



City of Hutto

Agenda

City Council Meeting

Thursday, December 7, 2023 at 7:00 PM

City Council Chambers

Hutto City Hall

500 W. Live Oak Street

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

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATION

5.1. Senior Access 30 Years Proclamation

5.2. Richard A. Oman American Legion Post 302 of Hutto - 15th Anniversary of Charter

5.3. Human Rights Proclamation (Accounting and Compliance HUB)

6. CITY MANAGER COMMENTS

7. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on December 7, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

8. PRESENTATIONS

8.1. Monthly Capital Improvement Project Update (Matt Rector)

9. PUBLIC HEARINGS AND RELATED ACTION

9.1. Consideration and possible action on Resolution No. R-2023-327 approving the municipal services agreement for the proposed annexation of the Meadow Brook tract, 87.8 acres, more or less, of land, located off FM1660S (Ashley Bailey)

9.2. Conduct a public hearing and consider possible action on Ordinance No. O-2023-080 approving the Annexation of the Meadow Brook Tract, 87.8 acres, more or less, of land, and to Establish the Base Zoning as Single Family (SF-2) and Commercial (B-2) located off FM1660S (First Reading) (Ashley

Bailey)

- 9.3. Conduct a public hearing and consider possible action on Ordinance No. O-2023-081 for the Planned Unit Development (PUD) request for the property known as Meadow Brook Planned Unit Development (PUD), 87.8 acres, more or less, of land, located off FM1660S (First Reading) (Ashley Bailey)
- 9.4. Conduct a public hearing and consider possible action on Ordinance No. O-2023-082 for Durango Farms Planned Unit Development (PUD) zoning ordinance amendment to add Section 3.10 Riparian Setback (First Reading) (Ashley Bailey)

10. BOARDS AND COMMISSIONS ACTION

- 10.1. Consideration and possible action regarding possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, Local Government Corporations and Tax Increment Reinvestment Zone Boards, City Council Liaisons, and Area Government appointments

11. ORDINANCES

- 11.1. Consideration and possible action on Ordinance No. O-2023-078 approving a Project and Financing plan for Hutto Megasite Tax Increment Reinvestment Zone Number Three, City of Hutto, Texas, established pursuant to Chapter 311 of the Texas Tax Code (Cheney Gamboa)

12. RESOLUTIONS

- 12.1. Consideration and possible action on Resolution No. R-2023-320 agreeing to certain requirements of a watersmart funding opportunity for water reclamation and reuse projects and supporting the application to the Bureau of Reclamation for CIP projects WW05-2023 and WW06-2023 (Matt Rector)
- 12.2. Consideration and possible action on Resolution No. R-2023-326 authorizing the City Manager to execute an Interlocal Agreement between the City of Hutto and Hutto Independent School District for the land and site development standards and procedures for the construction of HISD educational facilities (Mayor Mike Snyder)

13. CONSENT AGENDA ITEMS

- 13.1. Consideration and possible action on Resolution No. R-2023-289 approving an agreement for Athletic Field Lighting at Mager Fields with Musco Sports Lighting, LLC, in an amount not to exceed \$299,300 through BuyBoard Contract No. 677-22; and authorizing the City Manager to execute the Agreement (Jeff White)
- 13.2. Consideration and possible action on Resolution No. R-2023-324 authorizing the City Manager to execute an Individual Project Order (IPO) with Garver in the amount of \$124,525 for the Enclave Lift Station Improvements project funded from the Public Works Operations and Maintenance budget (Matt Rector)
- 13.3. Consideration and possible action on Resolution No. R-2023-321 regarding amendment No. 2 to the K Friese Contract in the amount of \$80,505 for the Megasite East/West Spine road project (CIP T08-2023) (Matt Rector)
- 13.4. Consideration and possible action on Resolution No. R-2023-325 authorizing the City Manager to execute an Individual Project Order (IPO) with Surveying And Mapping, Inc. in the amount of \$30,364.48 for the Innovation at Limmer Loop Traffic Signal project (T13-2024) (Matt Rector)
- 13.5. Consideration and possible action to approve Resolution No. R-2023-305, approving the advance funding agreement with TxDOT for an on-system improvement project for

- an overpass on US 79 at CR 132 (T07-2023) and authorizing the City Manager to execute the agreement on behalf of the City of Hutto (Matt Rector)
- 13.6. Consideration and possible action on Resolution R-2023-322 to assign the City of Hutto contract with K Friese for the design and construction services of the Spine Road to the Hutto Economic Development Corporation (Cheney Gamboa)
 - 13.7. Consideration and possible action on Ordinance No. O-2023-075 amending Chapter 18, Streets and Public Places, Article 18.03 to provide for construction requirements, insurance, bonding, enforcement and penalties; repealing ordinance in conflict and providing for an effective date (Second Reading) (Legal)
 - 13.8. Consideration and possible action on Resolution No. R-2023-323 approving the Public Right of Way Permitting and Construction Manual (Matt Rector)
 - 13.9. Consideration and possible action on Ordinance No. O-2023-079 amending the Fee Schedule of the City of Hutto, Appendix A, of the Hutto Code of Ordinances to add Section A1.010 to include a schedule of fees and charges for use of the Public Right-of-Way (First Reading) (David Amsler)
 - 13.10. Consideration and possible action on Resolution No. R-2023-328 regarding amendment No. 2 to the K Friese Contract for the Megasite Wastewater Lines project (CIP WW07-2023) (Matt Rector)
 - 13.11. Consideration and possible action on Resolution No. R-2023-331 authorizing the City Manager to execute a temporary construction and permanent access easement to A-S 64 CR 119-HWY 79, L.P., a Texas limited partnership in substantially the same form as Attachment "A" with the form to be approved by the City Attorney (Matt Rector)
 - 13.12. Consideration and possible action on Resolution No. R-2023-329 authorizing the City Manager to execute Right-of-Way License agreements for use of the City's Public Right-of-Way as allowed by Article 18.03 of the Hutto Code of Ordinances (Legal)
 - 13.13. Consideration and possible action on approving Resolution No. R-2023-304 authorizing the City Manager to execute a Facilities Interlocal Agreement between the City of Hutto and Hutto Independent School District (Jeff White)
 - 13.14. Consideration and possible action on sunseting of Emergency Preparedness Task Force whose terms expired in June 30, 2023 (City Council)
 - 13.15. Consideration and possible action on approving the November 16 Work Session and City Council meeting minutes (Angela Lewis)

14. EXECUTIVE SESSION

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

- 14.1. Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), relating to the Petition of HWY 3349, LLC, pursuant to the provisions of Senate Bill No. 2038, establishing Sections 42.101 through 42.105 of the Texas Local Government Code, for the release from the City's Extraterritorial Jurisdiction ("ETJ") of 384.249 acres of land, (the "Petition"), with the lawsuit filed by Grand Prairie, Texas declaring Senate Bill No. 2028 unconstitutional and contrary to

law and adding the Petition to the engagement agreement with Messer Fort Law Firm, PLLC.

- 14.2. Deliberate and seek legal advice pursuant to Texas Government Code Section 551.071 (Attorney Consultation), regarding the notice of default from Titan Mega Land Investors, LLC sent to the Hutto Economic Development Corporation
- 14.3. Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) relating to demand of December 1, 2023, for approval of the Alta Ed Schmidt preliminary plat.
- 14.4. Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) including but not limited to notice of 3-M Class Action PFAS Settlement; *In Re: Aqueous Film-Forming Foams Products Liability Litigation* (MDL No. 2: 18-mn-2873-RMG D.S.C.) (*City of Camden, et al., v. 3M Company*, No. 2:23-cv-03147-RMG (D.S.C.) ("Litigation").
- 14.5. Receive legal advice pursuant to Texas Government Code Section 551.071 (Attorney Consultation), to seek legal advice regarding: Spine Road Construction Project; including but not limited to an amendment to the Funding and Refunding Agreement between the Hutto Economic Development Corporation, Type B, ("HEDC"), and the City of Hutto, dated January 26, 2023 to provide for design and construction services documents for the Megasite Spine Road; an assignment of the K. Friese & Associates, Inc. contract documents for the Megasite Spine Road; and to include HEDC as a Third-Party Beneficiary
- 14.6. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests

15. ACTION RELATIVE TO EXECUTIVE SESSION

- 15.1. Consideration and possible action on Executive Session Items

16. CITY COUNCIL COMMENTS

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

- 16.1. General Comments from City Council
- 16.2. Future Agenda Items
- 16.3. Future Additional or Rescheduled meetings as allowed by Hutto City Code Section 1.02.033 Additional or Rescheduled Meetings

17. ADJOURNMENT

18. CERTIFICATION

I certify that this notice of the December 7, 2023 Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on December 4, 2023 before 6:00 P.M.



Amanda Taylor
Amanda Taylor

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