



City of Hutto

Agenda

City Council Meeting

Thursday, December 14, 2023 at 7:00 PM

City Council Chambers

Hutto City Hall

500 W. Live Oak Street

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

- 1. CALL SESSION TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION**
- 4. PLEDGE OF ALLEGIANCE**
- 5. CITY MANAGER COMMENTS**
- 6. PUBLIC COMMENT**

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on December 14, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

7. BOARDS AND COMMISSIONS ACTION

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

8. RESOLUTIONS

- 8.1. Consideration and possible action relating to Resolution No. R-2023-336 City relating to authorizing the City Manager to update the City's Capital Improvement Plan and identify available funding for the Capital Improvement Projects (Matt Rector)
- 8.2. Consideration and possible action relating to Resolution No. R-2023-338 authorizing the City Manager to notify Jonah Water Special Utility District of the wholesale waste water rate increase to \$60.38 from \$23.87 per location per month pursuant to Section 5.01 of the Agreement for Wholesale Wastewater Service (Anne LaMere)

- 8.3. Consideration and possible action on Resolution R-2023-340, a resolution adopting the City of Hutto Water Service and Development policy and authorizing the City Manager to enter into Water Capacity Agreements (Matt Rector)
- 8.4. Consideration and possible action approving Resolution No. R-2023-342 approving the First Amendment to the Second Amendment to the Durango Farms Development Agreement (Matt Rector)

9. OTHER BUSINESS

- 9.1. Consideration and possible action regarding the Management Agreement between City of Hutto and Directors of Chaos, LLC and any management agreements involving the Brushy Creek Amphitheater (Mayor Mike Snyder)
- 9.2. Consideration and possible action relating to City Manager delegation of authority when out of office or out due to disability (Mayor Mike Snyder)
- 9.3. Consideration and possible action relating to review of City Attorney legal services provided by the Bojorquez Law Firm, PC (Mayor Mike Snyder)
- 9.4. Consideration and possible action on development a City game room ordinance (Mayor Mike Snyder)

10. CONSENT AGENDA ITEMS

- 10.1. Consideration and possible action on Resolution No. R-2023-332 authorizing the City Manager to execute an Individual Project Order (IPO) with MWM DesignGroup, Inc. in the amount Not to Exceed (NTE) \$12,169 for the Hippo Way project (Matt Rector)
- 10.2. Consideration and possible action relating to Resolution No. R-2023-337 of the City of Hutto, Texas, authorizing the City Manager to execute a deductive change order with Aaron Concrete Contractors LP in the amount of \$57,666.09 related to the FM 1660 and US 79 turn lane project (CIP T-01) (Matt Rector)
- 10.3. Consideration and possible action regarding Resolution R-2023-330 to approve a second amendment to the Funding and Refunding Agreement between the City of Hutto and the Hutto Economic Development Corporation (HEDC) for the Spine Road Construction Project to include the release of all related design and construction documents and information pertaining to the Project from the City to the HEDC and providing for timely cure of any design defects as per the associated contracts and agreements between the City of Hutto and K Friese (Cheney Gamboa)
- 10.4. Consideration and acceptance of November 2023 Monthly Financial Statement. (Anne LaMere)
- 10.5. Consideration and Possible action relating to Resolution No. R- 2023-339 approving the First Amendment to the Contract for the Wholesale Delivery and Sale Of Potable Water Effective September 12, 2023, between City of Hutto and Recharge Water, L.P. to provide additional time to secure financing (City Manager James Earp)
- 10.6. Consideration and possible action on approving the December 7, 2023 City Council work session and meeting minutes (Angela Lewis)
- 10.7. Consider possible action on Ordinance No. O-2023-082 for Durango Farms Planned Unit Development (PUD) zoning ordinance amendment to add Section 3.10 Riparian Setback (Second Reading) (Ashley Bailey)
- 10.8. Consideration and possible action on Ordinance No. O-2023-075 amending Chapter 18, Streets and Public Places, Article 18.03 to provide for construction requirements,

insurance, bonding, enforcement and penalties; repealing ordinance in conflict and providing for an effective date (Second Reading) (Legal)

- 10.9. Consideration and possible action on Ordinance No. O-2023-079 amending the Fee Schedule of the City of Hutto, Appendix A, of the Hutto Code of Ordinances to add Section A1.010 to include a schedule of fees and charges for use of the Public Right-of-Way (Second Reading) (David Amsler)

11. EXECUTIVE SESSION

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

- 11.1. Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney), relating to acceptance of the Gin Site and Gin Lot pursuant to the dedication and conveyance required under Section 3.06 of the Hutto Co-Op District Amended and Restated Master Development Agreement executed on May 4, 2023
- 11.2. Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney) relating to the lawsuit, Cause No. 02-059-C 363, *City of Hutto and Cottonwood Development Corporation, ("CDC") v. McGinnis Lochridge* pending in the 368th District Court of Williamson County, Texas
- 11.3. Receive legal advice pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), and deliberate pursuant to Texas Government Code Section 551.087, (Economic Development Negotiations), relating to the evaluation of available Hutto Economic Development Funds for incentives and current and potential incentive agreements
- 11.4. Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney), relating to a development agreement for Olander Farms development
- 11.5. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests

12. ACTION RELATIVE TO EXECUTIVE SESSION

- 12.1. Consideration and possible action on Executive Session Items

13. CITY COUNCIL COMMENTS

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

political subdivision that has arisen after the posting of the agenda.

13.1. General Comments from City Council

13.2. Future Agenda Items

13.3. Future Additional or Rescheduled meetings as allowed by Hutto City Code Section 1.02.033 Additional or Rescheduled Meetings

13.4. Discussion and possible action related to Work Session topics

14. ADJOURNMENT

15. CERTIFICATION

I certify that this notice of the December 14, 2023 Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on December 11, 2023 before 6:50 P.M.




Angela Lewis

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