



City of Hutto

Agenda

City Council Meeting

Thursday, March 23, 2023 at 7:00 PM

City Council Chambers

Hutto City Hall

500 W. Live Oak Street

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

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATION

5.1. Women's History Month Proclamation

5.2. Take a Walk in the Park Day Proclamation

6. CITY MANAGER COMMENTS

7. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on March 23, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

8. PRESENTATION

8.1. Racial Profiling Report (Chief Jeff Yarbrough)

8.2. Traffic Signals on US 79 (Matt Rector and TxDOT Representative)

9. BOARDS AND COMMISSIONS ACTION

9.1. 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.

10. 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).

- 10.1. 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.
- 10.2. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to the option for the City to participate in a new round of opioid trial settlements negotiated by the Office of the Texas Attorney General with Allergan, CVS, Walgreens, and Wal-Mart.
- 10.3. Receive legal advice pursuant to Texas Government Code Section 551.071 in regards to construction defects in public improvements in Brooklands Sections 1 & 2.
- 10.4. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to attorney proposals to conduct an investigation into missing executive session recordings.
- 10.5. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to amending the City's Texas Commission on Environmental Quality (TCEQ) limb storage permit to include an air curtain incinerator site.
- 10.6. Receive legal advice pursuant to Texas Government Code Section 551.071 and deliberate pursuant to Texas Government Code Section 551.087 regarding economic development negotiations related to pending economic development projects.
- 10.7. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to the Durango Farms Amended and Restated Development Agreement, as amended between the City of Hutto, Texas and MA Durango Farms, LLC.

11. ACTION RELATIVE TO EXECUTIVE SESSION

- 11.1. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests.
- 11.2. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to the option for the City to participate in a new round of opioid trial settlements negotiated by the Office of the Texas Attorney General with Allergan, CVS, Walgreens, and Wal-Mart.
- 11.3. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 in regards to construction defects in public improvements in Brooklands Sections 1 & 2.
- 11.4. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to the selection of a law firm from attorney proposals to conduct an investigation into missing executive session recordings.
- 11.5. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 relating to amending the City's Texas Commission on Environmental Quality (TCEQ) limb storage permit to include an air curtain incinerator site.
- 11.6. Consideration and possible action relating to legal advice received pursuant to Texas

Government Code Section 551.071 and deliberations pursuant to Texas Government Code Section 551.087 regarding economic development negotiations related to pending economic development projects.

- 11.7. Consideration and possible action related to legal advice received pursuant to Texas Government Code Section 551.071 relating to the Durango Farms Amended and Restated Development Agreement, as amended between the City of Hutto, Texas and MA Durango Farms, LLC.

12. ORDINANCES

- 12.1. Consideration and possible action on Ordinance O-2023-018 to enact a new Article 22.08 of the Code of Ordinances, establishing routes and procedures for the transportation of non-radioactive hazardous materials (NRHM), creating offenses and establishing a penalty, in compliance with the approval of SH 130 within the city limits as a NRHM route by the Texas Department of Transportation (Legal)
- 12.2. Consideration and possible action on Ordinance No. O-2023-014 prescribing certain fees for the City of Hutto, Texas, amending all applicable ordinances and other instruments; providing for a schedule of fees and charges (David Amsler)
- 12.3. Consideration and possible action on Ordinance O-2023-019 to amend the budget for the participation in the design and construction costs related to Segment 3 of the Southeast Loop (FM 3349) Waterline County Project next to the Frame Switch Pump Station, and authorizing the City Manager to execute change orders. This action would budget \$2,022,366 for this project from American Rescue Plan Act (ARPA) funds. (Matt Rector)

13. RESOLUTIONS

- 13.1. Consideration and possible action on Resolution R-2023-041, a Resolution approving a revised Economic Development Performance Agreement for Project NQ2 and enter into a Sales Tax Funding Agreement with the Hutto Economic Development Corporation. (Bob Farley)
- 13.2. Consideration and possible action on Resolution R-2023-039, a Resolution approving an Economic Development Performance Agreement for Project ESLO and enter into a Sales Tax Funding Agreement with the Hutto Economic Development Corporation. (Bob Farley)

14. OTHER BUSINESS

- 14.1. Public hearing, consideration and possible action on the Amended Project and Financing Plan for Tax Reinvestment Zone Number Two. (Legal)
- 14.2. Consideration and possible action regarding flooding issues between Old Town and Durango Farms. (Mayor Pro Tem Peter Gordon)

15. CONSENT AGENDA ITEMS

- 15.1. Consideration and possible action on approving the March 2, 2023 Work Session and March 2, 2023 City Council meeting minutes. (Angela Lewis)
- 15.2. Discussion and possible action to execute Individual Project Order (IPO) 2023-06 for professional services with CPY, Inc. to perform preliminary engineering design for the Southeast Loop Wastewater Interceptor, a future Wastewater (WW) Capital Improvement Project (WW11) in the amount of \$317,716. (Matt Rector)
- 15.3. Discussion and possible action to execute Individual Project Order (IPO) 2023-06 for

professional services with Garver, LLC to perform preliminary engineering design for County Road 132 from CR 199 to Limmer Loop, Transportation Capital Improvement Project T6, in the amount of \$927,920.96 (Matt Rector)

- 15.4. Discussion and possible action authorizing the City Manager to execute Individual Project Order (IPO) 2023-10 for professional services with Garver, LLC to conduct periodic Wastewater (WW) Service Extension Request (SER) reviews in support of engineering and development services in the not-to-exceed amount of \$155,280 and to direct staff to add associated fees to the City Fee Schedule. (Matt Rector)
- 15.5. Discussion and possible action authorizing the City Manager to execute Individual Project Order (IPO) 2023-10 for professional services with Freese and Nichols, Inc. (FNI) to conduct periodic Water Service Extension Request (SER) reviews in support of engineering and development services in the not-to-exceed amount of \$55,300.00 and to direct staff to add associated fees to the City Fee Schedule. (Matt Rector)
- 15.6. Discussion and possible action authorizing the City Manager to execute Individual Project Order (IPO) 2023-13 for professional services with Freese and Nichols, Inc. (FNI) to conduct periodic Water Model Updates in support of engineering and development services in the amount of \$67,560.00. (Matt Rector)
- 15.7. Discussion and possible action authorizing the City Manager to execute Individual Project Order (IPO) 2023-14 for professional services with Garver, LLC to conduct periodic Wastewater Model Updates in support of engineering and development services in the amount of \$70,485.00. (Matt Rector)
- 15.8. Discussion and possible action authorizing the City Manager to execute Individual Project Order (IPO) 2023-15 for professional services with Garver LLC, to perform the Ed Schmidt Blvd. Intersection Traffic Study in the amount of \$46,418. (Matt Rector)
- 15.9. Discussion and Possible Action on Resolution No. R-2023-065 authorizing the City Manager to execute a Joint Election Agreement and Contract with Williamson County Election Services for the May 6, 2023 General/Special Election (Angela Lewis)
- 15.10. Consideration and possible action on Financial Report for period ended February 28, 2023 (Anne LaMere)
- 15.11. Consideration and possible action for the adoption of Ordinance No. O-2023-017, amending the Budget for the Fiscal Year of October 1, 2022 through September 30, 2023 by appropriating and setting aside funds in the amount of \$250,000 for municipal purposes related to debris removal and disposal in response to the recent severe winter weather. (Second Reading) (Richard Rodriguez)

16. CITY COUNCIL COMMENTS

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

- 16.1. General Comments from City Council

16.2. City Council Liaison Reports

16.3. Future Agenda Items

17. ADJOURNMENT

18. CERTIFICATION

I certify that this notice of the March 23, 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 March 20, 2023 before 5:00 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.