



City of Hutto

Agenda

City Council Meeting

Thursday, October 15, 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

Page

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.

5.2. Council Commission Liaison Reports.

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. Comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 3:00 pm on October 15, 2020. The email must

include name, address, phone # and email to be recognized properly.
Citizens wishing to comment by phone may call:

Toll Free Call In: 1-800-717-4201
Conference ID: 242-3288

Once you are in the conference call press *5 to signal that you are requesting to speak during public comment.

[Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits the City Council 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 City Council Session.]

7. CITY MANAGER COMMENTS

8. CONSENT AGENDA ITEMS

- | | | |
|------|---|---------|
| 8.1. | Consideration and possible action on Resolution No. R-2020-089 authorizing the City Manager to execute a proposal for Appraisal Services with Aegis Group, Inc. For appraisal services for the Hutto 315/Emory Crossing Public Improvement District. (City Attorney)
R-2020-089 Authorize CM to sign engagement letter Hutto 315 PID -Emory Crossing- Aegis Group, Inc. 10-15-20 | 8 - 13 |
| 8.2. | Consideration and possible action on Resolution No. R-2020-088 authorizing the City Manager to execute a proposal for Appraisal Services with the Aegis Group, Inc. for appraisal services for the Durango Farms Public Improvement District. (City Attorney)
R-2020-088 Authorize CM to sign engagement letter- Durango Farms PID Aegis Group Inc. 10-15-20 | 14 - 19 |
| 8.3. | Consideration and possible action on Resolution No. R-2020-093 approving the proposed Covered Bridge Revised Preliminary Plat, 49.95 acres, more or less, of land, 231 residential lots, located on CR 138.(Ashley Lumpkin)
Agenda Item Report - AIR-20-359 - Pdf | 20 - 24 |
| 8.4. | Consideration and possible action on Resolution No. R-2020-094 approving the proposed Emory Crossing Preliminary Plat Revision #2, 315.28 acres, more or less, of land, 1,350 residential lots, one amenity lot and one commercial lot, located on FM 1660 North.(Ashley Lumpkin)
Agenda Item Report - AIR-20-346 - Pdf | 25 - 35 |
| 8.5. | Consideration and possible action on Resolution No. R-2020-095 approving the proposed Cottonwood Creek Phase 3 Final Plat, 32.904 acres, more or less, of land, 138 residential lots, located on CR 199.(Ashley Lumpkin)
Agenda Item Report - AIR-20-305 - Pdf | 36 - 42 |
| 8.6. | Consideration and possible action on Resolution No. R-2020-096 approving the proposed Emory Crossing Phase 2 Final Plat, 44.321 acres, more or less, of land, 108 residential lots, located off of CR 119 at Emory | 43 - 49 |

Crossing Boulevard.(Ashley Lumpkin)

[Agenda Item Report - AIR-20-358 - Pdf](#)

- 8.7. Consideration and possible action on Resolution No. R-2020-097 approving the proposed Hansons Corner Expansion Final Plat, 4.8530 acres, more or less, of land, 3 commercial lots, located on Ed Schmidt Boulevard.(Ashley Lumpkin) 50 - 54
[Agenda Item Report - AIR-20-356 - Pdf](#)
- 8.8. Consideration and possible action on Resolution No. R-2020-098 approving the proposed Highlands North Section 3 Final Plat, 44.847 acres, more or less, of land, 134 residential lots, located on CR 133.(Ashley Lumpkin) 55 - 60
[Agenda Item Report - AIR-20-309 - Pdf](#)
- 8.9. Consideration and possible action on Resolution No. R-2020-099 approving the proposed Hutto Crossing Phase 4 Section 13 Final Plat, 0.774 acres, more or less, of land, one ommercial lot, located on Chris Kelley Boulevard.(Ashley Lumpkin) 61 - 65
[Agenda Item Report - AIR-20-357 - Pdf](#)
- 8.10. Consideration and possible action on Resolution No. R-2020-100 approving the subdivision plat approval extension request for the Hutto Highlands Section 2 Phase 3 Final Plat, 42.698 acres, more or less, of land, 114 residential lots, located on FM 1660 North.(Ashley Lumpkin) 66 - 68
[Agenda Item Report - AIR-20-360 - Pdf](#)
- 8.11. Consideration and possible action on Resolution No. R-2020-101 approving the subdivision plat approval extension request for the Hutto Square Section 6 Final Plat, 16.015 acres, more or less, of land, 64 residential lots, located on Limmer Loop.(Ashley Lumpkin) 69 - 71
[Agenda Item Report - AIR-20-361 - Pdf](#)
- 8.12. Consideration and possible action authorizing the request for a purchase order for PBS of Texas, LLC for the 2021 fiscal year. Monthly janitorial services for City Hall, Library, Police Department and Public Works. (Anthony Host) 72 - 98
[Agenda Item Report - AIR-20-366 - Pdf](#)
[Hutto City Hall Janitorial Costs](#)
[Hutto PD and Public Works Proposal - 9.1.2020](#)
[PBS Interlocal Agreement Cedar Park Janitorial](#)

9. ORDINANCES

- 9.1. Consideration of a public hearing and possible action on Ordinance No. O-2020-043 approving the proposed Unified Development Code (UDC) ordinance amendment to the Code of Ordinances (2014 Edition, as amended), Chapter 2 Section 10.203, Development Review Process, Section 10.204.2, Effective Date and Expiration, Chapter 3, Section 10.311.9, Swimming Pools and Chapter 4, Section 10.405, Building Setbacks, General Rules. (Ashley Lumpkin) 99 - 113
[Agenda Item Report - AIR-20-363 - Pdf](#)
- 9.2. Consideration of a public hearing and possible action on the reading of Ordinance No. O-2020-044 approving the annexation of Titan Innovation Business Park Phase II, 106.66 acres, more or less, of land, and to establish the 114 - 122

base zoning as LI (Light Industrial) located at the southeast corner of Limmer Loop and Innovation Boulevard. (Ashley Lumpkin)

[Agenda Item Report - AIR-20-372 - Pdf](#)

10. RESOLUTIONS

- 10.1. Consideration and possible action on Resolution No. R-2020-090 approving a negotiated settlement between Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the company's rate review mechanism. (Misti Hancock) 123 - 175

[Agenda Item Report - AIR-20-373 - Pdf](#)

[2020 Atmos Mid-Tex RRM Model Staff Report Attachments](#)

[R-2020-090 Atmos Mid-Tex RRM Settlement Resolution \(002\)](#)

[2020 Atmos Mid-Tex RRM Settlement Resolution Attachments](#)

- 10.2. Consideration and possible action on Resolution No. R-2020-091 amending the authorized representatives for the City's TexPool account. (Misti Hancock) 176 - 178

[R-2020-091 Adding Signers TexPool Account](#)

- 10.3. Consideration and possible action on Resolution No. R-2020-092 amending the authorized representatives for the City's Bancorp account(s). (Misti Hancock) 179

[R-2020-092 Adding Signers to Bancorp Accounts](#)

- 10.4. Discussion and Possible action on Resolution No. R-2020-102 awarding the Lakeside Estates Lift Station decommissioning project to Bell Contractors, Inc and to direct the City Manager to execute contract documents with Bell Contractors, Inc. and to negotiate with developers of Covered Bridge and Southgate developments regarding an agreement for the funding of the project. (Samuel Ray) 180 - 194

[Agenda Item Report - AIR-20-374 - Pdf](#)

[2020.10.06 Recommendation Letter](#)

11. OTHER BUSINESS

- 11.1. Presentation of the preliminary September 2020 financials. (Misti Hancock)

- 11.2. Consideration of and possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, and Local Government Corporations.(City Secretary) 195 - 198

[Boards Commissions List 10-6-20](#)

- 11.3. Consideration and possible action on establishing the scope of the 316 investigation; requesting that the City Manager require current City Employees to appear and provide information and for subpoenas to be issued by the City Secretary for witnesses to appear at the October 22, 2020 hearing. (City Attorney)

- 11.4. Consideration and possible action regarding redacting legal invoices provided by the McGinnis Lochridge LLP Law Firm from January 1, 2018 to July 30, 2019. (City Attorney)

- 11.5. Consideration and possible action on the request from Preston Hollow Capital for the City Manager to execute a "Securitization Bond" Continuing Disclosure Agreement for the Mustang Creek Public Improvement District.

(City Attorney)

- 11.6. Consider and possible action on proposals for Disclosure Counsel for the City of Hutto General Obligation Refunding Bonds, Tax-Exempt Series 2020 and General Obligation Refunding Bonds, Taxable Series 2020. (City Attorney)

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 from the City Attorney in accordance with Tex. Gov't Code § 551.071 (1) about pending litigation, to wit: Cause No. 20-1143-CC4, *Sneed v. City of Hutto*, In County Court at Law No. 4, Williamson County, Texas.
- 12.2. Receive legal advice in accordance with Section 551.071 (2) of the Texas Government Code related to the letter from Perfect Game dated October 6, 2020 in regard to the Multi-Party Development Agreement dated October 1, 2019 and the Continuous Occupancy Agreement dated December 11, 2019 for 24 Baseball Fields in the City of Hutto.
- 12.3. Receive legal advice from counsel to the City in accordance with Section 551.071 (2) of the Texas Government Code with respect to the request from Preston Hollow Capital for the City Manager to execute a "Securitization Bond" Continuing Disclosure Agreement for the Mustang Creek Public Improvement District.
- 12.4. Receive legal advice from counsel to the City in accordance with Section 551.071 (2) of the Texas Government Code with respect to the request for an opinion from the Texas Attorney General regarding the legality of certain aspects of the financing of improvements in the Hutto Co-Op Public Improvement District.
- 12.5. Receive legal advice from the City Attorney in accordance with Tex. Gov't Code § 551.071 (2) relating to a proposed development agreement for the Mansions of Hutto located in the Extraterritorial Jurisdiction of the City of Hutto.
- 12.6. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.

13. ACTION RELATIVE TO EXECUTIVE SESSION

- 13.1. Possible action related to legal advice received from the City Attorney in accordance with Tex. Gov't Code § 551.071 (1) about pending litigation, to wit: Cause No. 20-1143-CC4, *Sneed v. City of Hutto*, In County Court at Law

No. 4, Williamson County, Texas.

- 13.2. Possible action related to legal advice in accordance with Section 551.071 (2) of the Texas Government Code related to the letter from Perfect Game dated October 6, 2020 in regard to the Multi-Party Development Agreement dated October 1, 2019 and the Continuous Occupancy Agreement dated December 11, 2019 for 24 Baseball Fields in the City of Hutto.
 - 13.3. Possible action related to legal advice received from counsel to the City in accordance with Section 551.071 (2) of the Texas Government Code with respect to the request from Preston Hollow Capital for the City Manager to execute a "Securitization Bond" Continuing Disclosure Agreement for the Mustang Creek Public Improvement District.
 - 13.4. Possible action related to legal advice received from counsel to the City in accordance with Section 551.071 (2) of the Texas Government Code with respect to the request for an opinion from the Texas Attorney General regarding the legality of certain aspects of the financing of improvements in the Hutto Co-Op Public Improvement District.
 - 13.5. Possible action related to legal advice received from the City Attorney in accordance with Tex. Gov't Code § 551.071 (2) relating to a proposed development agreement for the Mansions of Hutto located in the Extraterritorial Jurisdiction of the City of Hutto.
 - 13.6. Possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
14. ADJOURNMENT
 15. CERTIFICATION

I certify that this notice of the **October 15, 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 **October 9, 2020** at **4:50 P.M.**



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.