



**CITY OF HUTTO, TEXAS
REGULAR CITY COUNCIL MEETING
THURSDAY, JANUARY 4, 2018 AT 7:00 PM
CITY HALL - CITY COUNCIL CHAMBERS
401 WEST FRONT STREET**

CITY COUNCIL

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

AGENDA

1. **CALL SESSION TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE**

5. **COUNCIL COMMENTS**

6. **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.

6A. Remarks from visitors. *(Three-minute time limit)*

7. **CONSENT AGENDA ITEMS:**

All items listed on the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered as a regular agenda item.

7A. Consideration and possible action on the meeting minutes for the December 4, 2017 Special Called City Council Meeting, and December 7, 2017 and December 21, 2017 Regular City Council Meetings. (Lucretia Alvarez)

8. **WORK SESSION:**

A work session is conducted for information or educational purposes. No action is taken by the Council on items listed.

8A. Work session to discuss wastewater rates.

REGULAR AGENDA ITEMS

9. **ORDINANCES:**

9A. Consideration of a public hearing and possible action on the first reading of an ordinance approving the zoning change for the property known as 330 Ed Schmidt Boulevard, 4.859 acres, more or less, of land, located on Ed Schmidt Boulevard north of the Hansons Corner Subdivision, from SF-1 (Single Family Residential) to B-2 (General Commercial) zoning district. (Carolyn Horner)

9B. Consideration and possible action on the first reading of an ordinance amending the wastewater rates outlined in the City of Hutto Code of Ordinances (2014 Edition), Appendix A Fee Schedule, Article A5.000 Utilities. (Michel Sorrell)

10. **RESOLUTIONS:**

10A. Consideration and possible action on a resolution approving the second amendment to the Williamson County Regional Animal Shelter Interlocal Agreement. (Helen Ramirez)

11. **EXECUTIVE SESSION:**

11A. Executive Session, as authorized by Texas Government Code, Section 551.071, regarding consultation with Attorney, and Section 551.072, regarding real property, for a report by legal counsel regarding status of Williamson County participation in Reinvestment Zone Number One, City of Hutto, Texas, and interlocal agreement to exchange real property between Williamson County and the City of Hutto.

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

12A. Consider and approve final ordinance to create Reinvestment Zone No. One, City of Hutto, Texas, for the purpose of promoting redevelopment within the corporate limits of the City of Hutto (Co-Op Project). (Helen Ramirez)

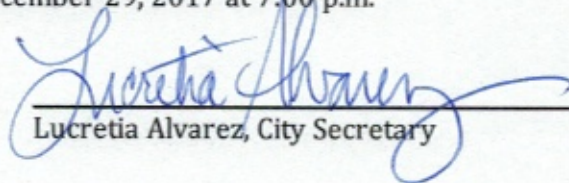
12B. Consideration and possible action on the adoption of an Interlocal Agreement regarding the Tax Increment Financing by and between Williamson County, the City of Hutto, and the Hutto Reinvestment Zone Number One. (Helen Ramirez)

13. **ADJOURNMENT**

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].

CERTIFICATION

I certify that this notice of the January 4, 2018 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on or before December 29, 2017 at 7:00 p.m.



Lucretia Alvarez, 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 lucretia.alvarez@huttotx.gov for assistance.

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 7A. **AGENDA DATE:** January 04, 2018

PRESENTED BY: Lucretia Alvarez, City Secretary

ITEM:

Consideration and possible action on the meeting minutes for the December 4, 2017 Special Called City Council Meeting, and December 7, 2017 and December 21, 2017 Regular City Council Meetings. (Lucretia Alvarez)

STRATEGIC GUIDE POLICY: Leadership

ITEM BACKGROUND:

The City Council meeting minutes for the December 4, 2017 Special Called City Council Meeting, and December 7, 2017 and December 21, 2017 Regular City Council Meetings have been drafted for the City Council's review and consideration.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of the City Council meeting minutes.

SUPPORTING MATERIAL:

1. [December 4, 2017 Special Called City Council meeting minutes](#)
2. [December 7, 2017 City Council meeting minutes](#)
3. [December 21, 2017 City Council meeting minutes](#)



**CITY COUNCIL
MEETING MINUTES
DECEMBER 4, 2017**

The Hutto City Council met in a special called session on Monday, December 4, 2017, 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 6:00 p.m.

ROLL CALL

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

Councilmember Nathan Killough was absent.

Members of staff that were present were Odis Jones, City Manager, Mike Shaunessy, City Attorney, Helen Ramirez, Assistant City Manager, Eliska Padilla, Executive Director of Communications and Marketing, and Lucretia Alvarez, City Secretary.

Mayor Gaul called the executive session to order at 6:00 p.m.

EXECUTIVE SESSION

3A. Executive Session, as authorized by Section 551.071, Texas Government Code, Consultation with Attorney concerning economic development negotiations.

Mayor Gaul called the executive session closed and reconvened to open session at 7:00 p.m.

ACTION RELATIVE TO EXECUTIVE SESSION

4A. No action was taken.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:00 p.m.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lucretia Alvarez, City Secretary



**CITY COUNCIL
MEETING MINUTES
DECEMBER 7, 2017**

The Hutto City Council met in a regular session on Thursday, December 7, 2017, 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 that were present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Nathan Killough, Councilmember Tim Jordan, Councilmember Lucio Valdez, and Councilmember Terri Grimm.

Members of staff that were present were Odis Jones, City Manager, Mike Shaunessy, City Attorney, Helen Ramirez, Assistant City Manager, Paul Hall, Assistant Chief of Police, Scot Stromsness, Executive Director of Public Works and Engineering, Matthew Rector, Executive Director of Business and Development Services, Larry Foos, Parks and Recreation Director, Eliska Padilla, Executive Director of Communications and Marketing, Shawna Willis, Director of Human Resources, David Stripling, Assistant City Secretary, and Lucretia Alvarez, City Secretary.

INVOCATION

The invocation was given by Pastor Bernhard Suppan, from New Life Pentecostal Church of Hutto.

PLEDGE OF ALLEGIANCE

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

CITY COUNCIL COMMENTS

5A. General Comments from City Council

Councilmember Lucio Valdez spoke briefly about the recent groundbreaking and progress being made.

Mayor Gaul thanked all the staff that worked on the Jazz event, Santa Crawl and Christmas Tree lighting, for all of their hard work in making those events successful.

PUBLIC COMMENT

6A. *There were no remarks from visitors.*

CONSENT AGENDA ITEMS

- 7A. Consideration and possible action related to the Fiscal Year End closing on a resolution authorizing an increase to the not to exceed amount for legal services provided by McGinnis Lochridge for personnel, real estate and economic development matters. (Michel Sorrells)
- 7B. Consideration and possible action on the meeting minutes for the November 2, 2017 and November 16, 2017 Regular City Council Meetings. (Lucretia Alvarez)

MOTION: Mayor Pro-tem Tom Hines moved to approve items 7A, and 7B on the consent agenda. Councilmember Nate Killough seconded the motion.

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

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

REGULAR AGENDA ITEMS

8. ORDINANCES:

- 8A. Consideration and possible action on the second and final reading of an ordinance approving the zoning change for the property known as the Co-Op District, 25.6266 acres, more or less, of land, located on US 79 West at Short Street, from OT-5C (Co-Op District) to Planned Unit Development (PUD) zoning district. (Helen Ramirez)

MOTION: Councilmember Nate Killough moved to approve item 8A, approving the zoning change for the property known as the Co-Op District, 25.6266 acres, more or less, of land, located on US 79 West at Short Street, from OT-5C (Co-Op District) to Planned Unit Development (PUD) zoning district. Councilmember Lucio Valdez seconded the motion.

VOTE: Ayes: Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nathan Killough
 Councilmember Tim Jordan
 Councilmember Lucio Valdez
 Councilmember Terri Grimm

 Nays: None
 Abstain: None
 Absent: None

ACTION: *The motion carried with 7 ayes and 0 nays.*

- 8B. Consideration and possible action on the second and final reading of an ordinance amending the City of Hutto Code Of Ordinances (2014 Edition), Appendix A Fee Schedule, Article A4.000 Public Facility Rentals, Article A5.000 Utilities and A7.000 Library. (Michel Sorrell)

MOTION: *Councilmember Lucio Valdez moved to approve item 8B, amending the City of Hutto Code Of Ordinances (2014 Edition), Appendix A Fee Schedule, Article A4.000 Public Facility Rentals, Article A5.000 Utilities and A7.000 Library. Councilmember Nate Killough seconded the motion.*

VOTE: Ayes: Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nathan Killough
 Councilmember Tim Jordan
 Councilmember Lucio Valdez

 Nays: Councilmember Terri Grimm
 Abstain: None
 Absent: None

ACTION: *The motion carried with 6 ayes and 1 nay.*

- 8C. Consideration and possible action on the second and final reading of an ordinance amending the City of Hutto Code Of Ordinances (2014 Edition), Appendix A Fee Schedule, Article A1.000 Development Services, Engineering, and Construction. (Michel Sorrell)

MOTION: Mayor Pro-tem Tom Hines moved to approve item 8C, amending the City of Hutto Code Of Ordinances (2014 Edition), Appendix A Fee Schedule, Article A1.000 Development Services, Engineering, and Construction. Councilmember Tim Jordan seconded the motion.

VOTE:

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

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

- 8D. Consideration and possible action on the first reading of an ordinance amending the Fiscal Year 2016-17 Budget to reallocate capital project funds to the FY 2018 Budget, organizational restructure, account for attorney fees, and other miscellaneous adjustments. (Michel Sorrell)

MOTION: Mayor Pro-tem Tom Hines moved to approve item 8D, amending the Fiscal Year 2016-17 Budget to reallocate capital project funds to the FY 2018 Budget, organizational restructure, account for attorney fees, and other miscellaneous adjustments. Councilmember Nate Killough seconded the motion.

VOTE:

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

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

- 8E. 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 Narrows PUD, 38.68 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, in Williamson County, Texas, located at the southwest corner of FM 1660 South and CR 137. (Helen Ramirez)

Public hearing was opened at 8:07 p.m. and closed at 8:07 p.m. with no public comments.

MOTION: *Councilmember Nate Killough moved to approve item 8E, approving the Planned Unit Development (PUD) zoning ordinance amendment for the Narrows PUD, 38.68 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, in Williamson County, Texas, located at the southwest corner of FM 1660 South and CR 137. Councilmember Lucio Valdez seconded the motion.*

VOTE:

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

ACTION: *The motion carried with 7 ayes and 0 nays.*

There was a second motion to dispense of the second reading.

MOTION: *Councilmember Nate Killough moved to dispense of the second reading of item 8E, approving the Planned Unit Development (PUD) zoning ordinance amendment for the Narrows PUD, 38.68 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, in Williamson County, Texas, located at the southwest corner of FM 1660 South and CR 137. Councilmember Tim Jordan seconded the motion.*

VOTE:

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

ACTION: *The motion carried with 7 ayes and 0 nays.*

9. RESOLUTIONS:

9A. Consideration and possible action on a resolution authorizing the City Manager to engage an engineering firm for the Wastewater Master Plan. (Matt Rector)

MOTION: Councilmember Nate Killough moved to approve item 9A, authorizing the City Manager to engage an engineering firm for the Wastewater Master Plan. Councilmember Terri Grimm seconded the motion.

VOTE:

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

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

9B. Consideration of a public hearing and possible action on a resolution renaming Alliance Boulevard (east-west portion) to Schneider Boulevard. (Helen Ramirez)

Public hearing was opened at 8:17 p.m. and closed at 8:17 p.m. with no public comments.

MOTION: Mayor Pro-tem Tom Hines moved to approve items 9B, renaming Alliance Boulevard (east-west portion) to Schneider Boulevard. Councilmember Lucio Valdez seconded the motion.

VOTE:

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

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

- 9C. Consideration and possible action on a resolution authorizing the City Manager to expend up to \$8,000,000 in bond proceeds for roads, drainage, storm and regional detention, and municipal facilities related to the Co-Op Entertainment District project. (Michel Sorrell)

MOTION: Mayor Pro-tem Tom Hines moved to approve item 9C, authorizing the City Manager to expend up to \$8,000,000 in bond proceeds for roads, drainage, storm and regional detention, and municipal facilities related to the Co-Op Entertainment District project. Councilmember Scott Rose seconded the motion.

VOTE:

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

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

- 9D. Consideration and possible action on a resolution authorizing the City Manager to engage an engineering firm for the Drainage Master Plan. (Matt Rector)

MOTION: Councilmember Lucio Valdez moved to approve item 9D, authorizing the City Manager to engage an engineering firm Heijl Lee for the Drainage Master Plan. Councilmember Tim Jordan seconded the motion.

VOTE:

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

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

- 9E. Consideration and possible action on a resolution expressing the City's intent to award a contract for the construction of Limmer Loop Sidewalk which is part of TxDOT's Transportation Alternative Program (TAP). (Matthew Rector)

MOTION: Councilmember Nate Killough moved to approve item 9E, expressing the City's intent to award a contract for the construction of Limmer Loop Sidewalk which is part of TxDOT's Transportation Alternative Program (TAP) to Greater Austin Development. Councilmember Lucio Valdez seconded the motion.

VOTE:

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

ACTION: The motion carried with 5 ayes and 2 nays.

- 9F. Consideration and possible action on a resolution authorizing the City Manager to engage an engineering firm for the Shiloh Ground Storage Tank Replacement. (Matt Rector)

MOTION: Councilmember Nate Killough moved to approve item 9F, authorizing the City Manager to engage an engineering firm, Dunham Engineers, for the Shiloh Ground Storage Tank Replacement. Mayor Pro-tem Tom Hines seconded the motion.

VOTE:

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

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

- 9G. Consideration and possible action on a resolution for the appointment of a City Council Member to represent the City of Hutto on the General Assembly of the Capital Area Council of Governments. (Eliska Smith Padilla)

MOTION: Councilmember Nate Killough moved to approve items 9G, appointing Councilmember Lucio Valdez to represent the City of Hutto on the General Assembly of the Capital Area Council of Governments . Councilmember Terri Grimm seconded the motion.

VOTE:

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

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

- 9H. Consideration and possible action on a resolution authoring the city manager to negotiate and execute an interlocal agreement with Williamson County as pertaining to the development of the Co-Op. (Helen Ramirez)

MOTION: Mayor Pro-tem Tom Hines moved to approve item 9H, authoring the city manager to negotiate and execute an interlocal agreement with Williamson County as pertaining to the development of the Co-Op. Councilmember Scott Rose seconded the motion.

VOTE:

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

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

10. CITY MANAGER COMMENTS:

10A. Discussion related to TIRZ. (Michel Sorrell, Carol Columbo, Dan Wagenmiller, Bob Wuanch)

Michel Sorrell and Bob Wuanch led discussion regarding a Tax Increment Reinvestment Zone.

10B. Discussion related to PIDS. (Michel Sorrell, Carol Columbo, Dan Wagenmiller, Bob Wuanch)

Michel Sorrell and Bob Wuanch led discussion regarding a Public Investment District.

Mayor Doug Gaul adjourned from regular session at 9:29 p.m. and convened into closed executive session at 9:29 p.m.

11. EXECUTIVE SESSION:

11A. Executive Session, as authorized by Section 551.074, Texas Government Code, Personnel Matters, to deliberate the appointment, employment, evaluation, or duties of public officer or employees: City Manager.

11B. Executive Session, as authorized by Section 551.071, Texas Government Code, regarding consultation with Attorney concerning amphitheatre, TIRZ, TIRZ member appointments, and Mobility Plan Advisory Committee member appointments.

11C. Executive Session, as authorized by Section 551.087, Texas Government Code, regarding deliberations concerning Economic Development Negotiations.

Mayor Doug Gaul adjourned from executive session at 10:22 p.m. and convened into open session at 10:22 p.m.

12. ACTION RELATIVE TO EXECUTIVE SESSION:

12A. Consideration and possible action regarding item 11A.

MOTION: Mayor Pro-tem Tom Hines moved to approve an amended employment contract for City Manager, Odis Jones. Councilmember Tim Jordan seconded the motion.

*VOTE: Ayes: Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Councilmember Nathan Killough*

*Councilmember Tim Jordan
Councilmember Terri Grimm*

*Nays: Councilmember Lucio Valdez
Abstain: None
Absent: None*

ACTION: The motion carried with 6 ayes and 1 nay.

12B. Consideration and possible action regarding item 11B.

MOTION: Councilmember Nate Killough moved to appoint Jessica Romigh, Veronica Ortiz, and Richard Hudson to the Mobility Plan Advisory Committee. Councilmember Terri Grimm seconded the motion.

*VOTE: Ayes: Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Councilmember Nathan Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm
Nays: None
Abstain: None
Absent: None*

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

12C. Consideration and possible action related to item 11C.

No action was taken.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:26 p.m.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lucretia Alvarez, City Secretary



**CITY COUNCIL
MEETING MINUTES
DECEMBER 21, 2017**

The Hutto City Council met in a regular session on Thursday, December 21, 2017, 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 that were present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Nathan Killough, Councilmember Lucio Valdez, and Councilmember Terri Grimm.

Councilmember Tim Jordan was absent.

Members of staff that were present were Odis Jones, City Manager, Mike Shaunessy, City Attorney, Helen Ramirez, Assistant City Manager, Byron Frankland, Chief of Police, Paul Hall, Assistant Chief of Police, Scot Stromsness, Executive Director of Public Works and Engineering, Matthew Rector, Executive Director of Business and Development Services, Sam Pearson, Director of Public Works, David Mason, Purchasing Manager, and Lucretia Alvarez, City Secretary.

INVOCATION

Tonight's invocation is conducted by Pastor Jorge Guadalupe, from Worship 365 of Hutto.

PLEDGE OF ALLEGIANCE

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

CITY COUNCIL COMMENTS

5A. General Comments from City Council

Councilmember Lucio Valdez wished everyone a Merry Christmas.

Councilmember Terri Grimm thanked the Police Department for their most recent service in keeping Hutto safe.

PUBLIC COMMENT:

- 6A. There were no remarks from visitors.

PRESENTATIONS:

- 7A. Presentation and discussion concerning the City's financial statements and investments as of November 30, 2017. (Michel Sorrell)

Michel Sorrell, Chief Financial Officer, led the presentation and discussion.

CONSENT AGENDA ITEMS:

- 8A. Consideration and possible action on a resolution approving the proposed Star Ranch Commercial Lots 1-3 Block B Final Plat, 6.817 acres, more or less, of land, four commercial lots, located within Hutto's extraterritorial jurisdiction on Muirfield Bend Drive at FM 685/SH-130 SB Frontage Road. (Carolyn Horner)
- 8B. Consideration and possible action on a resolution approving the proposed Titan Innovation Business Park Preliminary Plat, 67.88 acres, more or less, of land, six commercial lots, located on Innovation Boulevard and Schneider Boulevard. (Carolyn Horner)
- 8C. Consideration and possible action on a resolution approving the proposed Titan Innovation Business Park Block A Lot 1 Final Plat, 8.048 acres, more or less, of land, one commercial lot, located on Schneider Boulevard. (Carolyn Horner)
- 8E. Consideration and possible action on the acceptance of the drainage, water, and wastewater improvements of Hutto Crossing Phase 1-4 Subdivision. (Matthew Rector)
- 8F. Consideration and possible action on the acceptance of the drainage, water, and wastewater improvements of Hutto Crossing Phase 4 Subdivision. (Matthew Rector)

MOTION: Councilmember Terri Grimm moved to pull item 8D from the consent agenda. Councilmember Nate Killough seconded the motion.

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

Abstain: None
Absent: Councilmember Tim Jordan

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

Agenda item 8D was pulled from the consent agenda.

MOTION: Councilmember Nate Killough moved to approve items 8A, 8B, 8C, 8E, and 8F on the consent agenda. Mayor Pro-Tem Hines seconded the motion.

VOTE:

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

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

- 8D. Consideration and possible action on a resolution authorizing the City Manager to purchase an International Dump Truck from Longhorn International not to exceed \$107,107.44. (David Mason)

David Mason, Purchasing Manager explained that there were funds budgeted for two International dump trucks, and this is the second of the two to be purchased with those funds approved for the Fiscal Year 2017-2018.

MOTION: Mayor Pro-Tem Hines moved to approve items 8D on the consent agenda. Councilmember Terri Grimm seconded the motion.

VOTE:

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

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

REGULAR AGENDA ITEMS

ORDINANCES:

- 9A. Consideration of a public hearing and possible action on the first reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter Two, Section 10.203.9: Minor Modification. (Carolyn Horner)

Carolyn Horner, Planning Services Director gave the details of the amendment. The minor modification process as outlined in Chapter 16, Article 16.02 Unified Development Code is only applicable to Old Town and is currently approved by the Historic Preservation Commission; however, it is similar, with regard to intent, to a Specific Use Permit that is approved by the Planning and Zoning Commission. The intent of both permit types is to determine whether some land uses may be appropriate in a certain zoning district or essential for providing a public service, but require special attention to find if they will have an adverse affect on the surrounding area. In order to allow for consistency and similar applicability citywide, the intent of this code amendment is to continue to include the Historic Preservation Commission in the evaluation criteria of uses in Old Town, while allowing for consistency in the ultimate approval and imposition of conditions by the Planning & Zoning Commission.

Public hearing was opened at 7:21 p.m. and closed at 7:21 p.m. with no public comment.

MOTION: Councilmember Nate Killough moved to approve item 9A the first reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter Two, Section 10.203.9: Minor Modification. Councilmember Terri Grimm seconded the motion.

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

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

With an affirmative vote of all council members present, the council then voted to dispense of the second reading.

MOTION: Mayor Pro-Tem Hines moved to dispense of the second reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter Two, Section 10.203.9: Minor Modification. Councilmember Nate Killough seconded the motion.

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

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

- 9B. Consideration and possible action on the second and final reading of an ordinance amending the Fiscal Year 2016-17 Budget related to fiscal year-end closing and to reallocate capital project funds to the Fiscal Year 2018 Budget, organizational restructure, account for attorney fees, and other miscellaneous adjustments. (Michel Sorrell)

Michel Sorrell, Chief Financial Officer, spoke regarding amendments to the fiscal year end closing and reallocations of funds.

MOTION: Mayor Pro-Tem Hines moved to approve item 9B an ordinance amending the Fiscal Year 2016-17 Budget related to fiscal year-end closing and to reallocate capital project funds to the Fiscal Year 2018 Budget, organizational restructure, account for attorney fees, and other miscellaneous adjustments. Councilmember Nate Killough seconded the motion.

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

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

- 9C. Consideration of a public hearing and possible action on the first reading of an ordinance approving the creation of Reinvestment Zone Number One for the purpose of promoting redevelopment within the corporate limits of the City of Hutto. (Helen Ramirez)

Helen Ramirez, Assistant City Manager spoke regarding the creation of a Tax Increment Reinvestment Zone for developing the Co-Op property project, the future benefits for the community, the preliminary project plan, the preliminary financing plan, types of bonds and revenue bonds for future projections.

Public hearing was opened at 7:21 p.m. and closed at 7:21 p.m. with no public comment.

MOTION: Mayor Pro-Tem Hines moved to approve item 9C the first reading of an ordinance approving the creation of Reinvestment Zone Number One for the purpose of promoting redevelopment within the corporate limits of the City of Hutto. Councilmember Lucio Valdez seconded the motion.

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

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

RESOLUTIONS:

- 10A. Consideration of a public hearing and possible action on a resolution approving the proposed Star Ranch Section 7 Revised Preliminary Plat, 222.4 acres, more or less, of land, 354 residential lots, two townhome lots and two condominium (single-family product) lots, located within Hutto's extraterritorial jurisdiction on Winterfield Drive at Loch Lomond Street. (Carolyn Horner)

Carolyn Horner, Director of Planning Services, spoke regarding the Star Ranch Section 7 revised preliminary plat.

Public hearing was opened at 8:10 p.m.

Maurice Kaundra, 212 Silkstone Street asked about the road, the responsibilities of the city, possibilities of annexation.

Mayor Gaul and City Manager Odis Jones stated that the answers to his questions could be better explained personally by Carolyn Horner, Director of Planning Services, to explain the state laws we must follow on the property in question and why the city is limited in its roles and responsibilities.

Public hearing was closed at 8:17 p.m.

MOTION: Mayor Pro-Tem Hines moved to approve item 10A on a resolution approving the proposed Star Ranch Section 7 Revised Preliminary Plat, 222.4 acres, more or less, of land, 354 residential lots, two townhome lots and two condominium (single-family product) lots, located within Hutto's extraterritorial jurisdiction on Winterfield Drive at Loch Lomond Street. Councilmember Nate Killough seconded the motion.

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

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

- 10B. Consideration and possible action on a resolution approving the proposed Star Ranch Section 7 Phase 3 Final Plat, 33.152 acres, more or less, of land, two condominium (single-family product) lots, located within Hutto's extraterritorial jurisdiction on Winterfield Drive at Loch Lomond Street. (Carolyn Horner)

Carolyn Horner, Director of Planning Services, spoke regarding the Star Ranch Section 7 Phase 3 final plat.

MOTION: Councilmember Lucio Valdez moved to approve item 10B on a resolution approving the proposed Star Ranch Section 7 Phase 3 Final Plat, 33.152 acres, more or less, of land, two condominium (single-family product) lots, located within Hutto's extraterritorial jurisdiction on Winterfield Drive at Loch Lomond Street. Mayor Pro-Tem Hines seconded the motion.

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

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

- 10C. Consideration and possible action on a resolution concerning an additional schedule of two (2) leased vehicles for Public Works to the Enterprise Master Lease Agreement (MLA). (David Mason)

David Mason, Purchasing Manager explained the overall savings of the city for keeping employees in safer and more dependable vehicles, to enhance the job performance and keep projects on track without older vehicles breaking down.

MOTION: Councilmember Nate Killough moved to approve item 10C on a resolution concerning an additional schedule of two (2) leased vehicles for Public Works to the Enterprise Master Lease Agreement (MLA). Councilmember Lucio Valdez seconded the motion.

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

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

Mayor Doug Gaul adjourned from regular open session at 8:32 p.m. and convened into closed executive session at 8:32 p.m.

EXECUTIVE SESSION

- 11A. Executive Session, as authorized by Section 551.074, Texas Government Code, Personnel Matters, to deliberate the appointment, employment, evaluation, or duties of public officer or employees: the appointment of Tax Increment Reinvestment Zone (TIRZ) board members.
- 11B. Executive Session, as authorized by Section 551.071, Texas Government Code, regarding consultation with Attorney.
- 11C. Executive Session, as authorized by Section 551.087, Texas Government Code, regarding deliberations concerning Economic Development Negotiations.

Mayor Doug Gaul adjourned from executive session at 10:09 p.m. and convened into open session at 10:09 p.m.

ACTION RELATIVE TO EXECUTIVE SESSION:

- 12A. Consideration and possible action regarding item 11A.

No action taken.

- 12B. Consideration and possible action related to item 11B.

MOTION: Mayor Pro-Tem Hines moved to add an agenda item to the next city council meeting for a presentation with discussion on the wastewater rates, related to item 11B. Councilmember Nate Killough seconded the motion.

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

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

- 12C. Consideration and possible action related to item 11C.

No action taken.

ADDITIONAL AGENDA ITEMS:

- 13A. Consideration and possible action on a resolution authorizing the City Manager to take appropriate actions to repair, replace, or rehabilitate the City's water tanks and water towers not to exceed \$4,000,000.00. (Matthew Rector)

Matthew Rector, Executive Director of Business and Planning Services, explained that the city wishes to repair the city's water facilities to improve the quality of water service for our community.

MOTION: Councilmember Nate Killough moved to approve item 13A a resolution authorizing the City Manager to take appropriate actions to repair, replace, or rehabilitate the City's water tanks and water towers not to exceed \$4,000,000.00. Councilmember Terri Grimm seconded the motion.

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

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

14. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:19 p.m.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lucretia Alvarez, City Secretary

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 8A. **AGENDA DATE:** January 04, 2018

PRESENTED BY: Michel Sorrell, Chief Financial Officer

ITEM:
Work session to discuss wastewater rates.

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.: 9A.

AGENDA DATE: January 04, 2018

PRESENTED BY: Carolyn Horner, AICP, Planning Director,
Business & Development Services

ITEM:

Consideration of a public hearing and possible action on the first reading of an ordinance approving the zoning change for the property known as 330 Ed Schmidt Boulevard, 4.859 acres, more or less, of land, located on Ed Schmidt Boulevard north of the Hansons Corner Subdivision, from SF-1 (Single Family Residential) to B-2 (General Commercial) zoning district. (Carolyn Horner)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Property Owner: Hutto Partners 04, LTD

Current Land Use: Vacant

Proposed Land Use: Commercial

Future Land Use Designation: Commercial

Surrounding Land Use and Zoning:

Direction	Zoning	Future Land Use Map Designation	Existing Land Use
North	None - Extraterritorial Jurisdiction (ETJ)	Institutional	Place of Worship
South	PUD - Planned Unit Development (Home Depot)	Commercial	Vacant/Commercial
East	B-1 Commercial: Local/Neighborhood	Commercial	Vacant

West (across Ed Schmidt Boulevard)	B-2 Commercial: General Commercial	Commercial	Commercial/Office

Summary of Request

The property is located at 330 Ed Schmidt Boulevard and is approximately 4.859 acres of land. It is located on Ed Schmidt Boulevard, north of Home Depot. The applicant is requesting a zoning change from interim SF-1 (Single Family Residential) to B-2 (General Commercial) zoning district. SF-1 was used as an interim zoning district when property was annexed until the owner requests a zoning district. This request is consistent with the existing FLUM (Future Land Use Map) which classifies the property as Commercial.

Compatibility with existing zoning and uses of surrounding property

Land to the north is located outside City limits and is currently developed as a place of worship. Property to the south is either developed or zoned for commercial uses. Property to the east is currently vacant and zoned for commercial. Land to the west across Ed Schmidt Boulevard is zoned for commercial use and is currently developed as such. This rezoning request is compatible with existing development and zoning districts.

Compatibility with the future land use designation of surrounding property

The Future Land Use Map designates property to the east, south, and west as Commercial. Property to the North is designated as Institutional, reflecting the existing Place of Worship. This rezoning request for B-2 (Commercial) is compatible with the Future Land Use designation of surrounding property.

Infrastructure

Water is available via a 12-inch line along Ed Schmidt Boulevard. Sewer is available via an 8-inch line along Ed Schmidt Boulevard. A TIA was not required for this rezoning. The need for a TIA will be reviewed again once the end use is determined with a site plan.

Site plan and building plans will be reviewed for code compliance during the permitting process.

Public notice

All property owners within 200-feet have been notified by mail of the proposed zoning change request. Out of 4 notifications sent, no responses were received. If additional responses are submitted, staff will share them at the meeting.

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

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

The Planning and Zoning Commission recommended approval to City Council on December 5, 2017.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

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

SUPPORTING MATERIAL:

1. [Notice posted](#)
2. [Ordinance - 330 Ed Schmidt Boulevard \(4.859 ac\) Zoning](#)
3. [Exhibit A - 330 Ed Schmidt Boulevard \(4.859 ac\) Property Description](#)

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:

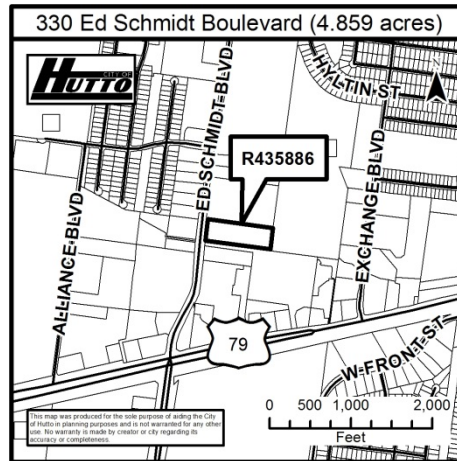
The zoning change for 330 Ed Schmidt Boulevard,
(4.859 acres) out of the Nathaniel Edwards Survey,
Abstract No. 225, from SF-1
(single family residential) to B-2 (general
commercial) zoning district.

The public hearing will be held on:
January 4, 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: December 17, 2017



ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HUTTO, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO CHANGE THE ZONING FOR THE PROPERTY KNOWN AS 330 ED SCHMIDT BOULEVARD, 4.859 ACRES, MORE OR LESS, OF LAND, OUT OF THE NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, IN WILLIAMSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FROM SF-1 (SINGLE FAMILY RESIDENTIAL) TO B-2 (GENERAL COMMERCIAL) ZONING DISTRICT; PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETING CLAUSE, PENALTY CLAUSE AND EFFECTIVE DATE.

WHEREAS, a request has been made to the City Council of the City of Hutto, Texas to amend the Official Zoning Map to zone the properties described in Exhibit "A" being attached hereto and incorporated herein, and;

WHEREAS, on the 5th day of December, 2017, after proper notification, the Planning and Zoning Commission held a public hearing on the requested amendment, and;

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed change in zoning on the 5th day of December, 2017, and;

WHEREAS, on the 4th day of January, 2018, after proper notification, the City Council held a public hearing on the requested amendment, and;

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

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

SECTION I.

That the City Council has considered and made findings on the following matters regarding the proposed amendment:

- 1) Consistency (or lack thereof) with the Comprehensive Plan; and
- 2) Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood; and
- 3) Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment; and
- 4) Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment; and
- 5) Availability of water, wastewater and stormwater facilities suitable and adequate for the proposed use.

That the Official Zoning Map of the City of Hutto, Texas, is hereby amended so that the zoning classification of the property described in the Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter to now be designated as B-2 (General Commercial) Zoning District.

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 **4th** day of **January, 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 **4th** day of **January, 2018** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

Attest:

Lucretia Alvarez, City Secretary

4.859 ACRES
HIPPO PARTNERS 04, LTD.
ZONING DESCRIPTION

FN. NO. 17-329(ABB)
OCTOBER 26, 2017
JOB NO. 222010977

DESCRIPTION

OF A 4.859 ACRE TRACT OF LAND OUT OF THE NATHANIEL EDWARDS SURVEY ABSTRACT NO. 225, SITUATED IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS, BEING ALL OF THAT SAME TRACT OF LAND CONVEYED TO HIPPO PARTNERS 04, LTD., BY DEED OF RECORD IN DOCUMENT NO. 2005012634 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 4.859 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with "CAPITAL" cap found in the easterly right-of-way of County Road No. 119 (Ed Schmidt Boulevard - R.O.W. width varies) being the northwesterly corner of Lot 1, Block "A" of Hanson's Corner Addition, a subdivision of record in Cabinet Y, Slides 357-358 of the Plat Records of Williamson County, Texas, also being the southwesterly corner of said Hippo Partners 04, LTD. tract and hereof, from which a 1/2 inch iron rod found in the easterly right-of-way line of County Road No. 119, being the southwesterly corner of Lot 11 of said Hanson's Corner Addition, also being the northwesterly corner of Lot 3A, Block "A" of Hanson's Corner Addition Resubdivision of Lot 3, Block "A", a subdivision of record in Document No. 2015017853 of said Official Public Records, bears S06°10'53"W, a distance of 241.87 feet;

THENCE, N06°21'40"E, leaving the northwesterly corner of said Lot 1, along the easterly right-of-way line of County Road No. 119, being the westerly line of said Hippo Partners 04, LTD. tract, for the westerly line hereof, a distance of 260.87 feet to a 1/2 inch iron rod with a "CHAPARRAL" cap found in the southerly line of that certain 10.00 acre tract of land conveyed to Hutto United Methodist Church by deed of record in Document No. 2004071799 of said Official Public Records, being the northwesterly corner of said Hippo Partners 04, LTD. tract, for the northwesterly corner hereof;

THENCE, S82°25'37"E, leaving the easterly line of County Road No. 119, along the southerly line of said 10.00 tract, being the northerly line of said 4.583 acre tract, for the northerly line hereof, a distance of 815.31 feet to a 1/2 inch iron rod with "RPLS 4391" cap found in the westerly line of a 115.663 acre tract of land conveyed to Kalogridis and Kalogridis Development, LLC by deed of record in Document No. 2017077907 of said Official Public Records, being the common easterly corner of said 10.00 acre tract and said Hippo Partners 04, LTD. tract, for the northeasterly corner hereof;

THENCE, S07°38'16"W, leaving said common easterly corner, along the westerly line of said 115.663 acre tract of land, being the easterly line of said Hippo Partners 04, LTD. tract, for the easterly line hereof, a distance of 260.26 feet to a 1/2 inch iron rod with "INLAND G A LLC" cap found in the northerly line of said Lot 1, being the southeasterly corner of said Hippo Partners 04, LTD. tract and hereof;

FN NO. 17-329(ABB)
OCTOBER 26, 2017
PAGE 2 OF 2

THENCE, N82°27'56"W, leaving the westerly line of said 115.663 acre tract, along the northerly line of said Lot 1, being the southerly line of said Hippo Partners 04, LTD. Tract and hereof, a distance of 809.50 feet to the **POINT OF BEGINNING**, containing an area of 4.859 acres (211,658 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

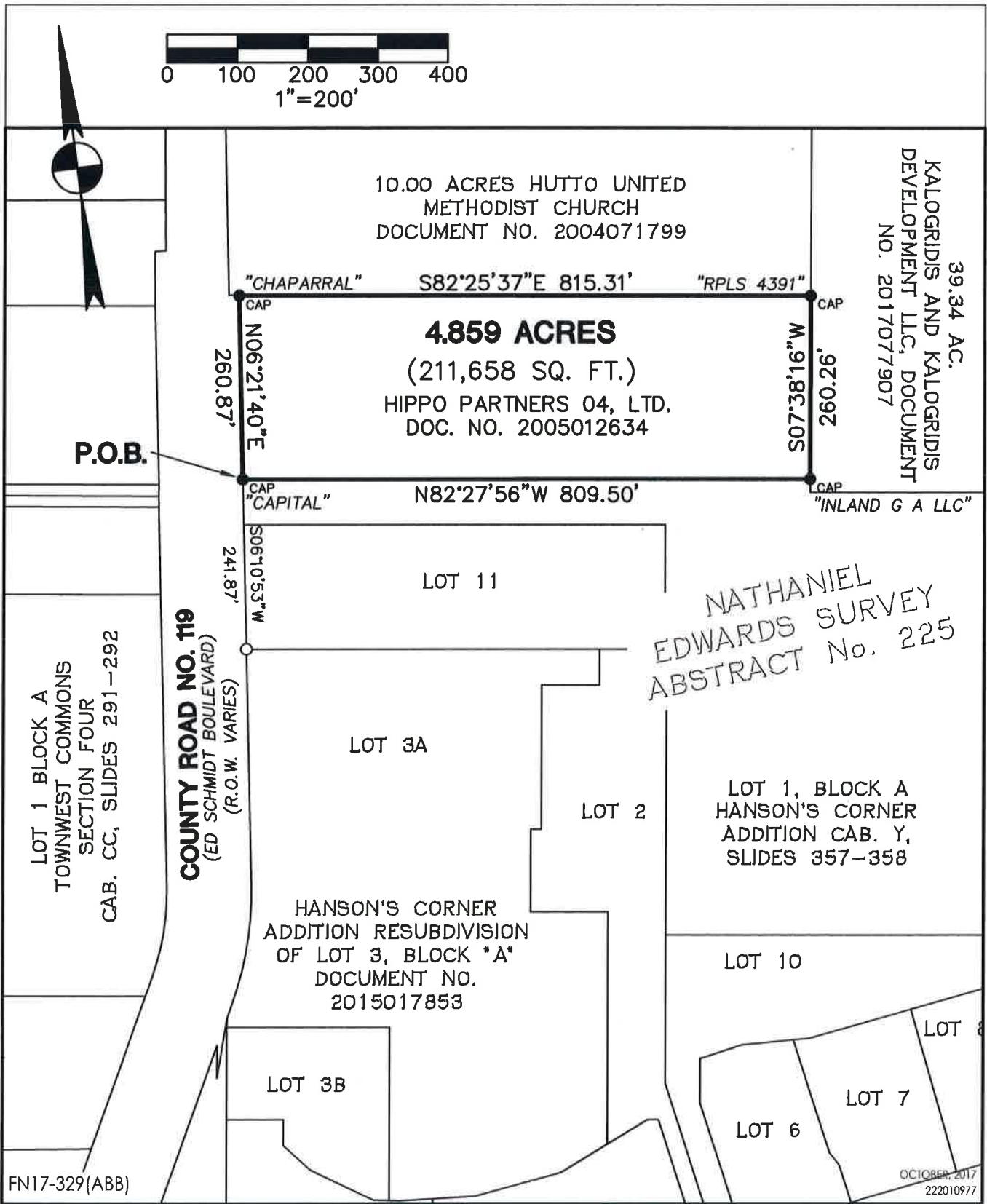
I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND.

STANTEC CONSULTING
SERVICES INC.
1905 ALDRICH STREET
SUITE 300
AUSTIN, TEXAS 78723


10/31/17
JOHN T. BILNOSKI
R.P.L.S. NO. 4998
STATE OF TEXAS
TBPLS #10194230
john.bilnoski@stantec.com



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2017/10/31 11:03 AM By: Bilnoski, John



1905 Aldrich Street, Suite 300
Austin, TX 78723
TBPE # F-6324 TBPLS # 10194230
www.stantec.com



Client/Project

HIPPO PARTNERS 04 LTD
HANSON'S CORNER

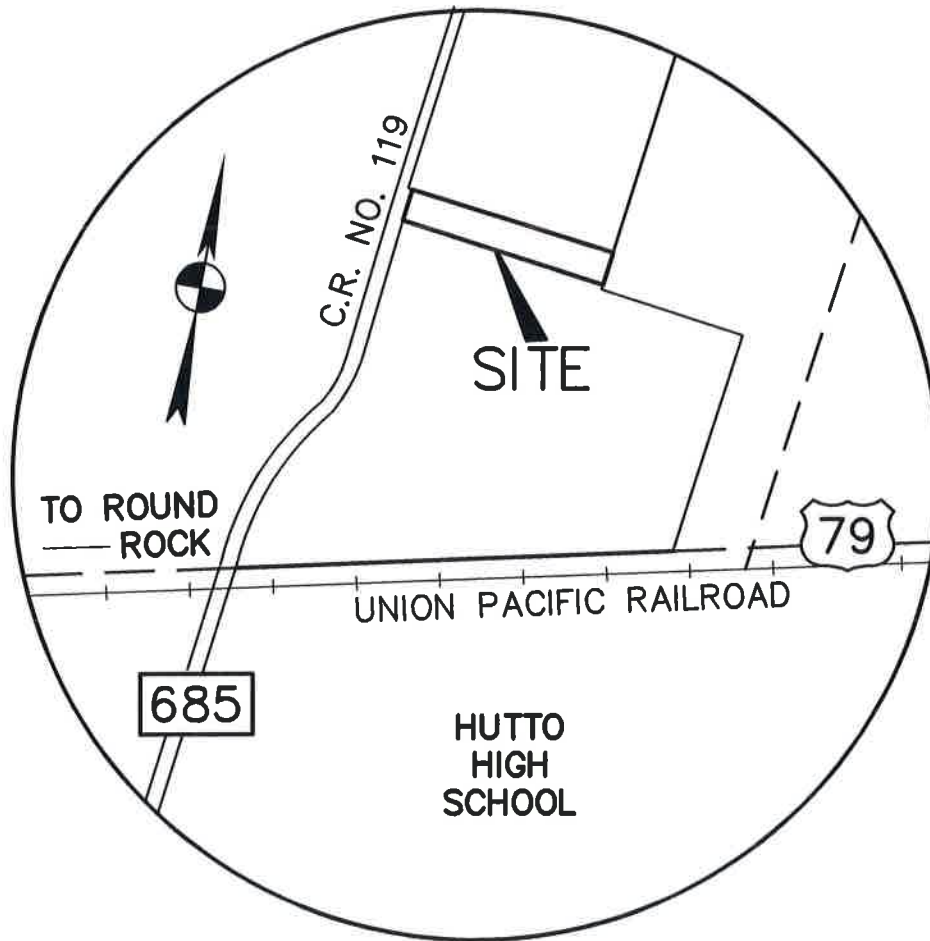
Figure No.

SHEET 1 OF 2

Title

ZONING EXHIBIT

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2017/10/31 11:04 AM By: Bilnoski, John



VICINITY MAP
N.T.S.

LEGEND

- CAP 1/2" IRON ROD WITH NOTED CAP FOUND
- 1/2" IRON ROD WITH "BURY" CAP SET
- P.O.B. POINT OF BEGINNING

BEARING BASIS NOTE:

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

FN17-329(ABB)

OCTOBER, 2017
222010977



1905 Aldrich Street, Suite 300
Austin, TX 78723
TBPE # F-6324 TBPLS # 10194230
www.stantec.com



Client/Project

HIPPO PARTNERS 04 LTD
HANSON'S CORNER

Figure No.

SHEET 2 OF 2

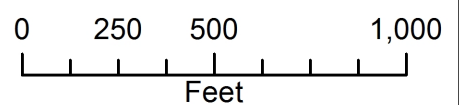
Title

ZONING EXHIBIT

330 Ed Schmidt Boulevard (4.859 acres)



This map was produced for the sole purpose of aiding the City of Hutto in planning purposes and is not warranted for any other use. No warranty is made by creator or city regarding its accuracy or completeness.



CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

9B.

AGENDA DATE: January 04, 2018

PRESENTED BY:

Michel Sorrell, Chief Financial Officer

ITEM:

Consideration and possible action on the first reading of an ordinance amending the wastewater rates outlined in the City of Hutto Code of Ordinances (2014 Edition), Appendix A Fee Schedule, Article A5.000 Utilities. (Michel Sorrell)

STRATEGIC GUIDE POLICY: Fiscal and Budgetary

ITEM BACKGROUND:

Article A5.000 Utilities

The City of Hutto contracted with NewGen Strategies and Solutions to perform a follow up utility rate study to determine any necessary utility rate increases. Based on the results of the study, waste water rates will need to increase by 28% in FY 2018, 28% in FY 2019, and 28% in FY 2020.

The rate increases are needed in order to maintain utility fund reserve requirements, invest in new infrastructure and meet debt service obligations for recent utility projects such as the new Hutto South Waste Water Treatment Plant. The proposed rate increases are recommended to ensure proper cost recovery and as well as meet debt service requirements related to the construction of a new Waste Water Treatment Plan. The amount borrowed to construct the plant is over \$24 million. The related annual debt service payment is over \$800,000 through 2026 and rising to over \$1 million through 2039.

Amended rate tables can be found in the attached Exhibit A - Fee Schedule.

BUDGETARY AND FINANCIAL SUMMARY:

Article A5.000 Utilities

The retail waste water rates are proposed to be increased by 28% over FY 2018, FY 2019, and FY 2020. The proposed rate increases are recommended to ensure proper cost recovery as well as meet debt service requirements related to the construction of a new waste water treatment plant. The amount borrowed to construct the plant is over \$24 million. The related annual debt service payment is over \$800,000 through 2026 and rising to over \$1 million through 2039.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of the ordinance amending the City of Hutto's Fee Schedule.

SUPPORTING MATERIAL:

1. [Ordinance Amending Fee Schedule](#)
2. [Exhibit A - Red Lined Amended Fee Schedule](#)
3. [Exhibit B - Amended Fee Schedule](#)

ORDINANCE NO. _____

AN ORDINANCE PRESCRIBING CERTAIN FEES FOR THE CITY HUTTO, AMENDING ALL APPLICABLE ORDINANCES AND OTHER INSTRUMENTS; PROVIDING FOR A SCHEDULE OF FEES AND CHARGES; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, a review has been made by the City Staff covering rates, fees and charges of the City of Hutto for certain services rendered or provided by the City of Hutto; and

WHEREAS, it is deemed advantageous to set out all of said rates, fees and charges in one ordinance for the convenience of the City of Hutto, its employees and the citizens of Hutto and the public in general; and

WHEREAS, it is the purpose and intent of this ordinance to adopt rate schedules, fees and charges for such utilities and services provided by the City of Hutto; and

WHEREAS, it is recognized that the existing ordinances covering the various rates, fees and charges are numerous and it is the purpose and intent of this ordinance to amend all of said prior ordinance so as to set forth the rate and fee schedules as provided herein.

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

SECTION 1.0 Exhibit “A” which is attached to this Ordinance as a reference and is incorporated into this Ordinance as presented, lists each of the specific fees and charges authorized by the City Council.

SECTION 2.0 All fees and charges specified in **Exhibit “A”** shall be in effect as of **April 20, 2017**, unless otherwise noted in **Exhibit “A”**.

SECTION 3.0 All ordinances heretofore adopted by this City covering the fees and charges as set forth in the ordinance be and each of said ordinances is hereby amended so as to incorporate therein the applicable fees as set forth and contained in **Exhibit “A”** of this ordinance.

SECTION 4.0 If any sentence, phrase, paragraph or other part of this ordinance should be held to be invalid by a court of competent jurisdiction such holding of invalidity shall not effect the remainder of this ordinance and all portions of this ordinance not held to be invalid shall continue and remain in full force and effect.

SECTION 5.0 All other terms and conditions contained in the amended ordinances, except as amended herein and hereby shall continue and remain in full force and effect.

SECTION 6.0 Publication. The City Secretary of the City of Hutto, Texas 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 7.0 Open Meetings 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 matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and APPROVED on first reading on this the **4th** day of **January, 2018**, at a regular meeting of the City Council of the City of Hutto, Texas.

READ, APPROVED and ADOPTED on second and final reading on this the **18th** day of **January, 2018**, at a regular meeting of the City Council of the City of Hutto, Texas.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lucretia Alvarez, City Secretary

EXHIBIT “A”

FEE SCHEDULE

~~November 16, 2017~~ January 18, 2018

Article A1.000	Development Services, Engineering and Construction	A-3
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ARTICLE A1.000 DEVELOPMENT SERVICES, ENGINEERING AND CONSTRUCTION

(a) Zoning fees.

- (1) Temporary use permits: \$300.00.
- (2) Zoning change: \$750.00 up to 5 acres. \$100.00 for each additional 5 acres.
- (3) Planned unit developments (PUD): \$2,750.00 up to 20 acres. \$100.00 for each additional 5 acres.
- (4) Planned Unit Development (PUD) amendment: 75% of regular planned unit development (PUD) fee,
- (5) Zoning variance: \$400.00.
- (6) Development Agreements: \$1,000.00.
- (7) Form Based Code Submittal: \$500.00 up to 80 acres. \$100.00 for each additional 5 acres.
- (8) Form based code amendment: 75% of regular Form based code submittal fee.
- (9) Annexation (voluntary); \$500.00
- (10) Specific use permit: \$500.00.
- (11) Zoning verification letter: \$50.00.**
- (12) Warrant (Historic District only): \$100.00.**
- (13) Traffic Impact Analysis: \$400.00 plus professional recovery fee (amount invoiced by the traffic consultant hired by the City).**
- (14) Technology Fee: \$25.00 except where indicated by **.

*Notices–Written notice of each public hearing before the Planning and Zoning Commission on a proposed change in a zoning classification or a specific use permit shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within a 200-foot radius of the affected area. All application fees include the initial notification fees. However, subsequent notifications will be charged to the applicant prior to making each

additional notice at the rate of \$5 per notice. For large scale projects with over 50 mailed notices, an additional fee of \$1.00 per letter shall be charged for each mailing.

(b) Appeals.

- (1) Administrative Appeal (Zoning Board of Adjustment): \$500.00.**
- (2) All other Appeals (City Council): \$150.00.**

(c) Subdivision fees.

- (1) Development assessment review: \$1,100.00.
- (2) Major subdivision preliminary plat: \$1,550.00 plus \$25.00 per lot; plus \$20.00 per acre of right-of-way.
- (3) Major subdivision preliminary plat revision: 75% of regular Major subdivision preliminary plat fee.
- (4) Major subdivision final plat: \$1,000.00 plus \$25.00 per lot; plus \$20.00 per acre of right-of-way.
- (5) Plat vacation: \$500.00.
- (6) Amended plat of subdivision: \$500.00 plus \$25.00 per lot.
- (7) Major/Minor plat recordation processing fee: \$50 plus Williamson County plant recordation fees.**
- (8) Minor/short form final plat: \$500.00.
- (9) Right of Way vacation/abandonment/license to encroach (public utility, right-of-way and drainage easement): \$250.00* Requires amendment plat.
- (10) GIS Fee: \$25.00.**
- (11) Subdivision public improvements/construction inspection fee: 3% of cost of public improvements.**
- (12) Plan extension request (1 year extension): \$250.00.**

- (13) Subdivision public improvements/construction plan review: \$100.00/acre.
- (14) Legal lot determination: \$50.00.**
- (15) Subdivision variance: \$300.00.
- (16) Traffic Impact Analysis: \$400.00 plus professional recovery fee (amount invoiced by the traffic consultant hired by the City).**
- (17) Technology Fee: \$25.00 except where indicated by **.
- (18) Service Extension Request Application Fees:
 - (A) Request not requiring city participation: \$200.00
 - (B) Request requiring city participation: \$500.00
 - (C) Technology Fee: \$25.00

(d) Development fees.

- (1) Parkland development fee:
 - (A) Residential: \$500.00 per unit.
 - (B) Non-residential: \$800.00 (minimum); \$800.00 per acre for 3 or more acres.
- (2) Parkland fee-in-lieu of land dedication fees:
 - (A) Residential:
 - Single-Family: \$300.00 per unit
 - Multi-Family: \$175.00 per unit

(e) Site plan fees.

(1) Site plan review fee: \$1,000.00 plus \$100.00 per acre. A resubmittal fee of \$250 will be required for submittals received more than 45 days after comments were sent or after the third submittal for the project.

(A) Technology fee: \$25.00.

(2) Site Inspection fee: \$200.00 plus \$0.05/sq. ft. for impervious cover.

(3) Site inspection fee (public improvements only): 3% of cost of public improvements

(4) Minor deviations/design modifications: \$200.00 plus \$0.05/sq. ft. for impervious cover.

(5) Fire review fees shall be established by the Williamson County Emergency Services District No. 3.

(6) Right-of-way use permit fees, driveway/flatwork/sidewalk/curb-cut only:

(A) \$100.00 application fee.

(B) \$65.00 inspection fee.

(C) Technology Fee: \$5.00.

(7) Right-of-way use permit fees:

(A) \$500.00 application fee (applied to inspection fee)

(B) \$500.00 or 3% of construction cost inspection fee, whichever is greater

(8) Clearing and grading permit fees:

(A) Application Fee: \$100.00

(B) Technology Fee: \$7.00

(f) Building plan review fees:

- (1) New residential building permit fee: \$1,600.00 flat fee.
- (2) Residential addition building permit fee: \$25.00
- (3) Commercial: 65% of Commercial permit fee. Required for all new commercial construction and commercial addition permits.
- (4) Certificate of appropriateness (Historic District only):
 - (A) \$30.00 minor projects
 - (B) \$250.00 major projects (i.e., new construction)
 - (C) Technology fee: \$7.00.

(g) Building permit fees. Fees for building permits double if work on the project begins prior to issuance of the permit. All permit fees are to be paid in advance by the licensed party who applies for the permit. Building Valuation is determined by the International Code Council (ICC) Building Valuation Data Table (BVD). This calculation takes the total square feet of a structure multiplied by the amount found on the BVD table for the Building Group and Construction Type.

- (1) New Commercial/Residential Addition/Commercial Addition/Commercial Remodel permit fees: Includes required inspections, re-inspections are an additional fee.

<u>Estimated Valuation</u>	<u>Fee</u>
\$1.00 to \$5,000.00	\$25
\$5,001.00 to \$10,000.00	\$76.92
\$10,001.00 to \$25,000.00	\$99.69 for the first \$10,000 plus \$7.70 for each additional \$1,000
\$25,001.00 to \$50,000	\$215.19 for the first \$25,000 plus \$5.56 for each additional \$1,000
\$50,001.00 to \$100,000.00	\$354.19 for the first \$50,000 plus \$3.85 for each additional \$1,000
\$100,001.00 to \$500,000.00	\$546.69 for the first \$100,000 plus \$3.08 for each additional \$1,000

\$500,001.00 to \$1,000,000.00 \$1,778.69 for the first \$500,000 plus \$2.62 for each additional \$1000

\$1,000,001.00 and up \$3,088.69 for the first \$1,000,000 plus \$1.74 for each additional \$1,000

(A) Re-inspections: \$65 each. After 3rd failed inspection, must wait 2 days for re-inspection and re-inspection is \$100.00.

(B) Technology fee

(1) Residential building permit: \$10.00

(2) Commercial building permit: \$20.00

(2) Miscellaneous permits/inspections by type.

(A) Technology fee: \$7.00 for all miscellaneous permits, except where indicated by **.

(B) Move-in permit fee (modular structure): \$150.00.

(C) Demolition:

(1) Residential: \$50.00.

(2) Commercial: \$150.00.

(D) Storage building permit: \$50.00 review fee, if over 200 square feet \$100.00, plus required inspection(s) fees. Re-inspections are an additional fee.

(E) Water softener, water heater, irrigation, spa, hot tub, HVAC, solar panel, and wind turbine permits: \$50.00, plus required inspection(s) fees. Re-inspections are an additional fee.

(F) Pool permit (in ground): \$25.00 review fee, plus \$0.10 per square foot if over 200 square feet, plus required inspection(s) fees. Re-inspections are an additional fee.

(G) Pool permit (above ground, over 24" tall): \$25.00 review fee, plus \$0.10 per square foot if over 200 square feet, plus required inspection(s) fees. Re-inspections are an additional fee.

- (H) Patio/deck permit: \$50.00 review fee, if over 200 square feet \$100.00, plus required inspection(s) fees. Re-inspections are an additional fee.
- (I) Fire safety inspection for commercial buildings is set by Williamson County Emergency Services District No. 3.
- (J) Tree removal permit**
 - (1) Undeveloped or redevelopment site:
 - (i) Trees with a DBH of at least 6", regardless of health: Permit required; no fee.
 - (ii) Nuisance, diseased, dangerous or dead trees: No permit required; no fee.
 - (2) Developed site:
 - (i) Trees with a DBH of at least 2.5", regardless of health: Permit required; no fee.
 - (ii) Nuisance, diseased, dangerous or dead trees: No permit required; no fee.
- (K) HUD-code manufactured home fees.
 - (1) Permit application fee: \$100.00. (2004 Code, sec. 3.902)
 - (2) License application or renewal fees: \$50.00.
 - (3) License transfer fee: \$50.00.
(2004 Code, sec. 3.903)
- (L) Sign permits.
 - (1) Regular signs (on buildings or freestanding).
 - (i) Signs meeting code requirements, fee due upon application: \$5.00 per sq. foot of facing.
 - (ii) Sign master plan application fee: \$100.00.

- (2) Signs requiring variances.
 - (i) Processing fee: \$100.00.
 - (ii) If variance approved: \$15.00 per square foot of facing.
 - (iii) If variance approved for sign master plan: \$10.00 per square foot of facing.
- (3) Temporary signs.
 - (i) Temporary Commercial Signage, per sign: \$50.00.
 - (ii) A-Frame Sign: \$30.00 (1 year).
 - (iii) Public Information Sign: Permit required; no fee.**
 - (iv) Political sign: No permit required; no fee.**
- (M) Certificate of Occupancy (change of commercial tenant or ownership): \$50.00.
- (N) Temporary Certificate of Occupancy: \$250.00 per issuance.
- (O) Occupation of a structure prior to issuance of a Certificate of Occupancy: \$100.00 per day of occupancy prior to issuance of a Certificate of Occupancy.
- (P) Temporary job/construction trailer: \$30.00.
- (Q) Remodel-Residential: \$50.00 plus required inspection(s) fees. Re-Inspections are an additional fee. (No Plan Review fee required)
- (R) Inspection for habitable dwelling. Building or home 5 years or older: \$100.00.
- (S) All inspections and re-inspections not listed above: \$50.00 each.** After 3rd failed inspection, must wait 2 days for re-inspection and re-inspection is \$100.00.

(h) Map and Plan Documents.

(1) Printed map products.

(A) Black and white or color map.

(i) 8.5" x 11": \$5.00.

(ii) 11" x 17": \$10.00.

(iii) 34" x 48": \$20.00.

(B) Map tube: \$2.00.

(C) Postage: \$4.00 depending on additional postage fees.

(D) 2-day request: \$40.00.

(E) As-built plans (24" x 36"): \$10.00.

(2) GIS/CD/e-mail products.

(A) PDF file: \$10.00.

(B) JPG file: \$10.00.

(C) CD: \$15.00.

(D) DVD/Other: \$15.00.

(E) Postage: \$4.00 depending on additional postage fees.

(F) Shape file.

(i) Each layer: \$35.00.

(ii) Parcel layer: \$70.00.

(G) Aerial.

(i) Individual panels (per panel): \$35.00.

(ii) All panels: \$860.00.

(H) As-built plans (electronic): \$25.00.

(3) GIS custom maps: GIS is not authorized to prepare custom maps. However, should the preparation of a custom map be authorized by the Planning Director, the customer will be charged on a per hour basis. \$75 for the first hour, \$35 for each additional hour.

ARTICLE A2.000 PUBLIC SAFETY

(a) Police.

(1) Fingerprinting service, per set (voluntary fingerprinting of children is at no charge): \$10.00.

(2) Accident reports, per report: \$6.00.

(3) Hourly rate for police unit (vehicle) on security detail, per hour: \$15.00.

(4) Alarm fees: State law. Amount allowable under SB 568.

(5) Business alarm permits (annual fee): \$50.00.

(6) Residential alarm permits (annual fee): \$25.00.

(b) Animal control. Ordinance 10-003-00. All fees set forth shall apply as adopted by the Williamson County Commissioner's Court for the Regional Animal Shelter, as amended.

(1) Dog registration for sterilized animal, per tag: \$5.00.

(2) Dog registration for unsterilized animal, per tag: \$10.00.

- (3) Impoundment fee, registered: \$30.00.
 - (4) Impoundment fee, unregistered: \$60.00.
 - (5) Return charge for loose livestock that are picked up, per occurrence: \$65.00.
 - (6) Holding fee, per day: \$10.00.
 - (7) Rabies vaccination, per animal: \$15.00.
 - (8) Pick up deceased owner animal, per animal: \$25.00.
 - (9) Fee for dropping off animal - owner surrender, per occurrence: \$25.00.
 - (10) Additional drop-off fee with litter, per occurrence: \$25.00.
- (c) Traffic fines. The municipal judge has discretion to charge the maximum fee per state law depending on the violation. In addition to traffic fines, a person convicted of a misdemeanor shall pay court cost mandated by the state. Other fines charged are established in the Code of Ordinances and state law.
- (1) Maximum fines. The maximum fine for most municipal court cases is as follows:
 - (A) Traffic Violations: \$200
 - (i) \$200 fines for traffic violations may be doubled for offenses in a construction or maintenance work zone when workers are present and if the construction or maintenance work zone is marked by a sign indicating construction or maintenance work zone.
 - (ii) Additional fee applies if speeding in a school zone.
 - (B) Penal Violations: \$500
- (d) City Ordinances. As stated in Chapter 1, Section 1.01.009 of the Code, the City Council may establish the following penalties:
- (1) A fine up to \$2,000 in all cases arising under the ordinances, resolutions, rules or orders that govern: fire safety, zoning, public health and sanitation;

- (2) A fine up to \$4,000 in all cases arising under the ordinances, resolutions, rules or orders that govern illegal dumping of refuse (*Ordinance O-15-12-17-6F*); and
- (3) A fine up to \$500 for all other city violations.
- (e) Unlawful Passing of School Buses. Unlawfully passing a school bus is punishable by a fine of \$500–\$1250 for first offense, or \$1,000–\$2,000 for second or subsequent offense.
- (f) Failure to Maintain Motor Vehicle Liability Insurance. Conviction of this offense is a misdemeanor punishable by a fine of not less than \$175 or more than \$350; if a person has been previously convicted of this offense, it is punishable by fine of not less than \$350 or more than \$1000.
- (g) Parked in Handicap Zone. Conviction of this offense is a misdemeanor punishable by a fine of not less than \$500 or more than \$750; if a person has been previously convicted of this offense, it is punishable by a fine not less than \$550 or more than \$800; and if that person has been convicted three times of this offense, a fine of not less than \$800 or more than \$1100.
- (h) Time Payment Fee (Chapter 51 of Government Code Sec. 51.921). Municipal Court shall collect a fee of \$25.00 from a person who has been convicted, pays any part of a fine, court cost or restitution on or after the 31st day after the date Judgment is entered.
- (j) Food sanitation fees (25 Texas Administrative Code Sec. 229.161-171, 229.173-175) Fees under this subsection are to be reviewed and regulated by the Williamson County and Cities Health District.

ARTICLE A3.000 PUBLIC WORKS

- (a) Solid waste collection.

(1) Monthly fees are based on cart selection. Bulky waste pick-up is not included with the 65 gallon solid waste cart selection.

	95 gal. Solid Waste	95 gal. Solid Waste	65 gal. Solid Waste	65 gal. Solid Waste
	95 gal. Recycling	65 gal. Recycling	95 gal. Recycling	65 gal. Recycling
Solid Waste	\$9.75	\$9.75	\$8.40	\$8.40
Recycling	\$3.75	\$3.10	\$3.75	\$3.10
Bulky Waste	\$0.45	\$0.45	n/a	n/a
Street Maintenance (6%)	\$0.84	\$0.80	\$0.73	\$0.69
Sales Tax (8.25%)	\$1.22	\$1.16	\$1.06	\$1.01

Total Monthly Cost	\$16.01	\$15.26	\$13.94	\$13.20
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(2) Additional carts: 50% of monthly rate

(3) Tenant clean out (includes up to 10 cubic yards): \$150.00

(4) Additional pick-up request (includes up to 3 cubic yards or 6 carts): \$8.75 per pick-up

(Ordinance _____ adopted 1/21/16)

(b) Assessments. Lot cleanup: Actual cost plus \$100.00 administrative fee.

(Ordinance 08-026-00 adopted 10/2/08)

ARTICLE A4.000 PUBLIC FACILITY RENTALS

(a) Facilities and equipment rental. Rental procedures and forms will be set and made available through the Parks and Recreation department. Resident and nonresident individuals, club, organizations or businesses may rent parks and recreation facilities and athletic fields, when available, for a fee per function as follows:

(1) Park Facilities:

	Resident	Nonresident	Non-Profit	Deposit
Pavilions (2 Hour Minimum)				
Fritz Park	\$20.00 / hour	\$30.00 / hour	\$10.00 / hour	\$100.00
Hutto Lake Park	\$10.00 / hour	\$15.00 / hour	\$5.00 / hour	\$100.00
Country Estate Park	\$10.00 / hour	\$15.00 / hour	\$5.00 / hour	\$100.00
Glenwood Splash Pad	\$10.00 / hour	\$15.00 / hour	\$5.00 / hour	\$100.00
Saul House				
Full Day (4+ hours)	\$300.00 / day	\$400.00 / day	\$150/day	\$100.00
Half Day (1-3 hours)	\$75.00 / hour	\$150.00 / hour	\$40/hour	\$100.00
Gin at the Co-Op				
Full Day (4+ hours)	\$500.00	\$600.00 / day	\$300.00 / day	\$250.00
Half Day (1-3 hours)	\$100.00 / hour	\$200.00 / hour	\$50.00 / hour	\$250.00

	Special Event Co-Op Grounds Fee (combine with Gin rental)	\$250.00/day	\$250.00/day	\$250.00/day	N/A
Meeting Room (2 hour minimum)					
	Per Hour	\$25.00	\$30.00	\$10.00	\$100.00

(2) Athletic Field Rental Fees:

Rental Type		Resident	Nonresident	Deposit
Tournaments: per field per day				
	Holmstrom Field	\$250.00 / day	\$350.00 / day	\$400.00
	Old Hippo Stadium	\$250.00 / day	\$350.00 / day	\$400.00
	Fritz Park Youth Baseball Field	\$125.00 / day	\$225.00 / day	\$200.00
	Fritz Park Youth Softball Field	\$125.00 / day	\$225.00 / day	\$200.00
	Creekside Field 1-4	\$125.00 / day	\$225.00 / day	\$200.00
Clinics, practices, games: per field per hour				
	Holmstrom Field	\$50.00 / hour	\$75.00 / hour	\$100.00
	Old Hippo Stadium	\$50.00 / hour	\$75.00 / hour	\$100.00
	Fritz Park Youth Baseball Field	\$25.00 / hour	\$50.00 / hour	\$100.00
	Fritz Park Youth Softball Field	\$25.00 / hour	\$50.00 / hour	\$100.00
	Creekside Field 1-4	\$25.00 / hour	\$50.00 / hour	\$100.00
Other fees				
	Light fee	\$25.00 / hour	\$25.00 / hour	N/A
	Concession Stand (If available)	\$50.00/day	\$75.00/day	N/A
	PARD staff fee, per person	\$25.00 / hour	\$25.00 / hour	N/A
Type of Equipment		Resident	Nonresident	
Recreation Kit		\$25.00 / day	\$30.00 / day	

a. A security deposit shall be required to rent city parks and recreation facilities and athletic fields. Upon inspection and determination that facilities have not been damaged and clean up costs have not been incurred, the deposit shall be refunded.

b. A per hour, per staff member fee will be charged to the renter if it is necessary that a city employee be present during usage.

(3) Equipment:

a. Recreation equipment can be obtained from the parks and recreation department, if available, in conjunction with a paid facility rental and deposit.

(b) Youth sports association facility fees.

- (1) All youth associations may be subject to a minimum individual player fee for each participant for each season of play. The fee may be no less than \$1.00 per participant. .

- (2) All youth associations will be required to pay no less than a \$5.00 non-resident fee per season for each non-resident child in the association.
- (3) A formal agreement, approved by the City of Hutto City Council, with each sports association may establish a separate fee schedule.

(c) Recreation program fees.

- (1) All recreation program fees are set by the Recreation Manager and approved by the Director of Parks and Recreation on a case-by-case basis. Non-residents shall pay a \$5.00 surcharge per class.

(Ordinance 08-026-00 adopted 10/2/08)

ARTICLE A5.000 UTILITIES

- (a) Deposits for all water and wastewater accounts per connection. If average monthly consumption is found to be in excess of the minimum, the customer may be assessed an additional deposit as determined by the city manager.

- (1) Water and wastewater, per customer:

- (A) Good payment history: \$0.* Deposit may be waived with letter of good credit (Sec. 13.02.037) or through credit check.

- (B) Average payment history: \$150.**

- (C) Poor payment history: \$250.**

*\$150 deposit will be charged for any customer without a deposit who is disconnected for non-payment.

** An additional \$50 deposit will be charged to customers disconnected for non-payment.

*** Final determination of credit history to be made by the City Utility Billing Supervisor.

- (2) Wastewater only:

- (A) Good payment history: \$0* Deposit may be waived with letter of good credit (Sec. 13.02.037) or through credit check.

- (B) Average payment history: \$100**

(C) Poor payment history: \$200**

** An additional \$50 deposit will be charged to customers disconnected for non-payment.

*** Final determination of credit history to be made by the City Utility Billing Supervisor.

(3) Non-residential:

Non-residential deposits are outlined in Article 13, Section 13.02.037 in the Code of Ordinances. The minimum non-residential deposit is equal to the residential deposit.

(4) Temporary meters, per meter: \$1,500.00.

(b) Connection fees.

(1) Water:

(A) 5/8" and 3/4" meter: \$600.00;

(B) 1" meter: \$750.00;

(C) 1-1/2" meter: \$1,100.00;

(D) 2" meters: \$1,300.00;

(E) Above 2" meters: Actual meter costs plus \$300.00.

(2) Wastewater:

(A) Up to 8" connection: \$850.00 inside city; \$300.00 developer installed.

(B) Above 8" meters: Actual materials and labor costs plus \$500.00; \$300.00 developer installed.

(c) Other service charges.

(1) New account charge/transfer account charge: \$35.00.

- (2) Disconnection/reconnection fee due to nonpayment: \$50.00. (Jonah and Manville customers will be assessed an additional \$50 fee).
 - (3) After-hours connection fee/reconnection fee: \$50.00 in addition to above.
 - (4) Meter reread charge: \$25.00.
 - (5) Tampering with a locking device: \$250.00.
- (d) Impact fees. For plats recorded prior to February 1, 2013.
- (1) Water, per service unit equivalent: \$4,363.00.
 - (2) Wastewater, per service unit equivalent: \$1,068.00.
- (e) Impact fees. For plats recorded after February 1, 2013.
- (1) Water, per service unit equivalent: \$3,625.00.
 - (2) Wastewater, per service unit equivalent: \$2,128.00.
- (f) Retail water/wastewater rates. Outside city rates are 1.15 times inside city rates.

Water

Minimum Monthly Charge (Demand)

<u>Meter Size</u>	<u>Inside City</u>	<u>Outside City</u>
5/8" & 3/4" meter	\$25.48	\$29.30
1" meter	\$38.24	\$43.97
1-1/2" meter	\$63.72	\$73.28
2" meter	\$127.44	\$146.55

3" meter	\$203.91	\$234.50
4" meter	\$407.80	\$468.97
6" meter	\$637.19	\$732.77
8" meter	\$1274.39	\$1465.55

Volume Rate (per 1,000 gallons)

Single-Family Residential

<u>Monthly use between:</u>	<u>Inside City</u>	<u>Outside City</u>
0 to 5,000 gals	\$7.82	\$9.00
5,001 to 12,000 gals	\$8.50	\$9.78
12,001 to 25,000 gals	\$8.90	\$10.24
25,001 gals or more	\$9.70	\$11.16

Non-residential, all consumption	\$8.57	\$9.86
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Irrigation, all consumption	\$8.90	\$10.24
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Construction, all consumption	\$8.90	\$10.23
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Wastewater

Minimum Monthly Charge (Demand)

<u>Meter Size</u>	<u>FY 2018</u>		<u>FY 2019</u>		<u>FY 2020</u>	
	<u>Inside City</u>	<u>Outside City</u>	<u>Inside City</u>	<u>Outside City</u>	<u>Inside City</u>	<u>Outside City</u>
5/8" & 3/4" meter	\$20.25 <u>\$25.92</u>	\$23.29 <u>\$29.81</u>	<u>\$33.18</u>	<u>\$38.16</u>	<u>\$42.47</u>	<u>\$48.84</u>
1" meter	\$31.59 <u>\$40.44</u>	\$34.94 <u>\$44.72</u>	<u>\$51.76</u>	<u>\$57.25</u>	<u>\$66.25</u>	<u>\$73.27</u>
1-1/2" meter	\$50.63 <u>\$64.81</u>	\$58.22 <u>\$74.52</u>	<u>\$82.95</u>	<u>\$95.39</u>	<u>\$106.18</u>	<u>\$122.10</u>
2" meter	\$101.25 <u>\$129.60</u>	\$116.45 <u>\$149.06</u>	<u>\$165.89</u>	<u>\$190.79</u>	<u>\$212.34</u>	<u>\$244.21</u>
3" meter	\$162.00 <u>\$207.36</u>	\$186.30 <u>\$238.46</u>	<u>\$265.42</u>	<u>\$305.23</u>	<u>\$339.74</u>	<u>\$390.70</u>
4" meter	\$324.01 <u>\$414.73</u>	\$372.60 <u>\$476.93</u>	<u>\$530.86</u>	<u>\$610.47</u>	<u>\$679.50</u>	<u>\$781.40</u>
6" meter	\$506.26 <u>\$648.01</u>	\$582.21 <u>\$745.23</u>	<u>\$829.46</u>	<u>\$953.89</u>	<u>\$1061.70</u>	<u>\$1220.98</u>
8" meter	\$1012.53 <u>\$1296.04</u>	\$1164.41 <u>\$1490.44</u>	<u>\$1658.93</u>	<u>\$1907.77</u>	<u>\$2123.43</u>	<u>\$2441.94</u>

Volume Rate (per 1,000 gallons)

Residential*	\$5.06 <u>\$6.48</u>	\$5.82 <u>\$7.45</u>	<u>\$8.29</u>	<u>\$9.54</u>	<u>\$10.61</u>	<u>\$12.21</u>
Non-residential**	<u>\$5.82</u> <u>\$7.45</u>	<u>\$6.69</u> <u>\$8.56</u>	<u>\$9.54</u>	<u>\$10.96</u>	<u>\$12.21</u>	<u>\$14.03</u>

Monthly Rate (volume and demand)

Flat Rate Customers	\$48.30 <u>\$53.76</u>	\$55.55 <u>\$71.11</u>	<u>\$68.81</u>	<u>\$91.02</u>	<u>\$88.08</u>	<u>\$116.51</u>
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*Based on winter water use average.

**Based on monthly water meter readings. Non-residential customers with a 5/8" or 3/4" water meter will continue to base their bill on winter water use average unless a separate irrigation meter is installed. Wastewater only customers must report monthly water readings. Late or underreported usage will be subject to late fees in accordance with Section 13.02.039 and disconnection for nonpayment.

(g) Unmetered fire protection systems per connection. Minimum charge per month, per service size:

- (1) 2-inch: \$8.00.
- (2) 6-inch: \$20.00.
- (3) 8-inch: \$30.00.

(h) Bulk water rate. Per 1,000 gallons: \$3.50.

(Ordinance 08-026-00 adopted 10/2/08)

(i) Drought contingency plan.

(1) Water allocation surcharges for stage 6 response.

(A) Single-family residential customers:

- (i) \$10.00 for the first 1,000 gallons over allocation.
- (ii) \$15.00 for the second 1,000 gallons over allocation.
- (iii) \$20.00 for the third 1,000 gallons over allocation.
- (iv) \$25.00 for each additional 1,000 gallons over allocation.

(B) Master-metered multifamily residential customers:

- (i) \$10.00 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
- (ii) \$15.00 thereafter for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.
- (iii) \$20.00 thereafter for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
- (iv) \$25.00 thereafter for each additional 1,000 gallons over allocation.

(C) Commercial customers:

- (i) Customers whose allocation is 0 gallons through 3,000 gallons per month:
 - a. \$10.00 per thousand gallons for the first 1,000 gallons over allocation.
 - b. \$15.00 per thousand gallons for the second 1,000 gallons over allocation.
 - c. \$20.00 per thousand gallons for the third 1,000 gallons over allocation.
 - d. \$25.00 per thousand gallons for each additional 1,000 gallons over allocation.
- (ii) Customers whose allocation is 3,000 gallons per month or more:
 - a. 3 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
 - b. 5 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
 - c. 7 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
 - d. 9 times the block rate for each 1,000 gallons more than 15 percent above allocation.

As used herein, “block rate” means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer’s allocation.

(D) Industrial customers:

- (i) Customers whose allocation is 0 gallons through 3,000 gallons per month:
 - a. \$10.00 per thousand gallons for the first 1,000 gallons over allocation.
 - b. \$15.00 per thousand gallons for the second 1,000 gallons over allocation.
 - c. \$20.00 per thousand gallons for the third 1,000 gallons over allocation.
 - d. \$25.00 per thousand gallons for each additional 1,000 gallons over allocation.
- (ii) Customers whose allocation is 3,000 gallons per month or more:
 - a. 3 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
 - b. 5 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
 - c. 7 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
 - d. 9 times the block rate for each 1,000 gallons more than 15 percent above allocation.

As used herein, “block rate” means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer’s allocation.

(2004 Code, sec. 13.410)

- (2) Water reconnection charge following discontinuance of water service for conviction of three or more distinct violations of the plan: \$35.00.
(2004 Code, sec. 13.411)

ARTICLE A6.000 BUSINESS

- (a) Wine and beer retailer permit: \$25.00.
- (b) Peddler, Solicitors, Distributors, Itinerant Vendors and Mobile Street Vendors
 - (1) Peddler/Solicitor: \$25.00 for each person permitted.

(2) Distributor: \$25.00 for each person or group of persons.

(3) Itinerant Vendors/Mobile Street Vendors

a) 14 day permit: \$25.00 fee

b) 30 day permit: \$35.00 fee

c) 90 day permit: \$75.00 fee

d) 180 day permit: \$100.00 fee

(Ordinance O-14-06-19-6A adopted 6/19/14)

ARTICLE A7.000 LIBRARY

(a) Library cards.

(1) Non-resident.

(A) Family: No family cards.

(B) Individual: People not living or owning property within the City of Hutto limits or Hutto ISD boundaries may obtain a library card for \$10 annual fee. This will be effective April 1, 2015. This fee will be charged yearly at the time of renewal.

(Ordinance O-15-03-05-7D)

(2) Replacement.

(A) For 1st replacement: \$1.00.

(B) All additional replacement cards: \$5.00.

(b) Copy/Print & Fax

(1) Black and white copy/print, per impression: \$0.10.

(2) Color copy/print, per impression: \$0.25.

(3) Fax: \$1.00 for the first page and \$0.25 for subsequent pages for local faxes and \$2 for the first page and \$0.50 each for subsequent pages if sending it to a long-distance fax number within the U.S. No international fax allowed.

(c) Fines and fees.

(1) Overdue books, per day up to maximum cost to replace: \$0.25 with a \$10.00 maximum fine.

(2) Lost or damaged book fee: Cost of book + \$5.00 processing fee + fines.

(d) Interlibrary loan: Cost of return postage.

(Ordinance 08-026-00 adopted 10/2/08)

ARTICLE A8.000 MISCELLANEOUS

(a) Special events permit application fee: \$50.00. (Ordinance 2006-25 adopted 5/15/06)

(b) Street closure permit application fee: \$25.00. (Ordinance 2006-24 adopted 5/15/06)

(c) Fireworks display permit application fee: \$40.00. (2004 Code, sec. 5.105)

(d) Film application fee: \$50.00

(1) Total or disruptive use (regular operating hours) of a public building, park, right-of-way, or public area: \$500.00 per day.

(2) Partial, non-disruptive use of a public building, park, right-of-way, or public area: \$250.00 per day.

(3) Total closure or obstruction of public street or right-of-way, including parking lots and on-street parking: \$50.00 per block per day.

(4) Partial closure or obstruction of a public street or right-of-way, including parking lots and on-street parking: \$25.00 per block per day.

(5) Use of City parking lots, parking areas, and City streets (for the purpose of parking film trailers, buses, catering trucks, and other large vehicles):
\$50.00 per block or lot per day.

(e) Brush collection by city after storm.

(1) Minimum: \$15.00.

(2) Additional time in increments of five minutes: \$5.00.

(2004 Code, sec. 6.311)

(f) Returned check fee (for any city payment): \$30.00.

(g) Credit card processing fee, per transaction: \$1.00.

(Ordinance 08-026-00 adopted 10/2/08)

EXHIBIT “B”

FEE SCHEDULE

January 18, 2018

Article A1.000	Development Services, Engineering and Construction	A-3
Article A2.000	Public Safety	A-9
Article A3.000	Public Works	A-11
Article A4.000	Public Facility Rentals	A-11
Article A5.000	Utilities	A-14
Article A6.000	Business	A-19
Article A7.000	Library	A-20
Article A8.000	Miscellaneous	A-20

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ARTICLE A1.000 DEVELOPMENT SERVICES, ENGINEERING AND CONSTRUCTION

(a) Zoning fees.

- (1) Temporary use permits: \$300.00.
- (2) Zoning change: \$750.00 up to 5 acres. \$100.00 for each additional 5 acres.
- (3) Planned unit developments (PUD): \$2,750.00 up to 20 acres. \$100.00 for each additional 5 acres.
- (4) Planned Unit Development (PUD) amendment: 75% of regular planned unit development (PUD) fee,
- (5) Zoning variance: \$400.00.
- (6) Development Agreements: \$1,000.00.
- (7) Form Based Code Submittal: \$500.00 up to 80 acres. \$100.00 for each additional 5 acres.
- (8) Form based code amendment: 75% of regular Form based code submittal fee.
- (9) Annexation (voluntary); \$500.00
- (10) Specific use permit: \$500.00.
- (11) Zoning verification letter: \$50.00.**
- (12) Warrant (Historic District only): \$100.00.**
- (13) Traffic Impact Analysis: \$400.00 plus professional recovery fee (amount invoiced by the traffic consultant hired by the City).**
- (14) Technology Fee: \$25.00 except where indicated by **.

*Notices—Written notice of each public hearing before the Planning and Zoning Commission on a proposed change in a zoning classification or a specific use permit shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within a 200-foot radius of the affected area. All application fees include the initial notification fees. However, subsequent notifications will be charged to the applicant prior to making each additional notice at the rate of \$5 per notice. For large scale projects with over 50 mailed notices, an additional fee of \$1.00 per letter shall be charged for each mailing.

(b) Appeals.

- (1) Administrative Appeal (Zoning Board of Adjustment): \$500.00.**
- (2) All other Appeals (City Council): \$150.00.**

(c) Subdivision fees.

- (1) Development assessment review: \$1,100.00.

- (2) Major subdivision preliminary plat: \$1,550.00 plus \$25.00 per lot; plus \$20.00 per acre of right-of-way.
- (3) Major subdivision preliminary plat revision: 75% of regular Major subdivision preliminary plat fee.
- (4) Major subdivision final plat: \$1,000.00 plus \$25.00 per lot; plus \$20.00 per acre of right-of-way.
- (5) Plat vacation: \$500.00.
- (6) Amended plat of subdivision: \$500.00 plus \$25.00 per lot.
- (7) Major/Minor plat recordation processing fee: \$50 plus Williamson County plat recordation fees.**
- (8) Minor/short form final plat: \$500.00.
- (9) Right of Way vacation/abandonment/license to encroach (public utility, right-of-way and drainage easement): \$250.00* Requires amendment plat.
- (10) GIS Fee: \$25.00.**
- (11) Subdivision public improvements/construction inspection fee: 3% of cost of public improvements.**
- (12) Plan extension request (1 year extension): \$250.00.**
- (13) Subdivision public improvements/construction plan review: \$100.00/acre.
- (14) Legal lot determination: \$50.00.**
- (15) Subdivision variance: \$300.00.
- (16) Traffic Impact Analysis: \$400.00 plus professional recovery fee (amount invoiced by the traffic consultant hired by the City).**
- (17) Technology Fee: \$25.00 except where indicated by **.
- (18) Service Extension Request Application Fees:
 - (A) Request not requiring city participation: \$200.00
 - (B) Request requiring city participation: \$500.00
 - (C) Technology Fee: \$25.00
- (d) Development fees.
 - (1) Parkland development fee:
 - (A) Residential: \$500.00 per unit.

(B) Non-residential: \$800.00 (minimum); \$800.00 per acre for 3 or more acres.

(2) Parkland fee-in-lieu of land dedication fees:

(A) Residential:

Single-Family: \$300.00 per unit

Multi-Family: \$175.00 per unit

(e) Site plan fees.

- (1) Site plan review fee: \$1,000.00 plus \$100.00 per acre. A resubmittal fee of \$250 will be required for submittals received more than 45 days after comments were sent or after the third submittal for the project.

(A) Technology fee: \$25.00.

- (2) Site Inspection fee: \$200.00 plus \$0.05/sq. ft. for impervious cover.

- (3) Site inspection fee (public improvements only): 3% of cost of public improvements

- (4) Minor deviations/design modifications: \$200.00 plus \$0.05/sq. ft. for impervious cover.

- (5) Fire review fees shall be established by the Williamson County Emergency Services District No. 3.

- (6) Right-of-way use permit fees, driveway/flatwork/sidewalk/curb-cut only:

(A) \$100.00 application fee.

(B) \$65.00 inspection fee.

(C) Technology Fee: \$5.00.

- (7) Right-of-way use permit fees:

(A) \$500.00 application fee (applied to inspection fee)

(B) \$500.00 or 3% of construction cost inspection fee, whichever is greater

- (8) Clearing and grading permit fees:

(A) Application Fee: \$100.00

(B) Technology Fee: \$7.00

(f) Building plan review fees:

- (1) New residential building permit fee: \$1,600.00 flat fee.

- (2) Residential addition building permit fee: \$25.00
- (3) Commercial: 65% of Commercial permit fee. Required for all new commercial construction and commercial addition permits.
- (4) Certificate of appropriateness (Historic District only):
 - (A) \$30.00 minor projects
 - (B) \$250.00 major projects (i.e., new construction)
 - (C) Technology fee: \$7.00.

(g) Building permit fees. Fees for building permits double if work on the project begins prior to issuance of the permit. All permit fees are to be paid in advance by the licensed party who applies for the permit. Building Valuation is determined by the International Code Council (ICC) Building Valuation Data Table (BVD). This calculation takes the total square feet of a structure multiplied by the amount found on the BVD table for the Building Group and Construction Type.

- (1) New Commercial/Residential Addition/Commercial Addition/Commercial Remodel permit fees: Includes required inspections, re-inspections are an additional fee.

<u>Estimated Valuation</u>	<u>Fee</u>
\$1.00 to \$5,000.00	\$25
\$5,001.00 to \$10,000.00	\$76.92
\$10,001.00 to \$25,000.00	\$99.69 for the first \$10,000 plus \$7.70 for each additional \$1,000
\$25,001.00 to \$50,000	\$215.19 for the first \$25,000 plus \$5.56 for each additional \$1,000
\$50,001.00 to \$100,000.00	\$354.19 for the first \$50,000 plus \$3.85 for each additional \$1,000
\$100,001.00 to \$500,000.00	\$546.69 for the first \$100,000 plus \$3.08 for each additional \$1,000
\$500,001.00 to \$1,000,000.00	\$1,778.69 for the first \$500,000 plus \$2.62 for each additional \$1000
\$1,000,001.00 and up	\$3,088.69 for the first \$1,000,000 plus \$1.74 for each additional \$1,000

(A) Re-inspections: \$65 each. After 3rd failed inspection, must wait 2 days for re-inspection and re-inspection is \$100.00.

(B) Technology fee

(1) Residential building permit: \$10.00

(2) Commercial building permit: \$20.00

(2) Miscellaneous permits/inspections by type.

(A) Technology fee: \$7.00 for all miscellaneous permits, except where indicated by **.

(B) Move-in permit fee (modular structure): \$150.00.

(C) Demolition:

(1) Residential: \$50.00.

(2) Commercial: \$150.00.

(D) Storage building permit: \$50.00 review fee, if over 200 square feet \$100.00, plus required inspection(s) fees. Re-inspections are an additional fee.

(E) Water softener, water heater, irrigation, spa, hot tub, HVAC, solar panel, and wind turbine permits: \$50.00, plus required inspection(s) fees. Re-inspections are an additional fee.

(F) Pool permit (in ground): \$25.00 review fee, plus \$0.10 per square foot if over 200 square feet, plus required inspection(s) fees. Re-inspections are an additional fee.

(G) Pool permit (above ground, over 24" tall): \$25.00 review fee, plus \$0.10 per square foot if over 200 square feet, plus required inspection(s) fees. Re-inspections are an additional fee.

(H) Patio/deck permit: \$50.00 review fee, if over 200 square feet \$100.00, plus required inspection(s) fees. Re-inspections are an additional fee.

(I) Fire safety inspection for commercial buildings is set by Williamson County Emergency Services District No. 3.

(J) Tree removal permit**

(1) Undeveloped or redevelopment site:

(i) Trees with a DBH of at least 6", regardless of health: Permit required; no fee.

(ii) Nuisance, diseased, dangerous or dead trees: No permit required; no fee.

(2) Developed site:

(i) Trees with a DBH of at least 2.5", regardless of health: Permit required; no fee.

(ii) Nuisance, diseased, dangerous or dead trees: No permit required; no fee.

(K) HUD-code manufactured home fees.

(1) Permit application fee: \$100.00. (2004 Code, sec. 3.902)

(2) License application or renewal fees: \$50.00.

(3) License transfer fee: \$50.00.

(2004 Code, sec. 3.903)

(L) Sign permits.

(1) Regular signs (on buildings or freestanding).

(i) Signs meeting code requirements, fee due upon application: \$5.00 per sq. foot of facing.

(ii) Sign master plan application fee: \$100.00.

(2) Signs requiring variances.

(i) Processing fee: \$100.00.

(ii) If variance approved: \$15.00 per square foot of facing.

(iii) If variance approved for sign master plan: \$10.00 per square foot of facing.

(3) Temporary signs.

(i) Temporary Commercial Signage, per sign: \$50.00.

(ii) A-Frame Sign: \$30.00 (1 year).

(iii) Public Information Sign: Permit required; no fee.**

(iv) Political sign: No permit required; no fee.**

(M) Certificate of Occupancy (change of commercial tenant or ownership): \$50.00.

(N) Temporary Certificate of Occupancy: \$250.00 per issuance.

(O) Occupation of a structure prior to issuance of a Certificate of Occupancy: \$100.00 per day of occupancy prior to issuance of a Certificate of Occupancy.

(P) Temporary job/construction trailer: \$30.00.

(Q) Remodel-Residential: \$50.00 plus required inspection(s) fees. Re-Inspections are an additional fee. (No Plan Review fee required)

(R) Inspection for habitable dwelling. Building or home 5 years or older: \$100.00.

(S) All inspections and re-inspections not listed above: \$50.00 each.** After 3rd failed inspection, must wait 2 days for re-inspection and re-inspection is \$100.00.

(h) Map and Plan Documents.

(1) Printed map products.

- (A) Black and white or color map.
 - (i) 8.5" x 11": \$5.00.
 - (ii) 11" x 17": \$10.00.
 - (iii) 34" x 48": \$20.00.
- (B) Map tube: \$2.00.
- (C) Postage: \$4.00 depending on additional postage fees.
- (D) 2-day request: \$40.00.
- (E) As-built plans (24" x 36"): \$10.00.
- (2) GIS/CD/e-mail products.
 - (A) PDF file: \$10.00.
 - (B) JPG file: \$10.00.
 - (C) CD: \$15.00.
 - (D) DVD/Other: \$15.00.
 - (E) Postage: \$4.00 depending on additional postage fees.
 - (F) Shape file.
 - (i) Each layer: \$35.00.
 - (ii) Parcel layer: \$70.00.
 - (G) Aerial.
 - (i) Individual panels (per panel): \$35.00.
 - (ii) All panels: \$860.00.
 - (H) As-built plans (electronic): \$25.00.
- (3) GIS custom maps: GIS is not authorized to prepare custom maps. However, should the preparation of a custom map be authorized by the Planning Director, the customer will be charged on a per hour basis. \$75 for the first hour, \$35 for each additional hour.

ARTICLE A2.000 PUBLIC SAFETY

(a) Police.

- (1) Fingerprinting service, per set (voluntary fingerprinting of children is at no charge): \$10.00.

- (2) Accident reports, per report: \$6.00.
 - (3) Hourly rate for police unit (vehicle) on security detail, per hour: \$15.00.
 - (4) Alarm fees: State law. Amount allowable under SB 568.
 - (5) Business alarm permits (annual fee): \$50.00.
 - (6) Residential alarm permits (annual fee): \$25.00.
- (b) Animal control. Ordinance 10-003-00. All fees set forth shall apply as adopted by the Williamson County Commissioner's Court for the Regional Animal Shelter, as amended.
- (1) Dog registration for sterilized animal, per tag: \$5.00.
 - (2) Dog registration for unsterilized animal, per tag: \$10.00.
 - (3) Impoundment fee, registered: \$30.00.
 - (4) Impoundment fee, unregistered: \$60.00.
 - (5) Return charge for loose livestock that are picked up, per occurrence: \$65.00.
 - (6) Holding fee, per day: \$10.00.
 - (7) Rabies vaccination, per animal: \$15.00.
 - (8) Pick up deceased owner animal, per animal: \$25.00.
 - (9) Fee for dropping off animal - owner surrender, per occurrence: \$25.00.
 - (10) Additional drop-off fee with litter, per occurrence: \$25.00.
- (c) Traffic fines. The municipal judge has discretion to charge the maximum fee per state law depending on the violation. In addition to traffic fines, a person convicted of a misdemeanor shall pay court cost mandated by the state. Other fines charged are established in the Code of Ordinances and state law.
- (1) Maximum fines. The maximum fine for most municipal court cases is as follows:
 - (A) Traffic Violations: \$200
 - (i) \$200 fines for traffic violations may be doubled for offenses in a construction or maintenance work zone when workers are present and if the construction or maintenance work zone is marked by a sign indicating construction or maintenance work zone.
 - (ii) Additional fee applies if speeding in a school zone.
 - (B) Penal Violations: \$500
- (d) City Ordinances. As stated in Chapter 1, Section 1.01.009 of the Code, the City Council may establish the following penalties:

- (1) A fine up to \$2,000 in all cases arising under the ordinances, resolutions, rules or orders that govern: fire safety, zoning, public health and sanitation;
 - (2) A fine up to \$4,000 in all cases arising under the ordinances, resolutions, rules or orders that govern illegal dumping of refuse (*Ordinance O-15-12-17-6F*); and
 - (3) A fine up to \$500 for all other city violations.
- (e) Unlawful Passing of School Buses. Unlawfully passing a school bus is punishable by a fine of \$500–\$1250 for first offense, or \$1,000–\$2,000 for second or subsequent offense.
 - (f) Failure to Maintain Motor Vehicle Liability Insurance. Conviction of this offense is a misdemeanor punishable by a fine of not less than \$175 or more than \$350; if a person has been previously convicted of this offense, it is punishable by fine of not less than \$350 or more than \$1000.
 - (g) Parked in Handicap Zone. Conviction of this offense is a misdemeanor punishable by a fine of not less than \$500 or more than \$750; if a person has been previously convicted of this offense, it is punishable by a fine not less than \$550 or more than \$800; and if that person has been convicted three times of this offense, a fine of not less than \$800 or more than \$1100.
 - (h) Time Payment Fee (Chapter 51 of Government Code Sec. 51.921). Municipal Court shall collect a fee of \$25.00 from a person who has been convicted, pays any part of a fine, court cost or restitution on or after the 31st day after the date Judgment is entered.
 - (j) Food sanitation fees (25 Texas Administrative Code Sec. 229.161-171, 229.173-175) Fees under this subsection are to be reviewed and regulated by the Williamson County and Cities Health District.

ARTICLE A3.000 PUBLIC WORKS

(a) Solid waste collection.

- (1) Monthly fees are based on cart selection. Bulky waste pick-up is not included with the 65 gallon solid waste cart selection.

	95 gal. Solid Waste	95 gal. Solid Waste	65 gal. Solid Waste	65 gal. Solid Waste
	95 gal. Recycling	65 gal. Recycling	95 gal. Recycling	65 gal. Recycling
Solid Waste	\$9.75	\$9.75	\$8.40	\$8.40
Recycling	\$3.75	\$3.10	\$3.75	\$3.10
Bulky Waste	\$0.45	\$0.45	n/a	n/a
Street Maintenance (6%)	\$0.84	\$0.80	\$0.73	\$0.69
Sales Tax (8.25%)	\$1.22	\$1.16	\$1.06	\$1.01
Total Monthly Cost	\$16.01	\$15.26	\$13.94	\$13.20

- (2) Additional carts: 50% of monthly rate
- (3) Tenant clean out (includes up to 10 cubic yards): \$150.00
- (4) Additional pick-up request (includes up to 3 cubic yards or 6 carts): \$8.75 per pick-up

(Ordinance _____ adopted 1/21/16)

(b) Assessments. Lot cleanup: Actual cost plus \$100.00 administrative fee.

(Ordinance 08-026-00 adopted 10/2/08)

ARTICLE A4.000 PUBLIC FACILITY RENTALS

(a) Facilities and equipment rental. Rental procedures and forms will be set and made available through the Parks and Recreation department. Resident and nonresident individuals, club, organizations or businesses may rent parks and recreation facilities and athletic fields, when available, for a fee per function as follows:

(1) Park Facilities:

	Resident	Nonresident	Non-Profit	Deposit
Pavilions (2 Hour Minimum)				
Fritz Park	\$20.00 / hour	\$30.00 / hour	\$10.00 / hour	\$100.00
Hutto Lake Park	\$10.00 / hour	\$15.00 / hour	\$5.00 / hour	\$100.00
Country Estate Park	\$10.00 / hour	\$15.00 / hour	\$5.00 / hour	\$100.00
Glenwood Splash Pad	\$10.00 / hour	\$15.00 / hour	\$5.00 / hour	\$100.00
Saul House				
Full Day (4+ hours)	\$300.00 / day	\$400.00 / day	\$150/day	\$100.00
Half Day (1-3 hours)	\$75.00 / hour	\$150.00 / hour	\$40/hour	\$100.00
Gin at the Co-Op				
Full Day (4+ hours)	\$500.00	\$600.00 / day	\$300.00 / day	\$250.00
Half Day (1-3 hours)	\$100.00 / hour	\$200.00 / hour	\$50.00 / hour	\$250.00
Special Event Co-Op Grounds Fee (combine with Gin rental)	\$250.00/day	\$250.00/day	\$250.00/day	N/A
Meeting Room (2 hour minimum)				
Per Hour	\$25.00	\$30.00	\$10.00	\$100.00

(2) Athletic Field Rental Fees:

Rental Type	Resident	Nonresident	Deposit
Tournaments: per field per day			
Holmstrom Field	\$250.00 / day	\$350.00 / day	\$400.00
Old Hippo Stadium	\$250.00 / day	\$350.00 / day	\$400.00
Fritz Park Youth Baseball Field	\$125.00 / day	\$225.00 / day	\$200.00
Fritz Park Youth Softball Field	\$125.00 / day	\$225.00 / day	\$200.00
Creekside Field 1-4	\$125.00 / day	\$225.00 / day	\$200.00
Clinics, practices, games: per field per hour			
Holmstrom Field	\$50.00 / hour	\$75.00 / hour	\$100.00
Old Hippo Stadium	\$50.00 / hour	\$75.00 / hour	\$100.00
Fritz Park Youth Baseball Field	\$25.00 / hour	\$50.00 / hour	\$100.00
Fritz Park Youth Softball Field	\$25.00 / hour	\$50.00 / hour	\$100.00
Creekside Field 1-4	\$25.00 / hour	\$50.00 / hour	\$100.00
Other fees			
Light fee	\$25.00 / hour	\$25.00 / hour	N/A
Concession Stand (If available)	\$50.00/day	\$75.00/day	N/A
PARD staff fee, per person	\$25.00 / hour	\$25.00 / hour	N/A

- a. A security deposit shall be required to rent city parks and recreation facilities and athletic fields. Upon inspection and determination that facilities have not been damaged and clean up costs have not been incurred, the deposit shall be refunded.
- b. A per hour, per staff member fee will be charged to the renter if it is necessary that a city employee be present during usage.

(3) Equipment:

- a. Recreation equipment can be obtained from the parks and recreation department, if available, in conjunction with a paid facility rental and deposit.

Type of Equipment	Resident	Nonresident
Recreation Kit	\$25.00 / day	\$30.00 / day

(b) Youth sports association facility fees.

- (1) All youth associations may be subject to a minimum individual player fee for each participant for each season of play. The fee may be no less than \$1.00 per participant. .
- (2) All youth associations will be required to pay no less than a \$5.00 non-resident fee per season for each non-resident child in the association.
- (3) A formal agreement, approved by the City of Hutto City Council, with each sports association may establish a separate fee schedule.

(c) Recreation program fees.

- (1) All recreation program fees are set by the Recreation Manager and approved by the Director of Parks and Recreation on a case-by-case basis. Non-residents shall pay a \$5.00 surcharge per class.

(Ordinance 08-026-00 adopted 10/2/08)

ARTICLE A5.000 UTILITIES

- (a) Deposits for all water and wastewater accounts per connection. If average monthly consumption is found to be in excess of the minimum, the customer may be assessed an additional deposit as determined by the city manager.

(1) Water and wastewater, per customer:

- (A) Good payment history: \$0.* Deposit may be waived with letter of good credit (Sec. 13.02.037) or through credit check.
- (B) Average payment history: \$150.**
- (C) Poor payment history: \$250.**

*\$150 deposit will be charged for any customer without a deposit who is disconnected for non-payment.

** An additional \$50 deposit will be charged to customers disconnected for non-payment.

*** Final determination of credit history to be made by the City Utility Billing Supervisor.

(2) Wastewater only:

(A) Good payment history: \$0* Deposit may be waived with letter of good credit (Sec. 13.02.037) or through credit check.

(B) Average payment history: \$100**

(C) Poor payment history: \$200**

** An additional \$50 deposit will be charged to customers disconnected for non-payment.

*** Final determination of credit history to be made by the City Utility Billing Supervisor.

(3) Non-residential:

Non-residential deposits are outlined in Article 13, Section 13.02.037 in the Code of Ordinances. The minimum non-residential deposit is equal to the residential deposit.

(4) Temporary meters, per meter: \$1,500.00.

(b) Connection fees.

(1) Water:

(A) 5/8" and 3/4" meter: \$600.00;

(B) 1" meter: \$750.00;

(C) 1-1/2" meter: \$1,100.00;

(D) 2" meters: \$1,300.00;

(E) Above 2" meters: Actual meter costs plus \$300.00.

(2) Wastewater:

(A) Up to 8" connection: \$850.00 inside city; \$300.00 developer installed.

(B) Above 8" meters: Actual materials and labor costs plus \$500.00; \$300.00 developer installed.

(c) Other service charges.

(1) New account charge/transfer account charge: \$35.00.

(2) Disconnection/reconnection fee due to nonpayment: \$50.00. (Jonah and Manville customers will be assessed an additional \$50 fee).

(3) After-hours connection fee/reconnection fee: \$50.00 in addition to above.

(4) Meter reread charge: \$25.00.

- (5) Tampering with a locking device: \$250.00.
- (d) Impact fees. For plats recorded prior to February 1, 2013.
- (1) Water, per service unit equivalent: \$4,363.00.
- (2) Wastewater, per service unit equivalent: \$1,068.00.
- (e) Impact fees. For plats recorded after February 1, 2013.
- (1) Water, per service unit equivalent: \$3,625.00.
- (2) Wastewater, per service unit equivalent: \$2,128.00.
- (f) Retail water/wastewater rates. Outside city rates are 1.15 times inside city rates.

Water

Minimum Monthly Charge (Demand)

<u>Meter Size</u>	<u>Inside City</u>	<u>Outside City</u>
5/8" & 3/4" meter	\$25.48	\$29.30
1" meter	\$38.24	\$43.97
1-1/2" meter	\$63.72	\$73.28
2" meter	\$127.44	\$146.55
3" meter	\$203.91	\$234.50
4" meter	\$407.80	\$468.97
6" meter	\$637.19	\$732.77
8" meter	\$1274.39	\$1465.55

Volume Rate (per 1,000 gallons)

Single-Family Residential

<u>Monthly use between:</u>	<u>Inside City</u>	<u>Outside City</u>
0 to 5,000 gals	\$7.82	\$9.00
5,001 to 12,000 gals	\$8.50	\$9.78
12,001 to 25,000 gals	\$8.90	\$10.24

25,001 gals or more	\$9.70	\$11.16
Non-residential, all consumption	\$8.57	\$9.86
Irrigation, all consumption	\$8.90	\$10.24
Construction, all consumption	\$8.90	\$10.23

Wastewater

Minimum Monthly Charge (Demand)

	FY 2018		FY 2019		FY 2020	
<u>Meter Size</u>	<u>Inside City</u>	<u>Outside City</u>	<u>Inside City</u>	<u>Outside City</u>	<u>Inside City</u>	<u>Outside City</u>
5/8" & 3/4" meter	\$25.92	\$29.81	\$33.18	\$38.16	\$42.47	\$48.84
1" meter	\$40.44	\$44.72	\$51.76	\$57.25	\$66.25	\$73.27
1-1/2" meter	\$64.81	\$74.52	\$82.95	\$95.39	\$106.18	\$122.10
2" meter	\$129.60	\$149.06	\$165.89	\$190.79	\$212.34	\$244.21
3" meter	\$207.36	\$238.46	\$265.42	\$305.23	\$339.74	\$390.70
4" meter	\$414.73	\$476.93	\$530.86	\$610.47	\$679.50	\$781.40
6" meter	\$648.01	\$745.23	\$829.46	\$953.89	\$1061.70	\$1220.98
8" meter	\$1296.04	\$1490.44	\$1658.93	\$1907.77	\$2123.43	\$2441.94

Volume Rate (per 1,000 gallons)

Residential*	\$6.48	\$7.45	\$8.29	\$9.54	\$10.61	\$12.21
Non-residential**	\$7.45	\$8.56	\$9.54	\$10.96	\$12.21	\$14.03

Monthly Rate (volume and demand)

Flat Rate Customers	\$53.76	\$71.11	\$68.81	\$91.02	\$88.08	\$116.51
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*Based on winter water use average.

**Based on monthly water meter readings. Non-residential customers with a 5/8" or 3/4" water meter will continue to base their bill on winter water use average unless a separate irrigation meter is installed. Wastewater only customers must report monthly water readings. Late or underreported usage will be subject to late fees in accordance with Section 13.02.039 and disconnection for nonpayment.

(g) Unmetered fire protection systems per connection. Minimum charge per month, per service size:

- (1) 2-inch: \$8.00.
- (2) 6-inch: \$20.00.
- (3) 8-inch: \$30.00.

(h) Bulk water rate. Per 1,000 gallons: \$3.50.

(Ordinance 08-026-00 adopted 10/2/08)

(i) Drought contingency plan.

(1) Water allocation surcharges for stage 6 response.

(A) Single-family residential customers:

- (i) \$10.00 for the first 1,000 gallons over allocation.
- (ii) \$15.00 for the second 1,000 gallons over allocation.
- (iii) \$20.00 for the third 1,000 gallons over allocation.
- (iv) \$25.00 for each additional 1,000 gallons over allocation.

(B) Master-metered multifamily residential customers:

- (i) \$10.00 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
- (ii) \$15.00 thereafter for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.
- (iii) \$20.00 thereafter for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
- (iv) \$25.00 thereafter for each additional 1,000 gallons over allocation.

(C) Commercial customers:

(i) Customers whose allocation is 0 gallons through 3,000 gallons per month:

- a. \$10.00 per thousand gallons for the first 1,000 gallons over allocation.
- b. \$15.00 per thousand gallons for the second 1,000 gallons over allocation.
- c. \$20.00 per thousand gallons for the third 1,000 gallons over allocation.
- d. \$25.00 per thousand gallons for each additional 1,000 gallons over allocation.

(ii) Customers whose allocation is 3,000 gallons per month or more:

- a. 3 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- b. 5 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- c. 7 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- d. 9 times the block rate for each 1,000 gallons more than 15 percent above allocation.

As used herein, “block rate” means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer’s allocation.

(D) Industrial customers:

(i) Customers whose allocation is 0 gallons through 3,000 gallons per month:

- a. \$10.00 per thousand gallons for the first 1,000 gallons over allocation.
- b. \$15.00 per thousand gallons for the second 1,000 gallons over allocation.
- c. \$20.00 per thousand gallons for the third 1,000 gallons over allocation.
- d. \$25.00 per thousand gallons for each additional 1,000 gallons over allocation.

(ii) Customers whose allocation is 3,000 gallons per month or more:

- a. 3 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- b. 5 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- c. 7 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- d. 9 times the block rate for each 1,000 gallons more than 15 percent above allocation.

As used herein, “block rate” means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer’s allocation.

(2004 Code, sec. 13.410)

- (2) Water reconnection charge following discontinuance of water service for conviction of three or more distinct violations of the plan: \$35.00. (2004 Code, sec. 13.411)

ARTICLE A6.000 BUSINESS

- (a) Wine and beer retailer permit: \$25.00.
- (b) Peddler, Solicitors, Distributors, Itinerant Vendors and Mobile Street Vendors
 - (1) Peddler/Solicitor: \$25.00 for each person permitted.
 - (2) Distributor: \$25.00 for each person or group of persons.
 - (3) Itinerant Vendors/Mobile Street Vendors
 - a) 14 day permit: \$25.00 fee
 - b) 30 day permit: \$35.00 fee
 - c) 90 day permit: \$75.00 fee
 - d) 180 day permit: \$100.00 fee

(Ordinance O-14-06-19-6A adopted 6/19/14)

ARTICLE A7.000 LIBRARY

- (a) Library cards.
 - (1) Non-resident.
 - (A) Family: No family cards.
 - (B) Individual: People not living or owning property within the City of Hutto limits or Hutto ISD boundaries may obtain a library card for \$10 annual fee. This will be effective April 1, 2015. This fee will be charged yearly at the time of renewal.

(Ordinance O-15-03-05-7D)

- (2) Replacement.
 - (A) For 1st replacement: \$1.00.
 - (B) All additional replacement cards: \$5.00.
- (b) Copy/Print & Fax
 - (1) Black and white copy/print, per impression: \$0.10.
 - (2) Color copy/print, per impression: \$0.25.
 - (3) Fax: \$1.00 for the first page and \$0.25 for subsequent pages for local faxes and \$2 for the first page and \$0.50 each for subsequent pages if sending it to a long-distance fax number within the U.S. No international fax allowed.

(c) Fines and fees.

(1) Overdue books, per day up to maximum cost to replace: \$0.25 with a \$10.00 maximum fine.

(2) Lost or damaged book fee: Cost of book + \$5.00 processing fee + fines.

(d) Interlibrary loan: Cost of return postage.

(Ordinance 08-026-00 adopted 10/2/08)

ARTICLE A8.000 MISCELLANEOUS

(a) Special events permit application fee: \$50.00. (Ordinance 2006-25 adopted 5/15/06)

(b) Street closure permit application fee: \$25.00. (Ordinance 2006-24 adopted 5/15/06)

(c) Fireworks display permit application fee: \$40.00. (2004 Code, sec. 5.105)

(d) Film application fee: \$50.00

(1) Total or disruptive use (regular operating hours) of a public building, park, right-of-way, or public area: \$500.00 per day.

(2) Partial, non-disruptive use of a public building, park, right-of-way, or public area: \$250.00 per day.

(3) Total closure or obstruction of public street or right-of-way, including parking lots and on-street parking: \$50.00 per block per day.

(4) Partial closure or obstruction of a public street or right-of-way, including parking lots and on-street parking: \$25.00 per block per day.

(5) Use of City parking lots, parking areas, and City streets (for the purpose of parking film trailers, buses, catering trucks, and other large vehicles): \$50.00 per block or lot per day.

(e) Brush collection by city after storm.

(1) Minimum: \$15.00.

(2) Additional time in increments of five minutes: \$5.00.

(2004 Code, sec. 6.311)

(f) Returned check fee (for any city payment): \$30.00.

(g) Credit card processing fee, per transaction: \$1.00.

(Ordinance 08-026-00 adopted 10/2/08)

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10A. **AGENDA DATE:** January 04, 2018

PRESENTED BY: Helen Ramirez, Assistant City Manager

ITEM: Consideration and possible action on a resolution approving the second amendment to the Williamson County Regional Animal Shelter Interlocal Agreement. (Helen Ramirez)

STRATEGIC GUIDE POLICY: Quality of Life & Services

ITEM BACKGROUND:

The City of Hutto approved the Final Interlocal Agreement to participate in the establishment of a county-wide regional animal control shelter to facilitate cost-sharing of providing animal control services in Williamson County, Texas, area with participating agencies on September 5, 2006.

Under the Second Amendment to the Williamson County Regional Animal Shelter Interlocal Agreement, the establishment of an undivided ownership interest in the Regional Shelter Improvements, including the building(s), but excluding any real property is proposed, with the City of Hutto holding a 4.88% interest.

After the Second Amendment is approved, the County shall prepare an instrument conveying the undivided ownership interests to each party.

BUDGETARY AND FINANCIAL SUMMARY:

Not Applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not Applicable.

CITY ATTORNEY REVIEW:

Not Applicable.

STAFF RECOMMENDATION:

Staff recommends that the second amendment to the Williamson County Regional Animal Shelter Interlocal Agreement be approved.

SUPPORTING MATERIAL:

1. [Second Agreement to the Williamson County Regional Animal Shelter Interlocal Agreement](#)

**SECOND AMENDMENT TO THE
WILLIAMSON COUNTY REGIONAL
ANIMAL SHELTER INTERLOCAL AGREEMENT**

THIS SECOND AMENDMENT TO THE WILLIAMSON COUNTY REGIONAL ANIMAL SHELTER INTERLOCAL AGREEMENT (“First Amendment”) is made and entered into effective this _____, by and between WILLIAMSON COUNTY; the CITY OF CEDAR PARK; the CITY OF HUTTO; the CITY OF LEANDER; the CITY OF ROUND ROCK; all of which are political subdivisions of the State of Texas (“the Parties”).

WITNESSETH:

WHEREAS, Texas Government Code, Chapter 791, the Interlocal Cooperation Act provides that any one or more public agencies may contract with each other for the performance of governmental functions and for the joint use of facilities or services for the promotion and protection of the health and welfare of the inhabitants of this State and the mutual benefit of the Parties; and,

WHEREAS, each of the Parties has previously approved an Interlocal Agreement (the “Agreement”) and a First Amendment (the “First Amendment”) regarding the operation and maintenance of the Williamson County Regional Animal Shelter (the “Regional Shelter”); and,

WHEREAS, the Parties now desire to amend the Agreement and First Amendment as stated in this Second Amendment;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the Parties agree to this Second Amendment to the Williamson County Regional Animal Shelter Interlocal Agreement as follows:

I.

That Article IV, Section 7 is hereby amended to read as follows:

7. Under the Agreement, the County was responsible for acquiring, owning and maintaining the Regional Shelter. The Parties now desire to share an undivided ownership interest in the Regional Shelter improvements, including the building(s) but excluding any real property. The undivided interest shall be as follows:

Williamson County	48.96 %
Cedar Park	10.21 %

Hutto	4.88 %
Leander	8.72 %
Round Rock	27.23 %

After the Second Amendment is approved, the County shall prepare an instrument conveying the above-described undivided ownership interests to each Party. The conveyance of the undivided ownership interests is specifically conditioned upon approval of each and every Party. Irrespective of the undivided ownership interests conveyed herein, no Party shall be entitled to any compensation for the undivided ownership interest if that Party elects to withdraw from the Agreement.

II.

MISCELLANEOUS

1. The Parties agree that in the event any provision of this Second Amendment is held by a court of competent jurisdiction to be in contradiction of any laws of the State of the Texas, the Parties will immediately rectify the offending portions of this Agreement. The Agreement and the First Amendment shall remain in full force and effect.
2. This Second Amendment constitutes the entire amendment of the Agreement between the Parties hereto, and supersedes all their oral and written negotiations, agreements, and understandings of every kind. The Parties understand, agree, and declare that no promise, warranty, statement, or representation of any kind whatsoever, which is not expressly stated in this Second Amendment of the Agreement has been made by any Party hereto or its officer, employees, or other agents to induce execution of this Second Amendment.
3. This Second Amendment shall be performable in Williamson County, Texas.
4. All other terms and conditions of the Agreement as previously approved by the Parties shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have set their hands the day and year first above written.

(The rest of this page left intentionally blank)

WILLIAMSON COUNTY
Commissioners Court

ATTEST:

By: _____
DAN GATTIS
County Judge -
Williamson County, Texas

By: _____
NANCY RISTER
County Clerk

CITY OF ROUND ROCK
City Council

ATTEST:

By: _____
CRAIG MORGAN
Mayor - Round Rock, Texas

By: _____
SARA WHITE
City Secretary

CITY OF LEANDER
City Council

ATTEST:

By: _____
CHRIS FIELDER
Mayor - Leander, Texas

By: _____
DARA CRABTREE
City Secretary

CITY OF CEDAR PARK
City Council

ATTEST:

By: _____
MATT POWELL
Mayor - Cedar Park, Texas

By: _____
LEANN QUINN
City Secretary

CITY OF HUTTO
City Council

ATTEST:

By: _____
DOUG GAUL
Mayor - Hutto, Texas

By: _____
LUCRETIA ALVAREZ
City Secretary

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

12A.

AGENDA DATE: January 04, 2018

PRESENTED BY:

Helen Ramirez, Assistant City Manager

ITEM:

Consider and approve final ordinance to create Reinvestment Zone No. One, City of Hutto, Texas, for the purpose of promoting redevelopment within the corporate limits of the City of Hutto (Co-Op Project). (Helen Ramirez)

STRATEGIC GUIDE POLICY: Infrastructure & Growth

ITEM BACKGROUND:

Within and throughout the City's Historic Old Town, Hutto has experienced flooding and traffic congestion. The City is in need of planning and providing for infrastructure related to regional detention, storm sewer and improved road circulation that will not only alleviate local congestion, but regional traffic flow that currently negatively impacts Williamson County, particularly on US HWY 79, a major east-west arterial. These infrastructure improvements will reduce impediments to growth west of Old Town.

A majority of the approximately 25 acre Co-Op District project area is City-owned and vacant. The City owned land contains silos that are no longer functioning. There are also remnants of rail spurs and concrete pads of silos that once stood on the site and need to be removed. Therefore, the redevelopment of the site will include the following:

- Cleaning up obsolete platting;
- Reusing and relocating, when appropriate, accessory structures;
- Improving existing roads and constructing new ones to improve traffic circulation.

The City of Hutto entered into a Development Agreement with MA Partners to develop the approximately 25 acre project site. The City is requesting that Williamson County participate in a Tax Increment Reinvestment Zone ("TIRZ" or "Zone") to be created over City property that will be taken down over time by the Developer per the executed Development Agreement, in addition to, current Williamson County offices fronting Exchange Boulevard, as well as, a church and commercial properties fronting West Street. The inclusion of the County offices will assist with providing the following solutions to the challenges that were identified in the previous section.

Solutions: The project description of the work associated with the development of the Co-Op Entertainment District and associated regional detention issues include infrastructure improvements and maintenance of said improvements related to the following:

1. New and improved roads that will serve the immediate project area and provide access to and through the Co-Op Entertainment District and provide for site specific, community and regional connectivity and mobility as a way to improve public safety within the project area. This includes new roadways and may include improvements to existing roads such as US HWY 79.
 2. Regional storm, sewer and drainage improvements that will serve the area in and around the Co-Op Entertainment District. These improvements will serve to alleviate existing flooding and drainage problems and increase the capacity to serve the development of Old Town.
1. Utility placement and relocation as a result of the improvement described in point 1 and 2 above.

The proposed TIRZ boundary includes City-owned property of approximately 25.38 acres, County-owned property of approximately 4.43 acres and privately owned property of approximately 7.65 acres for a total of approximately 37.46 acres of land.

On December 13, 2017 a public hearing notice was published in the Taylor Daily Press giving notice of public hearing of the creation of a tax increment financing zone and the benefits from the zone to the City and Williamson County and the property to be included within the proposed zone (attached). On December 21, 2017 the City held a public hearing where citizens were given the right to speak on the creation of the Reinvestment Zone Number One.

BUDGETARY AND FINANCIAL SUMMARY:

Please see attached Financing Plan for Proposed Tax Increment Reinvestment Zone (TIRZ), Co-Op District TIRZ and attached Ordinance to create Reinvestment Zone Number One, as amended.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not Applicable

CITY ATTORNEY REVIEW:

City Attorney has reviewed all documents as to form.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the second and final reading of an ordinance approving the creation of Reinvestment Zone Number.

SUPPORTING MATERIAL:

1. [Financing Plan for Proposed Tax Increment Reinvestment Zone \(TIRZ\) Co-Op District TIRZ](#)
2. [TIRZ Public Notice](#)
3. [Ordinance Creating Reinvestment Zone Number One](#)



**FINANCING PLAN FOR PROPOSED TAX INCREMENT
REINVESTMENT ZONE (TIRZ), CO- OP DISTRICT TIRZ,
CITY OF HUTTO, TEXAS**

December 13, 2017

City of Hutto

Co-Op District TIRZ

Mayor Doug Gaul

Mayor Pro Tem Tom Hines, PLACE 2

Council Member Scott Rose, PLACE 1

Council Member Nate Killough, PLACE 3

Council Member Tim Jordan, PLACE 4

Council Member Lucio Valdez, PLACE 5

Council Member Terri Grimm, PLA

Odis Jones, City Manager

City Staff

Helen Ramirez, AICP Assistant City Manager

Michel Sorrell, Chief Financial Officer

William Bingham, City Attorney

Developer/Consultants

Bob Wunsch, MA Partners

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I. INTRODUCTION

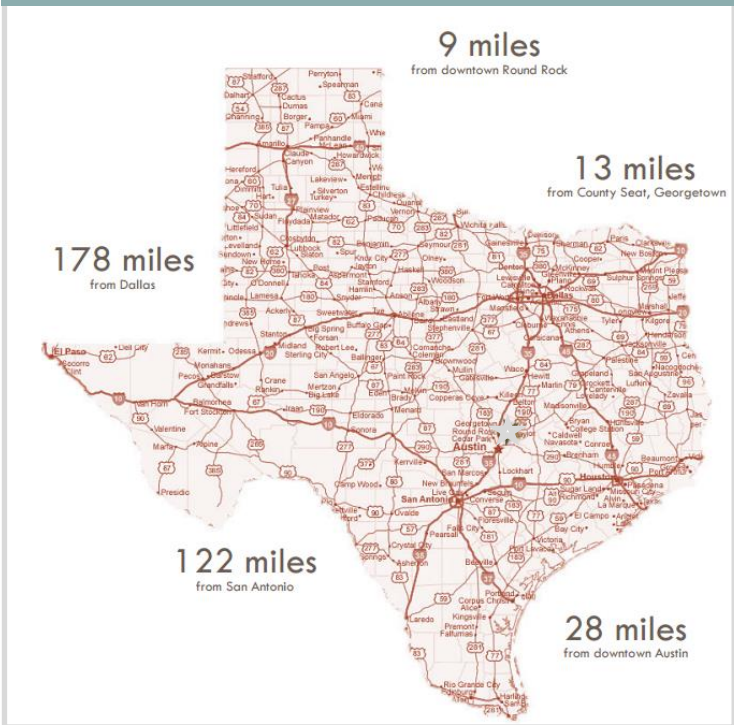
Located northeast of Austin in Williamson County, the fourth-fastest growing county in the State of Texas, the City of Hutto has experienced rapid growth since 2000. Once a rural Texas town with a population of 1,250 in 2000, Hutto is now home to an estimated 27,000 people, positioning itself to become a lively and integral part of the Austin Metropolitan region. With recent recognitions including the “Top Place in Texas to Raise a Family”, the “#1 Local City (in the Austin area) For Young Couples”, “One of the Top 5 Safest Cities in Texas”, and “One of the Top 100 Places in Major Markets to Locate a Business”, Hutto is consistently ranked as one of the fastest growing and safest cities in the country.

Just 25 minutes from the heart of the Texas State Capitol and 30 minutes from the Austin Bergstrom International Airport via the new SH-130 tollway, the City of Hutto is well positioned for economic growth. With quick access to State Highway 130, Interstate 35, US Highway 79, and the Union Pacific Red Line, Hutto provides convenient transportation routes to the greater Texas region.

Those who call Hutto home are attracted to its strong sense of community, rich history, affordable housing and attractive neighborhoods, low crime, high performing school district, access to higher education institutions, and plentiful open space; all of which come together to provide a high quality of life just outside of Austin. As the city continues to grow, it aims to be a family-friendly community that provides superior public safety, outstanding fiscal responsibility, a diversified economy, and an exceptional quality of life. Here, the importance of a diverse community is recognized as it will directly affect the quality of life of the community and its residents.

That being said, the City Council’s goal is to take a comprehensive approach towards economic development by focusing their efforts on redevelopment, including the rehabilitation of infill properties such as the Co-Op District, located just west of Hutto’s Historic District.

Image 1: Regional Context



II. HUTTO – At a Glance

DEMOGRAPHICS

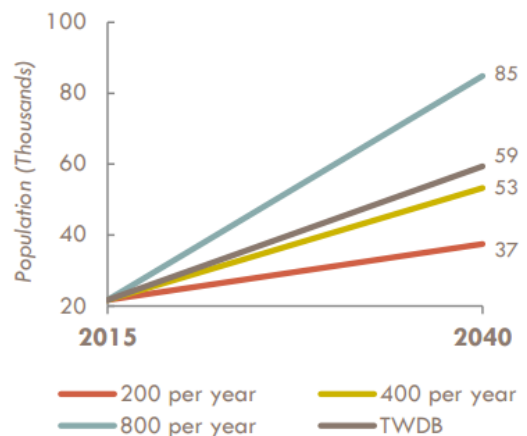
Hutto has experienced an estimated 6 percent (6%) average annual growth and over 50 percent (50%) change in total population change since 2010. Using historical residential permit patterns, Hutto may be home to over 85,000 residents in 2040.

With a median age of 33, Hutto has attracted many young families. Just over half of the population consists of families with children under the age of 18 and adults age 25 to 54. In addition to a growing population within city limits, Hutto provides access to over 65,000 people within a 5-mile radius, expanding to over 284,000 people within a 10-mile radius.

An educated workforce is key to having a dedicated and diverse workforce. With an Independent School District that experiences a 97% graduation rate and access to multiple nationally recognized higher education institutions, the Hutto community is diverse, skilled, and able to adapt to changing needs within the workforce.

Hutto's level of educational attainment - 22 percent of Hutto residents 25 years or older hold a bachelor's degree or higher – a median household income of \$73,855, an average household income of \$80,603 within city limits, and an average household income in the primary trade area of \$93,371 reflect the desirability and quality of life that the community offers to people who are educated and high income earners.

Chart 1: Population Forecasts – Using Estimated Number of Permits



City of Hutto, Texas Water Development Board

Table 1: 2016 Population 25+ by Educational Attainment

Total	12,498
Less than 9th Grade	3.7%
9th - 12th Grade, No Diploma	2.7%
High School Graduate	23.3%
GED/Alternative Credential	4.1%
Some College, No Degree	32.8%
Associate Degree	10.9%
Bachelor's Degree	17.9%
Graduate/Professional Degree	4.7%

Table 2: 2016 Households by Income

Household Income Base	
<\$15,000	5.9%
\$15,000 - \$24,999	3.2%
\$25,000 - \$34,999	4.1%
\$35,000 - \$49,999	10.8%
\$50,000 - \$74,999	26.9%
\$75,000 - \$99,999	23.5%
\$100,000 - \$149,999	19.5%
\$150,000 - \$199,999	4.3%
\$200,000+	1.8%

U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021 Esri converted Census 2000 data into 2010 geography.

ECONOMIC OUTLOOK

As of 2015, approximately 88 percent (88%) of the working population commutes an average 27 minutes to work outside the city limits. With .66 jobs per household, it is important for economic stability to achieve a citywide job-housing balance with a goal of at least 1 job for every household. As residential development within the city and its Extraterritorial Jurisdiction (ETJ) increase, it is vital for Hutto to focus on productive growth that creates local jobs and diversifies its tax base. The people of Hutto provide a strong foundation for a workforce and consumer market that will help the city become more regionally and nationally competitive. Hutto is in the early stages of its development cycle and needs to develop the economic diversity and depth of business support infrastructure (capital and non-capital) to be competitive in the larger Central Texas regional and national market.

Given this, the redevelopment of the Co-Op District, as well as much needed infrastructure improvements, are key to the creation of a place to live, work and play which will result in a more balanced economy.

III. GROWTH CORRIDORS & INFRASTRUCTURE

ECONOMIC DEVELOPMENT GROWTH CORRIDORS

At present, the City of Hutto lacks significant shovel-ready, or building ready, sites. Water, wastewater and other critical infrastructure that is key to significant economic development is lacking in certain areas of the city. The city is therefore constrained in terms of being able to accommodate concentrations of quality, career-oriented employment opportunities which are consistent with the City Council's Strategic Plan.

Through the Future Land Use Map (FLUM) planning process, seven (7) key areas were identified as vital employment and growth corridors – areas that can and should become priority focus areas for public and private sector investment and planning for high quality non-residential development over the next 5, 10, 20 years. The City, during its planning process, considered the following points when considering these corridors along major highways:

- Promoted development compatible with safe, efficient traffic circulation through sound standards for access management, limited installation of curb cuts, and parking facility connectivity;
- Selectively determined appropriate locations and applied design standards for large commercial developments and other high traffic generating uses;
- Set quality design standards for all commercial development;
- Encouraged mixed-use, clustered and “village center” development types as alternatives to conventional strip center and stand-alone “pad” sites; and
- Added regional and community nodes to key intersections.

These employment and growth areas are those that can eventually accommodate significant concentrations of firms in the economic sectors identified previously. Each of these primary employment corridors offers its own distinct locational advantages and attributes, as well as challenges that need to be addressed in order to realize their individual and collective potential for Hutto's continued economic growth. One of the seven employment and growth corridor areas identified, includes the Historic Downtown/Co-Op site. The challenges that currently exist on the Co-Op site are identified in Section IV THE NEED FOR REDEVELOPMENT of this Plan.

HUTTO'S ECONOMIC DEVELOPMENT POLICY

The City of Hutto adopted an ECONOMIC DEVELOPMENT POLICY on July 20, 2017 and in that policy document identified the use of tax increment financing as a way of redeveloping open or undeveloped land currently experiencing challenges such as obsolete platting, deteriorating

structures or other factors, the substantially impair the growth of the city. The Co-Op District is one of three areas identified as a site that is need of infrastructure in order to be redeveloped and allow for growth to occur west of Old Town as it is currently an undeveloped site, that when developed, will alleviate the immediate and surrounding areas drainage problems and improve traffic circulation with proposed improvements to US HWY 79 and with the extension of Live Oak to the west.

DOWNTOWN HUTTO: HUTTO'S COMMUNITY AND CIVIC HEART

Downtown is a vital intersection of commerce, business, and tourism, and also serves as a fundamental cornerstone of our identity and economy. A healthy and vibrant downtown benefits all citizens and businesses of Hutto. Downtown Hutto is a designated historic district, with a variety of active commercial and retail buildings surrounded by residential and open spaces.

Hutto has the opportunity to create a new Entertainment and Civic District downtown. This area, known as the Co-Op District, is located west of Downtown and is part of the larger Historic Downtown District, with approximately 900 linear feet of access along Highway 79. The City has an executed development agreement with a developer for this site, specifically to design a new City Hall and Library, with retail and commercial areas throughout, for the creation of an Entertainment District. A Historic Downtown/Co-Op Site Infrastructure Plan has been identified as a need, and includes a description of the shared vision of streetscapes, infrastructure, building design standards, and open space/community planning. The proposed TIRZ will specifically address road, drainage and associated utility needs.

Image 2: The Cotton Gin at the Co-Op





Map 1: Downtown Hutto



IV. THE NEED FOR REDEVELOPMENT

Within and throughout the City's Historic Old Town, Hutto has experienced flooding and traffic congestion. The City is in need of planning and providing for infrastructure related to regional detention, storm sewer and improved road circulation that will not only alleviate local congestion, but regional traffic flow on US HWY 79. These infrastructure improvements will reduce impediments to growth west of Old Town.

A majority of the project area is City-owned and vacant. The City owned 25 acres contain silos that are no longer functioning. There are also remnants of rail spurs and concrete pads of silos that once stood on the site and need to be removed. Therefore, the redevelopment of the site will include the following:

- Cleaning up obsolete platting;
- Reusing and relocating, when appropriate, accessory structures;
- Improving existing roads and constructing new ones to improve traffic circulation.



View of project site facing north from US HWY 79

Additional challenges currently experienced within and adjacent to the project site, are the following:

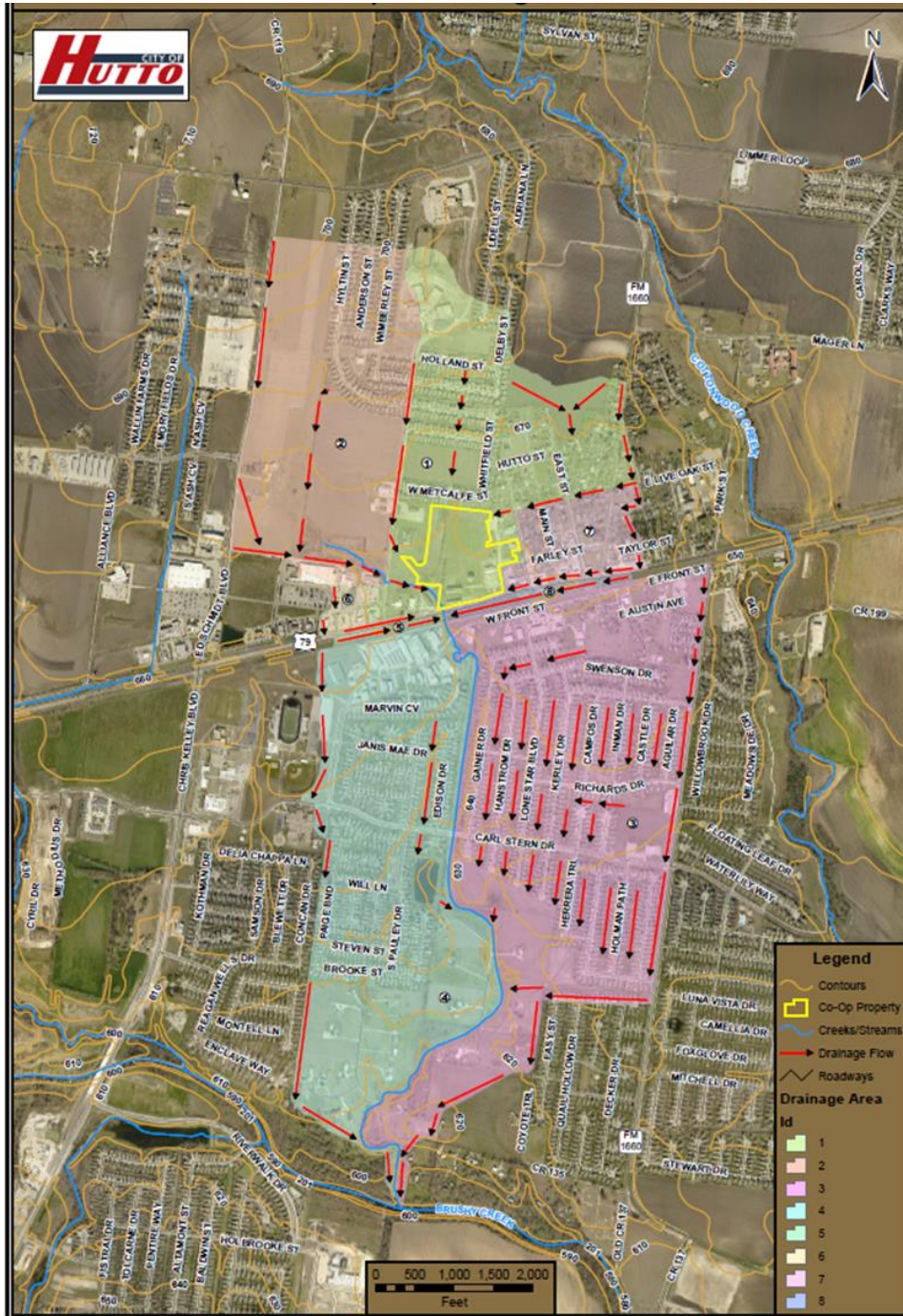
- Open ditches
- Residents & Businesses experience flooding in streets and alleyways
- Drainage & flooding problems





Flooding in old town

The following map shows the drainage flow from the north, through the project site draining south, towards US HWY 79,



The following is a floodplain map that shows the areas prone to flooding:



The City of Hutto entered into a Development Agreement with MA Partners to develop the project site. The City is requesting that Williamson County participate in a Tax Increment Reinvestment Zone ("TIRZ" or "Zone") to be created over City property that will be taken down over time by the Developer per the executed DA, current County offices fronting Exchange Boulevard, as well as, a church and commercial properties fronting West Street. The inclusion of the County offices will assist with providing the following solutions to the challenges that were identified in the previous section.

Solutions:

- Storm sewer
- Regional detention on Co- Op site
- Review resize box culvert under US79
- Prepare drainage study
- Take over HOA maintained drainage ditches

The following map depicts the proposed TIRZ boundary that includes City-owned property of approximately 25.38 acres, County-owned property of approximately 4.43 acres and privately owned property of approximately 7.65 acres for a total of approximately 37.46 acres of land.



The creation of the TIRZ is necessary as neither the City or the County alone can fund the improvements that constrain the property and hinder the redevelopment and growth of the City.

THE CO-OP DISTRICT PUD

MA Partners has prepared, submitted and obtained approval for a Co-Op District Planned Unit Development (PUD) that is zoned for mixed use and includes Design Guidelines so as to ensure that high quality development is built. The following is a concept plan that was submitted to the City Council.



The following drawing shows the planned infrastructure throughout the District, including the extension of West Live Oak towards Exchange Boulevard, in addition to, the regional drainage ponds.



High quality infrastructure and design guidelines include active open space and amphitheatre area.



V. PRELIMINARY PROJECT PLAN

The TIRZ will be comprised of approximately 37.46 acres and will be coterminous with the land that comprises the [City of Hutto, Texas Public Improvement District] (the "PID"), as more fully described in the PID Service and Assessment Plan ("S&P") adopted by the City in connection with the PID.

The TIRZ will terminate on the earlier of (1) the date the Board certifies to the City that all project costs and all tax-increment bonds or notes issued for the TIRZ have been paid and any money remaining in the tax-increment fund has been paid to the City and other taxing units levying taxes on property in the TIRZ or (2) the date that there is a unanimous determination by all members of the TIRZ Board (the "TIRZ Board") that all project costs, tax increment bonds and interest on those bonds, and other obligations have been paid in full.

Description of Projects within the TIRZ

The following is a description of the projects that will be undertaken including the development of the Co-Op Entertainment District and associated regional detention issues (infrastructure improvements and maintenance of said improvements) within the boundaries of the TIRZ (the "TIRZ Projects") that will be financed by the PID as further discussed in PRELIMINARY FINANCING PLAN – *Method of Financing* below:

1. New and improved roads that will serve the immediate project area and provide access to and through the Co-Op Entertainment District and provide for site specific, community and regional connectivity and mobility as a way to improve public safety within the project area. This includes new roadways and may include improvement to existing roads such as US HWY 79.
2. Regional storm, sewer and drainage improvements that will serve the area in and around the Co-Op Entertainment District. These improvements will serve to alleviate existing flooding and drainage problems and increase the capacity to service the development of Old Town.
3. Utility placement and relocation as a result of the improvement described in point 1 and 2 above.

The following is an estimate of the amount of funding needed to finance the TIRZ Projects:

1.Regional storm, sewer and drainage (approximately)	\$3,675,000
2.Road improvements including Highway 79 and East-west Live Oak extension (approximately)	\$1,200,000
3.Utility relocation (approximately)	\$625,000
4.Public parking (approximately)	\$10,000,000
Total	\$15,500,000

VI. PRELIMINARY FINANCING PLAN

Proposed TIRZ Projects

Section 311.002 of the Tax Increment Financing Act defines project costs as "the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations."

Project costs include:

- (A) capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;
- (B) financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;
- (C) real property assembly costs;
- (D) professional service costs, including those incurred for architectural, planning, engineering, and legal advice and services;
- (E) imputed administrative costs, including reasonable charges for the time spent by employees of the municipality or county in connection with the implementation of a project plan;
- (F) relocation costs;
- (G) organizational costs, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;
- (H) interest before and during construction and for one year after completion of construction, whether or not capitalized;
- (I) the cost of operating the reinvestment zone and project facilities;
- (J) the amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan;
- (K) the costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and
- (L) payments made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.

Method of Financing

The property that makes up the TIRZ and the PID is proposed to be developed in multiple phases with the PID financing improvements for each phase as each phase is developed. PID assessments will be imposed on certain properties within each phase of the PID (City-owned property will not be subject to PID assessments).

The City does not plan to issue TIRZ bonds to finance the costs that make up the TIRZ Projects; rather, the City plans to issue PID bonds, as described in the S&P, secured by PID assessments on certain future improvements within the PID to finance the projects that represent the TIRZ Projects. After the creation of the TIRZ, and, if and when TIRZ revenues become available as a result of real property improvements within the TIRZ, the resulting real property tax increment revenues generated within the TIRZ will, to the extent authorized by law, be used to supplement PID assessments for the benefit of the TIRZ project plan.

CITY OF HUTTO 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 creation of a tax increment financing zone and the benefits from the zone to the City and Williamson County and the property to be included within the proposed zone. The property being considered for inclusion consists of City of Hutto, Williamson County-owned property and other property shown on the attached map of the proposed zone with street addresses.

The City has prepared a preliminary reinvestment zone financing plan and plan of work. At the public hearing, any interested person may speak for or against the creation of the zone, the proposed boundaries or the concept of tax increment financing.

The public hearing will be held on: December 21, 2017 at 7:00 p.m.

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

For additional information the public may contact Helen Ramirez, Assistant City Manager helen.ramirez@huttotx.gov or at 512-759-4053.

Publication Date: December 13, 2017.



ORDINANCE NO. 201__—_____

AN ORDINANCE TO CREATE REINVESTMENT ZONE NO. ONE, CITY OF HUTTO, TEXAS FOR THE PURPOSE OF PROMOTING REDEVELOPMENT WITHIN THE CORPORATE LIMITS OF THE CITY OF HUTTO

WHEREAS, the City Council (the “Council”) of the City of Hutto (the “City”) located in Williamson County, Texas (the “County” or “Williamson County”) has determined, pursuant to Chapter 311 of the Texas Tax Code (the “Code” or the “Tax Increment Financing Act”) that the contiguous area lying within the corporate limits of the City, as described in Exhibit A attached hereto (the “Zone”), is predominantly open and underdeveloped and substantially arrests or impairs the sound growth of the City, requiring creation of a reinvestment zone (a “Reinvestment Zone”) to promote redevelopment within the corporate limits of the City;

WHEREAS, Chapter 311 of the Code provides for the creation of reinvestment zones to promote development or redevelopment of a contiguous or noncontiguous geographic area that is in the corporate limits of a municipality, in the extra-territorial jurisdiction of a municipality, or in both, if the governing body of the city determines that development or development would not occur solely through private investment in the reasonably foreseeable future;

WHEREAS, Chapter 311 of the Code permits the Council to establish a tax increment fund to be used to pay project costs for a Reinvestment Zone with no financial risk to the City;

WHEREAS, it is the general policy of the City to encourage new development and redevelopment that might benefit its residents without obligating City funds to development infrastructure;

WHEREAS, the Council anticipates the Commissioners Court (the “Court”) for Williamson County will take action by order of the Court to participate in the Zone described herein; and

WHEREAS, the Council has determined that it is in the best interest of the City and its residents to create a Reinvestment Zone.

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

1. Findings:

The City finds and determines that:

- a. Improvements in the Zone will significantly enhance the value of all the taxable real property in the zone and will be of general benefit to the City.

- b. The area contained within the Zone meets the requirements of Section 311.005(a)(2) of the Tax Increment Financing Act.
 - c. Prior to the adoption of this Ordinance (this “Ordinance”), the City has complied with the requirements of Section 311.003 of the Tax Increment Financing Act, including preparing a preliminary reinvestment zone financing plan, holding a public hearing, and publishing notice of the public hearing not later than the seventh day before the date of the hearing in a newspaper having general circulation in the City.
- 2. Creation of the Reinvestment Zone: Pursuant to Section 311.005(a)(2) of the Tax Increment Financing Act, the City designates as “Reinvestment Zone Number One, City of Hutto, Texas,” a contiguous area lying within the corporate limits of the City, as described on Exhibit A attached hereto.
- 3. Effective Date and Termination of the Zone: The Zone shall take effect immediately upon the passage of this Ordinance. The Zone shall terminate on the earlier of:
 - a. The date the Board certifies to the City that all project costs and all tax-increment bonds or notes issued for the Zone have been paid and any money remaining in the tax-increment fund has been paid to the City and other taxing units levying taxes on property in the Zone; or
 - b. The date that there is a unanimous determination by all members of the Board that all project costs, tax increment bonds and interest on those bonds, and other obligations have been paid in full.
- 4. Board of Directors: Pursuant to Sections 311.004(a)(2) and 311.009 of the Tax Increment Financing Act, the Zone shall be governed by a board of directors (the “Board”) as described below.
 - a. Number, Term, and Appointment: The Board of the Zone shall consist of five (5) members. The directors shall serve two (2) year terms. Each taxing unit other than the City and the County that levies taxes on real property in the Zone may appoint one member of the Board if the taxing unit has approved payment of all or part of the tax increment produced by the unit into the tax increment fund for the Zone. Such a taxing unit may waive its right to appoint a member of the Board. The City requests that Williamson County designate two individuals to be members of the Board and the City agrees to appoint the individuals designated by the County as members of the Board. The remaining three (3) members of the Board shall be appointed by Council. Appointment of the Board shall be by separate action of the Council. The five (5) Board member positions shall be designated as City of Hutto positions 1, 2 and 3 and Williamson County positions 4 and 5.

- b. Qualifications: To be eligible for appointment to the Board, an individual must be at least 18 years of age and be a resident of Williamson County or a county adjacent to Williamson County.
- c. Vacancies: A vacancy on the Board occurring for any reason shall be filled for the unexpired term by appointment of the governing body of the taxing unit that appointed the director who served in the vacant position.
- d. Chairperson of the Board; Officers: Each year, the Council shall appoint one member of the Board to serve as chairperson for a term of one (1) year that begins on January 1 of the following year, and the County shall appoint one member of the Board to serve as a vice-chairperson to preside in the absence of the chairperson or when there is a vacancy in the office of chairperson. The Board may elect other officers as it considers appropriate.
- e. Powers:
 - i. The Board shall make recommendations to the Council concerning the administration of the Zone pursuant to the Tax Increment Financing Act. The Council, by ordinance or resolution, may authorize the Board to exercise any of the City's powers with respect to the administration, management, or operation of the Zone or the implementation of the project plan for the Zone, except that the Council may not authorize the Board to:
 - 1. issue bonds;
 - 2. impose taxes or fees;
 - 3. exercise the power of eminent domain; or
 - 4. give final approval to the project plan for the Zone.
 - ii. The Board, the County and the Council may each enter into agreements as the Board or the Council considers necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes. An agreement may provide for the regulation or restriction of the use of land by imposing conditions, restrictions, or covenants that run with the land. An agreement may, during the term of the agreement, dedicate, pledge, or otherwise provide for the use of revenue in the tax increment fund to pay any project costs that benefit the Zone, including project costs relating to the cost of buildings, schools, or other educational facilities owned by or on behalf of a school district, community college district, or other political subdivision of this state, railroad or transit facilities, affordable housing, remediation of conditions that contaminate public or private land or buildings, the preservation of the façade of a private or public building, the demolition of public or private buildings, or the construction of a road, sidewalk, or other public infrastructure. An

agreement may dedicate revenue from the tax increment fund to pay the costs of providing affordable housing or areas of public assembly in or out of the Zone.

- iii. The Board may exercise any power granted to the Council by Section 311.008 of the Tax Increment Financing Act, except that:
 - 1. the City, by ordinance, resolution, or order, may restrict any power granted to the Board by this chapter; and
 - 2. the Board may exercise a power granted to the City under Section 311.008(b)(2) only with the consent of the Council.
- iv. The Board may exercise any power granted to a board under Chapter 311 of the Tax Increment Financing Act.
- v. The Board and the Council may enter into a contract with a local government corporation or a political subdivision to manage the Zone or implement the project plan and reinvestment zone financing plan for the term of the agreement.
- vi. Subject to the approval of the Council and the County, the Board, as necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes, may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the Zone, eliminating unemployment and underemployment in the Zone, and developing or expanding transportation, business, and commercial activity in the Zone, including programs to make grants and loans from the tax increment fund of the Zone in an aggregate amount not to exceed the amount of the tax increment produced by the City and paid into the tax increment fund for the Zone for activities that benefit the Zone and stimulate business and commercial activity in the Zone. For these purposes, on approval of the City, the Board has all the powers of a municipality under Chapter 380, Local Government Code.
- vii. The Board or a local government corporation administering a reinvestment zone may contract with the City to allocate from the tax increment fund for the Zone an amount equal to the tax increment produced by the City and paid into the tax increment fund for the Zone to pay the incremental costs of providing municipal services incurred as a result of the creation of the Zone or the development or redevelopment of the land in the Zone, regardless of whether the costs of those services are identified in the project plan or reinvestment zone financing plan for the Zone.

- viii. The Board shall keep the City and County informed of its actions and financial matters concerning the Zone.
 - f. Meetings: Meetings of the Board may be called at any time by the chairperson of the Board. Notice of any meeting may be given in writing or orally by such means as may be most convenient, but not later than three (3) days before the day of the meeting.
 - g. Quorum: A majority of the number of directors duly appointed and serving will constitute a quorum at a Board meeting.
5. Tax Increment Fund: Pursuant to Section 311.014 of the Tax Increment Financing Act, a tax increment fund for the Zone shall be created and managed by the City as follows:
- a. In addition to the deposits required by Section 311.013 of the Tax Increment Financing Act, all revenues from the sale of tax increment bonds or notes, revenues from the sale of any property acquired as part of the tax increment financing plan, and other revenues to be used in the Zone shall be deposited in the tax increment fund (“Fund”) for the Zone.
 - b. Money may be disbursed from the Fund only to satisfy claims of holders of tax increment bonds or notes issued for the Zone, to pay project costs for the Zone, to make payments pursuant to an agreement made under Section 311.010(b) of the Tax Increment Financing Act dedicating revenue from the tax increment fund, or to repay other obligations incurred for the Zone.
 - c. Subject to an agreement with the holders of tax increment bonds or notes, money in the Fund may be temporarily invested in the same manner as other funds of the City.
 - d. After all project costs, all tax increment bonds or notes issued for the Zone, and any other obligations incurred for the Zone have been paid, and subject to any agreement with bondholders, any money remaining in the Fund shall be paid to the City, the County and other taxing units levying taxes on property in the Zone in proportion to the City’s, the County’s and each other unit’s respective share of the total amount of tax increments derived from taxable real property in the Zone that were deposited in the Fund during the Fund’s existence.
 - e. A taxing unit that levies taxes on real property in the Zone may make a loan to the Board for deposit in the Fund for the Zone if the governing body for the taxing unit determines that the loan is beneficial to, and serves a public purpose of, the taxing unit. The loan is payable on the terms agreed to by the taxing unit, or an instrumentality of the taxing unit if applicable, and the Board. Such a loan:

- i. is not considered to be a tax increment bond or note under Section 311.015 of the Tax Increment Financing Act; and
 - ii. is considered to be:
 - 1. an authorized investment under Chapter 2256, Government Code; and
 - 2. an obligation incurred for the Zone.
6. Repeal: All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.
8. Effective: This Ordinance shall be published and become effective in accordance with the laws of the State of Texas.

READ, CONSIDERED, PASSED, AND APPROVED ON FIRST READING by the City Council of the City of Hutto at a regular meeting on the 21st day of December, 2017, 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.

Doug Gaul, Mayor

ATTEST:

Lucretia Alvarez, City Secretary

EXHIBIT A

Legal Description

TIRZ Boundary Map



CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

12B.

AGENDA DATE: January 04, 2018

PRESENTED BY:

Helen Ramirez, Assistant City Manager

ITEM:

Consideration and possible action on the adoption of an Interlocal Agreement regarding the Tax Increment Financing by and between Williamson County, the City of Hutto, and the Hutto Reinvestment Zone Number One. (Helen Ramirez)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Within and throughout the City's Historic Old Town, Hutto has experienced flooding and traffic congestion. The City is in need of planning and providing for infrastructure related to regional detention, storm sewer and improved road circulation that will not only alleviate local congestion, but regional traffic flow that currently negatively impacts Williamson County, particularly on US HWY 79, a major east-west arterial. These infrastructure improvements will reduce impediments to growth west of Old Town.

A majority of the approximately 25 acre Co-Op District project area is City-owned and vacant. The City owned land contains silos that are no longer functioning. There are also remnants of rail spurs and concrete pads of silos that once stood on the site and need to be removed. Therefore, the redevelopment of the site will include the following:

- Cleaning up obsolete platting;
- Reusing and relocating, when appropriate, accessory structures;
- Improving existing roads and constructing new ones to improve traffic circulation.

The City of Hutto entered into a Development Agreement with MA Partners to develop the approximately 25 acre project site. The City is requesting that Williamson County participate in a Tax Increment Reinvestment Zone ("TIRZ" or "Zone") to be created over City property that will be taken down over time by the Developer per the executed Development Agreement, in addition to, current Williamson County offices fronting Exchange Boulevard, as well as, a church and commercial properties fronting West Street. The inclusion of the County offices will assist with providing the following solutions to the challenges that were identified in the previous section.

The project description of the work associated with the development of the Co-Op Entertainment District and associated regional detention issues include infrastructure improvements and maintenance of said improvements related to the following:

1. New and improved roads that will serve the immediate project area and provide access to and through the Co-Op Entertainment District and provide for site specific, community and regional connectivity and mobility as a way to improve public safety within the project area. This includes new roadways and may include improvements to existing roads such as US HWY 79.
 2. Regional storm, sewer and drainage improvements that will serve the area in and around the Co-Op Entertainment District. These improvements will serve to alleviate existing flooding and drainage problems and increase the capacity to serve the development of Old Town.
1. Utility placement and relocation as a result of the improvement described in point 1 and 2 above.

The proposed TIRZ boundary includes City-owned property of approximately 25.38 acres, County-owned property of approximately 4.43 acres and privately owned property of approximately 7.65 acres for a total of approximately 37.46 acres of land.

On December 13, 2017 a public hearing notice was published in the Taylor Daily Press giving notice of public hearing of the creation of a tax increment financing zone and the benefits from the zone to the City and Williamson County and the property to be included within the proposed zone. On December 21, 2017 the City held a public hearing where citizens were given the right to speak on the creation of the Reinvestment Zone Number One.

The Hutto Reinvestment Zone Number One ('Zone' or 'TIF') has been created pursuant to Chapter 311, of the Texas Tax Code, entitled the Tax Increment Financing Act (the "Act"). Section 311.013(f) of the Act provides that the County may enter into an agreement with the governing body which created the Zone to participate in the payments of tax increments for certain project costs as agreed upon by the County and said governing body.

The City and the County desire to enter into this agreement regarding the County's participation in the Zone (attached).

BUDGETARY AND FINANCIAL SUMMARY:

See attached Interlocal Agreement.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not Applicable

CITY ATTORNEY REVIEW:

Both the City Attorney and County Attorney have reviewed the Interlocal Agreement.

STAFF RECOMMENDATION:

Staff recommends approval of the Interlocal Agreement.

SUPPORTING MATERIAL:

1. [Interlocal Agreement between the City and County regarding Tax Increment Financing](#)

INTERLOCAL AGREEMENT REGARDING TAX INCREMENT FINANCING

THIS INTERLOCAL AGREEMENT REGARDING TAX INCREMENT FINANCING (“Agreement”) is made and entered into effective this day of , 20 (“Effective Date”), by and between WILLIAMSON COUNTY (the “County”), a political subdivision of the State of Texas, the CITY OF HUTTO, (the “City”), a municipal corporation and home-rule city of the State of Texas, and the HUTTO REINVESTMENT ZONE NUMBER ONE, City of Hutto, Texas (the “Zone” or “TIF”), a reinvestment zone created by the City pursuant to Chapter 311 of the Texas Tax Code, acting by and through its Board of Directors (collectively, the “Parties”). This Agreement is made pursuant to Chapter 791 of the Texas Government Code and Chapter 311 of the Texas Tax Code.

WHEREAS, the City has created the Zone pursuant to Chapter 311, of the Texas Tax Code, entitled the Tax Increment Financing Act (the “Act”); and

WHEREAS, Section 311.013(f) of the Act provides that the County may enter into an agreement with the governing body which created the Zone to participate in the payments of tax increments for certain project costs as agreed upon by the County and said governing body; and

WHEREAS, said agreement may include conditions for payment of that tax increment into a tax increment fund and must specify the portion of said tax increment to be paid into said fund, along with the term of said payments; and

WHEREAS, as a condition to participating in the Zone, the County has requested that certain real property owned by the City be conveyed to the County and the City has requested that certain real property owned by the County be conveyed to the City, as more fully provided herein; and

WHEREAS, the City and the County desire to enter into this agreement regarding the County's participation in the Zone;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the undersigned parties agree as follows:

I. DEFINITIONS

As used in this Agreement, the following terms shall have the meanings set out below:

“Agreement” means this Interlocal Agreement between the City, the County and the Zone.

“Captured Appraised Value” means the captured appraised value of the Zone, as defined by Chapter 311.012(b), Texas Tax Code.

“City” means the City of Hutto, Texas.

“County” means Williamson County, Texas.

“County TIF Funded Projects” means the specific portion of the Project that will be first constructed using bond or other financed funds to be repaid using TIF and other funds, as indicated and described in the Zone Project Plan.

“County Tax Increment Participation” means the amount of the County tax levy on the Captured Appraised Value which the County agrees to contribute to the Zone pursuant to Subsections A and B of Section III of the Agreement.

“Debt Service Tax Rate” means that portion of the tax rate that is levied for payment of debt service.

“Project” means the acquisition and development and/or redevelopment in the area consisting of the construction, renovation and improvement of City and County land in accordance with the project described in the Zone Project Plan.

“Road & Bridge Tax Rate” means the tax rate the County levies under Article VIII, Sec. 1a and Article VIII, Sec. 9, Texas Constitution.

“Tax Increment Fund” (also, “TIF”) means that fund created by the City pursuant to Section 311.014 of the Act and Section [REDACTED] of City Ordinance No. 20[REDACTED]-[REDACTED], which will be maintained by the City as a separate and individual interest-bearing account into which all revenues of the Zone will be deposited, including (i) deposits of tax increment by the City and by other participating taxing units with jurisdiction over real property in the Zone, including the County, and (ii) all accrued interest earned on the cash balance of the fund.

“Zone” means Reinvestment Zone Number One, City of Hutto, Texas, created by the City on [REDACTED], 20[REDACTED], by Ordinance No. 20[REDACTED]-[REDACTED], a true and correct copy of said ordinance is attached to the Agreement as Exhibit “[REDACTED]”, which is incorporated herein by reference for all purposes.

“Zone Project Plan” means the project plan for the entire Zone and such amendments and revisions to such plan as may be adopted by a majority of the members of the board of directors of the Zone and approved by both the City Council of the City and the Commissioners Court of the County, a true and correct copy of the Zone Project Plan is contained in the Hutto Texas Tax Increment Reinvestment Zone Number One (TIRZ) Preliminary Project Financing & Feasibility Plans which is attached to the Agreement as Exhibit “[REDACTED]”.

“Zone Finance Plan” means the reinvestment zone financing plan for the entire Zone and such amendments and revisions to such plan as may be adopted by a majority of the members of the board of directors of the Zone and approved by both the City Council of the City and the Commissioners Court of the County, a true and correct copy of the Zone Finance Plan is contained

in the Hutto Texas Tax Increment Reinvestment Zone Number One (TIRZ) Preliminary Project Financing & Feasibility Plans which is attached to the Agreement as Exhibit “ ”.

Otherwise, the terms used herein have the meanings ascribed to them in Chapter 311, Texas Tax Code.

II. BACKGROUND

On , 20 , the City created the Zone by adoption of City Ordinance No. 20 - , for the purposes of development and/or redevelopment of the property within the Zone pursuant to the Zone Project Plan. The City has agreed to participate in the Zone by contributing tax increments produced in the Zone to the Tax Increment Fund based on a contribution of **fifty percent (50%)** of its tax rate on real property for a maximum of **forty (40) years** beginning on the Effective Date of this Agreement and ending when TIF related debt is repaid.

The County desires to participate in the Zone in consideration for the agreements set forth below. The parties now desire to enter into an Interlocal Agreement pursuant to Section 311.013(f) of the Texas Tax Code.

III. OBLIGATIONS OF COUNTY

A. Tax Increment Participation

For and in consideration of the agreement of the parties set forth herein, and subject to the remaining subsections of this section, the participation of the County shall be (1.) for a maximum term of **twenty (20) years beginning on the Effective Date of this Agreement**; or (2.) until the County Tax Increment Participation contribution to the TIF Fund reaches **\$5,500,000.00**; or (3.) upon a condition set out herein, or (4.) at such other date as the Zone may be terminated by operation of law, **whichever event occurs earlier**. During such period of this Agreement, the

County agrees to participate in the Zone by contributing the percentage of its tax rate (the “Participation Percentage”) as set forth below (not including the County’s Road & Bridge Tax Rate or Debt Service Tax Rate) on real property on the tax increment attributed to the Captured Appraised Value in the Zone attributable to the County, subject to the limitations set forth herein; provided, however, any County or City Roll Back Taxes shall not be paid into the TIF Fund and shall remain with the County. In no event shall the County Tax Increment Participation contribution to the TIF Fund exceed a total of **\$5,500,000.00**. Upon reaching the total County Tax Increment Participation contribution of **\$5,500,000.00** prior to the expiration of the this Agreement’s maximum term of **twenty (20) years, as set forth above**, the participation of the County in this Agreement shall terminate unless the County by official action of the Commissioners Court and the City by action of the City Council agrees in writing to extend this Agreement. The County’s Participation Percentage shall be **fifty percent (50%)**.

B. County Tax Increment Limitation

The County is not obligated to pay the County Tax Increment Participation from any source other than taxes collected on the Captured Appraised Value, not including taxes collected resulting from the Road & Bridge Tax Rate or the Debt Service Tax Rate. Furthermore, the County has no duty or obligation to pay the County Tax Increment Participation from any other County taxes or revenues, or until the County Tax Increment Participation in the Zone is actually collected. The obligation to pay the County Tax Increment Participation accrues as the County collects taxes representing the County Tax Increment Participation, and payment shall first be due **thirty (30) days** after February 1 of each year when any eligible taxes from the Zone are collected and quarterly thereafter. No interest or penalty will be charged to the County for any late payment received from the County; provided, however, the penalty and interest received by

the County on any delinquent taxes from the County Tax Increment Participation shall be paid to the Tax Increment Fund less any collection fees and expenses. Any portion of the taxes representing the County Tax Increment Participation that are paid to the County and subsequently refunded to the tax payer pursuant to the provision of the Texas Tax Code shall be offset against future payments to the Tax Increment Fund.

C. Expansion of the Zone

The obligation of the County to participate in the Zone is limited to the area described in the Zone as of the Effective Date of this Agreement, as set out in the attached Exhibit “ ”. The County’s participation does not extend to the tax increment on any expansion of the boundaries of the Zone or on any other project(s) added to the Zone unless the County specifically agrees in writing to participate in the additional area or in the additional project(s).

D. Board of Directors

Notwithstanding anything to the contrary in the City’s ordinance creating the Zone, pursuant to the provisions of Sections 311.009(a), Texas Tax Code, the County shall have the unequivocal right to appoint and, thereafter, at all times, maintain two (2) members on the five-member Board of Directors of the Zone. The size of the Board of Directors of the Zone as specified in the City’s ordinance creating the five-member Board in accordance with this Agreement shall not be changed or increased unless the County specifically agrees to the change. The Parties agree that the County’s right to appoint forty percent (40%) of the members of the board of directors shall be preserved if the board is enlarged. Failure of the County to appoint persons to the Board of Directors of the Zone by , 20 shall not be deemed a waiver of the County’s right to make an appointment at a later date. The County

shall receive advance written notice of all meetings of the Board and copies of all actions by the Board.

E. Contribution of Right-of-Way and Drainage Easement

In addition to its Tax Increment Participation, the County has agreed to contribute and convey, pursuant to the terms and conditions of an interlocal agreement between City and County, a foot right-of-way easement and a foot drainage easement, both being described by metes and bounds and further depicted in the sketch attached hereto as Exhibit “ ”, which is incorporated herein by reference for all purposes.

IV. OBLIGATIONS OF THE CITY AND THE ZONE

A. Amendment of Ordinance

The Ordinance creating the Zone designates the boundaries, the eligible real properties for the calculation of tax increment for the Zone and the specific participation level of the City. All amendments to the Ordinance shall be approved by a majority of the members of the Board of Directors of the Zone prior to approval by the City Council. If the City Council approves an amendment to the Ordinance different from the amendment approved by the County Commissioners Court, the County shall suspend payment into the Tax Increment Fund as described in Section III until the amendment is approved by the governing body of the County.

B. Zone Project Plan and Zone Finance Plan

The County Commissioners Court may review and comment upon any proposed amendment to the Zone Project Plan and Zone Finance Plan prior to its approval by the City Council. The City agrees to provide the County with any proposed amendments to the Zone Project Plan and Zone Finance Plan at least fourteen (14) days prior to their submission to the City Council for approval. No amendment to the Zone Project Plan and/or Zone Finance Plan

shall be effective until it is approved by the Commissioners Court of the County, while the County is a participant in the TIRZ.

C. Disposition of Tax Increments

Upon termination of the Zone, and after all obligations and bonded indebtedness of the Zone have been paid, the City and the Zone shall pay to the County, within **sixty (60) days** of said termination, all monies remaining in the Tax Increment Fund that are attributable to the County Tax Increment Participation paid by the County into the Tax Increment Fund.

Furthermore, if the projects to be undertaken pursuant to the Zone Project Plan are not undertaken, are discontinued, or are terminated, all monies remaining in the Tax Increment Fund after satisfaction of lawful claims, shall be paid to the participating taxing entities in proportion to their respective share of the total amount of tax increments derived from taxable real property in the Zone that were deposited in the Tax Increment Fund during the Funds existence. In no event shall payment of monies to the participating taxing units exceed **ninety (90) days** from the date of termination and settlement of all claims.

D. Audits

In the event the City creates a redevelopment authority or other special district in connection with the Zone, the City shall provide to the County a copy of each of the audits required by the agreement between the City, the Zone and any such redevelopment authority or special district within **thirty (30) days** of receipt of each audit.

On or before the **one-hundred fiftieth (150th)** day following the end of the fiscal year of the City, the governing body of the City of Hutto shall submit to the Williamson County Judge, other participating taxing jurisdictions and the State of Texas Comptroller, a report of

the status of the Zone. The contents of the report must contain all information required under section 311.016 of the Texas Tax Code.

E. Deposit of Penalties Received by City

As an inducement to have the County participate in this Agreement, the City agrees that any penalty and interest received by the City on any delinquent taxes attributable to the City's tax increment participation in the Zone shall be paid to the Tax Increment Fund less any collection fees and expenses.

F. Transfer of Real Property

The parties understand and agree the County's approval of this Agreement was conditioned and based upon the prior approval by City and County of an interlocal agreement providing for the exchange of certain City and County land with payment by City to County of certain funds and upon the City's prior approval and execution of a development agreement between the developer of the Co-Op Property and the City.

V. LIMITATIONS ON TAX INCREMENT DEPOSITS AND USE OF FUNDS

This Agreement is based on the following conditions, and the City agrees and acknowledges the County's right to enforce the conditions contained herein by injunction or any other lawful means in the event one or more of such conditions are not satisfied, to wit:

a. The tax increment deposited into the Tax Increment Fund by the County shall be used to pay County TIF Funded Projects costs as set forth and identified in the attached Zone Project Plan and Zone Finance Plan, and shall not include any other any other projects or costs for administration, overhead, or management of the Zone, or costs for municipal or educational facilities. In no event may the Zone Project Plan and/or Zone Finance Plan be amended unless otherwise approved by the governing body of the County as an amendment to this Agreement.

b. As defined, the Zone shall include real properties located within the boundaries as described in Ordinance No. 20- - . If the Zone is expanded, the tax increment deposited into the Tax Increment Fund by the County may not be used for any infrastructure improvements, other public improvements or other project costs in any portion of the expanded area of the Zone unless approved by the governing body of the County as an amendment to this Agreement.

VI. TERM AND TERMINATION

A. Agreement Term

This Agreement becomes effective as of the date first above written upon the final signature hereto. The term of the Agreement shall commence on the Effective Date and continue thereafter (1.) for a maximum term of **twenty (20) years from the Effective Date**; or (2.) until the County Tax Increment Participation contribution to the TIF Fund reaches **\$5,500,000.00**; or (3.) upon a condition set out herein, or (4.) at such other date as the Zone may be terminated by operation of law, **whichever event occurs earlier**. Nothing in this Agreement limits the authority of the Williamson County Commissioners Court to extend the term of the Agreement. Upon termination of the Agreement, the obligation of the County to contribute to the Tax Increment Fund for the Zone shall end; however, any refund obligations of the City, the Zone or any related redevelopment authority shall survive such termination.

VII. GENERAL AND MISCELLANEOUS

A. County's Right to Audit

The Parties agrees that County or its duly authorized representatives shall, until the expiration of **three (3) years** after the termination or expiration of this Agreement, have access to and the right to examine and photocopy any and all books, documents, papers and records of the

City or the Hutto Reinvestment Zone Number One which are directly pertinent to the Zone, Zone Project Plan and Zone Financing Plan for the purposes of making audits, examinations, excerpts, and transcriptions. The Parties agree that County shall have access during normal working hours to all necessary City and/or the Hutto Reinvestment Zone Number One facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this section. County shall give City and/or the Hutto Reinvestment Zone Number One reasonable advance notice of intended audits.

B. Recitals

The recitals set forth above are incorporated herein for all purposes and are found by the parties to be true and correct. It is further found and determined that the City and the County have authorized and approved this Agreement by resolution or order adopted by their respective bodies, and that this agreement will be in full force and effect when approved by all Parties.

C. Prior Written Agreements

This Agreement is without regard to any and all prior written contracts or agreements between the City and Williamson County regarding any other subject or matter, and does not modify amend ratify, confirm or renew any such other prior contract or agreement between the Parties.

D. Entire Agreement

This Agreement merges the prior negotiations and understanding of the Parties hereto and embodies the entire agreement of the parties, and there are no other agreements, assurances, conditions, covenants (express or implied) or other terms with respect to the covenants, whether written or verbal, antecedent or contemporaneous, with the execution hereof.

E. Other Services

Nothing in this Agreement shall be deemed to create, by implication or otherwise, any duty or responsibility of either of the Parties to undertake or not to undertake any other, or to provide or to not provide any service, except as specifically set forth in this Agreement or in a separate written instrument executed by both Parties. The County shall not be obligated to fund any additional monies other than as stated herein.

F. No Waiver of Immunity

Nothing in this Agreement shall be deemed to waive, modify or amend any legal defense available at law or in equity to any of the Parties nor to create any legal rights or claim on behalf of any third party. No Party hereto relinquishes, waives, modifies, or alters to any extent whatsoever any immunity or defense under the laws of the State of Texas and of the United States on behalf of itself, its trustees, officers, employees, and agents as a result of this execution of the Agreement and performance of the covenants contained herein.

G. Amendments and Modifications

Unless otherwise specified herein, this Agreement may not be amended or modified except in writing executed by each of the Parties.

H. Severability

If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof. Provided, however, in the event any term, covenant or condition shall be held invalid and affects in any manner the limitations on the County's or any other party's contributions or participation, then neither the County nor any other party shall have any liability for any incremental or other payments as many otherwise be provided for this Agreement.

I. Notices

All notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the **third (3rd) day** following deposit in a United States Postal Service post office or receptacle with proper postage affixed (certified mail, returned receipt requested) addressed to the respective other Party at the address set out below or at such other address as the receiving Party may have theretofore prescribed by notice to the sending Party.

The initial addresses of the Parties, which any Party may change by giving written notice of its changed address to the other parties, are as follows:

<u>City of Hutto</u>	<u>Zone</u>	<u>Williamson County</u>
Attn: City Manager	Board of Directors for	Attn: County Judge
401 W. Front Street	Hutto Reinvestment	710 Main Street, Suite 101
Austin, Texas 78634	Zone Number One	Georgetown, Texas 78626
	401 W. Front Street	
	Hutto, Texas 78634	

J. Non-Waiver

Failure of any Party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon default or failure of performance shall not be considered a waiver of the right to insist on, and to enforce by any appropriate remedy, strict compliance with any other obligations hereunder or to exercise any other right or remedy occurring as a result of any future default or failure of performance.

K. Assignment

No Party shall assign this Agreement at law or otherwise without the prior written consent of the other Parties. No Party shall delegate any portion of its performance under this Agreement without the written consent of the other Parties.

L. Successors

This Agreement shall bind and benefit the Parties. This Agreement does not create any personal liability on the part of any officer, agent or employee of the City, the Zone or the County.

M. Gender, Number and Headings

Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, unless the context otherwise requires. The headings and section numbers are for convenience only and shall not be considered in interpreting or construing this Agreement.

N. Execution in Counterparts

This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed when all Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

IN WITNESS WHEREOF, the City, the County and the Zone have made and have executed this Agreement in multiple copies, each of which is an original.

WILLIAMSON COUNTY

By: _____
DAN A. GATTIS
COUNTY JUDGE

Date:

CITY OF HUTTO

By: _____
DOUG GAUL
MAYOR

Attest

Date:

HUTTO REINVESTMENT ZONE NUMBER
ONE,
CITY OF HUTTO, TEXAS

By: _____

Printed Name: _____

Title: CHAIRMAN, BOARD OF DIRECTORS

Attest

Date:

Exhibit “1”

Exhibit “2”

Exhibit “3”

Exhibit “4”

Exhibit “5”

Exhibit “6”