



CITY OF UHLAND

Notice and Agenda

**Umland City Council Regular Meeting
Wednesday, July 13, 2022 at 6:00 p.m.**

City Hall Council Chambers, 15 North Old Spanish Trail, Umland, Texas

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 15 North Old Spanish Trail, Umland, Texas. This meeting agenda is also accessible via the Internet at www.cityofuhland.com.

Notice is hereby given that the City Council of the City of Umland, Texas will hold a meeting on Wednesday, July 13, 2022 at 6:00 p.m. in the Council Chambers of City Hall at 15 North Old Spanish Trail, Umland, Texas.

Any person wishing to participate in the meeting or provide public comment must do so during the appropriate time at the physical location of the meeting in accordance with the City's Decorum and Public Comment Policy.

1. CALL SESSION TO ORDER

1.1 Roll Call – City Secretary

1.2 Declaration of Quorum

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS / CITY COUNCIL / MAYOR COMMENTS

Pursuant to Texas Government Code Sec. 551.0415, a member of the governing body may announce 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.

3.1. Mayor Comments / Report

[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.]

4. CITY BOARDS AND COMMISSIONS REPORTS

Planning and Zoning Report of June 15th – P&Z Chair

A) Uhland Plaza, Preliminary Plat – Not Recommended

B) A Fountain of Life Worship Center – Zoning Recommended

C) Camino Crest Phase 2 – Zoning Recommended

5. PUBLIC COMMENT

All participants and speakers are hereby reminded of the City's Decorum and Public Comment Policy.

Interested persons wishing to provide public comments at this meeting must submit a complete public comment request form to the City Secretary for each topic they wish to speak about no later than five (5) minutes **PRIOR** to the start of the. All public comment speakers will be allowed to speak for three (3) minutes on each topic for which they properly submitted a public comment request form.

Public comments on non-agenda topics will be taken at this time.

Public comments on agenda items will be taken at the time each topic is called.

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6. CITY STAFF & CONSULTANT REPORTS

City Staff & Consultant Reports include briefings on pending City matters.

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Report from City Staff for Statutory Approval – May 18, 2022 (due to no meeting in June 2022).

- ***Monte Sagrado, Final Plat – Conditional Recommend***
- ***Wayside Phase 1, Final Plat – Not Recommended***
- ***Marigold Phase 1, Final Plat – Not Recommended***
- ***Camino East Phase 2, Final Plat – Not Recommend***

7. PUBLIC HEARINGS

Public hearings are for public information and input ONLY. No formal action will be taken at this meeting on the items discussed under this heading unless such action is otherwise listed on this agenda as an action item. The hearing(s) will be opened to receive an introduction / report / information from City Staff, then the applicant (if applicable) will be given an opportunity to speak, and then any other interested person(s) will be given an opportunity to provide comment on the hearing topic.

- 7.1. Public hearing on the Final report regarding a rezoning of 4.028 acres in the John Stewart Survey, generally located east of the State Highway 21 and south of Cotton Gin Road, from A, Agricultural to GB, General Business (A Fountain of Life Worship Center)**
- 7.2. Public Hearing on the Final Report regarding a rezoning of 29.017 acres in the John Stewart Survey, generally located west of the intersection of State highway 21 and High Road, from A, Agricultural to PDD, Planned Development District (Camino Crest, Section 2)**
- 7.3. Public hearing on an Ordinance Amending Ordinance No. 245, the Subdivision and Land Development Ordinance**

8. CONSENT AGENDA ITEMS

The following routine, clerical, and administrative items require no public hearing and are anticipated to require little or no individualized discussion by the City Council. It is intended that these items will be acted upon with a single motion as a collective, singular item. A City Council Member may request separate deliberation for a specific item or items at which time that item or items will be removed from the consent agenda for discussion as a regular agenda item. Prior to a vote, the City Council may add to the consent agenda an item or items listed elsewhere on the regular agenda.

8.1. May 11, 2022 – Regular City Council Meeting Minutes

8.2. Final Plat – Monte Sagrado

9. DISCUSSION ONLY ITEMS

The following agenda items are for discussion purposes ONLY. No action will be taken at this meeting on the items listed under this heading.

9.1. Caldwell Valley, Presentation and Discussion regarding the Caldwell Valley Master Plan and a Potential Amended and Restated Development Agreement.

9.2. Presentation of Watermill Village.

10. DISCUSSION AND POSSIBLE ACTION ITEMS

10.1. Termination of Contract with Bickerstaff Heath Delgado Acosta LLP as City of Umland Bond Counsel for Public Improvement District Special Assessment Revenue Bonds – City Administrator

10.2. On Resolution Approving and Engagement Agreement for Bond Counsel Legal Services with Norton Rose Fulbright US LLP; and Other Matters in Connection Therewith – City Administrator

A. The City Council of the City intends to engage Norton Rose Fulbright US LLP to provide the City with bond counsel legal services pertaining to the City's issuance of public securities, including advising the City on its "official statement" to potential investors pursuant to Federal securities law and issuing a legal opinion as to the same.

- B. Norton Rose Fulbright US LLP has consistently demonstrated its competence, qualifications, and experience as an industry leader in public finance matters through the provision of bond counsel legal services, the representation of local governments on federal income tax matters, the publication of disclosure policies and the representation of state agencies and political subdivisions within the State of Texas on public finance matters.**
 - C. Accessing the public markets through the issuance of public securities and providing an “official statement” of the City to potential investors is governed by Federal securities law requires the advice of legal advisors that specialize in public finance matters and are well versed in Federal securities law.**
 - D. Engaging an attorney in private practice who specializes in public finance matters and is well versed in all aspects of public finance matters (including state law, federal income tax law and federal securities law) pursuant to an hourly fee arrangement would likely result in higher fees paid by the City and such fees incurred would be payable by the City through amounts in the City’s General Fund, whether or not the public securities is issued.**
 - E. Fees for professional services in public finance matters, including bond counsel services, have traditionally been paid pursuant to a contingent fee contract, where such fees become payable only upon the successful issuance of the public securities and out of the public securities proceeds. Entering into a contract for bond counsel legal services with Norton Rose Fulbright US LLP (a firm that specializes in public finance matters and is well versed in Federal tax and securities law) payment of which is contingent on the City’s successful issuance of public securities and payable out of public securities proceeds, provides the City a superior level of bond counsel legal services and fee(s) payable under the contract is reasonable in the public finance market and would likely be less than if such services were conducted pursuant to an hourly rate contract with an attorney specializing in public finance matters. This high level of bond counsel legal services pursuant to a contingent fee contract is in the best interest of the residents of the City.**
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- 10.3. Termination of Contract with RBC Capital Markets, LLC as City of Umland Municipal Advisor – City Administrator**
 - 10.4. On a Financial Advisory Agreement with SAMCO Capital Markets and other matters related thereto – City Administrator**
 - 10.5. Rezoning of 4.028 acres in the John Stewart Survey, generally located east of the State Highway 21 and south of Cotton Gin Road, from A, Agricultural to GB, General Business (A Fountain of Life Worship Center) – City Engineer**
 - 10.6. Rezoning of 29.017 acres in the John Stewart Survey, generally located west of the intersection of State highway 21 and High Road, from A, Agricultural to PDD, Planned Development District (Camino Crest, Section 2) – Development Legal**
 - 10.7. Masonry Development Agreement Establishing Development Standards for the Camino Crest 2 Development – Development Legal**
 - 10.8. Planning & Zoning Commission Board – Appointments to Place 1, Ruben Mancias & Place 2, Joanne Jarrett – City Administrator**
 - 10.9. Watermill Village – City of Umland, Texas Deposit and Reimbursement Agreement – Proposed Planned Development District and Public Improvement District – Development Legal**

- 10.10. Resolution Accepting Annexation Petition for Approximately 40.984 acres, more or less, located in Hays County, Texas and setting a public hearing schedule – Development Legal**
- 10.11. Resolution Accepting a Petition for the Creation of Public Improvement District to Finance Improvements to the Watermill Village Development – Development Legal**
- 10.12. Memorandum of Understanding with Continental Homes of Texas, LP (DR Horton) regarding Development of Approximately 108.3 acres of land located along SH 21 near Grist Mill Road, Hays County, Texas – Development Legal**
- 10.13. Ordinance Amending Ordinance No. 245, the Subdivision and Land Development Ordinance, to adopt an alternate review procedure and providing for dedication of required easements - Development Legal**
- 10.14. Ordinance Approving a form of PID deposit agreement and authorizing the City Administrator to execute said agreements – Development Legal**

11. EXECUTIVE SESSION

The City Council for the City of Umland 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 legal counsel], 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],.

- 11.1. Memorandum of Understanding with Continental Homes of Texas, LP (DR Horton) regarding Development of Approximately 108.3 acres of land located along SH 21 near Grist Mill Road, Hays County, Texas – City Administrator, Development Legal**

12. ACTION RELATIVE TO EXECUTIVE SESSION

13. ADJOURNMENT

14. CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice and Agenda of Meeting of the Umland City Council was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, on the following date and time indicated, and remained so posted continuously for 72 hours preceding the scheduled time of said meeting.

Kimberly Weatherford Posted: July 8, 2022 at 1:36 a.m. / p.m.
Kimberly Weatherford, City Secretary

In compliance with the Americans with Disabilities Act, the City of Umland will provide reasonable accommodations for persons attending City Council meetings. Braille is not available. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Kimberly Weatherford, City Secretary, at 512-398-7399 or email citysecretary@uhlandtx.us.