



City of Hutto

Agenda

Economic Development Corporation (EDC) Board Meeting and Community Development Corporation (CDC) Board Meeting Monday, June 7, 2021 at 6:00 PM City Council Chambers

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

- 2.1. Mike Arismendez, Chairman
Don Carlson, Vice Chairman
Shawn Lucas, Secretary
Mike Arismendez, Treasurer
Marqueta Grant, Board Member
Victor Henry, Board Member
Mike Snyder, Board Member

3. PLEDGE OF ALLEGIANCE

4. 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 Community Development Corporation on agenda issues and on non-agenda issues (i.e., Corporation 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) 759-4913 during business hours. Each person providing public comment will be limited to 3 minutes. (Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits governing bodies from fully discussion, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the Corporation Staff for action may be placed on the agenda of a future meeting.)

5. CONSENT AGENDA

- 5.1. Consideration and possible action approval of the April 5, 2021 Hutto Economic Development Corporation and the Hutto Community Development Corporation Type B Board of Directors' meeting minutes. (Cheri Bowman)
- 5.2. Update on monthly financials. (James Bryson)
- 5.3. Consideration and possible action to approve Opportunity Austin Membership Dues.

6. AGENDA ITEMS

- 6.1. Welcome Director Victor Henry, appointed to the Board of Directors for the Hutto Economic Development Corporation and the Hutto Community Development Corporation by the Hutto City Council, effective May 6, 2021.

- 6.2. Consideration and possible action regarding replacing Business and Community Lenders of Texas with another financial institution to administer the Disaster Relief Loan Program. (Bob Farley)
- 6.3. Public hearing to receive comments for or against the approval of establishing a project using Type B sales tax funds related to certain infrastructure improvement projects and entering into a Funding Agreement with the City of Hutto, Texas regarding the hiring of the independent contractor Freese and Nichols for an expanded Downtown Plan regarding such infrastructure.
- 6.4. Discussion on whether to direct legal counsel to amend the Bylaws of the corporations to prevent any City Council member concurrently serving on the Board of Directors for the corporations from also serving as an officer to either corporations or have signatory authority for either corporation.

7. EXECUTIVE SESSION

The Board may recess its Open Session and convene into Executive Session pursuant to Government Code Chapter 551 regarding the following:

- 7.1. Pursuant to Section 551.071 to deliberate, seek the advice of its General Counsel regarding corporate operations involving corporate policies and procedures, signature authority, subcommittees for focused purposes and possible amendment to the Bylaws of both corporations.
- 7.2. Pursuant to Sections 551.071 and 551.087 to deliberate, seek the advice of its General Counsel regarding economic development incentive negotiations, involving update on all projects, BCL administered Disaster Relief Program, KTONIC, LLC and funding agreement regarding potential Downtown Plan project.

8. ACTION RELATIVE TO EXECUTIVE SESSION

- 8.1. Discussion and possible action regarding the remainder of the first-year payment under the Performance Agreement with KTONIC, LLC.
- 8.2. Discussion and possible action regarding the Disaster Relief Loan Program and its administrator, BCL of Texas.
- 8.3. Discussion and possible action on amending the Bylaws for both corporations.

9. OTHER BUSINESS

- 9.1. Presentation, discussion and possible action regarding disputes that have arisen regarding the requirements, timing and amount of first year payment under the Performance Agreement entered into with KTONIC, LLC. (Greg Goodman)
- 9.2. Presentation, discussion and possible action adopting a resolution authorizing the HCDC Chairman to execute a letter agreement for water line and drainage easements regarding parcels near the Megasite with Williamson County, Texas previously approved on November 2, 2020 regarding new revised offer received from Williamson County. (George Hyde)
- 9.3. Discussion and possible action on Chairman Arismendez also serving as Treasurer of the corporations and updated signature authority for the corporations.

10. ADJOURNMENT

11. CERTIFICATION



Cheri Bowman, Business Retention Specialist
Hutto Community Development Corporation

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 City.Secretary@huttox.gov or call (512) 759-4033 for assistance.

The Board reserves the right to recess the open session of the meeting and reconvene in Executive Session at any time between the meeting's opening and adjournment by majority vote on any item on the agenda for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding gifts and donations pursuant to Chapter 551.073 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the Board's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the item discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.