



City of Hutto

AMENDED AGENDA

City Council Meeting

Thursday, July 16, 2020 at 7:00 PM

City Council Chambers

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 www.huttotx.gov

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1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. CITY COUNCIL COMMENTS

Pursuant to Texas Government Code Sec. 551.0415, a member of the governance 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.

5.1. General Comments from City Council

6. PUBLIC COMMENT

Public Comments will be allowed via email, phone conference call and walk into Council Chambers for public comment. 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).

Any citizen wishing to speak during public comment may do so after completing the required registration form. Comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on July 16, 2020. The email must include name, address, phone # and email to be recognized properly.

Citizens wishing to comment by phone may call:

One tap mobile

+12532158782,,82199954595#

OR

Manual Dial +1 253 215 8782

US Toll-Free: 833-548-0282

Toll-free Meeting ID: 821 9995 4595

Those appearing for public comment will be seated in the lobby until called into Council Chambers for comment and then exit the opposite door.

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.

[Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits the Board from fully discussing, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the City Staff for action may be placed on the agenda of a future meeting.]

7. CITY MANAGER COMMENTS

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].

7.1. Receive legal advice pursuant to Texas Government Code Section 551.071(1) and (2) relating to the Hutto Sports, Health and Entertainment District; the Multi-Party Development Agreement; the Preston Hollow Capital, LLC Loan Agreement with Cottonwood Development Corporation and deliberations regarding Economic Development pursuant to Tex. Govt. Code § 551.087; and deliberate the purchase or sale of real property within the Hutto Sports, Health and Entertainment District pursuant to Texas Government Code Section 551.072.

7.2. Discussion and possible action relating to legal advice pursuant to Texas Government Code Section 551.071(1) and (2) relating to the Hutto Sports, Health and Entertainment District; the Multi-Party Development Agreement; the Preston Hollow Capital, LLC Loan Agreement with Cottonwood Development Corporation and deliberations regarding Economic Development pursuant to Tex. Govt. Code § 551.087; and deliberate the purchase or sale of real property within the Hutto Sports, Health and Entertainment District pursuant to Texas Government Code Section 551.072.

8. CONSENT AGENDA ITEMS

- | | | |
|------|--|---------|
| 8.1. | Consideration and approval of the June 25, 2020 City Council meeting minutes.
June 25, 2020 Special Called City Council Meeting Minutes | 9 - 10 |
| 8.2. | Consideration and approval of the July 2, 2020 City Council meeting minutes.
July 2, 2020 City Council Minutes | 11 - 16 |
| 8.3. | Consideration and possible action on a Resolution No. R-2020-055 approving the proposed Brooklands Section Five Final Plat, 37.2227 acres, more or less, | 17 - 23 |

of land, 125 residential lots, located at Brooklands Boulevard at CR 163.(Ashley Lumpkin)

[Agenda Item Report - AIR-20-219 - Pdf](#)
[R-2020-055\(Res\)BrooklandsSecFiveFP\(Res\)](#)
[BrooklandsSec5FP](#)

- 8.4. Consideration and possible action on Resolution No. R-2020-056 approving the proposed Cross Creek Subdivision Phases 3 and 4 Final Plat, 36.60 acres, more or less, of land, 168 residential lots, located at off of CR 199.(Ashley Lumpkin) 24 - 31
- [Agenda Item Report - AIR-20-257 - Pdf](#)
[R-2020-056 \(Res\)CrossCreekPh3-4FP\(Res\)](#)
[CrossCreekPh3-4FP](#)
- 8.5. Consideration and possible action on Resolution No. R-2020-057 approving the proposed North Town Commons Lot 7 Block A Final Plat, 1.04 acres, more or less, of land, one commercial lot, located on Limmer Loop at FM 1660 North. (Ashley Lumpkin) 32 - 35
- [Agenda Item Report - AIR-20-273 - Pdf](#)
[R-2020-057\(Res\)NTCLot7BlkAFP\(Res\)](#)
[NTCLot7BlkAFP](#)
- 8.6. Consideration and possible action on Resolution No. R-2020-058 authorizing the Interim City Manager to execute an annexation development agreement between the City of Hutto and Frankie and Judy Limmer for 29.191 acres of land, located on FM 1660 South. (Ashley Lumpkin) 36 - 45
- [Agenda Item Report - AIR-20-282 - Pdf](#)
[R-2020-058 \(Res\) Limmer 1](#)
[Limmer 1 \(29.191\)](#)
- 8.7. Consideration and possible action on Resolution No. R-2020-059 authorizing the Interim City Manager to execute an annexation development agreement between the City of Hutto and Frankie and Judy Limmer for 8.019 acres of land, located on FM 1660 South. (Ashley Lumpkin) 46 - 55
- [Agenda Item Report - AIR-20-285 - Pdf](#)
[R-2020-059\(Res\) Limmer 2](#)
[Limmer 2 \(8.019\)](#)
- 8.8. Consideration and possible action on Resolution No. R-2020-060 authorizing the Interim City Manager to execute an annexation development agreement between the City of Hutto and Frankie and Judy Limmer for 0.85 acres of land, located on FM 1660 South. (Ashley Lumpkin) 56 - 65
- [Agenda Item Report - AIR-20-286 - Pdf](#)
[R-2020-060\(Res\) Limmer 3](#)
[Limmer 3 \(0.85\)](#)
- 8.9. Consideration and possible action on Resolution No. R- 2020-061 authorizing the Interim City Manager to execute an annexation development agreement between the City of Hutto and Frankie and Judy Limmer for 0.63 acres of land, located on FM 1660 South. (Ashley Lumpkin) 66 - 75
- [Agenda Item Report - AIR-20-287 - Pdf](#)
[R-2020-061\(Res\) Limmer 4](#)

[Limmer 4 \(0.63\)](#)

- 8.10. Consideration and possible action on Resolution No. R- 2020-062 authorizing the Interim City Manager to execute an annexation development agreement between the City of Hutto and Sarah Limmer Heselmeyer for 0.939 acres of land, located on FM 1660 South. (Ashley Lumpkin) 76 - 84

[Agenda Item Report - AIR-20-288 - Pdf](#)
[R-2020-062\(Res\) Heselmeyer 1](#)
[Heselmeyer 1 \(0.939\)](#)

- 8.11. Consideration and possible action on Resolution No. R-2020-063 authorizing the Interim City Manager to execute an annexation development agreement between the City of Hutto and Sarah Limmer Heselmeyer for 4.521 acres of land, located on FM 1660 South. (Ashley Lumpkin) 85 - 93

[Agenda Item Report - AIR-20-289 - Pdf](#)
[R-2020-063\(Res\) Heselmeyer 2](#)
[Heselmeyer 2 \(4.521\)](#)

9. ORDINANCES

- 9.1. Consideration of a public hearing and possible action on the first and final reading of Ordinance No. O-2020-019 approving the proposed annexation of the Wahrmond Tracts, 8.448 acres, more or less, of land, and to establish the base zoning for the property as B-2 (General Commercial). (Ashley Lumpkin) 94 - 115

[Agenda Item Report - AIR-20-295 - Pdf](#)
[O-2020-019 WahrmondTractsAnnex-8.448ac\(Ord\)](#)
[Annex-LOI](#)
[WahrmondAnnexation\(SiteMap\)](#)
[Wahrmond Dugger Tracts](#)
[Annex-Boundary](#)
[Annex-Deed\(5.448\)](#)
[Annex-Deed\(3.00\)](#)
[Annex\(Voluntary\)Requirements\(New\)](#)

- 9.2. Consideration of a public hearing and possible action on the first reading of Ordinance No. O-2020-020 approving the zoning change request for the properties to be known as the Wahrmond/Dugger Tracts (3 tracts), 3.710 acres, more or less, of land, from SF-1 (Single Family Residential) to B-2 (General Commercial) zoning district, located on the northwest corner of Limmer Loop and CR 119. (Ashley Lumpkin) 116 - 122

[Agenda Item Report - Pdf](#)
[O-2020-020 Wahrmond-DuggerTracts\(3.710ac\)\(Ord\)](#)
[ExA\(Prop Descrip\)](#)
[ZoningParcels\(3\)](#)
[Wahrmond Dugger Tracts](#)

- 9.3. Consideration and possible action on the first reading of Ordinance No. O-2020-018 approving a Community Development Corporation budget amendment and expenditure approved by the Community Development Corporation Board of Directors in the amount of \$300,000 to fund program administration and loans made available through the Small Business Loan and Disaster Relief Project and \$50,000 to fund General Counsel legal services to 123 - 137

the Corporation.

[Ordinance No. 2020-018 -CDC Budget Amendment w. backup.](#)

- 9.4. Consideration and possible action on repealing Ordinance No. O-2020-016 Amending Article 2.04 Police, Section 2.04.002 Police Department to be in compliance with the Charter. 138 - 142

[O-2020-016 Hutto Ordinance Amending Section 2.04.002 Police Department \(002\)](#)

- 9.5. Consideration and Possible Action on Ordinance No. O-2020-021 Establishing a Diversity and Inclusion Commission. 143 - 150

[O-2020-021 Diversity and Inclusion Commission Ordinance Statement from the Black Families of Hutto - Rev 2](#)

10. RESOLUTIONS

- 10.1. Discuss and consider approval of a Public Improvement District Policy.

- 10.2. Consideration and possible action on Resolution No. R-2020-064 for the first of two readings as required by Texas Local Government Code Section 501.158(b) approving a Resolution authorizing the Community Development Corporation's Small Business Loan and Disaster Relief Project. 151 - 157

[R-2020-064 CDC Declaring Small Business and Disaster Relief Project. Resolution R-2020-043-A Small Business Loan and Disaster Relief Project- G. Hyde](#)

- 10.3. Consideration and possible action on Resolution No. R-2020-064 for the second of two readings as required by Texas Local Government Code Section 501.158(b) adopting a Resolution authorizing the Community Development Corporation's Small Business Loan and Disaster Relief Project. 158 - 164

[R-2020-064 CDC Declaring Small Business and Disaster Relief Project. Resolution R-2020-043-A Small Business Loan and Disaster Relief Project- G. Hyde](#)

11. OTHER BUSINESS

- 11.1. Consideration and Possible Appointments, Re-appointments and/or Removals to City Boards and Commissions. 165 - 167

[Boards and Commissions List 7-8-20](#)

- 11.2. Update on Drainage Ditches Legends of Hutto. (Samuel Ray) 168 - 171

[Agenda Item Report - AIR-20-296 - Pdf](#)

- 11.3. Consideration and possible action to open a 316 investigation regarding the release of separation, severance and transition agreements and giving the Council the ability to subpoena witnesses as necessary. (Councilmember Snyder)

12. 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].

- 12.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to the River Creek Development Corporation and underlying public improvement districts including but not limited to the Co-Op District.
- 12.2. Deliberate the evaluation of the City Attorney pursuant to Texas Government Code Sec. 551.074(1).
- 12.3. Deliberate regarding commercial or financial information received from EDC Moving Systems and deliberate the offer of a financial or other incentive to EDC Moving Systems pursuant to Texas Government Code Section 551.087.
- 12.4. Deliberate the appointment, duties and/or removal of liaisons on any Boards or Commissions pursuant to Texas Government Code Sec. 551.074(1).
- 12.5. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 12.6. Receive legal advice pursuant to Texas Government Code Sec. 551.071 regarding agreement with GAR Broadcasting, LLC.
- 12.7. Receive legal advice in accordance with Tex. Gov't Code § 551.071 regarding waiver of City privileges and related matters.

13. ACTION RELATIVE TO EXECUTIVE SESSION

- 13.1. Discussion and possible action relating to legal advice pursuant to Texas Government Code Sec. 551.071 related to the River Creek Development Corporation and underlying public improvement districts, including but not limited to the Co-Op District.
- 13.2. Discussion and possible action relating to deliberate the evaluation of the City Attorney pursuant to Texas Government Code Sec. 551.074(1).
- 13.3. Discussion and possible action regarding commercial or financial information received from EDC Moving Systems and deliberate the offer of a financial or other incentive to EDC Moving Systems pursuant to Texas Government Code Section 551.087
- 13.4. Discussion and possible action relating to deliberate the appointment, duties and/or removal of liaisons on any Boards or Commissions pursuant to Texas Government Code Sec. 551.074(1).
- 13.5. Discussion and possible action relating to legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.

13.6. Discussion and possible action on action relating to legal advice pursuant to Texas Government Code Sec. 551.071 regarding agreement with GAR Broadcasting, LLC.

13.7. Discuss and possible action relating to waiver of City privileges and related matters.

14. ADJOURNMENT

15. CERTIFICATION

I certify that this notice of the **July 16, 2020** Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on **July 10, 2020 at 4:00 P.M.**

Amended and reposted on 7/13/20 @ 4:30 PM



Holly Nagy

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 City.Secretary@huttox.gov or call (512) 759-4033 for assistance.