



City of Hutto

Agenda

City Council Meeting

Thursday, July 6, 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 AND RECOGNITIONS**

- 5.1. Parks and Recreation Month
- 5.2. Hutto Citizens University Recognition

- 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 July 6, 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. Monthly Capital Improvement Projects Update Presentation (Matt Rector)

- 9. PUBLIC HEARINGS AND RELATED ACTION**

- 9.1. Public Hearing on Creation of Lidell Walker Public Improvement District (Legal)
- 9.2. Consideration and possible action on Resolution No. R-2023-140 authorizing and creating the Lidell Walker Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code (Legal)
- 9.3. Consideration and possible action relating to Resolution No. R-2023-156 accepting a dissolution petition pursuant to Chapter 372, Texas Local Government Code, to be held in escrow for the Lidell Walker Public Improvement District (Legal)

- 9.4. Consideration and possible action on Ordinance No. O-2023-036 opening a public hearing on the levy of assessments on property within Emory Crossing Public Improvement District Improvement Area #2 and Approving Levying Special Assessments For, And Apportioning The Costs Of, Certain Improvements To Property In And For The Emory Crossing Public Improvement District Improvement Area #2; Fixing A Charge And Lien Against All Properties Within The District, And The Owners Thereof; Providing For The Manner And Method Of Collection Of Such Assessments; Making A Finding Of Special Benefit To Property In The District And The Real And True Owners Thereof; Approving A Service And Assessment Plan; Providing A Severability Clause; And Providing An Effective Date (First Reading) (Bond Council)

a. Dispensing of Second Reading in accordance with Chapter 13 of the City Charter

- 9.5. Consideration and possible action on Ordinance No. O-2023-037 Authorizing The Issuance Of The "City Of Hutto, Texas Special Assessment Revenue Bonds, Series 2023 (Emory Crossing Public Improvement District Improvement Area #2 Project)"; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, An Offering Memorandum, A Continuing Disclosure Agreement, A Landowner Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date (First Reading) (Bond Council)

10. BOARDS AND COMMISSIONS ACTION

- 10.1. 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
- 10.2. Appointment of City Council Liaisons to Boards and Commissions (Councilmember Randal Clark)
- 10.3. Consideration and possible action on directing staff to update the Hutto Code of Ordinances to require an annual vote to take place for the appointment of the Chair and Vice-Chair of Boards and Commissions and for updating the creation resolutions for Task Forces (Councilmember Brian Thompson)

11. RESOLUTIONS

- 11.1. Consideration and possible action on Resolution No. R-2023-145 authorizing the City Manager to execute Task Order #11 with Burditt Consultants for the Construction Plans for Fritz Park for the amount of \$1,247,771 to be paid from the Park Improvement Fund (Jeff White)
- 11.2. Consideration and possible action on Resolution No. R-2023-155 to preserve the ability to reimburse the Park Improvement Fund from any subsequent bond issuance for the Renovation of Fritz Park (Jeff White)

12. CONSENT AGENDA ITEMS

- 12.1. Consideration and possible action on Resolution No. R-2023-153 authorizing the City Manager to execute a construction contract with Lone Star Sitework, LLC in the amount of \$600,021.50 for the construction of sidewalk and associated driveway modifications for the Lakeside Estates Sidewalk Project Phase 2 (CIP T-5) (Matt Rector)
- 12.2. Consideration and possible action for Rotation list for Construction Materials testing professional services with Arias, Terracon, and Raba Kistner (Matt Rector)

- 12.3. Consideration and possible action on Resolution No. R-2023-151 regarding the purchase of 2 Polaris Utility Task Vehicles for the Police Department in the amount of \$42,458.50 (Chief Jeff Yarbrough)
- 12.4. Consideration and possible action on Resolution No. R-2023-152 authorizing the City Manager to execute a task order with Arias in the amount of \$32,210 for construction materials testing related to the Frameswitch 3 million gallon ground storage tank (CIP W-03) (Matt Rector)
- 12.5. Consideration and possible action on Resolution No. R-2023-148 authorizing the City Manager to execute an Athletic Facility Use Agreement with Hutto Youth Baseball and Softball Association (Jeff White)
- 12.6. Consideration and possible action on approval of Resolution No. R-2023-142 to allow the City Manager to execute a Facility Use Agreement with Sting Soccer Foundation (Jeff White)
- 12.7. Consideration and possible action relating to Resolution R-2023-132 to approve an amended Funding and Refunding Agreement between the Hutto Economic Development Corporation and the City of Hutto for approximately \$18.323 million for the construction of the East-West Spine Road at the Megasite (Bob Farley)
- 12.8. Consideration and possible action on Resolution No. R-2023-143 authorizing the City Manager to execute an amendment to the agreement with DCS in the amount of \$164,030 related to the Glenwood Interceptor project (CIP WW-1) (Matt Rector)
- 12.9. Consideration and possible action on Resolution No. R-2023-146 authorizing the City Manager to execute an amendment to the contract with Studio 16:19 related to the Emory Farms Archway project (Matt Rector)
- 12.10. Consideration and possible action on Resolution No. R-2023-147 authorizing the City Manager to execute an amendment to the contract with Freese & Nichols in the amount of \$10,973.53 related to the Lakeside Estates Sidewalk Project Phase 2 (CIP T5) (Matt Rector)
- 12.11. Consideration and possible action on Resolution No. R-2023-141 authorizing the City Manager to execute an amendment to the contract with CP&Y in the amount of \$66,462 for the Megasite Water Line Project (CIP W10, W6, and W16) (Matt Rector)
- 12.12. Consideration and possible action related to Resolution No. R-2023-149 a resolution of the City Council of the City of Hutto, Texas, authorizing notice to taxing entities of proposed Tax Abatement Agreement with Hutto Data Center Campus, LLC, pursuant to Section 312.2014 of the Texas Tax Code (Legal)
- 12.13. Consideration and possible action on approving the June 15, 2023 Work Session Minutes, the June 15, 2023 City Council meeting minutes, and the June 20, 2023 Special Called City Council meeting minutes (Angela Lewis)
- 12.14. Consideration 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) (Second Reading) (Ashley Bailey)
- 12.15. Consideration and possible action on Ordinance No. O-2023-029 amending Chapter 10 of the Hutto Code of Ordinances adopting the 2021 International Fire Code with amendments (Second Reading) (Peter Gordon, 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 Section 551.071 and deliberations pursuant to Texas Government Code Sections 551.072, (Real Property); 551.087 (Economic Development Negotiations) related to pending economic development projects being considered by the Hutto Economic Development Corporation or the City of Hutto including but not limited to Hotel 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 including but not limited to Compromise and Settlement Agreement
- 13.3. Receive legal advice pursuant to Texas Government Code Section 551.071, (Consultation with Attorney) relating to the purchasing of water from various sources and related matters including acquisition of property pursuant to Texas Government Code Section 551.072, (Deliberate regarding Real Property)
- 13.4. 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

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 July 6, 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 July 3, 2023 before 4:00 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.