/PS&E	Select ☐	Utility relocation	Select ☐	☐	Select ☐
Letting & award	Select ☐	Construction	Select ☐	None	Select ☐

Based upon review of Part A and completion of Part B, District determines the LG has adequate project delivery systems and sufficient accounting controls. Therefore, I (District Engineer) recommend Deputy Executive Director provide special approval of the LG performing the above marked project delivery items. The District commits to providing an appropriate level of oversight of LG activities to maximize compliance with applicable federal and state laws and regulations. District will provide: Level 1 ☐, Level 2 ☐, Level 3 ☐ oversight, as defined on page 8.

Recommendation for approval:

 District Engineer signature

 Date

Special approval:

 Deputy Executive Director
 signature

 Date

Local Government Projects – Risk Assessment

LG Risk Rating Definitions

Low level of risk to TxDOT	A
Moderate level of risk to TxDOT	B
High level of risk to TxDOT	C
Unacceptable level of risk to TxDOT	D

Oversight Levels

Level 1 Oversight – Relatively Low Risk Non-construction Projects and Very Low Risk Construction Projects

Level 2 Oversight – Higher Risk Non-construction Projects and Low to Moderate Risk Construction Projects

Level 3 Oversight – Higher Risk Construction Projects

TxDOT District Oversight Activity ¹	Minimum Frequency ²		
	Level of Oversight		
	1	2	3
LG submit and TxDOT review project reports	Quarterly	Monthly	Monthly
TxDOT host project review/coordination meetings with LG	Quarterly	Monthly	Semi-monthly
TxDOT conduct worksite/project site visits	Annually ³	Monthly	Weekly
TxDOT review LG project documentation/records	Annually ³	Monthly	Monthly
LG submit and TxDOT review and approve reimbursement requests	Monthly	Monthly	Monthly

¹ Refer to TxDOT LG Project Management Guide for additional detail on oversight activities

² Greater frequency may be at District discretion

³ Minimum of two times

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 7A.

AGENDA DATE: May 17, 2018

PRESENTED BY:

ITEM:

Presentation regarding Project Oscar and the Co-Op District. (Helen Ramirez)

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.

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 7C. **AGENDA DATE:** May 17, 2018

PRESENTED BY: Anthony Emadi, CFO

ITEM:
Presentation of April Financial Statements and April Investment Report. (Anthony Emadi)

STRATEGIC GUIDE POLICY:

ITEM BACKGROUND:

Monthly Presentation of City Financials

BUDGETARY AND FINANCIAL SUMMARY:

April Financial Fund Statements

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

N/A

STAFF RECOMMENDATION:

Not applicable.

SUPPORTING MATERIAL:

1. [Budget Report](#)
2. [Fund Balance Report](#)



City of Hutto, TX

Budget Report Group Summary

For Fiscal: 2017-2018 Period Ending: 05/31/2018

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 10 - General Fund						
Revenue	13,081,430.75	13,163,946.75	1,458,301.61	11,851,781.47	-1,312,165.28	9.97 %
Expense	13,080,786.17	13,721,275.93	359,779.40	7,620,490.02	6,100,785.91	44.46 %
Fund: 10 - General Fund Surplus (Deficit):	644.58	-557,329.18	1,098,522.21	4,231,291.45	4,788,620.63	859.21 %
Fund: 11 - General Debt Service Fund						
Revenue	1,651,792.64	1,651,792.64	-1,451,171.38	167,735.08	-1,484,057.56	89.85 %
Expense	1,716,192.03	2,023,892.85	0.00	735,716.82	1,288,176.03	63.65 %
Fund: 11 - General Debt Service Fund Surplus (Deficit):	-64,399.39	-372,100.21	-1,451,171.38	-567,981.74	-195,881.53	-52.64 %
Fund: 20 - Court Technology Fund						
Revenue	7,000.00	7,000.00	28.00	3,730.87	-3,269.13	46.70 %
Expense	16,190.00	16,190.00	200.00	10,595.07	5,594.93	34.56 %
Fund: 20 - Court Technology Fund Surplus (Deficit):	-9,190.00	-9,190.00	-172.00	-6,864.20	2,325.80	25.31 %
Fund: 21 - Court Security Fund						
Revenue	5,100.00	5,100.00	21.00	1,463.17	-3,636.83	71.31 %
Expense	31,250.00	31,250.00	599.62	3,839.72	27,410.28	87.71 %
Fund: 21 - Court Security Fund Surplus (Deficit):	-26,150.00	-26,150.00	-578.62	-2,376.55	23,773.45	90.91 %
Fund: 22 - Court Training Fund						
Revenue	500.00	500.00	2.50	200.00	-300.00	60.00 %
Expense	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
Fund: 22 - Court Training Fund Surplus (Deficit):	-1,500.00	-1,500.00	2.50	200.00	1,700.00	113.33 %
Fund: 24 - Hotel Tax Fund						
Revenue	250,000.00	250,000.00	0.00	102,037.38	-147,962.62	59.19 %
Expense	263,000.00	355,000.00	0.00	80,665.00	274,335.00	77.28 %
Fund: 24 - Hotel Tax Fund Surplus (Deficit):	-13,000.00	-105,000.00	0.00	21,372.38	126,372.38	120.35 %
Fund: 26 - ATS Red Light Camera Fund						
Revenue	0.00	0.00	0.00	5,498.09	5,498.09	0.00 %
Expense	5,000.00	5,000.00	0.00	4,526.60	473.40	9.47 %
Fund: 26 - ATS Red Light Camera Fund Surplus (Deficit):	-5,000.00	-5,000.00	0.00	971.49	5,971.49	119.43 %
Fund: 27 - PEG Capital Fees						
Revenue	32,500.00	32,500.00	0.00	1,271.69	-31,228.31	96.09 %
Expense	26,200.00	26,200.00	0.00	0.00	26,200.00	100.00 %
Fund: 27 - PEG Capital Fees Surplus (Deficit):	6,300.00	6,300.00	0.00	1,271.69	-5,028.31	79.81 %
Fund: 50 - Utility Fund						
Revenue	23,818,111.00	18,240,590.00	477,339.99	70,907,783.01	52,667,193.01	288.74 %
Expense	23,016,586.00	19,627,673.63	215,861.36	67,408,749.41	-47,781,075.78	-243.44 %
Fund: 50 - Utility Fund Surplus (Deficit):	801,525.00	-1,387,083.63	261,478.63	3,499,033.60	4,886,117.23	352.26 %
Fund: 51 - Utility Debt Service Fund						
Revenue	4,102,321.00	6,605,644.63	0.00	1,970,281.41	-4,635,363.22	70.17 %
Expense	4,117,406.00	6,634,677.00	0.00	1,955,529.75	4,679,147.25	70.53 %
Fund: 51 - Utility Debt Service Fund Surplus (Deficit):	-15,085.00	-29,032.37	0.00	14,751.66	43,784.03	150.81 %
Fund: 52 - Impact Fees Fund						
Revenue	1,200,000.00	1,200,000.00	0.00	600,106.50	-599,893.50	49.99 %
Expense	1,200,000.00	1,200,000.00	0.00	1,200,000.00	0.00	0.00 %
Fund: 52 - Impact Fees Fund Surplus (Deficit):	0.00	0.00	0.00	-599,893.50	-599,893.50	0.00 %
Fund: 60 - Capital Improvements Project						
Revenue	14,608,265.00	14,608,265.00	0.00	21,442,288.66	6,834,023.66	46.78 %
Expense	15,071,264.00	17,571,264.00	50,000.00	7,047,471.99	10,523,792.01	59.89 %
Fund: 60 - Capital Improvements Project Surplus (Deficit):	-462,999.00	-2,962,999.00	-50,000.00	14,394,816.67	17,357,815.67	585.82 %

Budget Report

For Fiscal: 2017-2018 Period Ending: 05/31/2018

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 62 - Drainage & Streets Fund						
Revenue	0.00	3,000,000.00	12,317.98	3,068,674.45	68,674.45	2.29 %
Expense	2,567,910.51	2,567,910.51	18,424.13	1,587,947.65	979,962.86	38.16 %
Fund: 62 - Drainage & Streets Fund Surplus (Deficit):	-2,567,910.51	432,089.49	-6,106.15	1,480,726.80	1,048,637.31	-242.69 %
Fund: 70 - Solid Waste Fund						
Revenue	1,215,000.00	1,215,000.00	57,412.24	859,300.02	-355,699.98	29.28 %
Expense	1,277,500.00	1,277,500.00	0.00	625,230.25	652,269.75	51.06 %
Fund: 70 - Solid Waste Fund Surplus (Deficit):	-62,500.00	-62,500.00	57,412.24	234,069.77	296,569.77	474.51 %
Report Surplus (Deficit):	-2,419,264.32	-5,079,494.90	-90,612.57	22,701,389.52	27,780,884.42	546.92 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
10 - General Fund	644.58	-557,329.18	1,098,522.21	4,231,291.45	4,788,620.63
11 - General Debt Service Fund	-64,399.39	-372,100.21	-1,451,171.38	-567,981.74	-195,881.53
20 - Court Technology Fund	-9,190.00	-9,190.00	-172.00	-6,864.20	2,325.80
21 - Court Security Fund	-26,150.00	-26,150.00	-578.62	-2,376.55	23,773.45
22 - Court Training Fund	-1,500.00	-1,500.00	2.50	200.00	1,700.00
24 - Hotel Tax Fund	-13,000.00	-105,000.00	0.00	21,372.38	126,372.38
26 - ATS Red Light Camera Fund	-5,000.00	-5,000.00	0.00	971.49	5,971.49
27 - PEG Capital Fees	6,300.00	6,300.00	0.00	1,271.69	-5,028.31
50 - Utility Fund	801,525.00	-1,387,083.63	261,478.63	3,499,033.60	4,886,117.23
51 - Utility Debt Service Fund	-15,085.00	-29,032.37	0.00	14,751.66	43,784.03
52 - Impact Fees Fund	0.00	0.00	0.00	-599,893.50	-599,893.50
60 - Capital Improvements Project	-462,999.00	-2,962,999.00	-50,000.00	14,394,816.67	17,357,815.67
62 - Drainage & Streets Fund	-2,567,910.51	432,089.49	-6,106.15	1,480,726.80	1,048,637.31
70 - Solid Waste Fund	-62,500.00	-62,500.00	57,412.24	234,069.77	296,569.77
Report Surplus (Deficit):	-2,419,264.32	-5,079,494.90	-90,612.57	22,701,389.52	27,780,884.42



City of Hutto, TX

Fund Balance Report

As Of 04/30/2018

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
10 - General Fund	4,742,648.25	10,393,479.86	7,260,710.62	7,875,417.49
11 - General Debt Service Fund	218,656.72	1,618,906.46	735,716.82	1,101,846.36
20 - Court Technology Fund	9,599.97	3,702.87	10,395.07	2,907.77
21 - Court Security Fund	27,790.72	1,442.17	3,240.10	25,992.79
22 - Court Training Fund	2,153.37	197.50	0.00	2,350.87
24 - Hotel Tax Fund	217,859.44	102,037.38	80,665.00	239,231.82
25 - Hutto Police Seizure Fund	14,242.08	0.00	0.00	14,242.08
26 - ATS Red Light Camera Fund	95,946.77	5,498.09	4,526.60	96,918.26
27 - PEG Capital Fees	45,735.58	1,271.69	0.00	47,007.27
50 - Utility Fund	23,444,369.56	70,430,443.02	67,192,888.05	26,681,924.53
51 - Utility Debt Service Fund	-1,430,831.02	1,970,281.41	1,955,529.75	-1,416,079.36
52 - Impact Fees Fund	0.00	600,106.50	1,200,000.00	-599,893.50
60 - Capital Improvements Project	2,640,225.61	21,442,288.66	6,997,471.99	17,085,042.28
62 - Drainage & Streets Fund	0.00	3,056,356.47	1,569,523.52	1,486,832.95
70 - Solid Waste Fund	319,835.44	801,887.78	625,230.25	496,492.97
Report Total:	30,348,232.49	110,427,899.86	87,635,897.77	53,140,234.58

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 10A. **AGENDA DATE:** May 17, 2018

PRESENTED BY: Ashley Lumpkin, AICP, Executive
Director, Business & Development
Services

ITEM:

Open and conduct the second public hearing regarding the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137. (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 April 19, 2018.

Notice was published in the Taylor Daily Press and has also been posted on the City of Hutto website.

The next step in the annexation process is to conduct two readings of the annexation ordinances. An annexation ordinance requires a second reading prior to final approval.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council open the public hearing, and then close it following any public comment.

SUPPORTING MATERIAL:

1. [Notice Posted](#)

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 65.925 acres heretofore referred to as the Pollard Tracts property, to-wit:

The Pollard Tracts property (65.925 acres) described as being situated in the William Gatlin Survey, Abstract No. 271, in Williamson County, Texas.

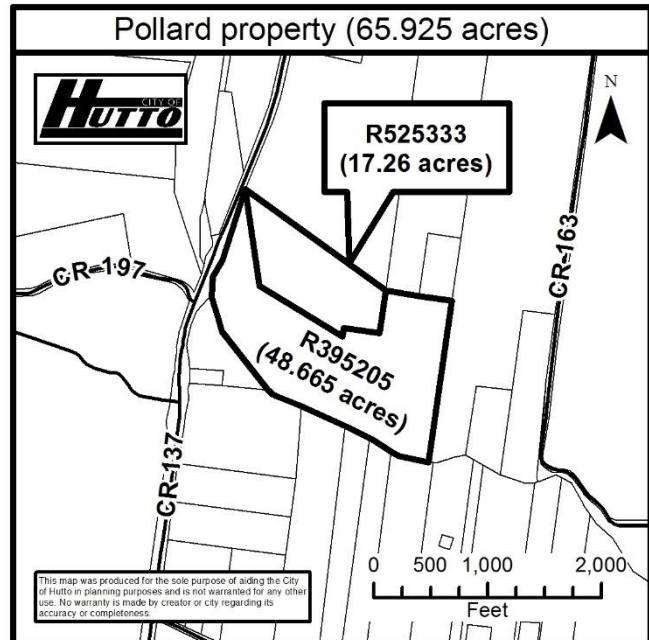
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on
May 17, 2018 at 7:00 p.m.

Hutto City Hall
401 W. Front St., Hutto, Texas

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

Publication Date: April 29, 2018



CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 10B. **AGENDA DATE:** May 17, 2018

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

ITEM:

Open and conduct a public hearing on the proposed zoning change for the property known as the RSI PUD, 315.28 acres, more or less, of land, located between CR 119 (west boundary) and FM 1660 North (east boundary) and the Hutto Parke Subdivision (south boundary), from SF-1 (single family residential) to Planned Unit Development (PUD) zoning district. (Ashley Lumpkin)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

The FM 1660 Planned Unit Development is an approximately 315.28 acre site located between County Road 119 and FM 1660, approximately one mile north of Limmer Loop and north of the Hutto Parke subdivision. The public hearing was originally scheduled for May 17, 2018, although ongoing negotiations with the developer require the timeline to shift to the June 7, 2018 City Council meeting. As the public hearing has been published, it is necessary to keep the public hearing on the agenda, although there is no formal request for any action on the item.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff requests the public hearing be held as scheduled.

SUPPORTING MATERIAL:

1. [Notice Posted](#)

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:

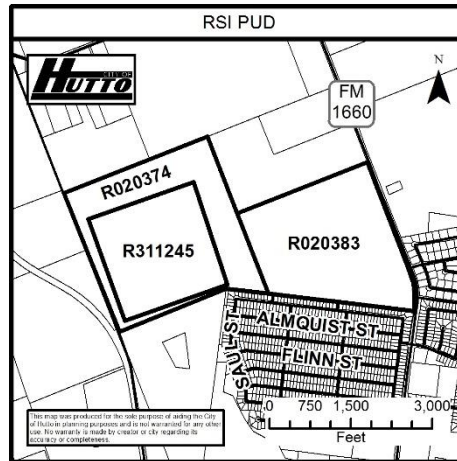
Planned Unit Development (PUD) zoning
change request for the property known as
the **RSI Planned Unit Development (PUD)**,
315.28 acres, more or less, of land, out of the
John Dykes Survey, Abstract No. 186, in
Williamson County, Texas, located between
FM 1660 North (east boundary) and
CR 119 (west boundary).

The public hearing will be held on:
May 17, 2018 at 7:00 p.m.

Hutto City Hall
401 W. Front St., Hutto, Texas

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

Publication Date: April 29, 2018



CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 11A. **AGENDA DATE:** May 17, 2018

PRESENTED BY: Anthony Emadi, CFO

ITEM:

Consideration and possible action considering first reading of an ordinance approving a Fiscal Year 2017-2018 Budget Amendment concerning changes in City Council Compensation and Fund Accounts. (Anthony Emadi)

STRATEGIC GUIDE POLICY: Fiscal Responsibility

ITEM BACKGROUND:

Hutto voters approved a Home Rule Charter with 70.43% voter approval in February 2004. The Charter includes the language in Section 3.04 saying:

The Mayor and Council members shall receive compensation as may be fixed by ordinance; provided, however, that they shall be entitled to all necessary expenses incurred in the performance of their official council duties upon approval by the City Council.

After reviewing the compensation of other cities, including Georgetown and San Marcos, the compensation recommended is conservative.

BUDGETARY AND FINANCIAL SUMMARY:

An increase in the expenses of the City Council Division of the City Manager's Office Department.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

N/A

CITY ATTORNEY REVIEW:

City Attorney recommends approval of the compensation pursuant to Section 3.04 of Article 3 of the Hutto City Charter.

STAFF RECOMMENDATION:

Staff recommends approval of the City Council Monthly Stipend.

SUPPORTING MATERIAL:

1. [Memo Bingham-Jones Council Compensation](#)
2. [Jones Memo](#)
3. [Ordinance](#)
4. [Exhibit A - Budget Detail](#)

William H. Bingham
bbingham@mcginnislaw.com
(512) 495-6011 o
(512) 505-6311 f

MEMORANDUM

To: Odis Jones, City Manager, City of Hutto
From: William H. Bingham 
Date: May 3, 2018
Re: Compensation of Mayor and Council

Section 3.04 of Article 3 of the Hutto City Charter is entitled “Compensation.” The Charter provides that “the mayor and councilmembers shall receive compensation as may be fixed by ordinance....”

The term “shall” is defined in the Texas Governmental Code, Section 311.016(2), as imposing a duty. This is commonly referred to as a mandatory provision. Therefore, the Hutto City Charter requires the members of the City Council to receive a salary. The Council is directed to adopt an ordinance fixing the compensation of the Mayor and Council Members.

The compensation should be a part of an adopted City budget.

Section 4.01.d.4 of the Charter regarding the City Manager, directs the Manager to “prepare the budget annually and submit it to the city council....” The Manager has the duty to make a recommendation within the budget of the compensation to be provided to the Mayor and Councilmembers. This appears to be a routine part of the Manager’s duties in preparing and recommending a budget to the City Council. The amount of the compensation to be placed in the budget is within the discretion of the City Manager and the amount of compensation as finally adopted is within the discretion of the City Council as a part of its process of adopting the budget.

WHB/vma



Mayor
Doug Gaul

Mayor Pro-tem
Tom Hines

Council Members
Scott Rose, Place 1
Tom Hines, Place 2
Nate Killough, Place 3
Tim Jordan, Place 4
Lucio Valdez, Place 5
Terri Grimm, Place 6

TO: Mayor and City Council Members

FROM: Odis Jones, City Manager

DATE: May 7, 2018

SUBJECT: Charter Section 3.04 Council Compensation

City Manager
Odis Jones

Pursuant to legal opinion by the City attorney and the Hutto City Charter, I want you to be apprised that I have directed our CFO to present a budget amendment for your approval that allocates funds to compensate Hutto City Council.

Your selfless service in being available 24/7 to constituents and carrying an added workload of studying council material and participating in frequent and long late-night council meetings throughout the entire year is reason enough. However, I realized that I have failed to include compensation for City Council in our budget as directed by the voters.

When Hutto voters approved a Home Rule Charter with 70.43% voter approval in February 2004, it included language in Section 3.04 saying:

The Mayor and Council members shall receive compensation as may be fixed by ordinance; provided, however, that they shall be entitled to all necessary expenses incurred in the performance of their official council duties upon approval by the City Council.

It seems that no city manager before me has honored the will of the voters and, as has been the norm of my administration, I aim to correct this oversight. With your approval of the budget amendment for FY2018, by budget ordinance, we can correct this error and will include this line item in future budgets from here forward.

After reviewing the compensation of other cities, including Georgetown and San Marcos, the compensation recommended is \$1,500 monthly for the Mayor, and \$1,200 monthly for Council Members. This is still a modest amount, and assuming you conservatively work only part-time hours, it would provide a compensation of approximately \$17 and \$14 per hour, respectively.

I hope not only to respect the will of the voters by following the Charter, but to also encourage more citizens to participate in local government, as doing so does take a considerable amount of time and energy. Thank you for your dedicated service to Hutto and its citizens!

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE FISCAL YEAR 2017-18 BUDGET TO REFLECT CITY COUNCIL COMPENSATION, UPDATE OF FUND ACCOUNTS, AND OTHER MISCELLANEOUS ADJUSTMENTS.

WHEREAS, the Hutto City Charter was adopted by a vote of the citizens on February 7, 2004;
and

WHEREAS, according to the Hutto City Charter, Article 3, Section 3.04; Compensation, the Mayor and Councilmembers shall receive compensation as may be fixed by ordinance; provided, however, that they shall be entitled to all necessary expense incurred in the performance of their official council duties upon approval by the City Council; and

WHEREAS, the Mayor and Councilmembers selflessly devote their personal time to be available to their constituents at all times of the day and night, carry an added workload of studying council material, and participate in frequent and long late-night council meetings throughout the year; and

WHEREAS, the City Attorney has provided legal advice that the City Manager has a duty pursuant to the City Charter to propose compensation as part of the budget to the Mayor and City Council, Now therefore

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

SECTION I.

That the appropriations for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for the support of the general government of the City of Hutto, Texas, be amended for said term in accordance with the change in expenditures shown in the attached Exhibit A.

SECTION II.

That the amendment, as shown in words and figures in Exhibit A, is hereby approved in all aspects and adopted as an amendment to the City budget for the fiscal year October 1, 2017, and ending September 30, 2018.

SECTION III.

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

SECTION IV.

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

SECTION V.

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

SECTION VI.

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

SECTION VII.

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

READ, APPROVED and ADOPTED on **second and final reading** this __ day of ____ **2018**, at a regular meeting of the City Council of the City of Hutto, there being a quorum present.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa Brown, City Secretary

UTILITY FUND SUMMARY

	2017-18 BUDGET	2017-18 BA#3	Change	Notes
REVENUES				
Water Revenues	4,482,500	4,482,500	-	
Wastewater Revenues	4,655,000	4,655,000	-	
Connection Fees	175,000	175,000	-	
Bond Proceeds	7,373,340	63,561,842	56,188,502	Add Budget to Revenue to match Fiscal Activity
Other	454,750	354,750	(100,000)	EDC Agreement Cancelled
Total Revenues	17,140,590	73,229,092	56,088,502	
EXPENSES				
Engineering & Public Works				
Water Services	5,536,400	5,866,600	330,200	Add Budget to cover monthly expenses
Wastewater Services	2,354,258	2,354,258	-	
Total - Public Works	7,890,658	8,220,858	330,200	
Financial Services				
Utility Billing	870,447	870,446	(0)	
Total - Financial Services	870,447	870,446	(0)	
UTILITY FUND CAPITAL IMPROVEMENTS				
Water Capital Outlay System				
FM112 Waterline Relocation	-	-	-	
Front St. Waterline	1,186,640	1,186,640	-	
Co-Op Water Line Improvements	300,000	300,000	-	
Fire Station Water Line Improvements	-	-	-	
Innovation Business Park Water Line	470,000	470,000	-	
East Street Improvements Water Line	67,753	67,753	-	
HOT Purchase	-	55,389,831	55,389,831	
Wastewater Capital Outlay System				
HWY 79 WW Interceptor	-	-	-	
Lakeside Estates Abandon Lift Station	500,000	500,000	-	
Avery Lake WW Interceptor	511,700	511,700	-	
Hutto South WWTP	-	-	-	
Carmel Crossings	181,851	181,851	-	
Enclave Pump Force Main	-	-	-	
WW North of Limmer Loop	3,000,000	3,000,000	-	
Co-Op WW Improvements	400,000	400,000	-	
Fire Station WW Improvements	-	-	-	

Innovation Business Park WW	430,000	430,000	
Total UF CIP	7,047,944	62,906,246	55,389,831
NON-DEPARTMENTAL			
Bond Issuance Costs	54,238	54,238	
Total Expenditures	635,434	1,103,905	468,471
	16,967,191	73,155,693	56,188,502
TRANSFERS			
Transfers In	1,200,000	1,200,000	
Transfers Out	(6,632,177)	(6,632,177)	
Total Transfers (Expenses)	(5,432,177)	(5,432,177)	
NET CHANGE IN WORKING CAPITAL	(5,258,778)	(5,358,779)	

Add Budget to Match Fiscal Activity

GENERAL FUND SUMMARY

	2017-18	2017-18			
	BUDGET	BA#3	Notes	Budget vs. Actual	BA#3 Changes
REVENUES					
Property Taxes	6,824,740	6,824,740		6,824,740	-
Sales Taxes	3,297,198	3,297,198		3,297,198	-
Franchise Fees	834,655	834,655		834,655	-
Permit & Inspection Fees	949,075	949,075		949,075	-
General Fines	347,163	347,163		347,163	-
Intergovernmental	-	-		-	-
Trash Collection Fees	-	-		-	-
Charges for Services (Governmental)	275,850	275,850		275,850	-
Interest & Other	473,250	450,266	Rental Agreement Cancelled	473,250	(22,984)
Total Revenues	13,001,930	12,978,946		13,001,930	(22,984)
EXPENDITURES					
City Administration					
City's Manager's Office	978,794	978,794		978,794	-
City Council	777,400	820,900	Council Compensation	777,400	43,500
Human Resources	411,373	411,373		411,373	-
Economic & Convention	424,508	424,508		424,508	-
Capital Lease Interest	-	-		-	-
Total Administration	2,592,075	2,635,575		2,592,075	43,500
Communications					
Communications Administration	296,552	296,552		296,552	(0)
City Secretary	346,050	346,050		346,050	0
Library	291,281	291,281		291,281	-
Information Technology	714,415	714,415		714,415	-
Total Communications	1,648,298	1,648,298		1,648,298	0
Financial Services					
Finance	819,774	819,774		819,774	-
Municipal Court	244,421	244,421		244,421	-
Total Financial Services	1,064,195	1,064,195		1,064,195	-
Business & Development Services & Engineering					
Planning & GIS	927,863	927,863		927,863	-
Building & Code Enforcement	442,865	442,865		442,865	-
Total Business & Development Services	1,370,728	1,370,728		1,370,728	-
Engineering & Public Works					
Administration	317,941	317,941		317,941	-
Engineering	405,870	405,870		405,870	-

NEW PATROL AND \$6,000 INCREASE FOR PATROL

Total Engineering & Public Works	723,811	723,811	317,941	-
Community Services				
Parks & Recreation	565,963	565,963	565,963	-
Animal Control	176,933	176,933	176,933	-
Fleet & Facility Maintenance	185,733	185,733	185,733	-
Total Community Services	928,629	928,629	928,629	-
Police				
Administration	558,978	558,978	558,978	(0)
Patrol	2,998,788	2,998,788	2,998,788	0
Criminal Investigations	633,685	633,685	633,685	-
Support Services	521,908	521,908	521,908	-
Total Police	4,713,359	4,713,359	4,713,359	(0)
Non-Departmental				
Capital Lease Interest	-	-	-	-
Total Non-Departmental				
Total Expenditures	13,041,093	13,084,593	12,317,283	20,516
OTHER FINANCING SOURCES(USES)				
Transfers In	185,000	185,000	185,000	-
Transfers Out	(680,000)	(220,000)		
Total Other Financial Sources	(495,000)	(35,000)		
NET CHANGE IN FUND BALANCE	(534,163)	(140,647)	684,647	(43,500)
Beginning Fund Balance	7,042,926	3,349,484		
Ending Fund Balance	6,508,763	3,208,837		
Contingency Reserves	3,260,273	3,271,148		
Unreserved Ending Funding Balance	3,248,489	(62,311)		

PUBLIC IMPROVEMENT DISTRICTS

	2017-18 BUDGET	2017-18 ACTUAL	2017-18 BA#3	Notes	Budget vs. Actual	BA#3 Changes
REVENUES						
PID Revenue			200,000	Money Recvd From Developers		200,000
Total Revenues			200,000			200,000
EXPENDITURES						
FA Fees			30,000			30,000
Appraisal			30,000			30,000
Legal & Attorney Fees			80,000			80,000
Notices			5,000			5,000
Admin Fees						
Consulting Fees			25,000			25,000
Public Hearing Fees			5,000			5,000
Bond Issuance Cost			20,000			20,000
Other Fees			5,000			5,000
Total Fees			200,000			200,000
Beginning Fund Balance			200,000			
Ending Fund Balance			0			
Contingency Reserves						

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 11B. **AGENDA DATE:** May 17, 2018

PRESENTED BY: David V. Magaña, P.E., Executive
Director of Public Works & Engineering

ITEM:

Consideration of a public hearing and possible action on the adoption of an ordinance approving the Land Use Assumption and 10 Year Impact Fee Capital Improvement Plan and setting a public hearing for impact fees for June 21, 2018. (David Magana)

STRATEGIC GUIDE POLICY: Infrastructure & Growth

ITEM BACKGROUND:

Chapter 395 of the Texas Local Government Code stipulates a specific process for the adoption on Impact Fees. An Advisory Committee is required to review the Land Use Assumptions and Capital Improvement Plan used in calculating the maximum fee and to provide its finding for consideration by the City Council. The City Council must then conduct a public hearing on the Land Use Assumptions and Capital Improvement Plan before considering an Impact Fee ordinance.

The Planning and Zoning Commission served as the Capital Improvement Advisory Committee. On May 8, 2018 during their regularly scheduled meeting they met to review and discuss the Land Use Assumptions and 10-Yr Capital Improvement Plan and voted in favor of adopting the Land Use Assumptions and Capital Improvement Plan dated May 2018.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

See memorandum from Planning and Zoning Commission dated May 8, 2018.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of adopting the Land Use Assumptions and 10-Year Capital Improvements Plan dated May 2018 and setting the public hearing date for June 21, 2018.

SUPPORTING MATERIAL:

1. [Land Use Assumptions](#)
2. [Memo from P&Z Commission](#)
3. [Ordinance Adopting Land Use Assumptions and Capital Improvement Plan](#)
4. [10-Yr Capital Improvement Plan](#)
5. [Hutto's Transportation Impact Fee Service Area](#)
6. [Hutto's Transportation Impact Fee Service Area](#)
7. [Hutto TIF Service Area 6 Mile](#)



MEMORANDUM

To: Jessica Romigh, P& Z Chair
Davey Robinson, P&Z Vice-Chair
Kristen Harrington, P&Z
Steven R. Harris, P&Z
Michael Orman, P&Z
Tony Wertz, P&Z
Lori Ortiz, P&Z

From: David V. Magaña, P.E.
Executive Director, Public Works & Engineering

Copy: Odis Jones, City Manager
Helen Ramirez, Asst. City Manager
Robert Sims, P.E., City Engineer

Date: May 8, 2018

Re: Land Use Assumptions

Purpose

In order to assess a Transportation Impact Fee (TIF), Land Use Assumptions must be developed to provide the basis for residential and employment growth projections within a political subdivision. As defined by Chapter 395 of the Texas Local Government Code, these assumptions include a description of changes in land uses, densities, and development of a service area. The land use assumptions are then used in determining the need and timing of transportation improvements to serve future development.

In accordance with Chapter 395 of the Texas Local Government Code, Transportation Impact Fees are based on projections associated with residential and employment growth within a ten year period. To develop reasonable estimates and expectations, the following sources of information were compiled to develop and complete the land use assumptions:

- City of Hutto's Future Land Use Map (FLUM),
- City of Hutto's GIS data source,
- City of Hutto's pending Zoning & Site plans,

- Capital Area Metropolitan Planning Organization (CAMPO) land use data, and from
- City of Hutto staff from Business, Economic & Development Services, and Engineering.

In addition to the information compiled and reviewed, the assumptions are comprised of:

1. Land Use Assumptions methodology used to generate reasonable land use assumptions,
2. A single Service Area for assessing a Transportation Impact Fee within City of Hutto's city limits, and
3. Projected growth associated with residential and employment within the service area over a ten year period.

Land Use Assumptions Methodology

Consistent with generally acceptable planning practices, the following were considered for estimating and projecting residential and employment growth:

- The Future Land Use Map (FLUM),
- Emerging projects,
- Character, type, density, and quantity of existing development,
- Zoning plans,
- Growth trends, and
- Location of vacant properties.

Generally a three step process was used to determine the ten-year growth within the City:

1. Determined a Baseline for 2018
 - a. Gathered existing dwelling units and square footage of existing non-residential buildings.
2. Determined Carrying Capacity
 - a. Used Capital Area Metropolitan Planning Organization's (CAMPO) land use data to establish 10 year projections for employment. Used FLUM to identify areas of residential and non-residential growth capacity within city limits.
3. 10-Year Growth Projections
 - a. Calculated the growth in terms of percentage between 2018 and 2028. Also used City of Hutto historical growth rates. Table "A" reflects the results.

TIF Service Area

In accordance with Chapter 395 of the Texas Local Government Code, the Service Area is within the six mile limit.

For roadway facilities, the service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles. And in accordance with Chapter 395 of the Texas Local Government Code, areas within the City of Hutto's extraterritorial jurisdiction (ETJ) are excluded. Additionally the City is required to update the land use assumptions at least every five-years. The service area was established by taking into consideration the time required before needing to update the land use assumptions (5 five-years) and the amount of growth projected to take place in the service area.

Projected Growth

Step 1 - Converted Building Area to number of Employees -- We converted the gross building floor area to an equivalent number of employees by land use type. We used average floor area ratios and employee density stats from similar uses.

Step 2 - Divided up Mixed Use Building Area into number of Employees on Ground Floor and the number of Dwelling Units on upper floors -- We made assumptions about the number of floors (2.5, meaning a series of 2 and 3-story buildings), and the average residential unit size (1,200 square feet).

The calculations incorporate the 10-year growth projections for City of Hutto's employment (jobs) and dwelling units that were generated while reviewing the Future Land Use Maps, and emerging projects, including growth trends reflected in CAMPO's 2015, 2020 and 2040 Land Use. See Table "A" for results.

Table "A" – City of Hutto Projections

Service Area		Household Dwelling Units	Employment
City of Hutto	2018 ¹	7,351	1,539
	2028 ²	11,282	6,524
	10 Year Growth	34.8%	76.4%
Notes:			
1.	Data from City staff dated April 16, 2018		
2.	Data from CAMPO Land Use Data		



MEMORANDUM

To: City Council

From: Jessica Romigh, P& Z Chair
Davey Robinson, P&Z Vice-Chair
Kristen Harrington, P&Z
Steven R. Harris, P&Z
Michael Orman, P&Z
Tony Wertz, P&Z
Lori Ortiz, P&Z

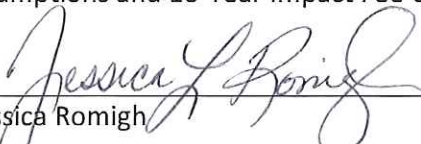
Date: May 8, 2018

Re: Land Use Assumptions & 10-Year CIP Memorandums

On Tuesday, May 8, 2018, the Planning and Zoning Commission met during their regularly scheduled meeting. In accordance with Chapter 395 of the Texas Local Government Code, Transportation Impact Fees are based on projections associated with residential and employment growth within a ten year period. Staff worked with DKS Associates to prepare and present information regarding the land use methodology, the transportation service area, projected growth, and a 10-Year Capital Improvement Plan.

The Planning and Zoning Commission reviewed and discussed the contents of the Land Use Assumptions, including the Capital Improvement Plan as presented and considered on May 8, 2018. See memos attached regarding the Land Use Assumptions and the 10-Year Impact Fee Capital Improvement Plan.

In accordance with Chapter 395 of the Texas Local Government Code, the Planning and Zoning Commission recommends approval of adopting an ordinance approving the Land Use Assumptions and 10-Year Impact Fee Capital Improvement Plan.



Jessica Romigh
Planning and Zoning Commission Chair

ORDINANCE NO. O-_____

AN ORDINANCE AMENDING CHAPTER 16 BY ADOPTING A NEW DIVISION 3. TRANSPORTATION, SECTION 16.04.100, CODE OF ORDINANCES, CITY OF HUTTO, TEXAS, BY ADOPTING LAND USE ASSUMPTIONS AND A CAPITAL IMPROVEMENT PLAN; AND PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, Chapter 395 of the Texas Land Development Code requires a municipality imposing impact fees to adopt land use assumptions and a capital improvements plan; and

WHEREAS, the Planning and Zoning Commission serving as the Capital Improvement Advisory Committee has reviewed, and evaluated the Land Use Assumptions and 10-Year Capital Improvement Plan and now recommends approval to adopt the Land Use Assumptions and Capital Improvement Plan in compliance with said Texas Local Government Code; and

WHEREAS, the City Council has reviewed, evaluated, and now wishes to adopt the Land Use Assumptions and a 10-Year Capital Improvements Plan in order to comply with said Texas Local Government Code requirements for same; Now therefore

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

SECTION I.

That Chapter 16, Code of Ordinances, City of Hutto is hereby amended by adopting a new Division 3. Transportation, Section 16.04.100, which shall read as follows:

Division 3. Transportation

16.04.100 Capital Improvement Plan and Land Use Assumptions.

Pursuant to Chapter 395, Texas Local Government Code, the City must adopt Land Use Assumptions and Capital Improvement Plan prior to the imposition of impact fees. The Land Use Assumptions and 10-Year Capital Improvement Plan dated May 2018, on record in the office of the City Secretary are hereby adopted and incorporated by reference.

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 ____ day of _____, **2018** 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 ____ day of _____, **2018** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

Attest:

Lisa L. Brown, City Secretary

MEMORANDUM

DATE: May 4, 2018

TO: Hutto MMP Project Management Team

FROM: Carl Springer and Kevin Chewuk – DKS Associates

SUBJECT: DRAFT 10-Year Impact Fee Capital Improvement Plan

Chapter 395 of the Texas Local Government Code stipulates a specific process for the adoption on Impact Fees. An Advisory Committee is required to review the Land Use Assumptions and CIP used in calculating the maximum fee, and to provide its finding for consideration by the City Council. The City Council must then conduct a public hearing on the Land Use Assumptions and CIP before considering an Impact Fee ordinance. Accordingly, The City of Hutto has developed its Land Use Assumptions and Capital Improvements Plan (CIP) necessary to implement roadway impact fees. This document details the development of the Impact Fee CIP. The Land Use Assumptions are summarized in a separate document.

Methodology

Impact fees are a mechanism for funding the public infrastructure necessitated by new development. They are meant to recover the incremental cost of the impact of each new unit of development creating new infrastructure needs. In the case of roadway impact fees, the infrastructure need is the increased capacity on arterial and collector roadways that serve the overall transportation system. Statutory requirements mandate that impact fees be based on a specific list of improvements identified in the program and only the cost necessitated by new growth over a ten-year period may be considered.

The impact fee capital improvements plan is based on forecasted growth in the City limits of Hutto over a ten-year planning period. This growth was estimated based on population and employment assumptions prepared by the City (refer to the land use assumptions document for more information). These land use assumptions serve as a key component from which impact fees are calculated.

Service Area

Impact fee legislation requires that service areas be defined for impact fees to ensure that facility improvements are in proximity to the area that is generating the need. Chapter 395 requires that roadway service areas be limited to a six-mile maximum and be located within the current City limits. Roadway service areas are different from other impact fee service areas, which can include the City

limits and Extra-Territorial Jurisdiction (ETJ). This is primarily because roadway systems are "open" to both local and regional use as opposed to a defined limit of service that is provided with water and wastewater systems. The result is that new development can only be assessed an impact fee based on the cost of necessary capital improvements within that service area.

Since the current City limits of Hutto falls within the six-mile maximum, one service area was developed. Figure 1, shown later in this document, includes the service area for Hutto, in addition to the current corporate boundaries. Future annexations may necessitate the City to split into two service areas, one north of US 79 and one south of US 79, to conform to the six-mile legislative mandate.

Inventory of Existing Roadways

An inventory of major roadways that are designated as arterial and/or collector facilities on the City of Hutto Functional Classification Plan was conducted to determine the capacity provided by the existing roadway system, the demand currently placed on the system and the deficiencies. Any deficiencies found to occur will be carried over in the impact fee calculations (netting out capacity made available by the CIP). Data for the inventory was obtained from the Functional Classification Plan, field reconnaissance, and peak hour traffic volume count data.

The roadways were divided into segments based on changes in lane configuration, major intersections, or City limits. For the assessment of individual segments, lane capacities were assigned to each segment based on roadway functional class and type of existing cross-section. Table 1 shows the hourly roadway capacities assumed for existing facilities.

Table 1. Hourly Capacity per lane-mile of Existing Roadways

Description	Hourly Vehicle Capacity per lane-mile
Five lane undivided (TWLTL)	650
Four lane undivided	525
Three lane undivided (TWLTL)	525
2-lane Undivided	475
Rural Cross-Section	150

Existing Traffic Volumes

Existing directional p.m. peak hour volumes were obtained from traffic counts collected in October 2017. Counts were collected along major roadways and at intersections throughout the City. For segments not counted, existing volumes were used or estimates were developed based on data from adjoining roadway counts.

Vehicle-Miles of Supply

The total capacity provided by existing roadways in the City was identified. For each roadway segment, the existing vehicle-miles of capacity supplied were calculated using the following:

- $\text{Vehicle-Miles of Capacity} = \text{Link capacity per peak hour per lane} \times \text{Number of Lanes} \times \text{Length of segment (miles)}$

Existing roadways in the City provide an estimated 36,850 vehicle-miles of capacity.

Vehicle-Miles of Demand

The utilization of existing roadways in terms of vehicle-miles was calculated for each roadway segment. The vehicle miles of existing demand were calculated by the following equation:

- $\text{Vehicle-Miles of Demand} = \text{PM peak hour volume} \times \text{Length of segment (miles)}$

Existing roadways in the City have an estimated 20,042 vehicle-miles of demand.

Excess Capacity per vehicle-mile

For each roadway segment, the existing vehicle-miles of excess capacity and/or deficiencies were calculated. Each direction was evaluated to determine if vehicle demands exceed the available capacity. If demand exceeds capacity in one or both directions, the deficiency is deducted from the supply associated with the impact fee capital improvement plan. An estimated 179 vehicle-miles of deficiencies were identified on the existing roadway system. These deficiencies will be carried over to the impact fee calculation.

Land Use Assumptions Summary

Table 2 summarizes the residential and employment 10-year growth projections for the City. These values were provided by City of Hutto staff and are largely based on an identification of undeveloped parcels, the City's Future Land Use Plan and historical building permit data.

Table 2. Residential and Employment 10-Year Projections

Land Use	10-Year Growth	
Residential	11,282 dwelling units	
Basic Employment	2,695,714 sq. ft.	1,348 employees
Service Employment	1,066,042 sq. ft.	1,599 employees
Retail Employment	2,384,732 sq. ft.	3,577 employees

Projected 10-year Vehicle-miles of Demand

Projected vehicle-miles of demand were calculated based on the net growth expected to occur over the 10-year planning period, and on the associated service unit generation for each of the population and employment data components (basic, service and retail). Separate calculations were performed for each data component and combined to determine a total for the Citywide service area. Vehicle-miles of demand for population growth were based on dwelling units (residential). Vehicle-miles of demand for employment were based on the square footage of building space for industrial, office and retail uses.

The City is expected to have an estimated 100,654 vehicle-miles of demand over the 10-year planning period.

Capital Improvements Plan

The City has identified transportation projects needed to accommodate the projected growth within the City, as shown in Table 3a, Table 3b and Figure 1. All arterial and collector facilities identified on the City's Functional Classification Plan not constructed to the ultimate build-out were included in the impact fee CIP to provide flexibility for development due to the rapid rate of development.

The impact fee CIP can only include roadways which are included on the City's Functional Classification Plan as arterial or collector facilities. Impact fee legislation also allows for the recoupment of costs for previously constructed facilities and projects currently under construction; however, no projects were included for recoupment.

In general, the costs associated with the design, right-of-way acquisition, and construction and financing of all items necessary to implement the roadway projects identified in the capital improvements plan are eligible. These estimates are based on the ultimate roadway section identified by functional classification. For CIP projects along State highway or County facilities in the current City limits, no State or County match was assumed, the projects were assumed to be 100 percent funded by the City. It is important to note that upon completion of the capital improvements identified in the CIP, the City must recalculate the impact fee using the actual costs and make refunds if the actual cost is less than the impact fee paid by greater than 10 percent.

Table 3a. DRAFT 10-Year Impact Fee Capital Improvement Plan North of US 79

Service Area*	Project #	Roadway	Limits	Length (mi)	Number of Lanes	Functional Classification	% in Service Area	Total Project Cost in Service Area
A	A1	CR 109	CR 108 to CR 118 extension	1.42	3	Major Collector	100%	\$9,550,000
A / X	A2	CR 118	CR 109 extension to W. of FM 1660	0.07	5	Minor Arterial	50%	\$587,500
A / X	A3	CR 118	FM 1660 to CR 132 extension	0.50	5	Minor Arterial	50%	\$3,075,000
A	A4	CR 132	FM 1660 to CR 109 extension	0.90	2	Minor Collector	100%	\$3,500,000
A / X	A5	CR 132	FM 1660 to Carol Drive extension	0.53	2	Minor Collector	50%	\$425,000
A / X	A6	CR 132	CR 118 extension to N. of Bosque Drive	0.54	2	Minor Collector	50%	\$1,062,500
A / X	A7	CR 132	Carol Drive extension to S. of Bosque Drive	0.20	2	Minor Collector	50%	\$200,000

Service Area*	Project #	Roadway	Limits	Length (mi)	Number of Lanes	Functional Classification	% in Service Area	Total Project Cost in Service Area
A / X	A8	CR 132	W. of CR 133 to E. of CR 133	0.41	2	Minor Collector	50%	\$412,500
A	A9	CR 132 Realignment	CR 132 to CR 133	0.42	5	Minor Arterial	100%	\$4,925,000
A / X	A10	CR 132	CR 132 Realignment to S. of CR 132 extension	0.17	5	Minor Arterial	50%	\$900,000
A	A11	CR 132	Carol Drive extension to CR 132 Realignment	0.68	3	Major Collector	100%	\$3,675,000
A	A12	Carol Drive	Limmer Loop to CR 132	0.79	2	Minor Collector	100%	\$3,075,000
A	A13	Carol Drive	Magner Lane to US 79	0.44	2	Minor Collector	100%	\$1,700,000
A / X	A14	FM 1660	City limits to 982 ft. S. of City limits	0.19	3	Major Collector	50%	\$362,500
A	A15	FM 1660	982 ft. S. of City limits to N. of Blanco Drive	0.29	3	Major Collector	100%	\$750,000
A / X	A16	FM 1660	N. of Blanco Drive to CR 132	0.21	3	Major Collector	50%	\$400,000
A	A17	FM 1660	CR 132 to Carrington Street	0.08	3	Major Collector	100%	\$475,000
A / X	A18	FM 1660	Sylvan Street to N. of Limmer Loop	0.17	3	Major Collector	50%	\$225,000
A	A19	FM 1660	N. of Limmer Loop to Limmer Loop	0.09	3	Major Collector	100%	\$325,000
A / X	A20	FM 1660	Limmer Loop to S. of Limmer Loop	0.12	3	Major Collector	50%	\$200,000
A	A21	FM 1660	Magner Lane to Front Street	0.65	3	Major Collector	100%	\$3,500,000
A / X	A22	Limmer Loop	E. of Innovation Boulevard to Ed Schmidt Boulevard	0.61	5	Minor Arterial	50%	\$2,362,500
A	A23	Limmer Loop	E. of Ed Schmidt Boulevard to Adriana Lane	0.49	5	Minor Arterial	100%	\$3,575,000
A / X	A24	Limmer Loop	Adriana Lane to FM 1660	0.23	5	Minor Arterial	50%	\$787,500

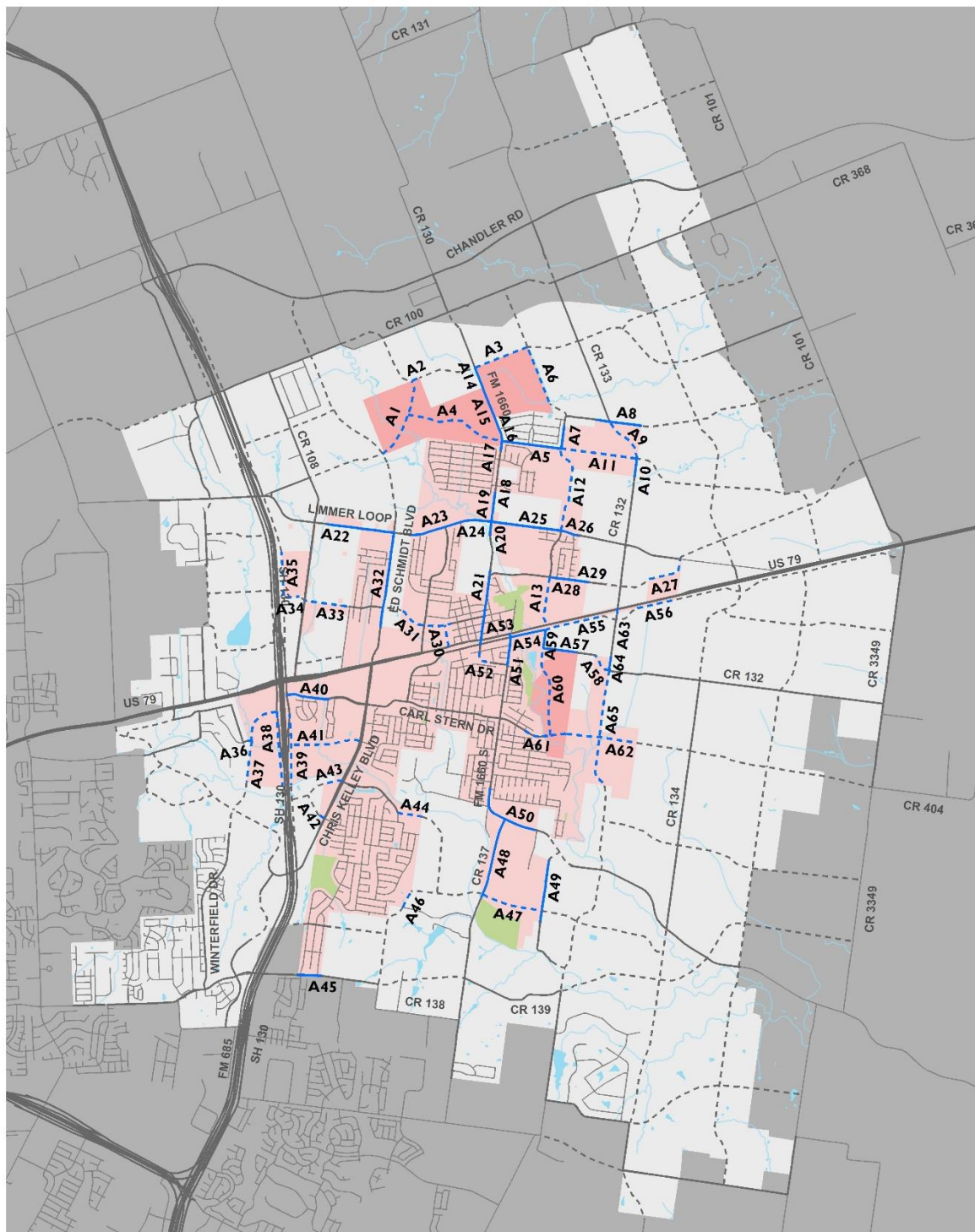
Service Area*	Project #	Roadway	Limits	Length (mi)	Number of Lanes	Functional Classification	% in Service Area	Total Project Cost in Service Area
A / X	A25	Limmer Loop	FM 1660 to Carol Drive	0.60	5	Minor Arterial	50%	\$2,162,500
A	A26	Limmer Loop	Carol Drive to City limits	0.19	5	Minor Arterial	100%	\$1,325,000
A / X	A27	Magner Lane	E. of CR 132 to Limmer Loop	0.38	3	Major Collector	50%	\$1,025,000
A	A28	Magner Lane	Carol Drive to E. of Kates Way	0.25	3	Major Collector	100%	\$750,000
A / X	A29	Magner Lane	E. of Kates Way to City limits	0.09	3	Major Collector	50%	\$137,500
A	A30	Silo Street	US 79 to Live Oak Street	0.20	3	Major Collector	100%	\$1,075,000
A	A31	Live Oak Street	Short Street to E. of Ed Schmidt Boulevard	0.50	3	Major Collector	100%	\$2,675,000
A / X	A32	Ed Schmidt Boulevard	S. of Emory Farms Avenue to Limmer Loop	0.84	5	Minor Arterial	50%	\$2,587,500
A / X	A33	Emory Farms Avenue	Alliance Boulevard to Innovation Boulevard	0.41	3	Major Collector	50%	\$1,100,000
A / X	A34	Emory Farms Avenue	W. of Innovation Boulevard to SH 130 NB Service Road	0.16	3	Major Collector	50%	\$437,500
A / X	A35	SH 130 NB Service Road	Emory Farms Avenue extension and N. City limits	0.39	2	Major Arterial	50%	\$787,500
Future Impact Fee Update Cost (2 five-year updates)							50%	\$50,000
Total Cost North of US 79								\$60,112,500
Total Implementation Cost North of US 79								\$60,162,500
*A / X indicates a roadway that is half in / half out of City Limits								

Table 3b. DRAFT 10-Year Impact Fee Capital Improvement Plan South of US 79

Service Area*	Project #	Roadway	Limits	Length (mi)	Number of Lanes	Functional Classification	% in Service Area	Total Project Cost in Service Area
A	A36	Spotted Fawn Drive	W. City limits to the Winterfield Drive extension	0.04	2	Minor Collector	100%	\$150,000
A / X	A37	Winterfield Drive	Kirkhill Street to SH 130 SB Service Road	0.77	3	Major Collector	50%	\$2,575,000
A	A38	SH 130 SB Service Road	S. City limits to S. of Carl Stern Drive	0.66	2	Major Arterial	100%	\$2,625,000
A	A39	SH 130 NB Service Road	S. City limits to S. of Carl Stern Drive	0.63	2	Major Arterial	100%	\$2,500,000
A	A40	Carl Stern Drive	Cyril Drive to SH 130 NB Service Road	0.37	5	Minor Arterial	100%	\$4,750,000
A	A41	Knowles Drive	Chris Kelley Boulevard to SH 130 Service Road	0.62	2	Minor Collector	100%	\$2,400,000
A	A42	Great Western Drive	Chris Kelley Boulevard to W. City limits	0.05	2	Minor Collector	100%	\$225,000
A	A43	Riverwalk Drive	Chris Kelley Boulevard to W. City limits	0.18	3	Major Collector	100%	\$1,375,000
A	A44	Riverwalk Drive	E. of Creston Cove to E. City limits	0.22	3	Major Collector	100%	\$1,500,000
A / X	A45	CR 138	W. of Little Lake Road to E. of Dana Drive	0.20	5	Minor Arterial	50%	\$650,000
A / X	A46	CR 138	CR 197 to E. of Navidad River Drive	0.16	3	Major Collector	50%	\$550,000
A	A47	E-W Roadway	W. of CR 137 to CR 163	0.56	3	Major Collector	100%	\$4,175,000
A	A48	CR 137	FM 1660 to S. of new E-W Roadway	0.72	3	Major Collector	100%	\$3,500,000
A / X	A49	CR 163	S. of FM 1660 to S. of E-W Roadway	0.56	2	Minor Collector	50%	\$687,500
A	A50	FM 1660	King Lane to Swindoll Lane	0.64	3	Major Collector	100%	\$2,650,000
A	A51	FM 1660	Evans Street to US 79	0.28	3	Major Collector	100%	\$800,000
A	A52	Jim Cage Lane	Austin Avenue to Evans Street	0.17	2	Minor Collector	100%	\$675,000

Service Area*	Project #	Roadway	Limits	Length (mi)	Number of Lanes	Functional Classification	% in Service Area	Total Project Cost in Service Area
A	A53	US 79	FM 1660 South Intersection	0.09	1	Major Arterial	100%	\$350,000
A	A54	Front Street	FM 1660 to Front Street extension	0.31	2	Major Collector	100%	\$1,150,000
A / X	A55	Front Street	CR 199 to W. of CR 132	0.53	3	Major Collector	50%	\$1,700,000
A / X	A56	Front Street	E. of CR 132 to W. of CR 134 extension	0.36	3	Major Collector	50%	\$1,150,000
A / X	A57	CR 199	CR 199 extension to W. of CR 199 realignment	0.31	3	Major Collector	50%	\$500,000
A	A58	CR 199 realignment	CR 199 to CR 132	0.20	3	Major Collector	100%	\$1,100,000
A / X	A59	CR 199	Front Street to CR 199 extension	0.14	3	Major Collector	50%	\$225,000
A	A60	CR 199	CR 199 to Carl Stern Drive extension	0.81	2	Minor Collector	100%	\$3,125,000
A	A61	Carl Stern Drive	Riverbed Pass to CR 199 extension	0.24	3	Minor Arterial	100%	\$1,800,000
A	A62	Carl Stern Drive	CR 199 extension to E. City limits	0.77	5	Minor Arterial	100%	\$8,600,000
A	A63	CR 132	US 79 to N. of Front Street extension	0.03	5	Minor Arterial	100%	\$1,050,000
A / X	A64	CR 132	CR 199 to CR 132	0.11	5	Minor Arterial	50%	\$650,000
A	A65	CR 132	CR 199 Realignment to S. City limits	1.06	5	Minor Arterial	100%	\$12,100,000
Future Impact Fee Update Cost (2 five-year updates)							50%	\$50,000
Total Cost South of US 79								\$65,287,500
Total Implementation Cost South of US 79								\$65,337,500
*A / X indicates a roadway that is half in / half out of City Limits								

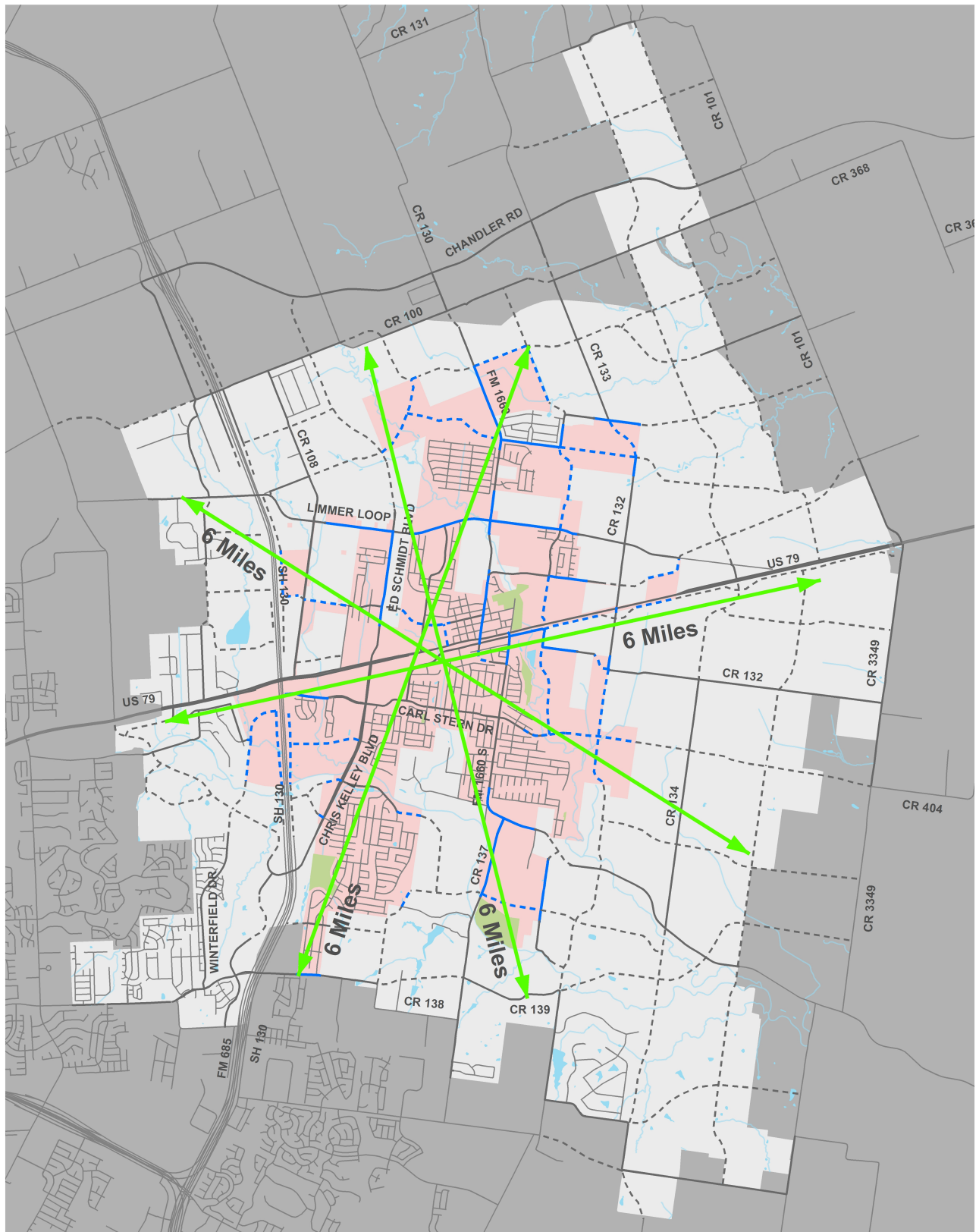
Figure 1. 10-Year Impact Fee Capital Improvement Plan



Legend

— TIF Eligible Roadway Improvement

-  City Limits
-  Assumed Annexations into City Limits
-  Extraterritorial Jurisdiction
-  Parks



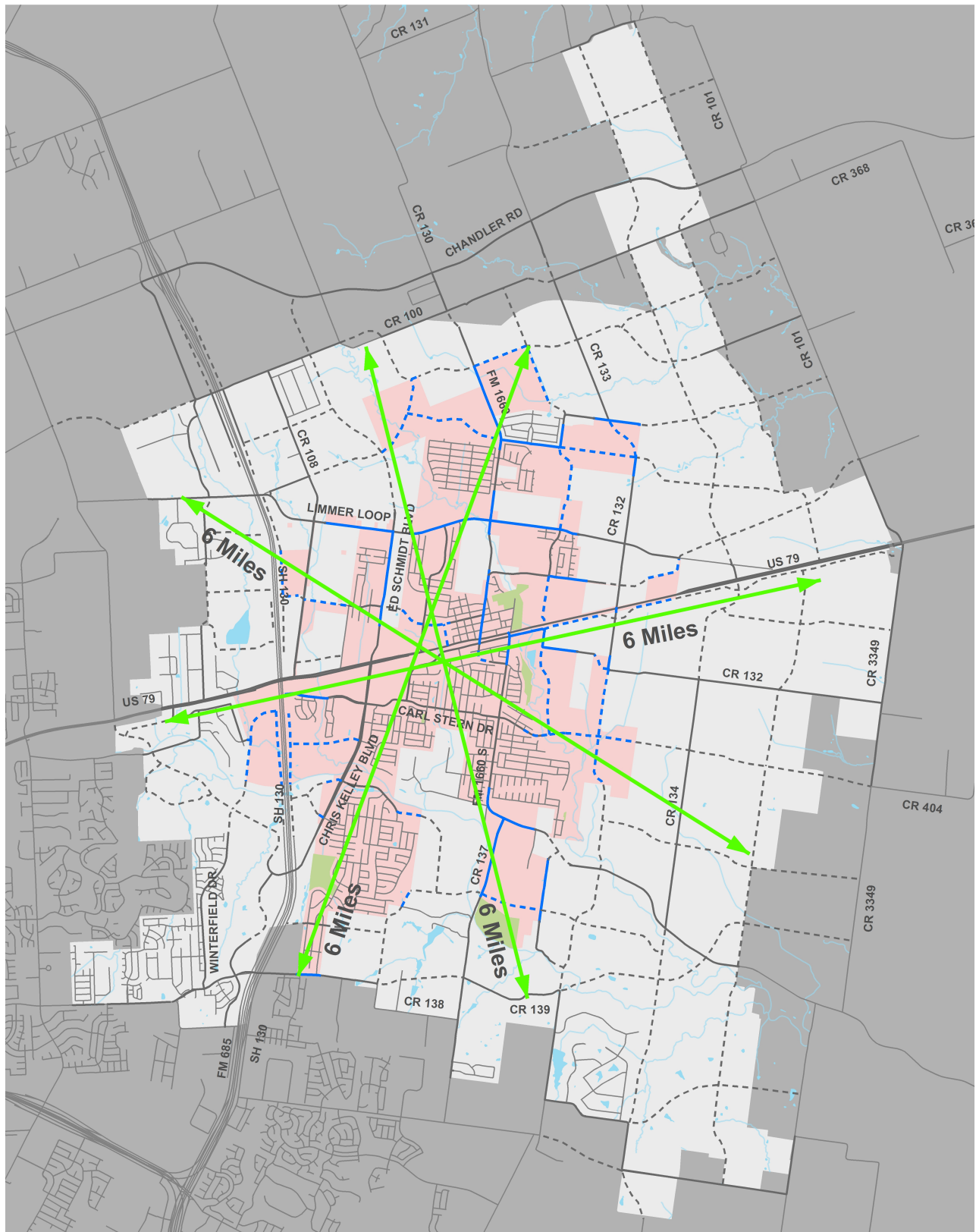
Legend

- TIF Eligible Roadway Improvement
- Other Roadway Facility (not TIF Eligible)

TIF Service Area

Extraterritorial Jurisdiction

Parks



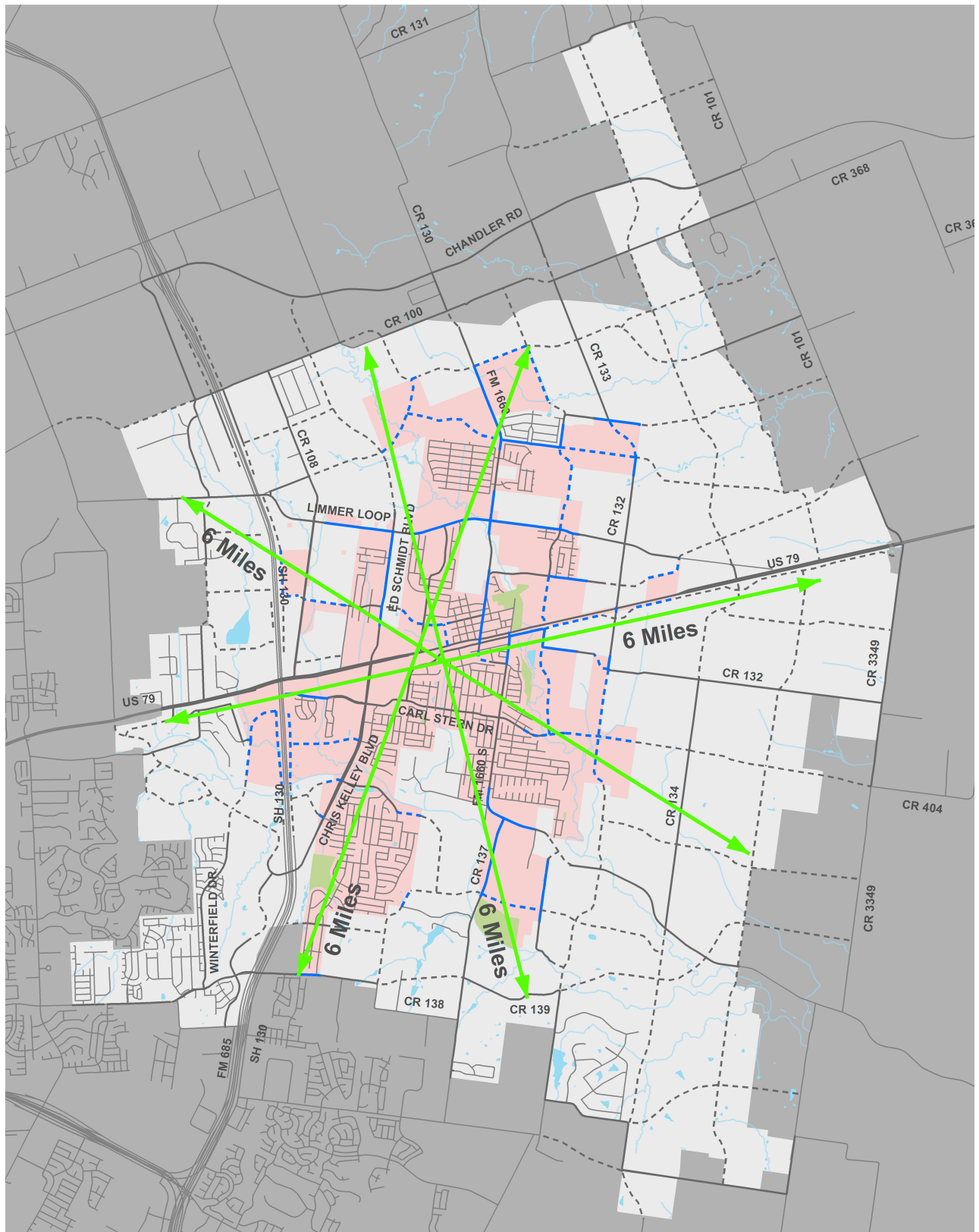
Legend

- TIF Eligible Roadway Improvement
- Other Roadway Facility (not TIF Eligible)

TIF Service Area

Extraterritorial Jurisdiction

Parks



Legend

- TIF Eligible Roadway Improvement
- Other Roadway Facility (not TIF Eligible)

TIF Service Area

Extraterritorial Jurisdiction

Parks

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 11C. **AGENDA DATE:** May 17, 2018

PRESENTED BY: David Magana, P.E., Executive Director,
Engineering & Public Works

ITEM:

Consideration and possible action on the second reading of an ordinance approving the right-of-way vacation of Short Street, a 50-Foot Right-Of-Way, approximately (0.4099 acres) 17,796 square feet in area, located adjacent to the Co-Op District development site on US 79 West. (David Magana)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Short Street is presently owned and maintained by the City and because it is no longer necessary for use by the public, the public may be better served by releasing the affected land from any and all public rights.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

City attorney has prepared the ordinance.

STAFF RECOMMENDATION:

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

SUPPORTING MATERIAL:

1. [Notice Posted](#)
2. [Ordinance - Short Street Right-Of-Way Vacation](#)
3. [Exhibit A - Short Street Vacation](#)

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:

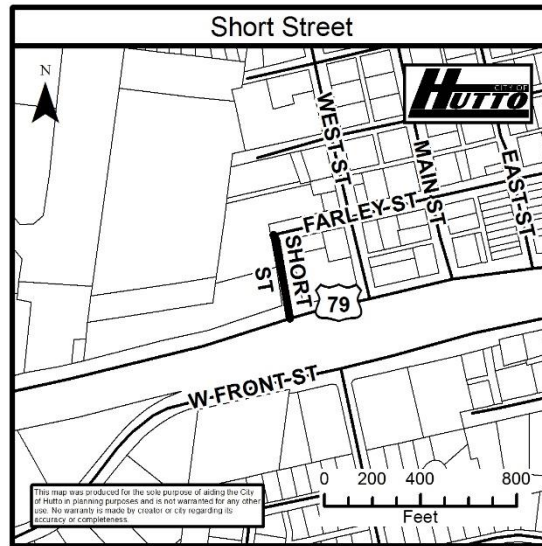
The Right-Of-Way Vacation (abandonment)
of Short Street (a 50-foot roadway),
approximately (0.4099 acres) 17,854 square
feet in area, located adjacent to the Co-Op
District development site on US 79 West.

A public hearing will be held on
May 3, 2018 at 7:00 p.m.

Hutto City Hall
401 W. Front St., Hutto, Texas

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

Publication Date: April 15, 2018



ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING PUBLIC STREET SITUATED IN THE CITY OF HUTTO, COUNTY OF WILLIAMSON AND STATE OF TEXAS AND TO RELEASE THE PUBLIC RIGHTS THEREIN—SHORT STREET.

WHEREAS, the City Council (“Council”) of the City of Hutto (“City”) has determined that it is in the best interest of the City and its residents to vacate Short Street, hereinafter described, which is presently owned and maintained by the City; and

WHEREAS, Texas Transportation Code §311.007 grants a home-rule municipality the right to vacate, abandon or close a street or alley; and

WHEREAS, Short Street appears to have been designated as an original street in the plat records of Williamson County, and is no longer necessary for use by the public; and

WHEREAS, for the reasons referenced above, among others, it appears to the Council that the public interest will be better served by releasing the affected land from any and all public rights therein and thereto pursuant to the above referenced statute.

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

1. The following herein described street and/or alley are hereby vacated and any and all public rights therein are hereby released and extinguished, the description is attached as **Exhibit A**.

2. That the public rights arising from any dedication, actual or implied, of the streets and/or alley above mentioned, and indicated on The plat records of Williamson County, as aforesaid, be and the same are hereby released and extinguished.

3. That the ownership of the underlying property will remain with the City.

4. That the Council hereby finds and determines that written notice of this date, hour, place and subject of the meeting at which this Ordinance was adopted has been 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 hereof were discussed, considered, and formerly acted upon, all in accordance with and as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

5. That all ordinances or parts of ordinances inconsistent with the provisions hereof be and the same hereby are repealed and this Ordinance shall take effect immediately after final passage and publication.

6. That this Ordinance having been introduced and read on two separate days at a regular meeting of the City Council.

READ, CONSIDERED, PASSED, AND APPROVED by the City Council of the City of Hutto as a regular meeting on the ____ day of May, 2018, at which a quorum was present and for which due notice was given pursuant to Section 551.001 et seq. of the Texas Government Code.

CITY OF HUTTO, TEXAS

By: _____
Doug Gaul, Mayor

ATTEST:

By: _____
Lisa L. Brown, Secretary

EXHIBIT “ A ”

PO Box 90876
Austin, TX 78709
(512) 537-2384
jward@4wardls.com
www.4wardls.com

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.4099 ACRE (17,854 SQUARE FEET), BEING OUT OF THE WILLIAM J. BROWN SURVEY NO. 22, ABSTRACT NO. 105, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF SHORT STREET, (50' RIGHT-OF-WAY), DEDICATED BY THE MAP OR PLAT OF THE INTERNATIONAL AND GREAT NORTHERN RAILROAD ADDITION TO THE CITY OF HUTTO, RECORDED IN VOLUME 50, PAGES 251-253 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, (D.R.W.C.T.) AND ALSO BEING SHOWN ON THE MAP OR PLAT OF THE OFFICIAL REVISED MAP OF THE CITY OF HUTTO, TEXAS, RECORDED IN CABINET “A”, SLIDE 221 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.T.), SAID 0.4099 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod with “illegible” cap found at the intersection of the west right-of-way line of said Short Street (50' Right-of-way), with the north right-of-way line of U.S. Highway 79 (Right-of-way Varies), and being the southeast corner of a called 2.919 acre tract, conveyed to the City of Hutto in Document No. 2004003059, of the Official Public Records of Williamson County, Texas (O.P.R.W.C.T.), for the southwest corner and **POINT OF BEGINNING** hereof, from which a TxDot Type II Brass Disc monument found, at a point of curvature in the south line of said City of Hutto 2.919 acre tract, and being in the north line of said U.S. Highway 79 bears, along the arc of a curve to the left, whose radius is 2,904.79 feet, whose arc length is 44.01 feet and whose chord bears S72°28'08”W, a distance of 44.01 feet;

THENCE, with the west right-of-way line of said Short Street, in part with the east line of said 2.919 acre City of Hutto tract, and in part with the east line of a called 1.364 acre tract, described as Tract III, conveyed to the City of Hutto in Document No. 2003119272 (O.P.R.W.C.T.), **N12°36'07”W**, a distance of **357.59** feet to a 1/2-inch iron rod with “Ward-5811” cap set for the northwest corner hereof, said point being the northwest corner of said Short Street, and being in the east line of said 1.364 acre City of Hutto tract, and being the southwest corner of Lot 1, Block 8 of said International and Great Northern Railroad Addition to the City of Hutto, from which a mag nail found in concrete, at the northwest corner of said Lot 1, and being the northeast corner of said 2.919 acre City of Hutto tract, and being in the south line of an Alley (17' Right-of-way), as shown on the plat of said International and Great Northern Railroad Addition to the City of Hutto bears, **N12°31'49”W**, a distance of 125.61 feet;

THENCE, with the north terminus of Short Street, in part with the south line of said Lot 1, and in part with the south line of Lot 2, also of Block 8 of said International and Great Northern Railroad Addition to the City of Hutto, **N77°03'02”E**, a distance of **50.13** feet to a 1/2-inch iron rod with “Ward-5811” cap set for the northeast corner hereof, said point being in the south line of said Lot 2, from which an iron rod with “City of Hutto-Property Corner” cap found at the southwest corner of a called 0.13 acre tract, conveyed to Jaspas Properties, LLC, recorded in Document No. 2008077200 (O.P.R.W.C.T.), and being in the north line of Farley Street (80' Right-of-way), and being in the south line of Lot 5, Block 8 of said International and Great Northern Railroad Addition to the City of Hutto bears, **N77°03'02”E**, a distance of 192.83 feet;

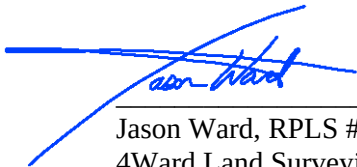
THENCE, with the east right-of-way line of Short Street, in part with the western terminus of said Farley Street, in part with the west line of Lot 1 and in part with the west line of Lot 2, both of Block 1 of the Amended plat of Lots 1 through 9, Inclusive, and Lots 12-13 and 14 and the 17-foot Alley in Block 1 of I&GN Railroad Addition Original City of Hutto, a subdivision plat recorded in Cabinet EE, Slide 293

(P.R.W.C.T.), **S12°42'36"E**, a distance of **349.97** feet to a 1/2-inch iron rod found for the southeast corner hereof, said point being the southwest corner of said Lot 2, and being the intersection of the east right-of-way line of said Short Street with the north right-of-way line of said U.S. Highway 79, from which an iron rod with "illegible" cap found at an angle point in the south line of said Lot 2, and being an angle point in the north right-of-way line of said U.S. Highway 79 bears, N77°28'11"E, a distance of 9.18 feet;

THENCE, with the south terminus of said Short Street, and the north right-of-way line of said U.S. Highway 79, **S68°32'09"W**, a distance of **51.41** feet to the **POINT OF BEGINNING** and containing 0.4099 Acre (17,854 Square Feet) of land, more or less.

NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), all distances were adjusted to surface using a combined scale factor of 1.000117952327. See attached sketch (reference drawing: 00627_vacation.dwg).

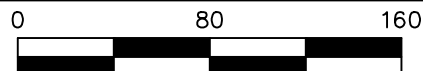


4/11/2018

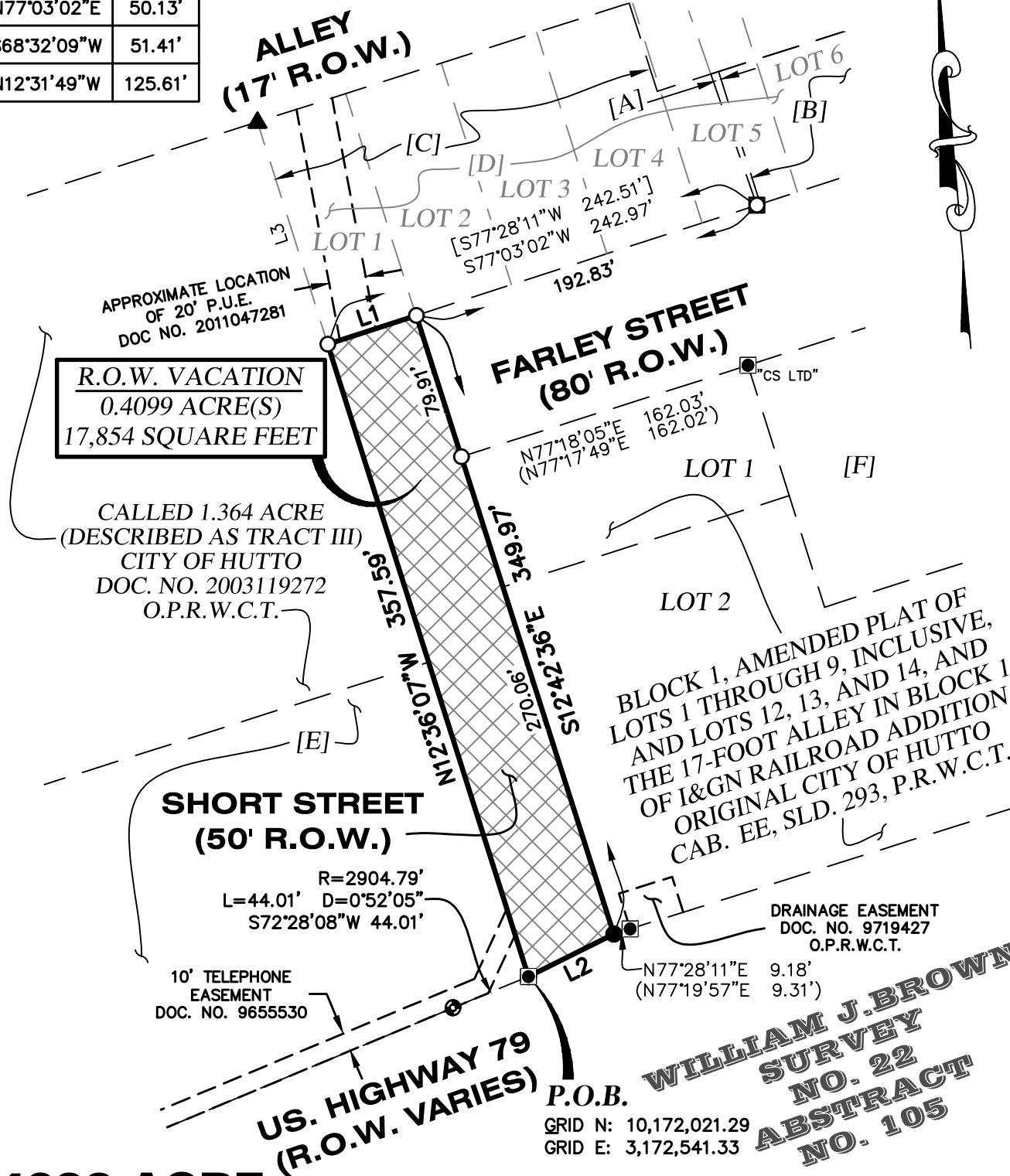
Jason Ward, RPLS #5811
4Ward Land Surveying, LLC



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N77°03'02"E	50.13'
L2	S68°32'09"W	51.41'
L3	N12°31'49"W	125.61'



GRAPHIC SCALE: 1" = 80'



**0.4099 ACRE
R.O.W. VACATION
City of Hutto,
Williamson County,
Texas**



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	4/11/2018
Project:	00627
Scale:	1" = 80'
Reviewer:	JSW
Tech:	RM
Field Crew:	HT/DC
Survey Date:	AUG. 2017
Sheet:	1 OF 2

[A]
PORTION OF LOT 5
OWNER: LEROY CAST
VOL. 1159 PG. 563
D.R.W.C.T

[B]
CALLED 0.13 ACRE
PART OF LOTS 5 AND 6
BLOCK 8, I & GN RAILROAD ADDITION
OWNER: JASPAS PROPERTIES, LLC
DOC. NO. 2008077200, O.P.R.W.C.T.

[C]
LOTS 1-4 & A PORTION OF
LOT 5, BLOCK 8
I & G RR ADDITION
OWNER: CITY OF HUTTO
DOC. NO. 2003119272, O.P.R.W.C.T.

[D]
BLOCK 8
OF I. & G. N. RAILROAD ADDITION
AN ADDITION TO THE CITY OF HUTTO,
VOL. 50, PGS. 251-253, D.R.W.C.T.

[E]
CALLED 2.919 ACRES
OWNER: CITY OF HUTTO
DOC. NO. 2004003059
O.P.R.W.C.T.

[F]
LOTS 10 AND 11, BLOCK 1
OF THE RAILROAD ADDITION TO
THE TOWN OF HUTTO
OWNER: RUDOLFO J. ZAVALA AND WIFE
YSABEL C. ZAVALA
VOL. 612 PG. 891
D.R.W.C.T.

NOTES:

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000117952327.
- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

**0.4099 ACRE
R.O.W. VACATION
City of Hutto,
Williamson County,
Texas**

LEGEND

	PROPOSED VACATION LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	1/2" IRON ROD FOUND (UNLESS NOTED)
	IRON ROD WITH ILLEGIBLE CAP FOUND (UNLESS NOTED)
	1/2" IRON ROD WITH "CITY OF HUTTO - PROPERTY CORNER" ALUMINUM CAP FOUND
	TXDOT TYPE II BRASS DISC FOUND
	MAG NAIL FOUND
	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
CAB./SLD.	CABINET, SLIDE
R.O.W.	RIGHT-OF-WAY
P.R.W.C.T.	PLAT RECORDS, WILLIAMSON COUNTY, TEXAS
D.R.W.C.T.	DEED RECORDS, WILLIAMSON COUNTY, TEXAS
O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. EE PG. 293
[.....]	RECORD INFORMATION PER DEED DOC. NO. 2003119272



4/11/2018



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	4/11/2018
Project:	00627
Scale:	1" = 80'
Reviewer:	JSW
Tech:	RM
Field Crew:	HT/DC
Survey Date:	AUG. 2017
Sheet:	2 OF 2

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 12A. **AGENDA DATE:** May 17, 2018

PRESENTED BY: Larry Foos, Parks and Recreation
Director

ITEM: Consideration and possible action concerning a resolution changing the name of the Old Hutto Football Stadium to Tevan Lee Nguyen Sr. Stadium. (Larry Foos and Kelly Gayados)

STRATEGIC GUIDE POLICY: Quality of Life & Services

ITEM BACKGROUND:

The Fritz Park Improvement Project includes major renovations to Holmstrom Field (Baseball) and Old Hippo Stadium (Football). As the Project nears its completion, the Parks Advisory Board wishes to name the newly renovated football stadium, currently known as Old Hippo Stadium.

In accordance with the Policy for Naming Parks and Recreation Facilities adopted by Council on February 2009, a committee was appointed. Members of the committee desired to continue the Hutto Community's trend of honoring its veterans. They sought to honor a veteran who had attended Hutto ISD, participated in sports, and embodied the spirit of Hutto. According to the Richard A. Oman American Legion Post 302, there are 11 identified Hutto veterans who have made the ultimate sacrifice. As of this date, there are no City facilities named in honor of any Hutto veteran.

In the January 2017 Parks Advisory Board (PAB) meeting the board voted unanimously to establish a three person Naming Committee. Committee members appointed were Rose McMillin, Perry Savard and Candi Patshke.

Recommendation:

The committee recommends naming the Old Hippo Stadium the Tevan Lee Nguyen Sr. Stadium.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Parks Advisory Board recommends changing the name of Old Hippo Stadium to Tevan Lee Nguyen St. Stadium.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends changing the name of Old Hippo Stadium to Tevan Lee Nguyen St. Stadium.

SUPPORTING MATERIAL:

1. [Resolution - renaming the old Hippo Football Stadium](#)

RESOLUTION NO. R-

A RESOLUTION REQUESTING THE NAME DESIGNATION OF OLD HIPPO FOOTBALL STADIUM TO TEVAN LEE NGUYEN SR. STADIUM IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS

WHEREAS, the City of Hutto Parks Advisory Board selected a Naming Committee to explore naming options for the renaming of the Old Hippo Stadium in Fritz Park, as outlined in the Policy for Naming Parks and Recreation Facilities; and

WHEREAS, the subcommittee members sought to honor a veteran who had attended Hutto ISD, participated in sports, and embodied the Spirit of Hutto; and,

WHEREAS, the City of Hutto Parks and Recreation Advisory Board has unanimously voted to approve the renaming of the Old Hippo Football Stadium to the Tevan Lee Nguyen Sr. Stadium in the July 12, 2017 Parks Advisory Meeting.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, that the Hutto City Council hereby authorized the naming of the Old Hippo Football Stadium as Tevan Lee Nguyen Sr. Stadium.

RESOLVED this 17th day of **May, 2018**.

CITY OF HUTTO, TEXAS

ATTEST:

Doug Gaul, Mayor

Lisa L. Brown, City Secretary

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

12B.

AGENDA DATE: May 17, 2018

PRESENTED BY:

Helen Ramirez, Assistant City Manager

ITEM:

Consideration and possible action authorizing the City Manager to negotiate and execute a Development Agreement with MK Developments. (Helen Ramirez)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Kalogridis and Kalogridis Development, LLC is looking to develop a mixed-use development known as "The Landing" on approximately 56 acres located within the City. The development will consist of public amenities, residential, retail, and office.

The City has found and determined that the development of the Property will further the public interest and welfare, and that the benefits that will accrue to the City are consistent with the City's economic development objectives to increase property and sale and use taxes, and the attraction of new jobs, and introduce mixed-use development and new residential housing products into the Hutto marketplace.

The City and Developer desire to enter into a Development Agreement to assist with the development of the project.

BUDGETARY AND FINANCIAL SUMMARY:

The City will evaluate funding options for a Public Improvement District (PID) and Tax Increment Reinvestment Zone (TIRZ).

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not Applicable

CITY ATTORNEY REVIEW:

City Attorney is reviewing the Development Agreement that will be executed.

STAFF RECOMMENDATION:

SUPPORTING MATERIAL:

There are no supporting documents.

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 14A.

AGENDA DATE: May 17, 2018

PRESENTED BY:

ITEM:

Consideration and possible action regarding the Economic Development Corporation Bylaws, Chamber of Commerce, D.R. Horton and board member activity.

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.