



CITY COUNCIL SPECIAL MEETING MINUTES  
Wednesday, September 8, 2021 – 5:30 PM  
2801 Ranch Road 1869, Liberty Hill, Texas

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Liz Branigan, Mayor	Chris Pezold, Place 1
Kathy Canady, Place 2	Crystal Mancilla, Place 3
Tony DeYoung, Place 4 / Mayor Pro Tem	Angela Jones, Place 5

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#### CALL TO ORDER

The meeting was called to order by Mayor Liz Branigan at 5:36 PM. In attendance were Liz Branigan, Mayor; Chris Pezold; Kathy Canady; Crystal Mancilla; and Angela Jones. Tony DeYoung was not in attendance until 6:30 PM. Quorum was established.

#### REGULAR AGENDA

CONSIDERATION AND POSSIBLE ACTION TO DIRECT STAFF REGARDING THE LIBERTY HILL TAX INCREMENT REINVESTMENT ZONE #3.

- a) Consideration and possible action on a Term Sheet for the Butler Farms project, amendments to the Butler Farms Annexation and Development Agreement, direction to staff and other actions relating thereto.

Lacie Hale presented a PowerPoint.

#### Original Agreement (2018):

- Developer Agreed to pay for the design, permit, construct, and fund:
  - Water extension to serve project.
  - Wastewater lift station and force main to connection at Hwy. 29. serve project.
- City will acquire necessary easements for the wastewater and reimburse costs for oversizing pipe from 12 inches to 16 inches.
- City credited \$1.5 million LUEs for the first 429 dwellings.
  - The wastewater connect fee is \$3,500.00 per LUE and the water connect fee is \$3,500.00 per LUE.

#### Second Amendment (2020)

- City will reimburse costs for oversizing pipe from 16 inches to 24 inches.

### Third Amendment (2021)

#### Fee to Upsize Water Line: \$1,829,461.00

- The City shall waive inspection and/or construction fees for the offsite water improvements shown on that certain "Construction Plans for Butler Farms Water Transmission Lien and Pressure Sewer System". The City shall waive a total of \$106,621.17 for the Offsite Water improvements (the "Offsite Water Fee") and Owner shall not be required to pay the Offsite Water Fee.
- The City shall waive inspection and/or construction fees for the offsite wastewater improvements. City shall waive a total of \$102,819.60 for the Off-site Wastewater Improvements.
- The city shall waive inspection and/or construction fees for the offsite lift station shown on the Approved Offsite Construction Plans. The City shall waive a total of \$25,911.00 for the Offsite Lift Station.
- The City shall waive inspection and/or construction fees for the improvements designated as "Phase One Main Infrastructure. The City shall waive a total of \$204,974.26 for the Phase I Improvements.
- The City shall waive the requirement of payment of \$500,000.00 for any improvements constructed by or on behalf of the City for the booster pump designated by the City as "Well Site 4 Booster Pump".

### Fourth Amendment (2021)

- Design waiver for corner lots.

The City's contribution to the Development Agreement has been \$2.9 million thus far which included oversized water pipes the City wanted.

Dottie Palumbo, counsel for the City stated the developer's attorney and she had spoken with Greg Boatright who was uncomfortable signing an affidavit. She stated they've tried to work out what would be fair. There was extensive discussion on the 30% v 50% within the documents contained within the Development Agreement and related Ordinance. Jon Snyder, P3 Works provided dollar values for the two different scenarios of 30% v 50%.

Chris Pezold made a motion to stay with the 30% in the Ordinance with a maximum equivalent tax rate of \$100 assessed value for annual installment to be 65 cents. Angela Jones seconded the motion.

The representative for the developer addressed that motion.

Dan Wegmiller said 75 cents made sense to him.

Chris Pezold amended his motion to stay with the 30% in the Ordinance with a maximum equivalent tax rate of \$100 assessed value for annual installment to be 75 cents. Angela Jones seconded the amended motion.

Ms. Palumbo addressed the current motion, requesting it might need to be further amended.

Chris Pezold amended his motion again to stay with the 30% of the tax increment in the Ordinance with base values those as of 2021, the TIRZ term will be concurrent with the initial bond term of 30 years, the allocation of the city contribution, TIRZ funds used solely for PID offset, 100% of any excess TIRZ increment returned to the City as ad valorem taxes, TIRZ administrative costs will be \$5,00 first year, subsequent years at Council discretion, the maximum equivalent tax rate per \$100 assessed value for annual installment to be 75 cents, and amend to remove the right of the therein defined owner to dis-annex the property from the City's municipal boundaries and have the annexation parcel dedicated back to the owner, and amend to provide that conditioned upon PID bonds being issued for a given improvement area, the owner shall pay a one-time city PID fee equivalent to \$1,000 per lot at the time of final platting. Angela Jones seconded the second amended motion.

**Motion passed on vote of 4 ayes, 1 nay, and 0 abstentions.** Tony DeYoung opposed the motion.

**ADJOURNMENT**

On motion by Kathy Canady and second by Chris Pezold, Council was adjourned at 7:07 PM.

**Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.**

PASSED AND APPROVED by the City Council of the City of Liberty Hill, Texas on Monday, October 4, 2021 on vote of 5 ayes, 0 nays, and 0 abstentions.

[seal]



*Liz Branigan*  
Liz Branigan, Mayor

*Nancy Sawyer*  
Nancy Sawyer, City Secretary