



City of Hutto

Agenda

City Council Meeting

Thursday, June 15, 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. PROCLAMATIONS

5.1. Juneteenth Proclamation

5.2. Independence 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 June 15, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

8. PUBLIC HEARINGS AND RELATED ACTION

8.1. Consideration and possible action on Resolution No. R-2023-129, approving the municipal services agreement for the proposed annexation of the Hutto Data Center Campus Annexation tract, 224.50 acres, more or less, of land located southeast of US79 and CR132 (Ashley Bailey)

8.2. Conduct a public hearing and possible action on Ordinance No. O-2023-032 Approving the Annexation of the Hutto Data Center Campus Annexation tract, 224.50 acres, more or less, of land located southeast of US 79 and CR 132 and to Establish the Base Zoning as LI (Light Industrial) (First Reading) (Ashley Bailey)

8.3. Conduct a public hearing and possible action on Ordinance No. O-2023-033 for the proposed Specific Use Permit request for the property known as 901 Ed Schmidt

Boulevard, to allow a drive-through facility (UDC 10.304.10) (Ashley Bailey)

- 8.4. Conduct a public hearing and possible action on Ordinance No. O-2023-034 Approving the Annexation of the Schmidt's Fields Tract, 46.7 Acres, more or less of Land and to Establish the Base Zoning as MF and B2 (Multiple Household and General Commercial) located northeast of the northeast corner of Limmer Loop and Ed Schmidt (First Reading) (Ashley Bailey)
- 8.5. Conduct a public hearing and possible action on Ordinance O-2023-029 amending Chapter 10 of the Hutto Code of Ordinances adopting the 2021 International Fire Code with amendments (Peter Gordon, Ashley Bailey)

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. RESOLUTIONS

- 10.1. Consideration and possible action with respect to Resolution No. R-2023-128 of the City of Hutto, Texas, Determining costs of the proposed Public Improvements in the Emory Crossing Public Improvement District (Improvement Area #2), approving a proposed Assessment Roll, and making related findings and determinations, in accordance with Chapter 372 of the Texas Local Government Code (Anne LaMere)
- 10.2. Consideration and possible action with respect to Resolution No. R-2023-130 of the City Council of the City of Hutto, Texas, approving the form and authorizing the distribution of a preliminary limited offering memorandum for "City of Hutto, Texas, Special Assessment Revenue Bonds, Series 2023 (Emory Crossing Public Improvement District Improvement Area #2) (Anne LaMere)
- 10.3. Consideration and possible action with respect to Resolution No. R-2023-131 approving Emory Crossing Public Improvement District Reimbursement Agreement (Improvement Area #2); authorizing the City Manager to execute the Agreement; providing proper notice & meeting, and providing an effective date (Anne LaMere)
- 10.4. Consideration and possible action relating to Resolution No. R-2023-133 of the City of Hutto, Texas, accepting a petition and calling for a public hearing on the creation of the Liddell Walker Public Improvement District (PID) within the City of Hutto, Texas (Legal)
- 10.5. Consideration and possible action relating to Resolution No. R-2023-137 of the City Council of the City of Hutto, Texas, electing to be eligible to participate in tax abatement, providing proper notice of meeting and effective date (Legal)

11. OTHER BUSINESS

- 11.1. City of Hutto, Texas Public Notice of a meeting at which the City Council of Hutto, Texas will consider the approval of a tax abatement agreement with Hutto Data Center Campus LLC, a joint venture between affiliates of Dallas-based Skybox Datacenters, LLC and San Francisco-based Prologis, Inc.

Pursuant to the Section 312.207 of the Texas Tax Code, notice is hereby given that the City Council of Hutto, Texas, will consider the approval of a tax abatement agreement with a property owner at a regularly scheduled meeting of the City Council. Tax Abatement Agreement Information Required by Texas Tax Code Section 312.207.

Pursuant to Section 312.207 of the Texas Tax Code, the following information is provided regarding the proposed tax abatement agreement for Hutto Data Center Campus LLC, a joint venture between affiliates of Dallas-based Skybox Datacenters, LLC and San Francisco-based Prologis, Inc.

1. Name of property owner and applicant for tax abatement agreement:

Hutto Data Center Campus Power LLC, c/o Prologis, Inc., 2021 McKinney Ave., Suite 1050, Dallas, TX 75201

2. Name and location of reinvestment zone in which the property subject to the agreement is located:

Hutto Tax abatement Reinvestment Zone No. 1 in the Extraterritorial Jurisdiction of City of Hutto, Texas for property located at 3399 CR 132, Hutto, Texas, 78634, Williamson County, Texas.

3. General description of the nature of the improvements included in the agreement:

Construction of a Data Center facility that houses IT infrastructure for building, running, and delivering applications and services, and for storing and managing the data associated with those applications and services and complete construction of a road connecting the property to SR132

4. Estimated cost of the improvements: Ten Million Dollars (\$10,000,000).

Time and Place of the Meeting. The tax abatement agreement will be considered during the City Council regularly rescheduled meeting to start at 7:00 p.m. on July 20, 2023, in City Hall Council Chambers, 500 West Live Oak, Hutto, Texas 78634.

The tax abatement agreement described in this notice also will appear on the agenda that is posted in accordance with the Texas Open Meetings Act for the scheduled July 20, 2023, meeting of the City Council Hutto, Texas. This notice is given in the manner required by the Texas Open Meetings Act at least 30 days before the scheduled time of the City Council Meeting Described in this notice.

12. CONSENT AGENDA ITEMS

- 12.1. Consideration and possible action regarding Ordinance No. O-2023-035 Approving the City Manager and a Council designated person pursuant to Hutto Charter for facsimile check signatures; dispensing of second reading, providing proper notice & meeting, and providing an effective date (Anne LaMere)
 - a. Consideration and possible action on Ordinance No. O-2023-035 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13. (Legal)
- 12.2. Consideration and possible action on Hutto City Council's 2023 Strategic Plan to advance our Core Values and Strategic Pillars (David Amsler)
- 12.3. Consideration and possible action on Resolution R-2023-134 approving an expense of \$600,000 in a refunding agreement between the Hutto Economic Development

Corporation and Williamson County for the construction of a right-turn lane from County Road 3349 onto the E-W Spine Road at the Megasite (Bob Farley)

- 12.4. Consideration and possible action regarding the May Monthly Financial Report (Anne LaMere)
- 12.5. Consideration and possible action on approving the June 1, 2023 Work Session and June 1, 2023 Council meeting minutes (Angela Lewis)
- 12.6. Consideration and possible action on Ordinance No. O-2023-021 Approving the Annexation of the Upper Schmidts Creek Tract, 40.8 Acres, more or less of Land and to Establish the Base Zoning as MF (Multi-Family) located at the southeast corner of Ed Schmidt Blvd and Limmer Loop. (Second Reading) (Ashley Bailey)
- 12.7. Consideration and possible action on Ordinance No. O-2023-027 creating a Tax Abatement Zone for property located at 3399 CR 132 Hutto, Texas, a tract of land within the area known as the Megasite as allowed by Texas Tax Code Chapter 312 (Second Reading) (Legal)
- 12.8. Consideration and possible action on Ordinance No. O-2023-030 approving the Planned Unit Development (PUD) zoning ordinance request for the property known as Upper Schmidts Creek Planned Unit Development (PUD), 40.8 acres, more or less, of land, located at the southeast corner of Limmer Loop and Ed Schmidt Blvd (Second Reading) (Ashley Bailey)
- 12.9. Consideration and possible action on Ordinance No. O-2023-031 for the Planned Unit Development (PUD) zoning ordinance request for the property known as Schmidt Fields Planned Unit Development (PUD), 46.778 acres, more or less, of land, located on CR 119 (Second Reading) (Ashley Bailey)

13. 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).

- 13.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071, (Consultation with Attorney), related to pending legal issues related to the Prewitt property and the Mager Lane project
- 13.2. Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney), related to the Butler Loan Agreement with Cottonwood Local Government Corporation
- 13.3. Receive legal advice pursuant to Texas Government Code Sec. 551.071, (Consultation with Attorney), related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests including but not limited to the ESLO economic development performance agreement, approving the ESLO Chapter 380 funding agreement between the city and the Hutto Economic Development Corporation Type B, authorizing the Corporation to expend funds in connection with Economic Development Performance Agreement

14. ACTION RELATIVE TO EXECUTIVE SESSION

- 14.1. Consideration and possible action on Executive Session Agenda Items

15. 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.

15.1. General Comments from City Council

15.2. Future Agenda Items

16. ADJOURNMENT

17. CERTIFICATION

I certify that this notice of the June 15, 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 June 12, 2023 before 6:00 P.M.



A Taylor
Amanda Taylor

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.