



City of Hutto

Agenda

Economic Development Corporation (EDC) Board Meeting and

Community Development Corporation (CDC) Board Meeting

Tuesday, July 13, 2021 at 6:30 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, Chair
Don Carlson, Vice Chair
Shawn Lucas, Secretary/Treasurer
Marqueta Grant, Board Member
Victor Henry, Board Member
Mike Snyder, Board Member
Randal Clark, 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 on approval of the April 5, 2021 Hutto Economic Development Corporation and the Hutto Community Development Corporation Type B Board of Directors' meeting minutes.
- 5.2. Consideration and possible action on approval of the June 7, 2021 Hutto Economic Development Corporation and the Hutto Community Development Corporation Type B Board of Directors' meeting minutes. (Holly Nagy)
- 5.3. Consideration and possible action to approve Opportunity Austin Membership Dues.

6. AGENDA ITEMS

- 6.1. Welcome Director Randal Clark, appointed to the Board of Directors for the Hutto Economic Development Corporation and the Hutto Community Development Corporation by the Hutto City Council, effective June 17, 2021.
- 6.2. Update on monthly financials and discussion and possible action to reimburse the City of Hutto for all outstanding expenditures paid by the City on behalf of the EDC.
- 6.3. Discussion and possible action on the Fiscal Year 2022 Economic Development Corporation and Community Development Corporations' Budget.
- 6.4. Discussion of and possible action regarding amendments to the Bylaws of both corporations to prevent any Hutto 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.
- 6.5. Presentation, discussion and possible action on March Servicing Invoice, June Servicing Invoice, June Wire Report and final payment to BCL of Texas under the terminated Professional Services agreement.
- 6.6. Presentation, discussion and possible action regarding a replacement third-party administrator for the Small Business / Disaster Relief Loan program.
- 6.7. Presentation, discussion and possible action on adopting a resolution approving the establishment of a Project using Type B sales tax funds related to certain infrastructure improvement projects and authorizing the Chairman to execute a Funding Agreement with the City of Hutto, Texas regarding the hiring of the independent contractor Freese and Nichols for an expanded Downtown Plan related to this Project.
- 6.8. Presentation, discussion and possible action regarding the adoption of Corporate Policies and Procedures for the day-to-day operation of the corporations.
- 6.9. Discussion and possible action on the forming of subcommittees or advisory groups for focused purposes (e.g., Texas State Technical College Task Force, Business Advisory Committee, etc.).
- 6.10. Discussion and possible action to reimburse the City of Hutto for all outstanding expenditures paid by the City on behalf of the EDC.
- 6.11. Discussion and possible action to pay JHL Company of Austin, Texas for Economic Development Marketing Audit and Strategy.
- 6.12. Presentation of proposed 2021-2022 marketing plan.
- 6.13. Discussion and possible action adopting a resolution regarding remaining balance of its allowed promotional expenses from the current fiscal year, and wishes to preserve and set aside that balance for future promotional expenditures.
- 6.14. Consideration and possible action on selecting a Secretary of both corporations.
- 6.15. Discussion and possible action on Resolution No. R-2021-112 establishing customary meeting dates and times for both corporations.

7. EXECUTIVE SESSION

- 7.1. Pursuant to Section 551.071 to deliberate, seek the advice of its General Counsel regarding corporate operations involving corporate policies and procedures, subcommittees for focused purposes, reimbursement to the City of Hutto and possible amendment to the Bylaws for both corporations.

- 7.2. Pursuant to Sections 551.071 and 551.087 to deliberate and seek the advice of its General Counsel regarding economic development incentive negotiations involving updates on all projects, an administrator for the Small Business / Disaster Relief Loan Program, and funding regarding the Downtown Plan project.
- 7.3. Pursuant to Section 551.071 and 551.074, to deliberate and seek the advice of its General Counsel regarding the duties of the Executive Director.
- 7.4. Pursuant to Section 551.071 and 551.074, to deliberate and seek the advice of its General Counsel regarding the duties of the Business Retention Specialist.
- 7.5. Pursuant to Sections 551.071 and 551.087 to deliberate and seek the advice of its General Counsel regarding economic development incentive negotiations involving updates on all projects, the potential Ovivo Inc. relocation project, an administrator for the Small Business / Disaster Relief Loan program, and funding regarding the Downtown Plan project.

8. ACTION RELATIVE TO EXECUTIVE SESSION

- 8.1. Discussion and possible action regarding corporate policies and procedures, subcommittees and amending the Bylaws for both corporations.
- 8.2. Discussion and possible action regarding the Small Business / Disaster Relief Loan program and a third-party administrator for the Program and final payment to BCL of Texas.
- 8.3. Discussion and possible action regarding the duties of the Executive Director and Business Retention Specialist.
- 8.4. Presentation, discussion and possible action regarding the availability of incentives or establishing a project for Ovivo Inc.'s potential relocation to Hutto, Texas.

9. ADJOURNMENT

10. CERTIFICATION

I certify that this notice of the Hutto EDC meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on July 9, 2021 at 5:30 P.M.



Holly Nagy

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.



Minutes

**Board of Directors Meeting
Economic Development Corporation and
Community Development Corporation
City Hall – Council Chambers
500 West Live Oak Street, Hutto TX 78634
Monday April 5, 2021 at 6:30 p.m.**

Chairman Steven R. Harris
Vice-Chairman Don Carlson
Secretary Shawn Lucas

Treasurer Mike Arismendez
Board Member Marqueta Grant

The Economic Development Corporation (EDC) and the Community Development Corporation (CDC) met in a regular Board meeting on Monday April 5, 2021 at the City Hall Council Chambers located at 500 West Live Oak Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Chairman Steven Harris called the meeting to order at 6:30 p.m.

ROLL CALL

Members of the Community Development Corporation Board that were present were Chairman Steven Harris; Vice Chair, Don Carlson; Secretary, Shawn Lucas; Treasurer, Mike Arismendez; and Board member Marqueta Grant.

Members of staff that were present were George Hyde, EDC/CDC Board Legal Counsel; Cathie Childs, Legal Counsel; James Bryson, Financial Manager; Councilman Mike Snyder, EDC/CDC Board Liaison; and Cheri Bowman, Economic Development Specialist and Board administrator.

PUBLIC COMMENTS

No Public comments

5A. Discuss and consider approval of the January 4, 2021 and February 1, 2021 Hutto Economic Development Corporation and the Hutto Community Development Corporation Type B Board of Directors' meeting minutes.

MOTION: *Vice Chair Don Carlson made a motion to approve the January 4, 2021 and February 1, 2021 Hutto Economic Development Corporation and Hutto Community Development Corporation Type B Board of Directors' meeting minutes as presented. Secretary Shawn Lucas seconded the motion.*

ACTION: *The motion passed 5-0.*

5B. Update on monthly financials. (James Bryson)

Finance manager James Bryson gave a monthly financial report, also stating the budget revenue was up 3% over budget. Chairman Steven Harris asked for this level of detail each meeting. James stated he could use an excel spreadsheet, giving both 2018-2019 and 2019-2020 expenses in detail, as well as the balance sheet. At the moment, the issue with the audit on the City side, the Board's finances are considered a government entity, not a component unit in the general fund, special revenue, so the finances are kind-of blended in, so an adjustment's made for sales tax and the accruals. He tries to do the cash-basis to tie to the bank statement, and accruals for audit. The City has the Board's debts because the City provides the Board, and the sales tax comes from the City. From an accounting standpoint, the Board is a component of the City.

General Counsel George Hyde stated that the EDC is described as an instrumentality of the governing body. Audit will tell you where your property should be (Megasite).

Chairman Steven Harris stated the debt for the Megasite was issued by the Board before he was on the Board. The debt went through the EDC, not the City.

James Bryson stated it shows the payments from the EDC going towards the debt, but on the CAFR, it shows the asset as a City asset, and the debt as a City debt. That does lead to confusion, but he is doing government statements required by auditor.

General Counsel George Hyde stated property was titled in the EDC, paid by the EDC. Type A Board issued/carries the debt.

James Bryson noted that this has been on the City books for 3 years, through several audits. He will provide details to the Board after talking with auditors in the morning.

Treasurer Mike Arismendez asked about a line item on the P&L – reconciliation of \$110.62?

James Bryson replied that it was an adjustment he is working on with the auditors, and should be off the books next month.

Treasurer Mike Arismendez asked General Counsel if “training” is an executive session item. Concerns for transparency, if truly legal advice is required in Executive Session and not in Open Session. Training primarily held in Open Session. Wants public to understand the legal framework.

General Counsel George Hyde cited Section 551.071, defining seeking advice of its General Counsel behind closed doors. There is a need to have discussions in Executive Session for situations that may occur.

The discussion tonight is advising the Board for training requirements, etc., not actual training.

***Treasurer Mike Arismendez** inquired about Executive Sessions being recorded. Concerned with the extent.*

***Chairman Steven Harris** stated the exceptions to the Executive Sessions' recordings would be when receiving advice from general counsel.*

EXECUTIVE SESSION

Executive Session began at 6:55 pm, and reconvened in to Open Session at 9:19 pm.

No action was taken.

MOTION: *Treasurer Mike Arismendez made a motion to have General Counsel draft a resolution terminating the contract with Texas State Technical College (TSTC).*

Vice Chairman Don Carlson seconded the motion.

ACTION: *The motion passed 4-1. Chairman Steven Harris voted nay.*

MOTION: *Secretary Shawn Lucas made a motion, that after considering the real estate offer from Sadasidv Capital Corp., LLC in executive session, for the Board to respectfully decline the offer without a counter offer. Treasurer Mike Arismendez seconded the motion.*

ACTION: *The motion passed 5-0.*

ADJOURNMENT

With no other business to conduct, the meeting was adjourned at 9:21 p.m.

Meeting Reconvened at 9:21 pm.

MOTION: *Vice Chairman Don Carlson made a motion to authorize payment for the 1 year extension regarding the Krueger-Aery Trust Option for the Megasite. Board member Marqueta Grant seconded the motion.*

ACTION: *The motion passed 5-0.*

ADJOURNMENT

With no other business to conduct, the meeting adjourned at 9:23 pm.

Community Development Corporation

Steven Harris, Chairman

ATTEST:

Cheri Bowman, Economic Development Specialist
Business Retention Specialist



City of Hutto

Minutes

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- 6:00 PM

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

-None.

5. CONSENT AGENDA

Chairman Arismendez pulled Item 5.2.

Board member Henry arrived to the meeting at 6:04 PM.

Vice Chairman Carlson pulled Item 5.3.

Chairman Arismendez pulled Item 5.1

- 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)

James Bryson presented May financials. Vice Chairman Carlson requested that a budget line item be presented with financials to see account balances.

- 5.3. Consideration and possible action to approve Opportunity Austin Membership Dues. Membership with Austin Chamber of Commerce. \$10,000 is split with the City of Hutto with the EDC/CDC paying \$5,000. George Hyde stated that this was approved

September 4, 2018 with a 5-year participation ending September 2023. Further review needed on timing.

Board member Snyder made a motion to table Items 5.3 and 5.1, Vice Chair Carlson seconded the motion. The motion passed unanimously. (6:0)

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)

Discussion ensued.

Board Member Snyder made a motion to declare breach of contract with the Business and Community Lenders of Texas and authorize the Chair to execute any documents necessary to complete the breach and any transfers necessary for the loans. Board Member Lucas seconded the motion. The motion passed unanimously (6:0)

- 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.

Public hearing opened: 6:25 PM

Public hearing closed: 6:26 PM

Discussion ensued. \$90,000 this fiscal year and \$90,000 next fiscal year. The funding agreement and resolution will be brought back at the July meeting.

No action taken.

- 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.

Randal Clark spoke on this item.

Discussion ensued.

Chairman Arismendez made a motion to direct legal counsel to start drafting the bylaw changes to Type A that were discussed by Council and mirror that with Type B and bring back. Vice Chairman Carlson seconded the motion. The motion passed unanimously. (6:0).

8.3. Discussion and possible action on amending the Bylaws for both corporations.

Chairman Arismendez made a motion to amend the Bylaws, Vice Chairman Carlson seconded the motion. The motion passed unanimously. (6:0)

7. EXECUTIVE SESSION - Entered: 6:38 PM

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 - Reconvened: 6:55 PM

- 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)

Greg Goodman was present for this item.

Chairman Arismendez went back to Item 8.1.

- 8.1. Discussion and possible action regarding the remainder of the first-year payment under the Performance Agreement with KTONIC, LLC.

Vice Chairman Carlson made a motion to pay KTONIC the remaining \$40,000 pursuant to the contract. Board member Lucas seconded the motion. The motion passed unanimously (6:0).

Chairman Arismendez moved to Item 9.3.

- 9.3. Discussion and possible action on Chairman Arismendez also serving as Treasurer of the corporations and updated signature authority for the corporations.

Chairman Arismendez nominated Board member Lucas as Treasurer. Board member Snyder seconded the motion. The motion passed unanimously. (6:0)

- 8.2. Discussion and possible action regarding the Disaster Relief Loan Program and its administrator, BCL of Texas.

9. OTHER BUSINESS

- 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)

Vice Chairman Carlson made a motion to approve authorizing the Chairman to execute a letter of agreement for water line and drainage easements regarding parcels near the Megasite with Williamson County, Texas previously approved on November 2, 2020. Board member Lucas seconded the motion. The motion passed unanimously. (6:0)

The EDC/CDC reentered Executive Session at 7:03 PM. City Council began their meeting and entered into Joint Executive Session with the EDC/CDC at 7:08 PM.

10. ADJOURNMENT – 8:45 PM

Passed and Approved this _____ day of _____, 2021.

Mike Arismendez, Chairman

ATTEST:

Holly Nagy, City Secretary

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Consideration and possible action to approve Opportunity Austin Membership Dues.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 02-OpportunityAustin4.0_Brochure
2. 01-OpportunityAustin4.0_Benefits
3. Hutto 2021 OA 4.0 Invoice



| A REGION OF OPPORTUNITY |

OPPORTUNITY AUSTIN

| 4.0 |

**TWENTY
YEARS AGO,
AUSTIN'S
ECONOMY
WAS THE
ENVY OF
THE NATION.**

It was anchored by state government and a constellation of first-rate universities, then sent into overdrive with the emergence of “silicon hills” – a high tech boom fueled by 3M, Advanced Micro Devices, Dell, IBM, MCC, Motorola, Sematech, Trilogy and a handful of industry disruptors.

AND THEN THE WORLD CHANGED.

300 millimeter technology pushed wafer manufacturing to low cost countries. The internet spawned scores of new technology-based startups, all vying for the same pool of technical talent.

AND THEN THE WORLD CHANGED... AGAIN.

The tech bubble burst. Austin's economy was rocked. Growth stagnated and employment suffered. In Austin the lights went out and the situation called for a new approach. From that realization, Opportunity Austin was born.

Opportunity Austin is a proven economic development program – but it's more than a program or campaign. Opportunity Austin is an ecosystem of ideas, initiatives and investors who share a common interest: the continued success of our Austin Texas region.

SINCE LAUNCHING IN 2004,
SIGNIFICANT RESULTS FOR THE REGION

365,000+

— DIRECT NEW JOBS —

515 COMPANIES
RELOCATED

863

EMPLOYERS EXPANDED

\$21B

INCREASE IN PAYROLL

750 | 16

INVESTORS | REGIONAL
COMMUNITIES

“The key is not the
age of the institution
but its creativity and its
persistence. Successful metros...
never stop. They do not rest on their
laurels, they build on their successes.”

— Bruce Katz and Jennifer Bradley
“The Metropolitan Revolution”

THE TAKEAWAY?

Only by working together and leveraging
the resources of job creators and
visionary thinkers can we ensure a bright
future for every Central Texan...because
the world will change again.

We invite you to roll up your sleeves
and join us. Become an investor in
Opportunity Austin 4.0., the next
generation of success for our region.





INFLECTION

- AFFORDABILITY
- MOBILITY
- EQUITY
- OPPORTUNITY

Opportunity Austin 1.0, 2.0 and 3.0 can be credited for positioning our region as the “last-in,” and “first-out” of the Great Recession. Today, the region is experiencing near full employment and solid growth. This success has brought its own challenges, including assumptions that it will all continue without additional investment.

WE KNOW BETTER.

Opportunity Austin 4.0 is designed to continue our success by supporting job creation, employability and economic advancement for all.

The cornerstones of OA 4.0 are:

- An inclusive and innovative economy
- An educated, credentialed and career-ready workforce
- Affordable and accessible communities

CONNECTIVITY IS THE SHARED ATTRIBUTE OF THESE CORNERSTONES.

It means a connected economy where relationships nurture new technology development, new company formation, existing company expansion, and new company recruitment. It means a connected workforce where graduates, the unemployed, and the underemployed are connected to education, training, and job opportunities intentionally cultivated to meet their needs. And, it means connected communities where people and commerce flow efficiently between a network of employment centers that enable choice, livability, and diversified, regional economic growth.



ASPIRATION

In the second-half of 2017, a 30-member steering group of investors assembled to assess the successes of Opportunity Austin to-date and address new challenges faced by our region. From four months of meetings and hundreds of pages of written feedback, statistical analysis and forecasting work, the OA 4.0 committee has developed this 10-point working agenda:

SUPPORT EMPLOYER EXPANSION

1. "Connect First" Existing Business Outreach Program

- > Engage current employers about their business issues and actively help find solutions.

2. Targeted Corporate Recruitment

- > Leverage the region's attractiveness and reputation to convince new employers to relocate or create a new presence here, especially headquartered companies and high-growth startups.

3. International Economic Development

- > Recruit foreign direct investment or the promotion of trade relationships.

4. Opportunity Studio

- > Advance collaborative solutions to emerging challenges to capitalize on emerging opportunities.

GENERATE SUSTAINED COMPETITIVENESS

5. A new College and Career Readiness and Placement initiative to encompass Direct-to-College and Direct-to-Work initiatives.

- > Collaborate to ensure high school graduates enroll in postsecondary education.

6. Advance development of Innovation Zones.

- > Invest to develop a vibrant innovation district focused on life sciences and translational medicine in and around downtown Austin and in regional employment centers.

7. Advance major investments and opportunities which may enhance Greater Austin's long-term competitiveness.

- > Uncover potentially game-changing investments that could reinforce our competitiveness as a leading metropolitan economy in the United States and the world.

8. Develop an innovation agenda to support the continued evolution, growth and diversification of the Greater Austin economy.

- > Innovation-driven economic development via capital access to revenue growth, customer acquisition, talent and workforce needs, leadership development, regulatory environment and research.

CRAFT HARD WORKING PUBLIC POLICY

9. Pursue congestion relief in Greater Austin.

- > Emphasize the nexus of infrastructure investment, development patterns, workplace policies and human behavior.

10. Advocate for sufficient housing for the region's current and projected workforce.

- > Encourage incentives and removing regulatory barriers to developments that meet the needs of the workforce and the objectives of the communities in Greater Austin.



ACTIVATION

Just like its predecessors, OA 4.0 runs like you run your organization: discipline, measured flexibility, and an expectation for a return. The OA 4.0 investment portfolio is to:

SUPPORT EMPLOYER EXPANSION

Outcome Goals

- > Engage with at least 500 existing company expansions in the Greater Austin region to support creation of at least 25,000 net new jobs.
- > Directly assist at least 300 companies to create a new presence in the Austin region, supporting the addition of at least 30,000 direct new jobs in Opportunity Austin's target sectors and 75,000 indirect and induced new jobs in a variety of complementary middle-skill occupations.
- > Cultivate at least 50 qualified prospects across targeted international markets to support future foreign direct investment, resulting in at least 10 new international projects and investments.
- > Host five or more Opportunity Studios to catalyze collaborative new investments and initiatives supporting Opportunity Austin's mission.

GENERATE SUSTAINED COMPETITIVENESS

Outcome Goals

- > Ensure 100 percent of high school graduates from Austin, Hutto, Leander, Pflugerville and Round Rock school districts enroll in college (70 percent) or high-performance credential programs (30 percent).
- > Attract and nurture 1,500 direct new jobs in health and life sciences. This includes the Capital City Innovation and improving employment-to-population ratios in regional employment centers.
- > Expand Austin-Bergstrom International Airport. Attract new nonstop domestic and international destinations while increasing frequency of service to key markets.
- > Expand regional college and university certificate and degree granting capacity to 15 completions per 1,000 residents.
- > Increase the number of headquartered companies with \$500 million and \$1 billion valuations.

CRAFT HARD WORKING PUBLIC POLICY

Outcome Goals

Reduce the percentage of workers with an average commute time of 30 minutes or greater from 39 percent to 36 percent in 2023, and increase the percentage of workers with an average commute time of 15 minutes or less from 22.5 percent to 25.5 percent in 2023.

Maintain single-family and rental housing markets that are more affordable than the average American community and more affordable to the average resident in 2023.

- > Housing affordability index (ratio of median sale price to median income): 4.0
- > Percentage of renters spending more than 30% of income on rent: 45 percent



MEASUREMENT

In addition to measuring progress of desired outcome goals for each initiative, Opportunity Austin sets, reviews and tracks a core set of metrics for the entire portfolio.

FIVE-YEAR GOALS (2019-2023)

Total Jobs

- > Addition of 161,000 net new jobs to the regional economy

Average Annual Wages

- > Average wages to \$66,000

Education Attainment

- > Associate's degree or higher: 56.5%

Poverty Rate

- > Poverty rate to 9.5%

2018 GREATER AUSTIN ECONOMIC DEVELOPMENT CORPORATION BOARD

Chair

Gary Farmer

President
Heritage Title Company

Vice Chair

Casey Dobson

Partner
Scott, Douglas & McConnico

Immediate Past Chair

Kerry Hall

President, Austin Region
Texas Capital Bank

Treasurer

Cindy Matula

Central Texas Region Manager
Chase Bank

General Counsel/Assistant Secretary

Matthew Dow

Partner
Jackson Walker LLP

President/Secretary

Mike Rollins

President
Greater Austin Chamber of Commerce

Austin Chamber Chair

Phil Wilson

General Manager
Lower Colorado River Authority (LCRA)

Chamber Immediate Past Chair

Ellen Wood

CEO
vcfo

Craig Cordola

Senior Vice President

Ascension Seton

Tim Crowley

Regional President – Austin Region

Frost

Mark Curry

Community Bank President

Wells Fargo

Casey Dobson

Partner

Scott, Douglas & McConnico

Matt Dow

Partner

Jackson Walker LLP

Greg Fenves

President

The University of Texas at Austin

Laura Gottesman

Owner

Gottesman Residential Real Estate

Tim Hendricks

Senior Vice President

Cousins Properties Incorporated

Lorinda Holloway

Partner

Husch Blackwell, LLP

David Huffstutler

President/CEO

St. David's Healthcare

Jim Jarrett

Vice President - Operations

Texas Gas Service

Seth Johnston

Vice President, Marketing

Lincro Property Company

Chuck Lipscomb

VP – Business Development Director

JE Dunn Construction

Chad Marsh

Managing Principal

Endeavor Real Estate Group

Bart Matheney

Principal

Aqua Commercial

Cindy Matula

Central Texas Region Manager

Chase Bank

Pike Powers

Director Emeritus

Elysia Ragusa

International Director

Jones Lang LaSalle

Bill Redd

Executive Vice President and Senior

Managing Director

Brandywine Realty Trust

Don Reese

Principal/President

Resource Resources

Richard Ridings

Vice President

HNTB Corporation

Rick Whiteley

Executive Director

Cushman & Wakefield

Donnie Williams

SVP – Correspondent Banking &

Business Development

Horizon Bank

Matt Williamson

Managing Director

The Beck Group

Pete Winstead

Shareholder

Winstead PC

Howard Yancy

President

Zydeco Development



INVITATION

Central Texas is the envy of metro areas around the country but it's no accident or stroke of luck. It's taken effort and faith and optimism in our collective future to earn the results we're living today. It is our hope you have seen the benefits of past investment for yourself. What is certain is that since 2004, Opportunity Austin has paved the way for success across the region.

- > You're here.
- > You're investing in Central Texas.
- > You're employing people.
- > You're creating payroll.

WELL DONE.

Whether a first time or continuing investor, we invite you to take your place in, and make your mark on, Opportunity Austin 4.0.

A world of opportunity awaits.

Let's go to work!



OPPORTUNITY AUSTIN

535 E 5th Street
Austin, Texas 78701
512.478.9383

Opportunity Austin is the Greater Austin Chamber of Commerce's economic development initiative to foster sustainable growth through the creation of new jobs and increased payroll in the Central Texas region. This includes **Bastrop, Caldwell, Hays, Travis and Williamson** counties.

For more information please visit opportunityaustin.com.



AUSTIN CHAMBER

OPPORTUNITY AUSTIN

Investor Benefits

Up to \$49,999 (\$9,999 maximum/year)

- Quarterly Opportunity Austin Investor's Breakfast Meetings
- Quarterly E-Opportunity Austin Investor Reports
- Inclusion in investment category listing on Greater Austin Chamber/ Opportunity Austin Webpage with direct link to your Company website
- E-News Alerts on the latest job creation and announcements
- Recognition as an Investor in all Opportunity Austin printed material

Advanced Investor Benefits

\$50,000 - \$99,999 (\$10,000 minimum/year)

- Admittance to Semi-Annual Economic Development Council Reporting Meetings – a review of in-depth reports on prospect activities and detailed briefings on the latest economic trends in Central Texas
- Participation in Showcase Austin – the OA Site Selector Recruitment Event
- Quarterly Opportunity Austin Investor's Breakfast Meetings
- Quarterly E-Opportunity Austin Investor Reports
- Inclusion in investment category listing on Greater Austin Chamber/Opportunity Austin Webpage with link to your Company website
- E-News Alerts on the latest job creation and announcements
- Recognition as an Advanced Investor in all Opportunity Austin printed materials

Lead Investor Benefits

\$100,000 and up (\$20,000 minimum/year)

- Two seats on the Economic Development Council
- Admittance to monthly EDC meetings – to include in-depth reports on prospect activities and detailed briefings on the latest economic trends in Central Texas
- First choice to participate in marketing trips throughout the US and abroad
- Participation in key Prospect Recruiting meetings
- Inclusion in First Priority list given to site selectors or prospects when inquiring about necessary companies in various industries for support or business upon moving.
- Quarterly Opportunity Austin Investor's Breakfast Meetings
- Quarterly E-Opportunity Austin Investor Reports
- Inclusion in investment category listing on Greater Austin Chamber/Opportunity Austin Webpage with link to your Company website
- E-News Alerts on the latest job creation and announcements
- Recognition as a Lead Investor in all Opportunity Austin printed materials



AUSTIN CHAMBER OPPORTUNITY AUSTIN

535 East 5th St
Austin TX 78701
United States

Invoice

Date 4/5/2021
Invoice # 11806
Due Date 1/1/2021

Bill To

City of Hutto
500 W Live Oak St.
Hutto TX 78634
United States

Item	Amount
2021 Opportunity Austin 4.0 Investment	\$10,000.00
Total	\$10,000.00

Your investment in Opportunity Austin 4.0 will help strengthen our community by supporting strategic initiatives across the region in the areas of economy, talent and community. By working together and leveraging the resources of job creators and visionary thinkers we can ensure a bright future for every Central Texan.

TERMS AND CONDITIONS

95% of your payment may be tax deductible as a business expense. The remaining 5% is not deductible, as it supports local and state lobbying activities of Opportunity Austin.

Remittance Slip

Customer City of Hutto
Invoice# 11806
Amount Due \$10,000.00
Amount Paid _____

Make Checks Payable To

Opportunity Austin
535 East 5th St
Austin TX 78701
United States

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Welcome Director Randal Clark, appointed to the Board of Directors for the Hutto Economic Development Corporation and the Hutto Community Development Corporation by the Hutto City Council, effective June 17, 2021.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Update on monthly financials and discussion and possible action to reimburse the City of Hutto for all outstanding expenditures paid by the City on behalf of the EDC.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. EDC financials
2. Due to Due from City and EDC

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Balance Sheet As of June 30, 2021

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Checking - FSB	73,787.75
Restricted for debt service	362,432.60
TexPool Operating Account	2,416,211.32
Total Bank Accounts	\$2,852,431.67
Accounts Receivable	
11000 Accounts Receivable	0.00
Total Accounts Receivable	\$0.00
Other Current Assets	
Employee Receivable	0.00
Other Assets	0.00
Sales Tax Receivable	0.00
Total Other Current Assets	\$0.00
Total Current Assets	\$2,852,431.67
Other Assets	
Land	0.00
Loan funds on hand at BCL	4,166.67
Loan Portfolio	104,583.19
Total Other Assets	\$108,749.86
TOTAL ASSETS	\$2,961,181.53

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Balance Sheet As of June 30, 2021

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	12,208.32
Total Accounts Payable	\$12,208.32
Credit Cards	
2500 Chase Credit Card	0.00
Wells Fargo	0.00
Total Credit Cards	\$0.00
Other Current Liabilities	
2100 Payroll Liabilities	34.77
2101 941	0.00
Cigna-Basic Life & AD&D	
Cigna-LTD	
Cigna-STD	
Disability	
Federal Taxes (941/944)	0.00
Federal Unemployment (940)	42.00
ICMA	
Life Insurance	
MetLife	
TMRS	
TX Unemployment Tax	81.00
UHC	10,349.11
Unum	
Vision Insurance	
Voluntary Life	
Total 2100 Payroll Liabilities	
2110 Direct Deposit Liabilities	0.00
City of Hutto Payable	186,517.44
City of Hutto Tirz Fund 84	5,601.30
Direct Deposit Payable	0.00
Total Other Current Liabilities	\$214,751.50
Total Current Liabilities	\$226,959.82
Total Liabilities	\$226,959.82
Equity	
3000 Opening Bal Equity	300,296.87
3900 Retained Earnings	1,394,625.36

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Balance Sheet
As of June 30, 2021

	TOTAL
Net Income	1,039,299.48
Total Equity	\$2,734,221.71
TOTAL LIABILITIES AND EQUITY	\$2,961,181.53

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Profit and Loss
October 2020 - June 2021

	TOTAL
Income	
4B Sales Tax Allocation	1,569,888.42
Miscellaneous Income	23,127.00
Net Investment TaxPool	905.41
Total Income	\$1,593,920.83
GROSS PROFIT	\$1,593,920.83
Expenses	
6560 Human Resources	
Professional Development & Dues	
Membership Dues	2,500.00
Total Professional Development & Dues	2,500.00
Total 6560 Human Resources	2,500.00
6800 Interest Paid	182,632.60
Administration	
Community Relations	0.00
Finance Costs	15.00
Office	132.40
Office Equipment	0.00
Computer Services	0.00
Total Office Equipment	0.00
Office Operations & Supplies	
Banking Fees	37.00
Total Office Operations & Supplies	37.00
Professional Services	41,566.00
Legal	73,271.42
Total Professional Services	114,837.42
Total Administration	
Payroll Expenses	
Company Contributions	
Retirement	
Total Company Contributions	
Taxes	
Wages	
Total Payroll Expenses	
Programs	
Marketing & Materials	52,127.50
Advertising	17,500.00
Total Marketing & Materials	69,627.50
Total Programs	69,627.50

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Profit and Loss

October 2020 - June 2021

	TOTAL
Projects	90,000.00
Admin Serv Agmt with City	12,500.00
AEND Incentive	25,000.00
Co-op Tirz	5,601.30
Incentives	791.96
Total Projects	133,893.26
Property Tax	1,206.73
Training/Conferences	-195.66
Travel	269.50
Total Expenses	\$554,621.35
NET OPERATING INCOME	\$1,039,299.48
Other Expenses	
Reconciliation Discrepancies-1	0.00
Total Other Expenses	\$0.00
NET OTHER INCOME	\$0.00
NET INCOME	\$1,039,299.48

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Profit and Loss

October 1, 2020 - June 30, 2021

	Total	Budget	3rd Q % 75%
Income			
4B Sales Tax Allocation	1,569,888.42	1,902,728.00	0.83
Miscellaneous Income	23,127.00	23,128.00	
Net Investment TexPool	905.41	6,250.00	
		72,500.00	
Total Income	\$ 1,593,920.83	2,004,606.00	0.80
Gross Profit	\$ 1,593,920.83	2,004,606.00	
Expenses			
6560 Human Resources			
Professional Development & Dues			
Membership Dues	2,500.00	5,000.00	
Total Professional Development & Dues	\$ 2,500.00		
Total 6560 Human Resources	\$ 2,500.00		
6800 Interest Paid	182,632.60	544,865.00	
Administration			
Community Relations	0.00		
Finance Costs	15.00		
Office Operations & Supplies	132.40		
Banking Fees	37.00		
Total Office Operations & Supplies	\$ 169.40	1,550.00	
Professional Services	41,566.00	123,000.00	
Legal	73,271.42	75,000.00	
Total Professional Services	\$ 114,837.42		
Total Administration	\$ 115,021.82		
Payroll Expenses			
Company Contributions			
Retirement	5,039.42		
Total Company Contributions	\$ 5,039.42		
Taxes	3,376.12		
Wages	41,250.06		
Total Payroll Expenses	\$		
Programs			
Marketing & Materials	52,127.50	100,000.00	
Advertising	17,500.00		
Total Marketing & Materials	\$ 69,627.50		
Total Programs	\$ 69,627.50		
Projects			
Admin Serv Agmt with City	12,500.00		
AEND Incentive	25,000.00	25,000.00	
Co-op Tirz	5,601.30	12,500.00	
Incentives	791.96		
Total Projects	\$ 133,893.26	875,000.00	
Property Tax	1,206.73		
Training/Conferences	-195.66	15,000.00	
Travel	269.50		
Total Expenses	\$ 554,621.35	1,849,415.00	0.30
Net Operating Income	\$ 1,039,299.48		
Other Expenses			
Reconciliation Discrepancies-1	0.00		
Total Other Expenses	\$ 0.00		
Net Other Income	\$ 0.00		
Net Income	\$ 1,039,299.48	155,191.00	

E0/2

HUTTO ECONOMIC DEVELOPMENT
 CORPORATION TYPE B DBA
 HUTTO COMMUNITY DEVELOPMENT
 CORPORATION
 500 W LIVE OAK ST
 HUTTO TX 78634-3179

STATEMENT DATE
 06/30/21
 ACCOUNT NUMBER
 [REDACTED]

INFOLINE 1-888-797-7711

THIS IS THE FINAL NOTICE YOU WILL RECEIVE ABOUT THE CHANGES
 TO THE TERMS AND CONDITIONS OF YOUR ACCOUNT. YOU MAY OBTAIN
 A COPY AT YOUR LOCAL BRANCH OR AT WWW.BANCORPSOUTH.COM

***** CHECKING ACCOUNT SUMMARY *****
 PREVIOUS BALANCE 97,806.12 AVERAGE BALANCE
 + 1 CREDITS 50,000.00 93,364
 - 6 DEBITS 62,168.95 YTD INTEREST PAID
 - SERVICE CHARGES .00 .00
 + INTEREST PAID .00
 ENDING BALANCE 85,637.17

DAYS IN PERIOD

30

***** CHECKING ACCOUNT TRANSACTIONS *****

DEPOSITS AND OTHER CREDITS

DATE	AMOUNT	TRANSACTION DESCRIPTION	CHK NO/ATM CD
06/11	50,000.00	449: TXPOOL [REDACTED]	
		[REDACTED] INVESTMENT PPD	

CHECKS

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
06/11	6962	17,807.16	06/14	6964*	40,000.00

OTHER DEBITS

DATE	AMOUNT	TRANSACTION DESCRIPTION	CHK NO/ATM CD
06/01	[REDACTED]	PAYROLL [REDACTED]	
		[REDACTED] PAYROLL CCD	
06/04	536.24	IRS [REDACTED]	
		227155566049994 USATAXPYMT CCD	
06/15	[REDACTED]	PAYROLL [REDACTED]	
		4462800242	
		[REDACTED] PAYROLL CCD	
06/18	536.26	IRS [REDACTED]	
		227156966059518 USATAXPYMT CCD	

***** DAILY BALANCE SUMMARY *****

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
05/31	97806.12	06/11	127818.07	06/15	86173.43
06/01	96161.47	06/14	87818.07	06/18	85637.17
06/04	95625.23				

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Checking - FSB, Period Ending 06/30/2021

RECONCILIATION REPORT

Reconciled on: 07/02/2021

Reconciled by: James Bryson

Any changes made to transactions after this date aren't included in this report.

Summary		USD
Statement beginning balance		97,806.12
Checks and payments cleared (6)		-62,168.95
Deposits and other credits cleared (3)		50,000.00
Statement ending balance		85,637.17
Uncleared transactions as of 06/30/2021		-11,849.42
Register balance as of 06/30/2021		73,787.75
Cleared transactions after 06/30/2021		0.00
Uncleared transactions after 06/30/2021		-1,644.64
Register balance as of 07/02/2021		72,143.11

Details

Checks and payments cleared (6)

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
06/01/2021	Check	6962	Russell Rodriguez Hyde Bullock...	-17,807.16
06/01/2021	Payroll Check	DD	Cheri L. Bowman	
06/04/2021	Tax Payment		IRS	-536.24
06/10/2021	Check	6964	KTonic, LLC	-40,000.00
06/15/2021	Payroll Check	DD	Cheri L. Bowman	
06/18/2021	Tax Payment		IRS	-536.26

Total

Deposits and other credits cleared (3)

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
04/14/2021	Check	6956	Russell Rodriguez Hyde Bullock...	0.00
06/03/2021	Check	6963	JHL	0.00
06/30/2021	Journal	165		50,000.00

Total

50,000.00

Additional Information

Uncleared checks and payments as of 06/30/2021

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
04/11/2017	Bill Payment	6530	Mario Perez	-49.42
10/04/2017	Bill Payment	6674	Patrick Keel	-1,800.00
06/11/2021	Check	6965	JHL	-10,000.00

Total

-11,849.42

Uncleared checks and payments after 06/30/2021

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
07/01/2021	Payroll Check	DD	Cheri L. Bowman	

Total

TexPool Participant Services
1001 Texas Avenue, Suite 1150
Houston, TX 77002



HUTTO EDC
OPERATING ACCOUNT
ATTN TIMOTHY JORDAN
PO BOX 1016
HUTTO TX 78634-1016

Participant Statement

Statement Period 06/01/2021 - 06/30/2021

Customer Service 1-866-TEX-POOL
Location ID [REDACTED]
Investor ID [REDACTED]

TexPool Update

Your feedback is important in our effort to provide you with the best service possible. Click Contact Us on TexPool.com to send an email, or call TexPool Participant Services at 1-866-TEX-POOL (839-7665). We look forward to hearing from you!

TexPool Summary

Pool Name	Beginning Balance	Total Deposits	Total Withdrawals	Total Interest	Current Balance	Average Balance
Texas Local Government Investment Pool	\$2,622,512.66	\$206,102.17	\$50,000.00	\$29.08	\$2,778,643.91	\$2,685,206.37
Total Dollar Value	\$2,622,512.66	\$206,102.17	\$50,000.00	\$29.08	\$2,778,643.91	

Portfolio Value

Pool Name	Pool/Account	Market Value (06/01/2021)	Share Price (06/30/2021)	Shares Owned (06/30/2021)	Market Value (06/30/2021)
Texas Local Government Investment Pool	[REDACTED]	\$2,622,512.66	\$1.00	2,778,643.910	\$2,778,643.91
Total Dollar Value		\$2,622,512.66			\$2,778,643.91

Interest Summary

Pool Name	Pool/Account	Month-to-Date Interest	Year-to-Date Interest
Texas Local Government Investment Pool	[REDACTED]	\$29.08	\$325.91
Total		\$29.08	\$325.91

Transaction Detail

Texas Local Government Investment Pool

Participant: HUTTO EDC

Pool/Account: [REDACTED]

Transaction Date	Settlement Date	Transaction Description	Transaction Dollar Amount	Share Price	Shares This Transaction	Shares Owned
06/01/2021	06/01/2021	BEGINNING BALANCE	\$2,622,512.66	\$1.00		2,622,512.660
06/10/2021	06/11/2021	ACH WITHDRAWAL	\$50,000.00-	\$1.00	50,000.000-	2,572,512.660
06/16/2021	06/16/2021	TRANSFER DEPOSIT	\$192,706.30	\$1.00	192,706.300	2,765,218.960
06/28/2021	06/28/2021	TRANSFER DEPOSIT	\$13,395.87	\$1.00	13,395.870	2,778,614.830
06/30/2021	06/30/2021	MONTHLY POSTING	\$29.08	\$1.00	29.080	2,778,643.910
Account Value as of 06/30/2021			\$2,778,643.91	\$1.00		2,778,643.910

CITY OF HUTTO

Sales Tax Revenue Tracking - FY 2020-21

Gross Receipts (100%) Includes EDC Portion

Received Month	FY Accrual Month	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-2019	2019-2020	2020-21		HEDC	CITY		Prior Year
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Estimate	Actual	GL 2004	GL 5005	PropTax Reduct	Inc/(Dec)%
December	October	199,018	180,535	200,560	224,166	253,148	277,071	369,429	474,540.93	\$ 506,956.04	534,176.64	\$ 614,452.11	153,613.03	307,226.06	153,613.03	21.2%
January	November	215,151	227,614	242,855	270,768	319,943	350,533	359,361	357,339.68	\$ 490,708.23	517,056.42	\$ 708,121.25	177,030.31	354,060.63	177,030.31	44.3%
February	December	156,682	189,806	197,678	224,496	262,807	275,993	454,681	501,980.52	\$ 628,416.51	662,158.84	\$ 803,617.57	200,904.39	401,808.79	200,904.39	27.9%
March	January	148,263	182,189	184,293	208,071	251,671	318,914	345,985	413,621.31	\$ 499,327.62	526,138.62	\$ 633,444.02	158,361.01	316,722.01	158,361.01	26.9%
April	February	221,948	222,761	263,069	278,373	325,954	376,762	341,629	457,895.95	\$ 465,973.71	490,993.80	\$ 526,666.04	131,666.51	263,333.02	131,666.51	13.0%
May	March	163,924	184,169	171,996	211,318	240,129	342,423	519,952	464,344.36	\$ 625,087.68	658,651.27	\$ 916,583.66	229,145.92	458,291.83	229,145.92	46.6%
June	April	156,181	175,584	180,871	201,446	247,293	326,004	418,009	465,712.35	\$ 635,365.46	669,480.91	\$ 770,825.18	192,706.30	385,412.59	192,706.30	21.3%
July	May	250,437	252,109	272,544	316,882	356,069	436,641	398,817	492,082.90	\$ 669,240.51	705,174.85		-	-	-	-100.0%
August	June	187,043	215,821	241,769	273,195	275,157	320,400	379,982	568,882.97	\$ 744,000.08	783,948.58		-	-	-	-100.0%
September	July	184,982	189,126	216,412	248,786	264,304	359,171	416,196	477,730.72	\$ 652,155.07	687,172.02		-	-	-	-100.0%
October	August	240,912	277,847	271,848	341,712	353,526	420,207	398,188	475,877.63	\$ 628,781.38	662,543.30		-	-	-	-100.0%
November	September	199,290	213,156	229,467	276,364	290,809	385,022	468,620	562,669.45	\$ 677,062.41	713,416.74		-	-	-	-100.0%
Total		2,323,831	2,510,716	2,673,362	3,075,578	3,440,810	4,189,140	4,870,848	5,712,679	7,223,075	7,610,912	4,973,710	1,243,427	2,486,855	1,243,427	

CITY OF HUTTO
Sales Tax Revenue Tracking - FY 2019-20
Gross Receipts (100%) Includes EDC Portion

Received Month	FY Accrual Month	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-2019	2019-20		HEDC	CITY		Prior Year Inc/(Dec)%
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Estimate	Actual	2004	5005	PropTax Reduct	
December	October	199,018	180,535	200,560	224,166	253,148	277,071	369,429	474,540.93	619,670.17	\$ 506,956.04	126,739.01	253,478.02	126,739.01	6.8%
January	November	215,151	227,614	242,855	270,768	319,943	350,533	359,361	357,339.68	466,625.17	\$ 490,708.23	122,677.06	245,354.12	122,677.06	37.3%
February	December	156,682	189,806	197,678	224,496	262,807	275,993	454,681	501,980.52	655,501.63	\$ 628,416.51	157,104.13	314,208.26	157,104.13	25.2%
March	January	148,263	182,189	184,293	208,071	251,671	318,914	345,985	413,621.31	540,119.45	\$ 499,327.62	124,831.91	249,663.81	124,831.91	20.7%
April	February	221,948	222,761	263,069	278,373	325,954	376,762	341,629	457,895.95	597,934.64	\$ 465,973.71	116,493.43	232,986.86	116,493.43	1.8%
May	March	163,924	184,169	171,996	211,318	240,129	342,423	519,952	464,344.36	606,355.18	\$ 625,087.68	156,271.92	312,543.84	156,271.92	34.6%
June	April	156,181	175,584	180,871	201,446	247,293	326,004	418,009	465,712.35	608,141.54	\$ 635,365.46	158,841.37	317,682.73	158,841.37	36.4%
July	May	250,437	252,109	272,544	316,882	356,069	436,641	398,817	492,082.90	642,577.02	\$ 669,240.51	167,310.13	334,620.26	167,310.13	36.0%
August	June	187,043	215,821	241,769	273,195	275,157	320,400	379,982	568,882.97	742,864.91	\$ 744,000.08	186,000.02	372,000.04	186,000.02	30.8%
September	July	184,982	189,126	216,412	248,786	264,304	359,171	416,196	477,730.72	623,835.50	\$ 652,155.07	163,038.77	326,077.54	163,038.77	36.5%
October	August	240,912	277,847	271,848	341,712	353,526	420,207	398,188	475,877.63	621,415.68	\$ 628,781.38	157,195.35	314,390.69	157,195.35	32.1%
November	September	199,290	213,156	229,467	276,364	290,809	385,022	468,620	562,669.45	734,751.11	\$ 677,062.41	169,265.60	338,531.21	169,265.60	20.3%
Total		2,323,831	2,510,716	2,673,362	3,075,578	3,440,810	4,189,140	4,870,848	5,712,679	7,459,792	7,223,075	1,805,769	3,611,537	1,805,769	
EDC		580,958	627,679	668,341	768,895	860,203	1,047,285	1,217,712	1,428,170	1,864,948	1,805,769				
Prop Tax		580,958	627,679	668,341	768,895	860,203	1,047,285	1,217,712	1,428,170	1,864,948	1,805,769				
City - 1%		1,161,915	1,255,358	1,336,681	1,537,789	1,720,405	2,094,570	2,435,424	2,856,339	3,729,896	3,611,537				



City of Hutto, TX

Detail Report

Account Detail

Date Range: 10/01/2017 - 06/30/2021

Account	Name		Beginning Balance	Total Activity	Ending Balance			
Fund: 10 - General Fund								
10-1262	HEDC Receivable		0.00	184,383.04	184,383.04			
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
10/31/2017	GLPKT04722	JE001490		Record EDC Agreement paid back in No			275,000.00	275,000.00
10/31/2017	GLPKT04891	JE001539		Correct JE 4722. already booked in 377			-275,000.00	0.00
04/03/2018	POPKT00718	217239 EDC		Due from EDC PIA Matter No. 204983	20461 - McGinnis Lochridge and Kilgore, LL		4,108.50	4,108.50
04/03/2018	POPKT00718	217242 EDC		Due from EDC Economic Dev. Matter N	20461 - McGinnis Lochridge and Kilgore, LL		35,934.50	40,043.00
04/03/2018	POPKT00718	217244 EDC		Due from EDC Retainer Matter No. 204	20461 - McGinnis Lochridge and Kilgore, LL		5,441.60	45,484.60
04/03/2018	POPKT00718	218017 EDC		Due from EDC Economic Dev. Matter N	20461 - McGinnis Lochridge and Kilgore, LL		23,600.00	69,084.60
04/03/2018	POPKT00718	218019 EDC		Due from EDC PIA Matter No. 204983	20461 - McGinnis Lochridge and Kilgore, LL		2,806.50	71,891.10
04/03/2018	POPKT00718	218560 EDC		Due from EDC PIA Matter No. 204983	20461 - McGinnis Lochridge and Kilgore, LL		7,865.00	79,756.10
04/03/2018	POPKT00718	218628 EDC		Due from EDC Economic Dev. Matter N	20461 - McGinnis Lochridge and Kilgore, LL		17,733.00	97,489.10
04/05/2018	GLPKT04605	JE001452		Transfer Amounts to Due From MA Part			-50,036.50	47,452.60
04/05/2018	GLPKT04606	JE001453		Transfer Amounts to Due From MA Part			-9,000.00	38,452.60
04/30/2018	APPKT00954	051418Parker		EDC Mileage Reimbursement April 201	14976 - Parker, Sharon		112.73	38,565.33
04/30/2018	GLPKT05043	JE001580		to record misc deposits made during th			-38,194.00	371.33
04/30/2018	APPKT00972	219231		Economic Development Matter #20497	20461 - McGinnis Lochridge and Kilgore, LL		28,963.00	29,334.33
05/23/2018	APPKT00990	219731		Butterfly Project and New Project Fees	20461 - McGinnis Lochridge and Kilgore, LL		34,282.50	63,616.83
05/23/2018	APPKT00990	219731		Remaining Economic Development Fees	20461 - McGinnis Lochridge and Kilgore, LL		9,089.50	72,706.33
05/29/2018	APPKT00990	061118(2)		EDC Mileage Reimbursement May 2018	14976 - Parker, Sharon		13.73	72,720.06
06/18/2018	GLPKT05341	JE001621		To Record 6.18.2018 Miscellaneous Dep			-28,963.00	43,757.06
06/28/2018	APPKT01102	220467(1)		Matter No. 204979 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		7,799.28	51,556.34
06/30/2018	GLPKT05432	JE001635		To Record Reimbursement for Legal Fee			-43,372.00	8,184.34
08/09/2018	GLPKT06009	JE001695		To Record Unposted Deposit from Augu			-7,799.28	385.06
08/29/2018	APPKT01204	221871		Economic Development	20461 - McGinnis Lochridge and Kilgore, LL		36,841.70	37,226.76
08/31/2018	GLPKT05856	JE001670		To Record Unposted WF Deposit Activit			-38,452.60	-1,225.84
09/27/2018	APPKT01204	222609		Retainer Matter No. 204985	20461 - McGinnis Lochridge and Kilgore, LL		1,901.99	676.15
09/27/2018	APPKT01253	222608		Economic Development Matter No. 204	20461 - McGinnis Lochridge and Kilgore, LL		24,206.00	24,882.15
10/30/2018	APPKT01287	223385		Matter No. 204979 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		7,420.49	32,302.64
10/30/2018	APPKT01287	223388		Matter No. 204985 Retainer	20461 - McGinnis Lochridge and Kilgore, LL		121.78	32,424.42
11/30/2018	GLPKT06660	JE001922		Record Deposits in WF for November			-62,949.69	-30,525.27
12/21/2018	APPKT01417	224835	Matter No. 204979 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		7,192.50	-23,332.77	
01/07/2019	APPKT01331	010719	Type B Land Purchase Option	20930 - Treila Krueger Aery Trust		791.96	-22,540.81	
01/14/2019	POPKT01030	223841	Matter No. 223841 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		15,386.00	-7,154.81	
01/14/2019	POPKT01030	223848	Matter No. 204985 General Counsel	20461 - McGinnis Lochridge and Kilgore, LL		126.51	-7,028.30	
01/28/2019	APPKT01417	224836	Matter No. 204985 General Counsel	20461 - McGinnis Lochridge and Kilgore, LL		64.35	-6,963.95	

Detail Report

Date Range: 10/01/2017 - 06/30/2021

Account	Name			Beginning Balance	Total Activity	Ending Balance		
10-1262	HEDC Receivable - Continued			0.00	184,383.04	184,383.04		
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
01/31/2019	APPKT01417	225605		Matter No. 204979 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		4,352.00	-2,611.95
02/20/2019	GLPKT07329	JE002050		February Deposits			-791.96	-3,403.91
03/26/2019	APPKT01521	226914		Matter No. 204981 Admin. Hearings CC	20461 - McGinnis Lochridge and Kilgore, LL		690.00	-2,713.91
03/27/2019	APPKT01491	226993		Matter No. 204979 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		2,126.00	-587.91
04/05/2019	APPKT01467	226287		Matter No. 204979 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		5,795.00	5,207.09
04/16/2019	APPKT01525	March 2019		Quickbooks for EDC	13570 - P-CARD ONLY JP Morgan Chase Ba		46.90	5,253.99
04/16/2019	APPKT01525	March 2019		Quickbooks Payroll Service	13570 - P-CARD ONLY JP Morgan Chase Ba		46.90	5,300.89
04/26/2019	APPKT01522	INV0001322		Retirement Contributions	16577 - Texas Municipal Retirement Syste			
05/16/2019	APPKT01559	April 2019		EDC Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	6,921.21
05/30/2019	APPKT01626	228571		Economic Development Matter No. 204	20461 - McGinnis Lochridge and Kilgore, LL			
05/31/2019	APPKT01574	053119		HEDC Contribution	16577 - Texas Municipal Retirement Syste			
06/18/2019	APPKT01614	May 2019		Payroll for HEDC	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	10,810.92
06/30/2019	APPKT01606	063019		HEDC Contributions	16577 - Texas Municipal Retirement Syste			
06/30/2019	APPKT01626	229420		Economic Development Matter No. 204	20461 - McGinnis Lochridge and Kilgore, LL		980.00	13,311.70
07/31/2019	GLPKT08952	JE002426		Unposted ACH Activity			256,126.83	269,438.53
07/31/2019	APPKT01647	073119		HEDC Contributions	16577 - Texas Municipal Retirement Syste			
08/08/2019	GLPKT08979	JE002432		WF Daily Activity for 08.06.2019			125,000.00	395,198.92
08/15/2019	GLPKT09052	JE002448		WF Daily Activity for 08.14.2019			-288,891.93	106,306.99
08/16/2019	APPKT01684	July 2019		HEDC Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	106,396.53
08/16/2019	APPKT01684	July 2019		HEDC QuickBooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	106,486.07
08/30/2019	APPKT01721	230925		Co-Op, Utilities, Counsel Fees	20461 - McGinnis Lochridge and Kilgore, LL		1,450.00	107,936.07
08/30/2019	APPKT01721	230928		Various Fees	20461 - McGinnis Lochridge and Kilgore, LL		3,132.00	111,068.07
08/31/2019	APPKT01683	083119		HEDC Contributions	16577 - Texas Municipal Retirement Syste			
09/17/2019	APPKT01704	1418		Corporate Tables @ Relo Awards	21255 - Lonestar CEO, LLC		2,500.00	115,088.85
09/17/2019	APPKT01720	August 2019		HEDC QuickBooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	115,178.39
09/18/2019	GLPKT09377	JE002507		EDC Check Reversal			-125,000.00	-9,821.61
09/20/2019	APPKT01738	WO-201020279-1		Business Cards for Cheri Bowman	15307 - R.W. Gonzalez Office Products Inc.		47.05	-9,774.56
09/20/2019	APPKT01781	WO-201020279-1-R		R.W. Gonzalez Office Products Inc. Reve	15307 - R.W. Gonzalez Office Products Inc.		-47.05	-9,821.61
09/30/2019	APPKT01738	093019		EDC Contributions	16577 - Texas Municipal Retirement Syste			
09/30/2019	GLPKT10640	JE002682		Accrue Legal Expenses for YE			2,257.50	-6,043.33
09/30/2019	GLPKT10640	JE002682		Accrue Legal Expenses for YE			774.74	-5,268.59
09/30/2019	GLPKT10686	JE002697		correct GF A/R with HEDC Rec			4,312.00	-956.59
09/30/2019	GLPKT10686	JE002697		correct GF A/R with HEDC Rec			10,427.00	9,470.41
09/30/2019	GLPKT10686	JE002697		correct GF A/R with HEDC Rec			1,889.00	11,359.41
10/01/2019	GLPKT10640	JE002682		Accrue Legal Expenses for YE			-774.74	10,584.67
10/01/2019	GLPKT10640	JE002682		Accrue Legal Expenses for YE			-2,257.50	8,327.17
10/02/2019	APPKT01754	19077		Zactax Subscription Services	21271 - Eight 20 Consulting LLC			
10/31/2019	APPKT01787	103119		EDC Contribution	16577 - Texas Municipal Retirement Syste			
11/18/2019	APPKT01851	October 2019		Quickbooks EDC Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	12,437.49
11/18/2019	APPKT01851	October 2019		QuickBooks HEDC Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	12,527.03
11/29/2019	APPKT01855	233299		Matter No. 204985 General Counsel	20461 - McGinnis Lochridge and Kilgore, LL		99.29	12,626.32

Detail Report

Date Range: 10/01/2017 - 06/30/2021

Account	Name	Beginning Balance	Total Activity	Ending Balance
10-1262	HEDC Receivable - Continued	0.00	184,383.04	184,383.04

Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
11/30/2019	APPKT01846	November 2019		EDC Contribution	16577 - Texas Municipal Retirement Syste			
12/16/2019	APPKT01855	230119		Matter No. 204979 Economic Develop	20461 - McGinnis Lochridge and Kilgore, LL		2,257.50	17,164.99
12/16/2019	APPKT01855	230120		Matter No. 2049 General Counsel	20461 - McGinnis Lochridge and Kilgore, LL		774.74	17,939.73
12/31/2019	APPKT01903	123119		EDC Contributions	16577 - Texas Municipal Retirement Syste			
01/14/2020	APPKT01915	234760		Megasite, Co-Op, Perfect Game Fees	20461 - McGinnis Lochridge and Kilgore, LL		294.00	19,754.51
01/14/2020	APPKT01915	WO-201079976		Name Tags for CDC	15307 - R.W. Gonzalez Office Products Inc.		107.57	19,862.08
01/14/2020	APPKT01915	WO-201079980-1		Name Tage Cheri Bowman EDC	15307 - R.W. Gonzalez Office Products Inc.		36.61	19,898.69
01/14/2020	APPKT01960	WO-201079976-R		R.W. Gonzalez Office Products Inc. Reve	15307 - R.W. Gonzalez Office Products Inc.		-107.57	19,791.12
01/14/2020	APPKT01960	WO-201079980-1-R		R.W. Gonzalez Office Products Inc. Reve	15307 - R.W. Gonzalez Office Products Inc.		-36.61	19,754.51
01/16/2020	APPKT01939	Dec 2019		HEDC QuickBooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	19,844.05
01/16/2020	APPKT01939	Dec 2019		HEDC QuickBooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	19,933.59
01/31/2020	GLPKT10744	JE002742		HEDC Debt Payment			185,197.23	205,130.82
01/31/2020	APPKT01947	013120		EDC Contributions	16577 - Texas Municipal Retirement Syste			
02/11/2020	GLPKT10834	JE002755		Reimbursement for HEDC Debt Paymen			-185,197.23	20,691.61
02/19/2020	APPKT01983	Jan 2020		Name tags for CDC/EDC Tim Jordan/Ch	13570 - P-CARD ONLY JP Morgan Chase Ba		107.57	20,799.18
02/19/2020	APPKT01983	Jan 2020		Name Tag for Cheri Bowman CDC/EDC	13570 - P-CARD ONLY JP Morgan Chase Ba		36.61	20,835.79
02/19/2020	APPKT01983	Jan 2020		HEDC QuickBooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	20,925.33
02/29/2020	APPKT01973	022920		EDC Contributions	16577 - Texas Municipal Retirement Syste			
03/31/2020	APPKT02023	033120		EDC Contributions	16577 - Texas Municipal Retirement Syste			
04/16/2020	APPKT02055	March 2020		HEDC QuickBooks	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	24,115.20
04/16/2020	APPKT02055	March 2020		HEDC Quickbooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	24,204.74
04/30/2020	APPKT02042	043020		EDC Contribution	16577 - Texas Municipal Retirement Syste			
04/30/2020	APPKT02054	9016		Legal Fees	20585 - Bojorquez Law Firm, PC		1,554.50	27,320.77
05/18/2020	APPKT02073	April 2020		HEDC QuickBooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	27,410.31
06/08/2020	APPKT02084	053120		EDC Contributions	16577 - Texas Municipal Retirement Syste			
06/15/2020	APPKT02090	9090		Legal Fee	20585 - Bojorquez Law Firm, PC		3,560.08	32,531.92
06/16/2020	APPKT02105	May 2020		HEDC Quickbooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	32,621.46
06/24/2020	APPKT02095	062420		EDC Contributions	16577 - Texas Municipal Retirement Syste			
07/16/2020	APPKT02139	June 2020		Quickbooks HEDC Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		93.81	34,715.66
07/31/2020	GLPKT12078	JE003009		HEDC Debt Payment			360,197.23	394,912.89
08/04/2020	APPKT02137	9144		Various Legal Fees	20585 - Bojorquez Law Firm, PC		261.50	395,174.39
08/11/2020	APPKT02143	073120		EDC Contribution	16577 - Texas Municipal Retirement Syste			
08/13/2020	APPKT02152	9191		Various Legal Fees	20585 - Bojorquez Law Firm, PC		258.00	398,310.49
08/13/2020	APPKT02152	9191		Various Legal Fees	20585 - Bojorquez Law Firm, PC		1,493.00	399,803.49
08/14/2020	GLPKT12130	JE003021		HEDC Reimbursement for Debt Paymen			-360,197.23	39,606.26
08/18/2020	APPKT02158	July 2020		HEDC Quickbooks Payroll	13570 - P-CARD ONLY JP Morgan Chase Ba		89.54	39,695.80
09/01/2020	APPKT02164	083120		EDC Contributions	16577 - Texas Municipal Retirement Syste			
09/21/2020	APPKT02185	9276		Attorney Services for Various Accounts	20585 - Bojorquez Law Firm, PC		1,647.83	42,299.30
09/21/2020	APPKT02185	9276		Attorney Services for Various Accounts	20585 - Bojorquez Law Firm, PC		141.50	42,440.80
09/21/2020	APPKT02185	9302		Cottonwood Development Corporation	20585 - Bojorquez Law Firm, PC		784.00	43,224.80
09/30/2020	APPKT02200	093020		EDC Contributions	16577 - Texas Municipal Retirement Syste			

Detail Report

Date Range: 10/01/2017 - 06/30/2021

Account	Name		Beginning Balance	Total Activity	Ending Balance			
10-1262	HEDC Receivable - Continued		0.00	184,383.04	184,383.04			
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
09/30/2020	GLPKT12508	JE003099		Assign audit expense to EDC per budget			3,600.00	47,702.52
09/30/2020	APPKT02234	9333	40374	Various Legal Items	20585 - Bojorquez Law Firm, PC		353.50	48,056.02
09/30/2020	APPKT02234	9333		Various Legal Items	20585 - Bojorquez Law Firm, PC		408.50	48,464.52
09/30/2020	APPKT02234	9362		Cottonwood DC General	20585 - Bojorquez Law Firm, PC		1,433.50	49,898.02
09/30/2020	GLPKT12886	JE003182		reimb EDC for training done last year an			-2,739.45	47,158.57
09/30/2020	GLPKT13500	JE003288		reclass EDC exp for US post office to cor			121.00	47,279.57
09/30/2020	GLPKT13669	JE003335		adjust HEDC interlocal accts at YE			25,476.49	72,756.06
09/30/2020	GLPKT13678	JE003336		account for atty invoices due to City fro			42,317.38	115,073.44
09/30/2020	GLPKT13678	JE003336		account for atty invoices due to City fro			38,452.60	153,526.04
09/30/2020	GLPKT13678	JE003336		account for atty invoices due to City fro			15,174.00	168,700.04
10/01/2020	APPKT02226	20116		Annual Subscription	21271 - Eight 20 Consulting LLC		2,500.00	171,200.04
10/23/2020	APPKT02235	102320		ACC & CR III	20831 - Provident Life and Accident Insura			
10/31/2020	APPKT02252	103120		EDC Contribution	16577 - Texas Municipal Retirement Syste			
11/16/2020	APPKT02267	9425		Cottonwood DC General	20585 - Bojorquez Law Firm, PC		1,415.50	173,966.91
12/01/2020	APPKT02289	113020		EDC Contribution	16577 - Texas Municipal Retirement Syste			
12/22/2020	GLPKT13056	JE003219		December CIGNA Payment			51.98	174,457.75
12/30/2020	APPKT02336	Dec 2020		Accident & Critical Illness - Bowman	20831 - Provident Life and Accident Insura		34.80	174,492.55
12/31/2020	APPKT02345	123120		EDC Contribution	16577 - Texas Municipal Retirement Syste			
01/27/2021	APPKT02389	January 2021		Accident and Critical Illness Premiums	20831 - Provident Life and Accident Insura			
01/27/2021	APPKT02395	012721 HUTT418EDC		EDC Debt Service Interest/Paying Agent	20139 - BOK Financial		182,632.60	358,476.53
01/31/2021	APPKT02348	INV0002681		Retirement Contributions - EDC	16577 - Texas Municipal Retirement Syste			
02/08/2021	GLPKT13415	JE003282		Reimbursement for Debt Service Payme			-182,632.60	176,285.54
02/11/2021	APPKT02415	January 2021		Form 1099 w/Env- EDC	13570 - P-CARD ONLY JP Morgan Chase Ba		21.79	176,307.33
02/11/2021	APPKT02415	January 2021		EDC Payroll Software	13570 - P-CARD ONLY JP Morgan Chase Ba		88.48	176,395.81
02/23/2021	APPKT02349	INV0002682		EDC Receivable	16896 - United Healthcare Ins. Company			
02/24/2021	APPKT02425	February 2021		Accident and Critical Illness - Bowman	20831 - Provident Life and Accident Insura			
02/26/2021	APPKT02369	INV0002711		EDC	20588 - Life Insurance Company of North A			
02/26/2021	APPKT02440	INV0002714		EDC	16896 - United Healthcare Ins. Company			
02/26/2021	APPKT02426	INV0002808		EDC	20588 - Life Insurance Company of North A			
03/08/2021	APPKT02436	INV0002712		EDC Contributions	16577 - Texas Municipal Retirement Syste			
03/26/2021	APPKT02445	INV0002776		Monthly Accident & Critical Illness	20831 - Provident Life and Accident Insura			
03/26/2021	APPKT02444	INV0002777		Retirement Contributions - EDC	16577 - Texas Municipal Retirement Syste			
03/26/2021	APPKT02446	INV0002809		EDC	20588 - Life Insurance Company of North A			
03/31/2021	APPKT02445	INV0002778		Insurance Premiums - EDC	16896 - United Healthcare Ins. Company			
04/12/2021	APPKT02483	041221 155		Prep and Filing of FY20 Annual Disc for t	20446 - Specialized Public Finance Inc		1,000.00	180,997.35
04/15/2021	APPKT02504	March 2021		Lunch order for Dir. ED interview day (3	13570 - P-CARD ONLY JP Morgan Chase Ba		193.00	181,190.35
04/15/2021	APPKT02504	March 2021		Lunch with EDC Director Candidate 3-2	13570 - P-CARD ONLY JP Morgan Chase Ba		27.54	181,217.89
04/15/2021	APPKT02504	March 2021		Lunch/Breakfast with interview candida	13570 - P-CARD ONLY JP Morgan Chase Ba		25.27	181,243.16
04/15/2021	APPKT02504	March 2021		lunch/breakfast with interview candida	13570 - P-CARD ONLY JP Morgan Chase Ba		23.69	181,266.85
04/23/2021	APPKT02495	INV0002839		EDC	16896 - United Healthcare Ins. Company			
04/23/2021	APPKT02495	INV0002840		EDC Monthly Accident & Critical Illness	20831 - Provident Life and Accident Insura			

Detail Report

Date Range: 10/01/2017 - 06/30/2021

Account	Name	Beginning Balance	Total Activity	Ending Balance
10-1262	HEDC Receivable - Continued	0.00	184,383.04	184,383.04

Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
04/29/2021	APPKT02511	04.2020		April 2021 TMRS Contributions	16577 - Texas Municipal Retirement Syste			
04/30/2021	APPKT02535	April 2021		EDC Payroll software	13570 - P-CARD ONLY JP Morgan Chase Ba		22.13	182,743.52
05/01/2021	APPKT02517	050121PR		EDC 457 contribution	20101 - Vantagepoint Transfer Agents - 107			
06/04/2021	APPKT02551	05.2021 EDC		May TMRS Contributions	16577 - Texas Municipal Retirement Syste			
06/11/2021	APPKT02558	05.2121		May coverage - Accident & Crit Ill	20831 - Provident Life and Accident Insura			
06/11/2021	APPKT02558	06.01.2021		June Cigna - Life and Disability	20588 - Life Insurance Company of North A			
06/11/2021	APPKT02558	564497047106		June coverage Health, Dental, Vision	16896 - United Healthcare Ins. Company			
06/15/2021	APPKT02580	May 2021		EDC Payroll Software	13570 - P-CARD ONLY JP Morgan Chase Ba		83.00	184,383.04
Total Fund: 10 - General Fund:				Beginning Balance:	0.00	Total Activity:	184,383.04	Ending Balance: 184,383.04
Grand Totals:				Beginning Balance:	0.00	Total Activity:	184,383.04	Ending Balance: 184,383.04

Fund Summary

Fund	Beginning Balance	Total Activity	Ending Balance
10 - General Fund	0.00	184,383.04	184,383.04
Grand Total:	0.00	184,383.04	184,383.04

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Discussion and possible action on the Fiscal Year 2022 Economic Development Corporation and Community Development Corporations' Budget.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. EDC Proposed budget

Hutto EDC Budget

	Proposed			
	2021-2022	2020-2021	2019-2020	2018-2019
Revenues		Budgeted	Actuals	Actuals
Sales Tax	2,283,273	1,902,728	1,780,280	1,385,442
Interest	1,250	6,250	11,877	19,860
Loan Program		72,500		
Other (Ag. Lease)	23,128	23,128	2,967	5,115
	<u>2,307,651</u>	<u>2,004,606</u>	<u>1,795,124</u>	<u>1,410,417</u>
EXPENSES				
Personnel & Benefits	27,500 routine	72,500	175,059	109,255
Administrative Costs	0 routine	1,300	15,331	29,201
Business Program Admin Costs	12,000 routine	18,000	12,000	11,664
Postage	250 routine	250		88
Marketing	100,000 routine	100,000	5,000	28,981
Professional Services				
Audit	5,000 routine	5,000		3,570
Legal	100,000 routine	75,000	53,908	68,397
Reimburse External Staffing	100,000 routine	100,000		
City Shared Services	75,000 routine			
Megasite infrastructure	40,000 contingent			
Training/Conferences	15,000 routine	15,000	5,995	6,731
Membership Dues	5,000 routine	5,000	3,375	2,500
INCENTIVE PROGRAMS				
Williamson County Higher Education Payment (TSTC)	125,000 routine	125,000	125,000	125,000
AEND	25,000 routine	25,000		100,000
JRS	25,000 routine	25,000	25,000	
Co-op Southside	12,500 routine	12,500		
Holidays in Hutto	50,000 routine			
Kokefest	150,000 routine			
Ktonic	30,000 routine			
Projects/Performance Grants	500,000 contingent	500,000	34,564	585,791
Small Business Incentive Program	225,000 contingent	225,000		
Total Expenditures	<u>1,622,250</u>	<u>1,304,550</u>	<u>455,231</u>	<u>1,071,178</u>
Revenues over expenditures	<u>685,401</u>	<u>700,056</u>	<u>1,339,893</u>	<u>339,239</u>
OTHER FINANCING SOURCES AND USES				
Bond Revenues				
Debt Service Payment	(549,336) routine	(544,865)	(545,394)	(546,579)
Total Other Financing Sources (Uses)	<u>(544,865)</u>	<u>(544,865)</u>	<u>(545,394)</u>	<u>(546,179)</u>
Net Income	<u>140,536</u>	<u>155,191</u>	<u>794,499</u>	<u>(207,340)</u>
Beginning Fund Balance	1,828,680	1,108,604		
Ending Fund Balance		1,263,795		

Routine:

Contingent:

Budget appropriations & expenditures approved
 Budget appropriations approved only, expenditures
 subject to City Council approval upon project approval

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Discussion of and possible action regarding amendments to the Bylaws of both corporations to prevent any Hutto 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.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 1st Amended Type A Bylaws 060921
2. Type A redline 060921
3. 3rd Amended Type B Bylaws 060921
4. Type B redline 060921

**FIRST AMENDED AND RESTATED BYLAWS OF THE
HUTTO ECONOMIC DEVELOPMENT CORPORATION**

Effective July __, 2021

Article I: Powers and Purposes.

Section 1.1: Corporate Identity: Offices. The name of the corporation is the Hutto Economic Development Corporation (the "Corporation"). The principal office of the Corporation shall be at 500 W. Live Oak Street, Hutto, TX 78634. The Corporation may have other offices as the Board of Directors (the "Board") may determine.

Section 1.2: Powers. In order to implement the purposes for which the Corporation was formed, as set forth in its Articles of Incorporation, the Corporation shall have all the authority and powers of every nature and kind whatsoever, both expressed and implied, which are authorized or permitted by the terms of the Development Corporation Act of 1979, Chapters 501-507 of the Local Government Code, as amended (the "Act").

- (a) The Corporation shall have and may exercise each power and authority enumerated in the Act as if such power and authority were specifically set forth herein; provided the Corporation is a "Type A Corporation" as defined in the Act, shall be governed primarily by Chapter 504 of the Local Government Code and in the event of a conflict between any term or provision of Chapter 504 of the Act and any other term or provision of the Act, Chapter 504 of the Local Government Code shall govern and prevail.
- (b) The Corporation shall have the power and authority to undertake any lawful action not inconsistent with the Act and it shall promote economic development benefitting the City of Hutto, Texas (the "City"), including without limitation projects which facilitate manufacturing and industrial activity, and which contribute to the economic welfare of the City.
- (c) The powers of the Corporation shall include the authority to contract and be contracted with, and absent a conflict with Chapter 504 of the Local Government Code, the power to purchase, lease, sell and mortgage real estate, and to issue obligations for or otherwise finance all or part of the cost of one or more "Projects" as defined by the Act.

Section 1.3: Annual Corporate Budget. At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of anticipated revenues and proposed expenditures for the next ensuing fiscal year.

- (a) The budget shall contain such classifications as shall be in such format as may be prescribed from time to time by Board of Directors of the Corporation.

- (b) Classifications of expenditures within the budget that are designated as routine ("R") (i.e., items such as salaries, multi-year contractual obligations, debt service payments, routine business expenses, etc.) are authorized for expenditure by the City Council approving the budget in accordance with Texas Local Government Code Section 501.073(a).
- (c) Classifications of expenditures within the budget that are designated as discretionary (D) (i.e., items such as allocations of unencumbered funds for use in future incentive, performance or funding agreements) are appropriated by the City Council approving the budget but any expenditure of such funds must be subsequently approved by the City Council in connection with the specifically identified use or expenditure.
- (d) The Corporation's fiscal year shall start on October 1 and end on September 30th of the following calendar year and may be changed or amended by action of the Board with approval by the City Council.

Section 1.4: Books and Records: Review of Financial Statements. The Corporation shall keep correct and complete books and records of all accounts and shall keep minutes of the proceedings of its Board and committees having any of the authority of the Board.

- (a) All books and records of the Corporation may be inspected by any director, or his or her agent, any attorney representing the Corporation, any member of the City Council, and the City Manager, or such designee as the City Manager so designates, at a mutually reasonable time for the parties involved.
- (b) The books, records, accounts and financial statements may be maintained for the Corporation by the staff of the City, subject to approval by the Board and City Council, and if so, the Corporation shall pay the City reasonable compensation for such services pursuant to an agreement between the parties.

Section 1.5: Powers in General. The Corporation may exercise all powers granted under the Act consistent with its Certificate of Formation, these amended bylaws and the resolutions and ordinances of the City Council.

ARTICLE II: Board of Directors.

Section 2.1: Appointment, Powers, Number and Term of Office. The Board of Directors (the "Board") shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation, and these amended Bylaws.

- (a) The Board shall consist of seven (7) members, with one (1) Director to be nominated by each of the Mayor and by the members of the Hutto City Council

(i.e., each appoints a director). The term of each directorship shall be a two (2) year term. The Board of Directors' terms shall be staggered such that:

- (i) Directors appointed by the Mayor and by the members of the Hutto City Council serving in Place 1, Place 3 and Place 5 shall have terms that end in June of odd-numbered years; and,
 - (ii) Directors appointed by the members of the Hutto City Council serving in Place 2, Place 4 and Place 6 shall have terms that end in June of even-numbered years.
- (b) Each director shall serve until such director's successor has been duly appointed and qualified, or until such time that any director, or all directors, may be removed from office at any time by majority vote of the City Council, for cause or at will.
 - (c) Any vacancy occurring on the Board shall be filled by appointment by majority vote of the City Council.
 - (d) Those directors filling vacancies shall serve out the term of the seat they are filling. In the event any member of the Board's term expires, but is not yet replaced, such member shall continue serving in the position until a replacement is appointed or removed by action of the City Council.
 - (e) No member of the City Council also serving on the Board shall also serve as an officer of the corporation or have signature authority for the corporation.

Section 2.2: Meetings of the Directors in General. The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Chairman no later than ten (10) days prior to the date of the Board meeting.

- (a) The Board may hold its meeting at any place authorized by the Act and as the Board may from time to time determine; provided that in the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City.
- (b) The Board shall conduct its meetings in accordance with the Act and the Open Meetings Act, Chapter 551, Texas Government Code, as amended (the "Open Meetings Act").

Section 2.3: Regular Meetings. Regular meetings of the Board shall be held at such times and places as shall be designated, from time to time, by resolution of the Board. Notice of regular meetings need not be given to each Director, but public notice of each meeting shall be given in the manner prescribed by law.

Section 2.4: Special Meetings. Special meetings of the Board shall be held whenever called by the Chairman, by the Secretary or by a majority of the Directors then in office, upon advice of the Corporation's General Counsel or by request of the City Council.

- (a) The Chairman or his/her designee shall give or cause public notice to be given of each special meeting.
- (b) Special notice of each special meeting shall also be given to each Director either by mail, telephone, electronically or in person at least two (2) hours before the meeting, provided that conducting such a special meeting within that timeframe complies with the requirements of the Open Meetings Act.
- (c) Notice required by law to be given to any other person or entity shall be given in the manner prescribed by law.
- (d) Except as otherwise provided by law or unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting.

Section 2.5: Quorum. A majority of the Directors fixed by these Bylaws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation.

- (a) The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law.
- (b) A record vote shall be taken on any matter before the Board and that record vote will become a part of the minutes.

Section 2.6: Conduct of Business. At the meetings of the Board, matters pertaining to the purposes of the Corporation shall be considered in such order from time to time as the Board may determine.

Section 2.7: Compensation of Directors. Directors shall not receive any compensation for their services as Directors except that they may, upon request, be reimbursed for their actual expenses incurred in the performance of their official duties. Such requests for reimbursement shall be reviewed and approved by the Board.

Section 2.8 Meetings by Teleconference or Electronic Communication. Subject to any notice requirements in these Bylaws or pursuant to the Act, and provided that such form of meeting is permitted under and is conducted in accordance with the Open Meetings Act, the Board may participate in and hold a meeting of the Board by means of a conference telephone, videoconference or similar communication equipment, the Internet, or any combination thereof that allows all persons participating in the meeting to communicate with one another.

- (a) Participation in such a meeting shall constitute presence in person at such meeting, except where a Director participates in the meeting for express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.
- (b) Minutes of any such meeting shall promptly be prepared by the Secretary, circulated to all Directors (whether they participated or not) and placed in the regular records of the Corporation.

Section 2.9: Texas Open Meetings Act and Texas Public Information Act. Meetings of the Board are subject to the Texas Open Meetings Act, Texas Government Code Chapter 551, and the Corporation is subject to the Texas Public Information Act, Texas Government Code Chapter 552, as amended.

Article III: Officers.

Section 3.1: Titles and Terms of Office. The Officers of the Corporation shall be a Chairman, a Vice Chairman, a Secretary, and a Treasurer, elected from the Board of Directors and any person may serve in more than one office, except the Chairman shall not also serve as the Secretary.

- (a) The Chairman and each other officer of the Corporation shall be appointed by a majority vote of the directors of the Board then in office and shall serve for a term of two (2) years, or until removed, his/her successor is elected or appointed, or the Board appoints a successor.
- (b) At the Corporation's first regular meeting in June of each year, the Board shall either affirm the then serving officers continuing to serve in their offices, or elect new officers for any position, and has the authority to do so either with or without cause.
- (c) All officers shall be subject to removal from office with or without cause at any time by a majority vote of the Board or City Council members then in office.
- (d) A vacancy in any office shall be filled by majority of the Board of Directors.

Section 3.2: Chairman. The Chairman shall be the Chief Executive Officer of the Corporation, and, subject to the control of the Board, the Chairman shall be in general charge of the properties and affairs of the Corporation.

- (a) The Chairman shall preside at all meetings of the Board in furtherance of the purposes of the Corporation.
- (b) After the Board acts to grant authority pursuant to Section 2.5 above, the Chairman may sign and execute all contracts, conveyances, resolutions,

franchises, bonds, deeds, assignments, notes and other instruments in the name of the Corporation.

- (c) The Chairman shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or matters incidental to the operation and functions of the Board.
- (d) The Chairman shall have the authority to appoint ad-hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.
- (e) The Chairman shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board may direct, all of which shall during business hours be open to inspection at the principal office of the Corporation.

Section 3.3 Vice-Chairman. The Vice Chairman shall fulfill the duties of the “vice president” of the Corporation as described in the Act, shall have such powers and duties as may be assigned by the Board and shall exercise the powers of the Chairman during the Chairman’s absence or inability to act. Any action taken by the Vice Chairman in the performance of the duties of the Corporation shall be with conclusive evidence of the absence or inability of the Chairman to act at the time such action was taken.

Section 3.4 Secretary. The Secretary shall attest or sign with the Chairman in the Corporation’s name all contracts, conveyances, resolutions, franchises, bonds, deeds, assignments, mortgages, notes, and other instruments of the Corporation.

- (a) The Secretary shall keep or shall cause to be kept the minutes of all meetings of the Board, its committees and those of Executive Sessions in books provided for that purpose.
- (b) The Secretary shall attend to giving and serving notice in furtherance of the Corporation’s purpose.
- (c) The Secretary shall have charge of the corporate books, records, and all records of the securities which the Treasurer shall have the custody, and all such other books and papers as the Board may direct.
- (d) In the absence of the Secretary, the Chairman may appoint any other Board member as Secretary during such absence.

Section 3.5 Treasurer. The Treasurer shall have custody of all funds and securities of the Corporation that come in to his/her hands.

- (a) When necessary, or proper, signature authority for the corporation rests with the Chairman, the Vice-Chair and the Treasurer, any two (2) of whom (so long as 2 different individuals) shall be required to sign or endorse, on behalf of the

Corporation for collection or payment of checks, notes and other obligations and shall deposit any funds received to the credit of the Corporation in such bank or banks or depositories as shall be designated by the Board.

- (b) Whenever required by the Board, the Treasurer shall enter or cause to be entered regularly in the books of the Corporation to be kept by the Treasurer for that purpose full and accurate amounts of all monies received and paid out on account of the Corporation.
- (c) The Treasurer shall perform all acts incident to the position of the Treasurer subject to the control of the Board.
- (d) The Treasurer, if required by the Board, shall give such bond for the faithful discharge of his/her duties in such form as the Board may require.

Section 3.6: Compensation. Officers of the Board shall not receive any compensation for their services as Officers except that they may be reimbursed for their actual expenses incurred in the performance of their official duties if approved by the Board.

- (a) The receipts and reports for any expenses shall be reviewed and approved or not approved by the Board before reimbursement is paid to an officer.
- (b) Any travel will be paid at the then current IRS reimbursement rate.

Article IV: Provisions Regarding Bylaws.

Section 4.1: Effective Date. These First Amended and Restated Bylaws shall become effective only upon the occurrence of the following events:

- (1) the adoption of these Bylaws by the Board of the Corporation; and,
- (2) the approval of these Bylaws by the City Council of the City of Hutto, Texas.

Section 4.2: Amendment of Bylaws. These First Amended and Restated Bylaws may be amended at any time and from time to time, if consistent with state law and the Certificate of Formation, by majority vote of the Board of Directors then in office, but only with the approval by resolution of the City Council.

Section 4.3: Interpretation of Bylaws. These Bylaws shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these First Amended and Restated Bylaws, or the application thereof to a person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these First Amended and Restated Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these First Amended and Restated Bylaws to any other person or circumstance shall not be affected thereby.

Article V: General Provisions.

Section 5.1 Principal Office. The current principal office of the Corporation is at 500 W. Live Oak Street, Hutto, Texas 78634. The Corporation may relocate such principal office and have such other offices as the Board shall determine necessary.

Section 5.2: Seal. The seal of the Corporation shall be as determined by the Board. The Board may determine the Corporation will have no seal.

Section 5.3: Notice and Waiver of Notice. Whenever any notice whatsoever is required to be given to the Board under the Act, the Certificate of Formation or these First Amended and Restated Bylaws, such notices shall be deemed to be sufficient if given by depositing it for mailing in a post office box, via electronic mail or with a private courier in a sealed postpaid wrapper addressed to the person entitled thereto at his/her address, as it appears on the books of the Corporation, and such notice shall be deemed given on the day of such mailing or courier receipt.

Attendance of a member of the Board at a meeting shall constitute waiver of notice of such meeting except where a director attends a meeting for the sole purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A written waiver of notice, signed by the person or persons entitled to notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Neither the business to be transacted nor the purpose of any regular or special meeting of the Board need be set forth in any notice to a director of such meeting unless required by the Board. Any notice whatsoever that may be required to be given to the public by law, shall be given in the manner prescribed by law.

Section 5.4: Resignations. Any Director or Officer may resign at any time. Any such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the Chairman. Absent a written notice of the resignation, the City Council of the City shall cause a notice of the resignation to be provided. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation. Notwithstanding the effective date, a resigning director shall serve until such time as his/her successor takes office.

Section 5.6: Organizational Control. The Board may, by majority vote and in its sole discretion and at any time, alter or change the structure, organization or activities of the Corporation (including the termination of the Corporation), subject to the Act, any limitation on the impairment of contracts and the approval of the City Council.

Section 5.7: Dissolution of the Corporation. Upon dissolution of the Corporation, title to or other interest in any real or personal property then owned by the Corporation shall vest in the City except and unless otherwise expressly authorized by the City Council.

Section 5.8: Staff and Organizational Management. The Board, in its sole discretion, may hire and terminate employees of the Corporation. Pursuant to an administrative and professional services agreement between the Corporation and the City, the City may provide some staffing and support to the Corporation and pursuant to such an agreement, the Corporation shall reimburse the City for costs and expenses reasonably necessary for such support.

Section 5.9: Indemnification. The Corporation shall indemnify any current or former members of the Board, Officer, or employee of the Corporation, or any other person who may serve at the Corporation's request as a director, officer, or employee of another corporation or entity in which it owns shares of stock or other ownership interest or of which it is a creditor, against expenses actually and necessarily incurred by such person and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil, criminal, arbitrative, or investigative in nature, in which such person was, is, or is threatened to be made a named defendant or respondent by reason of being or having been such a director, officer, or employee (whether or not the person is or was such at the time the costs or expenses are incurred by or imposed upon such person) as is required by Section 8.051 of the Texas Business Organizations Code ("TOBC"). The Corporation may indemnify any such person against and for any such expenses or costs and may advance expenses to any such person as is permitted by and according to the terms of Section 8.101 of the TBOC.

Section 5.10: Insurance. The Corporation may at the discretion of the Board purchase and maintain insurance on behalf of the Corporation and any person whom it has the power to indemnify pursuant to law, the Certificate of Formation and First Amended and Restated Bylaws or otherwise, including without limitation directors and officer's liability insurance.

These First Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type B dba Hutto Community Development Corporation were adopted at a duly called meeting of the Board of Directors of the Corporation, held on November __, 2020. These First Amended and Restated Bylaws shall become effective upon the date of their approval by resolution of the City Council of the City of Hutto, Texas.

HUTTO ECONOMIC DEVELOPMENT CORPORATION

By: _____
Mike Arismendez, Chairman

ATTEST:

By: _____
Shawn Lucas, Secretary

CITY OF HUTTO, TEXAS

By: _____
Mike Snyder
Mayor, City of Hutto

ATTEST:

By: _____
Holly Nagy
City Secretary

~~By Laws~~
~~of~~
~~The Hutto Economic Development Corporation~~

FIRST AMENDED AND RESTATED BYLAWS OF THE
HUTTO ECONOMIC DEVELOPMENT CORPORATION

Effective July , 2021

Article I: Powers and Purposes.

Section 1.1:- Corporate Identity:: Offices. The name of the corporation is ~~the~~ the Hutto Economic Development Corporation (the "Corporation"). The ~~principle~~principal office of the Corporation ~~was initially at Hutto City Hall, 102 Highway 79 East~~shall be at 500 W. Live Oak Street, Hutto, TX 78634. The Corporation may ~~relocate such principle office and have such other offices~~ as the Board of Directors ~~shall (the "Board") may~~ determine. ~~Currently the principle office of the Corporation is at 321 Ed Schmidt Boulevard, Suite 200, Hutto, TX 78634.~~

Section 1.2:- Powers, Purposes and Authority. In order to implement the purposes for which the Corporation was formed, as set forth in its Articles of Incorporation, the Corporation shall have all the authority and powers of every nature and kind whatsoever, both expressed and implied, which are authorized or permitted by the terms of the Development Corporation Act of 1979, Article 5190.6, Tex. Rev. Civ. Stat., Chapters 501-507 of the Local Government Code, as amended (the "Act").

- (a) The Corporation shall have and may exercise each power and authority enumerated in the Act as if such power and authority were specifically set forth herein; provided ~~that~~ the Corporation is a "Type A Corporation" as defined in the Act, shall be governed primarily by Section 4AChapter 504 of the Local Government Code and in the event of a conflict between any term or provision of Chapter 504 of the Act and any other term or provision of the Act, Section 4AChapter 504 of the Local Government Code shall govern and prevail.
- (b) The Corporation shall have the power and authority to undertake any lawful action not inconsistent with the Act and it shall ~~undertake the promotion of~~ promote economic development ~~to promote and encourage employment and the public welfare in~~ benefitting the City of Hutto-~~4, Texas (the "City"), including without limitation projects which facilitate manufacturing and industrial activity, and which contribute to the economic welfare of the "City").~~
- (c) The powers of the Corporation shall include the authority to contract and be contracted with, and, absent a conflict with Section 4AChapter 504 of the Local Government Code, the power to purchase, lease, sell and mortgage real estate, and to issue obligations for or otherwise finance all or part of the cost of one or more "Projects" as defined ~~in~~by the Act.

Section 1.3:- Annual Corporate Budget. At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of anticipated revenues and proposed expenditures for the next ensuing fiscal year. ~~The budget shall contain such classifications as shall be in such form as may be prescribed from time to time by the City Council. The budget shall not be effective until same has been approved by the City Council. The Corporation's fiscal year shall start on October 1 and end on September 30th of the following year and may be changed by action of the Board and approval of the City Council.~~

- (a) The budget shall contain such classifications as shall be in such format as may be prescribed from time to time by Board of Directors of the Corporation.
- (b) Classifications of expenditures within the budget that are designated as routine ("R") (i.e., items such as salaries, multi-year contractual obligations, debt service payments, routine business expenses, etc.) are authorized for expenditure by the City Council approving the budget in accordance with Texas Local Government Code Section 501.073(a).
- (c) Classifications of expenditures within the budget that are designated as discretionary (D) (i.e., items such as allocations of unencumbered funds for use in future incentive, performance or funding agreements) are appropriated by the City Council approving the budget but any expenditure of such funds must be subsequently approved by the City Council in connection with the specifically identified use or expenditure.
- (d) The Corporation's fiscal year shall start on October 1 and end on September 30th of the following calendar year and may be changed or amended by action of the Board with approval by the City Council.

Section 1.4:- Books and Records: Review of Financial Statements. The Corporation shall keep correct and complete books and records of all accounts and shall ~~also~~ keep minutes of the proceedings of its Board ~~of Directors~~ and committees having any of the authority of the Board ~~of Directors~~.

- (a) All books and records of the Corporation may be inspected by any director, or his or her agent ~~or, any~~ attorney representing the Corporation, any member of the City Council, and the City Manager, or such designee as the City Manager so designates, at a mutually reasonable time; and at all times the City Council of the City (the "City Council") will have access to the books, records and financial statements of the Corporation. At the direction of the City Council, the for the parties involved.
- (b) The books, records, accounts and financial statements may be maintained for the Corporation by the staff of the City. ~~In such event, subject to approval by the Board and City Council, and if so,~~ the Corporation shall pay to the City reasonable compensation for such services pursuant to an agreement between the parties.

Section 1.5:- Powers in General. The Corporation may exercise all powers granted under the Act consistent with its ~~Articles~~Certificate of ~~Incorporation~~Formation, these ~~By-Laws~~amended bylaws and the ~~Resolutions, Orders~~resolutions and ~~Ordinances~~ordinances of the City Council.

ARTICLE II: Board of Directors.

Section 2.1:- Appointment, Powers, Number and Term of Office. ~~The Board of Directors (the "Board") shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Articles of Incorporation Certificate of Formation, and these By-Laws amended Bylaws.~~

~~The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board") , appointed by the Hutto City Council and subject to the applicable limitations imposed by the Texas Economic Development Corporation Act of 1979 as amended, other applicable legislation and these by laws. The Board may, by contract, resolution or otherwise, give general or limited or special powers and authority to the Officers and employees of the Corporation.~~

~~The Board may plan and direct its work through the Executive Director who will be charged with the responsibility of carrying out the Corporation's programs as adopted and planned by the Board.~~

~~The Board of (a) _____~~ The Board shall consist of seven (7) members, with one (1) Director to be nominated by each of the Mayor and by the members of the Hutto City Council (i.e., each appoints a director). The term of each directorship shall be a two (2) year term. The Board of Directors' terms shall be staggered such that:

~~(i) _____~~ Directors appointed by the Mayor and by the members of the Hutto City Council serving in Place 1, Place 3 and Place 5 shall have terms that end in June of odd-numbered years; and,

~~(ii) _____~~ Directors shall consist of seven (7) persons who shall each be appointed by the members of the Hutto City Council. The term of each directorship will be for three (3) serving in Place 2, Place 4 and Place 6 shall have terms that end in June of even-numbered years. Those filling vacancies

~~(b) _____~~ Each director shall serve out the term of those seats.

~~Any Director, or all Directors until such director's successor has been duly appointed and qualified, or until such time that any director, or all directors, may be removed from office at any time by majority vote of the City Council, for cause or at will. Any vacancy occurring on the Board of Directors shall be filled by appointment by majority vote of the City Council.~~

~~(c) _____~~ Any vacancy occurring on the Board shall be filled by appointment by majority vote of the City Council.

~~(d) _____~~ Those directors filling vacancies shall serve out the term of the seat they are filling. In the event any member of the Board's term expires, but is not yet replaced, such member shall continue serving in the position until a replacement it appointed or removed by action of the City Council.

- (e) No member of the City Council also serving on the Board shall also serve as an officer of the corporation or have signature authority for the corporation.

Section 2.2:- Meetings of the Directors in General. The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the ~~Secretary no later than 10 days prior to the date of the Board meeting. The Board of Directors may hold its meetings at any place authorized by the Act and as the Board of Directors may from time to time determine; provided that, in the absence of any such determination by the Board of Directors, the meeting shall be held at the principle office of the Corporation or at the City Council Chambers of the City. The Board of Directors shall conduct its meetings in accordance with the requirements of the Act and Art. 6252-17, Tex. Rev. Civ. Stat. as amended.~~Chairman no later than ten (10) days prior to the date of the Board meeting.

- (a) The Board may hold its meeting at any place authorized by the Act and as the Board may from time to time determine; provided that in the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City.

- (b) The Board shall conduct its meetings in accordance with the Act and the Open Meetings Act, Chapter 551, Texas Government Code, as amended (the "Open Meetings Act").

Section 2.3:- Regular Meetings. -Regular meetings of the Board ~~of Directors~~ shall be held at such times and places as shall be designated, from time to time, by resolution of the Board ~~of Directors.~~ Notice of regular meetings need not be given to each ~~of the Directors~~Director, but public notice of each meeting shall be given in the manner prescribed by law.

Section 2.4:- Special Meetings. Special meetings of the Board ~~of Directors~~ shall be held whenever called by the ~~President~~Chairman, by the Secretary or by a majority of the Directors then in office, ~~or~~ upon advice of the Corporation's General Counsel or by request of the City Council.

- (a) The ~~Secretary~~Chairman or his/her designee shall give or cause public notice to be given of each special meeting.
- (b) Special notice of each special meeting shall also be given to each Director either by mail, telephone, electronically or in person, at least two (2) hours before the meeting, provided that conducting such a special meeting within that timeframe complies with the requirements of the Open Meetings Act.
- (c) Notice required by law to be given to any other person or entity shall be given in the manner prescribed by law.
- (d) Except as otherwise provided by law or unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting.

~~upon at a special meeting. At any meeting at which every Director is present, even though without any notice, any matter pertaining to the purposes of the Corporation may be considered an acted upon, except as otherwise provided by law.~~

Section 2.5:—Quorum. ~~A majority of the Directors fixed by these By-Laws~~Bylaws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation.

~~(a) The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board-of-Directors, unless the act of a greater number is required by law. Any member of the Board may request a record vote on any matter to come before the Directors and that record vote will become a part of the minutes.~~

~~(b) A record vote shall be taken on any matter before the Board and that record vote will become a part of the minutes.~~

Section 2.6:—Conduct of Business. ~~At the meetings of the Board-of-Directors,~~ matters pertaining to the purposes of the Corporation shall be considered in such order from time to time ~~as the Board-of-Directors~~ may determine.

Section 2.7:—Compensation of Directors. ~~Compensation-of-Directors.~~ Directors shall not receive any compensation for their services as Directors except that they ~~shall~~may, upon request, be reimbursed for their actual expenses incurred in the performance of their official duties. Such requests for reimbursement shall be reviewed and approved by the Board.

Section 2.8 Meetings by Teleconference or Electronic Communication. Subject to any notice requirements in these Bylaws or pursuant to the Act, and provided that such form of meeting is permitted under and is conducted in accordance with the Open Meetings Act, the Board may participate in and hold a meeting of the Board by means of a conference telephone, videoconference or similar communication equipment, the Internet, or any combination thereof that allows all persons participating in the meeting to communicate with one another.

~~(a) Participation in such a meeting shall constitute presence in person at such meeting, except where a Director participates in the meeting for express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.~~

~~(b) Minutes of any such meeting shall promptly be prepared by the Secretary, circulated to all Directors (whether they participated or not) and placed in the regular records of the Corporation.~~

Section 2.9: Texas Open Meetings Act and Texas Public Information Act. Meetings of the Board are subject to the Texas Open Meetings Act, Texas Government Code Chapter 551, and the Corporation is subject to the Texas Public Information Act, Texas Government Code Chapter 552, as amended.

Article III:—Officers.

Section 3.1:- Titles and Terms of Office. ~~The Officers of the Corporation shall be a PresidentChairman, a Vice PresidentChairman, a Secretary, and a Treasurer, elected from the Board of Directors and suchany person may holdserve in more than one office, except the PresidentChairman shall not holdalso serve as the office-of Secretary. Each Officer~~

- (a) ~~The Chairman and each other officer of the Corporation shall be appointed by a majority vote of the Directors-directors of the Board then in office and shall hold officeserve for a term of three-(3two (2) years, or until removed, his-or-/her successor is elected or appointed, or the Board appoints a successor.~~
- (b) ~~At the Corporation's first regular meeting in June of each year, the Board shall either affirm the then serving officers continuing to serve in their offices, or elect new officers for any position, and has the authority to do so either with or without cause.~~
- (c) ~~All Officersofficers shall be subject to removal from office with or without cause at any time by a majority vote of the DirectorsBoard or City Council members then in office.~~
- (d) ~~A vacancy in any office shall be filled by appointment-by-a majority vote-of the Board of Directors then in office.~~

Section 3.2:- President. Chairman. ~~The PresidentChairman shall be the Chief Executive Officer of the Corporation, and, subject to the control of the Board-of Directors, the PresidentChairman shall be in general charge of the properties and affairs of the Corporation.~~

- (a) ~~The PresidentChairman shall preside at all meetings of the Board of-Directors-in furtherance of the purposes of thisthe Corporation;-the President.~~
- (b) ~~After the Board acts to grant authority pursuant to Section 2.5 above, the Chairman may sign and execute all contracts, conveyances, resolutions, franchises, bonds, deeds, assignments, notes and other instruments in the name of the Corporation.~~
- (c) ~~The PresidentChairman shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or matters incidental to the operation and functions of the Board. The President shall have the authority to appoint AD-HOC committees which may address issues of a temporary nature of concern or which have a temporary affect on the businessof the Board.~~
- (d) ~~The Chairman shall have the authority to appoint ad-hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.~~
- (e) ~~The Chairman shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board may direct, all of which shall during business hours be open to inspection at the principal office of the Corporation.~~

Section 3.3:- Vice-President-Chairman . The Vice ~~President~~Chairman shall fulfill the duties of the “vice president” of the Corporation as described in the Act. shall have such powers and duties as may be assigned by the Board ~~of Directors~~ and shall exercise the powers of the ~~President~~Chairman during the ~~President's~~Chairman's absence or inability to act. Any action taken by the Vice ~~President~~Chairman in the performance of the duties of the ~~President~~Corporation shall be with conclusive evidence of the absence or inability of the ~~President~~Chairman to act at the time such action was taken.

Section 3.4: ~~Treasurer~~ Secretary. ~~The Treasurer shall have custody of all the~~ The Secretary shall attest or sign with the Chairman in the Corporation's name all contracts, conveyances, resolutions, franchises, bonds, deeds, assignments, mortgages, notes, and other instruments of the Corporation.

- (a) The Secretary shall keep or shall cause to be kept the minutes of all meetings of the Board, its committees and those of Executive Sessions in books provided for that purpose.
- (b) The Secretary shall attend to giving and serving notice in furtherance of the Corporation's purpose.
- (c) The Secretary shall have charge of the corporate books, records, and all records of the securities which the Treasurer shall have the custody, and all such other books and papers as the Board may direct.
- (d) In the absence of the Secretary, the Chairman may appoint any other Board member as Secretary during such absence.

Section 3.5 Treasurer. The Treasurer shall have custody of all funds and securities of the Corporation that come in to his ~~or~~ /her hands.

- (a) When necessary, or proper, the Treasurer may signature authority for the corporation rests with the Chairman, the Vice-Chair and the Treasurer, any two (2) of whom (so long as 2 different individuals) shall be required to sign or endorse, on behalf of the Corporation for collection or payment of checks, notes and other obligations and shall deposit any funds received to the credit of the Corporation in such bank or banks or depositories as shall be designated by the Board of Directors.
- (b) Whenever required by the Board of Directors, the Treasurer shall enter or cause to be entered regularly in the books of the corporation Corporation to be kept by the Treasurer for that purpose full and accurate amounts of all monies received and paid out on account of the Corporation.
- (c) The Treasurer shall perform all acts incident to the position of the Treasurer subject to the control of the Board of Directors. The Treasurer, if required by the Board of Directors, shall give such bond for the faithful discharge of his/her duties in such form as the Board of Directors may require.

Section 3.5: ~~Secretary~~ Secretary. ~~The Secretary shall keep or shall cause to be kept the minutes of all meetings of the Board of Directors, its committees and those of Executive Sessions in books provided for that purpose. The Secretary shall attend to giving and serving notices in furtherance of the corporate purposes. The Secretary may attest or sign with the President, in the Corporation's name, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation. The Secretary shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board of Directors may direct, all of which shall during business hours be open to inspection at the office of the Corporation; and the Secretary shall in general perform all duties incident to the office of Secretary subject to the control of the Board of Directors.~~

~~In the absence of the Secretary, the President may appoint any other person to act as Secretary during such absence.~~

~~(d) The Treasurer, if required by the Board, shall give such bond for the faithful discharge of his/her duties in such form as the Board may require.~~

Section 3.6:- Compensation. Officers of the Board shall not receive any compensation for their services as Officers except that they may be reimbursed for their actual expenses incurred in the performance of their official duties. if approved by the Board.

Section 3.7: Executive Director. ~~The Board of Directors shall employ the Executive Director. The Executive Director shall report to the President of the Board of Directors, shall serve as the Chief Administrative Officer of the Corporation, and shall oversee all administrative functions of the Corporation. The Executive Director shall develop policies and procedures for the Corporation including financing, accounting, personnel, and purchasing policies and procedures which shall be approved by the Board prior to submission to the City Council for their approval. The Executive Director shall represent the Corporation where and when appropriate or as directed by the Board.~~

~~The Executive Director shall implement the current EDC Strategic Plan and shall keep the Board informed of all development and activities concerning business retention, expansion and recruitment efforts.~~

(a) The receipts and reports for any expenses shall be reviewed and approved or not approved by the Board before reimbursement is paid to an officer.

(b) Any travel will be paid at the then current IRS reimbursement rate.

Article IV:- Provisions Regarding ~~By Laws~~Bylaws.

Section 4.1: Effective Date.—These ~~By Laws~~First Amended and Restated Bylaws shall become effective only upon the occurrence of the following events:

(1) (1) the adoption of these ~~By Laws~~Bylaws by the Board of ~~Director~~the Corporation;
and,

(2) (2) the approval of these ~~By Laws~~Bylaws by the City Council of the City ~~Council~~of Hutto, Texas.

Section 4.2: ~~Amendments to By Laws.~~ Amendment of Bylaws. These ~~By Laws~~First Amended and Restated Bylaws may be amended at any time and from time to time, if consistent with state law and the Certificate of Formation, by majority vote of the Board of Directors then in office, but only with the approval by resolution of the City Council.

Section 4.3: Interpretation of ~~By Laws~~Bylaws. These ~~By Laws~~Bylaws shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these ~~By Laws~~First Amended and Restated Bylaws, or the application thereof to a person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these ~~By Laws~~First Amended and Restated Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these ~~By Laws~~First Amended and Restated Bylaws to any other person or circumstance shall not be affected thereby.

Article V:- General Provisions.

Section 5.1: ~~Principle~~ Principal Office. The current ~~principle~~principal office of the Corporation is at ~~321 Ed Schmidt Boulevard, Suite 200~~500 W. Live Oak Street, Hutto, Texas, 78634. The Corporation may relocate such ~~principle~~principal office and have such other offices as the Board shall determine necessary.

Section 5.2: Seal. The seal of the Corporation shall be as determined by the Board ~~of Directors.~~ The Board may determine the Corporation will have no seal.

Section 5.3:— Notice and Waiver of Notice. —Whenever any notice whatsoever is required to be given to the Board ~~of Directors~~—under the Act, the ~~Articles~~Certificate of ~~Incorporation~~Formation or these ~~By Laws~~First Amended and Restated Bylaws, such notices shall be deemed to be sufficient if given by depositing it for mailing in a post office box, via electronic mail or

with a private courier in a sealed postpaid wrapper addressed to the person entitled thereto at his ~~or~~ /her ~~post office~~ address, as it appears on the books of the Corporation, and such notice shall be deemed given on the day of such mailing or courier receipt.

Attendance of a ~~Director~~member of the Board at a meeting shall constitute a ~~a~~ waiver of notice of such meeting, except where a ~~Director~~director attends a meeting for the sole purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A written waiver of notice, signed by the person or persons entitled to notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Neither the business to be transacted ~~nor~~not the purpose of any regular or special meeting of the Board ~~of Directors~~ need be set forth in any notice to a ~~Director~~director of such meeting, unless required by the Board ~~of Directors~~.

Any notice whatsoever that may be required to be given to the public by law, shall be given in the manner prescribed by law.

Section 5.4:- Resignations. Any Director or Officer may resign at any time. Any such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time ~~be~~is specified, at the time of its receipt by the ~~President or the Secretary.~~Chairman. Absent a written notice of the resignation, the City Council of the City shall cause a notice of the resignation to be provided. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation. Notwithstanding the effective date, a resigning ~~Director.~~director shall serve until such time as ~~her or his~~/her successor takes office.

~~Section 5.5: Approval of the City Council. To the extent these By Laws refer to any approval or action to be taken by the City, such shall be evidenced by a certified copy of a Resolution, Ordinance, Order or Motion duly adopted by the City Council.~~

Section 5.6:- Organizational Control. The ~~City Council~~Board may, ~~at~~by majority vote and in its sole discretion and at any time, alter or change the structure, organization or activities of the Corporation (including the termination of the Corporation), subject to the Act ~~and,~~ any limitation on the impairment of contracts and the approval of the City Council.

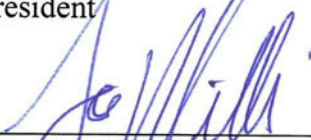
Section 5.7:- Dissolution of the Corporation. Upon dissolution of the Corporation, title to or other interest in any real or personal property then owned by the Corporation shall vest in the City except and unless ~~as~~otherwise expressly authorized by the City Council.

~~Adopted and approved this the 18th day of November, 2008~~

Board of Directors



President



Vice President



Director



Director



Secretary



Treasurer



Director

Section 5.8: Staff and Organizational Management. The Board, in its sole discretion, may hire and terminate employees of the Corporation. Pursuant to an administrative and professional services agreement between the Corporation and the City, the City may provide some staffing and support to the Corporation and pursuant to such an agreement, the Corporation shall reimburse the City for costs and expenses reasonably necessary for such support.

Section 5.9: Indemnification. The Corporation shall indemnify any current or former members of the Board, Officer, or employee of the Corporation, or any other person who may serve at the Corporation's request as a director, officer, or employee of another corporation or entity in which it owns shares of stock or other ownership interest or of which it is a creditor, against expenses actually and necessarily incurred by such person and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil, criminal, arbitrative, or investigative in nature, in which such person was, is, or is threatened to be made a named defendant or respondent by reason of being or having been such a director, officer, or employee (whether or not the person is or was such at the time the costs or expenses are incurred by or imposed upon such person) as is required by Section 8.051 of the Texas Business Organizations Code ("TBOC"). The Corporation may indemnify any such person against and for any such expenses or costs and may advance expenses to any such person as is permitted by and according to the terms of Section 8.101 of the TBOC.

Section 5.10: Insurance. The Corporation may at the discretion of the Board purchase and maintain insurance on behalf of the Corporation and any person whom it has the power to indemnify pursuant to law, the Certificate of Formation and First Amended and Restated Bylaws or otherwise, including without limitation directors and officer's liability insurance.

These First Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type B dba Hutto Community Development Corporation were adopted at a duly called meeting of the Board of Directors of the Corporation, held on November , 2020. These First Amended and Restated Bylaws shall become effective upon the date of their approval by resolution of the City Council of the City of Hutto, Texas.

HUTTO ECONOMIC DEVELOPMENT CORPORATION

By: _____
Mike Arismendez, Chairman

ATTEST:

By: _____
Shawn Lucas, Secretary

CITY OF HUTTO, TEXAS

By: _____
Mike Snyder
Mayor, City of Hutto

ATTEST:

By: _____
Holly Nagy
City Secretary

**THIRD AMENDED AND RESTATED BYLAWS OF
THE HUTTO ECONOMIC DEVELOPMENT CORPORATION, TYPE B
dba HUTTO COMMUNITY DEVELOPMENT CORPORATION**

Effective July __, 2021

Article I: Powers and Purposes.

Section 1.1: Corporate Identity: Offices. The name of the corporation is the Hutto Economic Development Corporation, Type B dba Hutto Community Development Corporation (the "Corporation"). The principal office of the Corporation shall be at 500 W. Live Oak Street, Hutto, TX 78634. The Corporation may have other offices as the Board of Directors (the "Board") may determine.

Section 1.2: Powers. In order to implement the purposes for which the Corporation was formed, as set forth in its Articles of Incorporation, the Corporation shall have all the authority and powers of every nature and kind whatsoever, both expressed and implied, which are authorized or permitted by the terms of the Development Corporation Act of 1979, Chapter 501 of the Local Government Code, as amended (the "Act"). The Corporation shall have and may exercise each power and authority enumerated in the Act as if such power and authority were specifically set forth herein; provided the Corporation shall be governed by Chapter 505 of the Local Government Code and any other term or provision of the Act, Chapter 505 of the Local Government Code shall govern and prevail. The Corporation shall have the power and authority to undertake any lawful action not inconsistent with the Act and it shall promote economic development benefitting the City of Hutto, Texas (the "City"), including without limitation promoting industrial, manufacturing, commercial, retail, parks and residential development to encourage employment and the public welfare, both within the City limits and areas outside of the City limits which contribute to the economic welfare of the City. The powers of the Corporation shall include the authority to contract and be contracted with, and absent a conflict with Chapter 505 of the Local Government Code, the power to purchase, lease, sell and mortgage real estate, and to issue obligations for or otherwise finance all or part of the cost of one or more "Projects" as defined by the Act.

Section 1.3: Annual Corporate Budget. At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of anticipated revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications as shall be in such format as may be prescribed from time to time by Board of Directors of the Corporation. Classifications of expenditures within the budget that are designated as routine ("R") (i.e., items such as salaries, multi-year contractual obligations, debt service payments, routine business expenses, etc.) are authorized for expenditure by the City Council approving the budget in

accordance with Texas Local Government Code Section 501.073(a). Classifications of expenditures within the budget that are designated as discretionary (D) (i.e. items such as allocations of unencumbered funds for use in future incentive, performance or funding agreements are appropriated by the City Council approving the budget but any expenditure of such funds must be subsequently approved by the City Council in connection with the specifically identified use or expenditure. The Corporation's fiscal year shall start on October 1 and end on September 30th of the following calendar year and may be changed or amended by action of the Board with approval by the City Council.

Section 1.4: Books and Records: Review of Financial Statements. The Corporation shall keep correct and complete books and records of all accounts and shall keep minutes of the proceedings of its Board and committees having any of the authority of the Board. All books and records of the Corporation may be inspected by any director, or his or her agent, any attorney representing the Corporation, any member of the City Council, and the City Manager, or such designee as the City Manager so designates, at a mutually reasonable time for the parties involved. The books, records, accounts and financial statements may be maintained for the Corporation by the staff of the City, subject to approval by the Board and City Council, and if so, the Corporation shall pay the City reasonable compensation for such services pursuant to an agreement between the parties.

Section 1.5: Powers in General. The Corporation may exercise all powers granted under the Act consistent with its Certificate of Formation, these amended bylaws and the resolutions and ordinances of the City Council.

ARTICLE II: Board of Directors.

Section 2.1: Appointment, Powers, Number and Term of Office. The Board shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation, and these Bylaws. The Board shall consist of seven (7) members, each appointed by the City Council for a two (2) year term. At least three (3) directors shall be persons who are not employees, officers, or members of the City Council of the City. No more than four (4) of the seven (7) directors may be City employees or City Council members. All directors must be residents of the City or its extraterritorial jurisdiction ("ETJ") to ensure City residents have the opportunity to sit on and participate in the activities of the Corporation.

Any director, or all directors, may be removed from office at any time by majority vote of the City Council, for cause or at will. Any vacancy occurring on the Board shall be filled by appointment by majority vote of the City Council. Those filling vacancies shall serve out the term of the seat they are filling. In the event any member of the Board's term expires, but is not yet replaced, such member shall continue serving in the position until a replacement is appointed or removed by action of the City Council.

Section 2.2: Meetings of the Directors in General. The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Chairman no later than ten (10) days prior to the date of the Board meeting. The Board may hold its meeting at any place authorized by the Act and as the Board may from time to time determine; provided that in the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City. The Board shall conduct its meetings in accordance with all applicable Texas law.

Section 2.3: Regular Meetings. Regular meetings of the Board shall be held on the first Monday of the month except in cases of observed holidays falling on the first Monday (e.g., Labor Day, etc.) and at Hutto City Hall unless otherwise noted and designated, from time to time, on the posted agenda. Notice of regular meetings need not be given to each Director, but public notice of each meeting shall be given in the manner prescribed by law.

Section 2.4: Special Meetings. Special meetings of the Board shall be held whenever called by the Chairperson, by the Secretary or by a majority of the Directors then in office, upon advice of the Corporation's General Counsel or by request of the City Council.

The Chairperson or his/her designee shall give or cause public notice to be given of each special meeting. Special notice of each special meeting shall also be given to each Director either by mail, telephone, electronically or in person at least two (2) hours before the meeting. Notice required by law to be given to any other person or entity shall be given in the manner prescribed by law. Except as otherwise provided by law or unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting. At any meeting at which every Director is present, even though without any notice, any matter pertaining to the purposes of the Corporation may be considered and acted upon, except as otherwise provided by law.

Section 2.5: Quorum. A majority of the Directors fixed by these Bylaws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law. Any member of the Board may request a record vote on any matter to come before the Directors and that record vote will become a part of the minutes.

Section 2.6: Conduct of Business. At the meetings of the Board, matters pertaining to the purposes of the Corporation shall be considered in such order from time to time as the Board may determine.

Section 2.7: Compensation of Directors. Directors shall not receive any compensation for their services as Directors except that they may, upon request, be reimbursed for their actual expenses incurred in the performance of their official duties.

Section 2.8 Board Committees. The Board may designate two (2) or more directors to constitute an official committee of the Board to exercise such authority as is delegated and approved by resolution of the Board. It is provided, however, that all final, official actions of the Corporation may be exercised only by a majority of the full Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 2.9: Advisory Board. The Board may appoint an advisory board or boards to assist the Board and perform such other duties as the Board may from time to time assign to the advisory board. An advisory board shall be made up of no more than seven (7) individuals. At the time the Board creates an advisory board, the Board shall adopt rules and regulations regarding membership of the advisory board. The advisory board may make recommendations to the Board, but all final, official actions of the Corporation shall be exercised only by the Board. The Board shall create a small business, convention and tourism advisory board which may include board members of the Hutto Chamber of Commerce, in addition to such other advisory boards desired by the Board.

Section 2.10: Texas Open Meetings Act and Texas Public Information Act. Meetings of the Board are subject to the Texas Open Meetings Act, Texas Government Code Chapter 551, and the Corporation is subject to the Texas Public Information Act, Texas Government Code Chapter 552.

Article III: Officers.

Section 3.1: Titles and Terms of Office. The Officers of the Corporation shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer, and such person may hold more than one office, except the Chairperson shall not also hold the office of Secretary. The Chairperson and each other officer of the Corporation shall be appointed by a majority vote of the directors of the Board then in office and shall hold office for a term of two (2) years or until his/her successor is elected or appointed. Each officer shall affirm their office and commitment to continue serving in their office in June of every year.

No City Council member serving on the Board may also serve as an officer of the corporation nor have signature authority on behalf of the corporation.

All officers shall be subject to removal from office with or without cause at any time by a majority vote of the City Council members then in office. A vacancy in any office shall be filled by appointment by a majority of the Board.

Section 3.2: Chairperson. The Chairperson shall be the Chief Executive Officer of the Corporation, and, subject to the control of the Board, the Chairperson shall be in general charge of the properties and affairs of the Corporation. The Chairperson shall preside at all meetings of the Board in furtherance of the purposes of the Corporation; the

Chairperson may sign and execute all contracts, conveyances, resolutions, franchises, bonds, deeds, assignments, notes and other instruments in the name of the Corporation.

The Chairperson shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or matters incidental to the operation and functions of the Board. The Chairperson shall have the authority to appoint ad-hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.

The Chairperson shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board may direct, all of which shall during business hours be open to inspection at the principal office of the Corporation.

Section 3.3 Vice-Chairperson. The Vice Chairperson shall have such powers and duties as may be assigned by the Board and shall exercise the powers of the Chairperson during the Chairperson's absence or inability to act. Any action taken by the Vice Chairperson in the performance of the duties of the Corporation shall be with conclusive evidence of the absence or inability of the Chairperson to act at the time such action was taken.

Section 3.4 Secretary. The Secretary shall attest or sign with the Chairperson in the Corporation's name all contracts, conveyances, resolutions, franchises, bonds, deeds, assignments, mortgages, notes, and other instruments of the Corporation.

In the absence of the Secretary, the Chairperson may appoint any other Board member as Secretary during such absence.

Section 3.5 Treasurer. The Treasurer shall have custody of all funds and securities of the Corporation that come in to his/her hands.

- a. When necessary, or proper, signature authority for the corporation rests with the Chairman, the Vice-Chair and the Treasurer, any two (2) of whom (so long as 2 different individuals) shall be required to sign or endorse, on behalf of the Corporation for collection or payment of checks, notes and other obligations and shall deposit any funds received to the credit of the Corporation in such bank or banks or depositories as shall be designated by the Board.
- b. Whenever required by the Board, the Treasurer shall enter or cause to be entered regularly in the books of the Corporation to be kept by the Treasurer for that purpose full and accurate amounts all monies received and paid out on account of the Corporation.
- c. The Treasurer shall perform all acts incident to the position of the Treasurer subject to the control of the Board.

- d. The Treasurer, if required by the Board, shall give such bond for the faithful discharge of his/her duties in such form as the Board may require.

Financial accounting for Corporate funds may be delegated to the City as determined by the Board and if so, the Corporation shall pay the City reasonable compensation for such services pursuant to an agreement between the parties.

Section 3.6: Compensation. Officers of the Board shall not receive any compensation for their services as Officers except that they may be reimbursed for their actual expenses incurred in the performance of their official duties.

Article IV: Provisions Regarding Bylaws.

Section 4.1: Effective Date. These Third Amended and Restated Bylaws shall become effective only upon the occurrence of the following events:

- (1) the adoption of these Bylaws by the Board of the Corporation; and,
- (2) the approval of these Bylaws by the City Council.

Section 4.2: Amendment of Bylaws. These Third Amended and Restated Bylaws may be amended at any time and from time to time, if consistent with state law and the Certificate of Formation, by majority vote of the Board then in office, but only with the approval by resolution of the City Council.

Section 4.3: Interpretation of Bylaws. These Third Amended and Restated Bylaws shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these Third Amended and Restated Bylaws, or the application thereof to a person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Third Amended and Restated Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these Third Amended and Restated Bylaws to any other person or circumstance shall not be affected thereby.

Article V: General Provisions.

Section 5.1 Principal Office. The current principal office of the Corporation is at 500 W. Live Oak Street, Hutto, Texas 78634. The Corporation may relocate such principal office and have such other offices as the Board shall determine necessary.

Section 5.2: Seal. The seal of the Corporation shall be as determined by the Board. The Board may determine the Corporation will have no seal.

Section 5.3: Notice and Waiver of Notice. Whenever any notice whatsoever is required to be given to the Board under the Act, the Certificate of Formation or these Third Amended and Restate Bylaws, such notices shall be deemed to be sufficient if given by

depositing it for mailing in a post office box, by electronic mail or with a private courier in a sealed postpaid wrapper addressed to the person entitled thereto at his/her address, as it appears on the books of the Corporation, and such notice shall be deemed given on the day of such mailing or courier receipt.

Attendance of a member of the Board at a meeting shall constitute waiver of notice of such meeting except where a director attends a meeting for the sole purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A written waiver of notice, signed by the person or persons entitled to notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Neither the business to be transacted nor the purpose of any regular or special meeting of the Board need be set forth in any notice to a director of such meeting unless required by the Board. Any notice whatsoever that may be required to be given to the public by law, shall be given in the manner prescribed by law.

Section 5.4: Resignations. Any director or Officer may resign at any time. Any such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the Chairperson. Absent a written notice of the resignation, the City Council of the City shall cause a notice of the resignation to be provided. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation. Notwithstanding the effective date, a resigning director shall serve until such time as his/her successor takes office.

Section 5.6: Organizational Control. The Board may, by majority vote and in its sole discretion and at any time, alter or change the structure, organization or activities of the Corporation (including the termination of the Corporation), subject to the Act, any limitation on the impairment of contracts and the approval of the City Council.

Section 5.7: Dissolution of the Corporation. Upon dissolution of the Corporation, title to or other interest in any real or personal property then owned by the Corporation shall vest in the City except and unless otherwise expressly authorized by the City Council.

Section 5.8: Staff and Organizational Management. The Board, in its sole discretion, may hire and terminate employees of the Corporation. Pursuant to an administrative and professional services agreement between the Corporation and the City, the City may provide some staffing and support to the Corporation and pursuant to such an agreement, the Corporation shall reimburse the City for costs and expenses reasonably necessary for such support.

Section 5.9: Indemnification. The Corporation shall indemnify any current or former members of the Board, Officer, or employee of the Corporation, or any other person who may serve at the Corporation's request as a director, officer,

or employee of another corporation or entity in which it owns shares of stock or other ownership interest or of which it is a creditor, against expenses actually and necessarily incurred by such person and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil, criminal, arbitrative, or investigative in nature, in which such person was, is, or is threatened to be made a named defendant or respondent by reason of being or having been such a director, officer, or employee (whether or not the person is or was such at the time the costs or expenses are incurred by or imposed upon such person) as is required by Section 8.051 of the Texas Business Organizations Code ("TOBC"). The Corporation may indemnify any such person against and for any such expenses or costs and may advance expenses to any such person as is permitted by and according to the terms of Section 8.101 of the TBOC.

Section 5.10: Insurance. The Corporation may at the discretion of the Board purchase and maintain insurance on behalf of the Corporation and any person whom it has the power to indemnify pursuant to law, the Certificate of Formation and Third Amended and Restated Bylaws or otherwise, including without limitation directors and officer's liability insurance.

These Third Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type B dba Hutto Community Development Corporation were adopted at a duly called meeting of the Board of Directors of the Corporation, held on November __, 2020. These Third Amended and Restated Bylaws shall become effective upon the date of their approval by resolution of the City Council of the City of Hutto, Texas.

By: _____
Mike Arismendez, Chairman
Hutto Community Development
Corporation

By: _____
Mike Snyder,
Mayor, City of Hutto, Texas

~~SECOND~~THIRD AMENDED AND RESTATED BYLAWS OF
THE HUTTO ECONOMIC DEVELOPMENT CORPORATION, TYPE B
dba HUTTO COMMUNITY DEVELOPMENT CORPORATION

Effective _____, ~~2020~~July, 2021

Article I: Powers and Purposes.

Section 1.1: Corporate Identity: Offices. The name of the corporation is the Hutto Economic Development Corporation, Type B dba Hutto Community Development Corporation (the "Corporation"). The principal office of the Corporation shall be at 500 W. Live Oak Street, Hutto, TX 78634. The Corporation may have other offices as the Board of Directors (the "Board") may determine.

Section 1.2: Powers. In order to implement the purposes for which the Corporation was formed, as set forth in its Articles of Incorporation, the Corporation shall have all the authority and powers of every nature and kind whatsoever, both expressed and implied, which are authorized or permitted by the terms of the Development Corporation Act of 1979, Chapter 501 of the Local Government Code, as amended (the "Act"). The Corporation shall have and may exercise each power and authority enumerated in the Act as if such power and authority were specifically set forth herein; provided the Corporation shall be governed by Chapter 505 of the Local Government Code and any other term or provision of the Act, Chapter 505 of the Local Government Code shall govern and prevail. The Corporation shall have the power and authority to undertake any lawful action not inconsistent with the Act and it shall promote economic development benefitting the City of Hutto, Texas (the "City"), including without limitation promoting industrial, manufacturing, commercial, retail, parks and residential development to encourage employment and the public welfare, both within the City limits and areas outside of the City limits which contribute to the economic welfare of the City. The powers of the Corporation shall include the authority to contract and be contracted with, and absent a conflict with Chapter 505 of the Local Government Code, the power to purchase, lease, sell and mortgage real estate, and to issue obligations for or otherwise finance all or part of the cost of one or more "Projects" as defined by the Act.

Section 1.3: Annual Corporate Budget. At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of anticipated revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications as shall be in such format as may be prescribed from time to time by Board of Directors of the Corporation. Classifications of expenditures within the budget that are designated as routine ("R") (i.e., items such as salaries, multi-year contractual obligations, debt service payments, routine business expenses, etc.) are authorized for expenditure by the City Council approving the budget in

accordance with Texas Local Government Code Section 501.073(a). Classifications of expenditures within the budget that are designated as discretionary (D) (i.e. items such as allocations of unencumbered funds for use in future incentive, performance or funding agreements are appropriated by the City Council approving the budget but any expenditure of such funds must be subsequently approved by the City Council in connection with the specifically identified use or expenditure. The Corporation's fiscal year shall start on October 1 and end on September 30th of the following calendar year and may be changed or amended by action of the Board with approval by the City Council.

Section 1.4: Books and Records: Review of Financial Statements. The Corporation shall keep correct and complete books and records of all accounts and shall keep minutes of the proceedings of its Board and committees having any of the authority of the Board. All books and records of the Corporation may be inspected by any director, or his or her agent, any attorney representing the Corporation, any member of the City Council, and the City Manager, or such designee as the City Manager so designates, at a mutually reasonable time for the parties involved. The books, records, accounts and financial statements may be maintained for the Corporation by the staff of the City, subject to approval by the Board and City Council, and if so, the Corporation shall pay the City reasonable compensation for such services pursuant to an agreement between the parties.

Section 1.5: Powers in General. The Corporation may exercise all powers granted under the Act consistent with its Certificate of Formation, these amended bylaws and the resolutions and ordinances of the City Council.

ARTICLE II: Board of Directors.

Section 2.1: Appointment, Powers, Number and Term of Office. The Board shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation, and these Bylaws. The Board shall consist of seven (7) members, each appointed by the City Council for a two (2) year term. At least three (3) directors shall be persons who are not employees, officers, or members of the City Council of the City. No more than four (4) of the seven (7) directors may be City employees or City Council members. All directors must be residents of the City or its extraterritorial jurisdiction ("ETJ") to ensure City residents have the opportunity to sit on and participate in the activities of the Corporation.

Any director, or all directors, may be removed from office at any time by majority vote of the City Council, for cause or at will. Any vacancy occurring on the Board shall be filled by appointment by majority vote of the City Council. Those filling vacancies shall serve out the term of the seat they are filling. In the event any member of the Board's term expires, but is not yet replaced, such member shall continue serving in the position until a replacement is appointed or removed by action of the City Council.

Section 2.2: Meetings of the Directors in General. The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Chairman no later than ten (10) days prior to the date of the Board meeting. The Board may hold its meeting at any place authorized by the Act and as the Board may from time to time determine; provided that in the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City. The Board shall conduct its meetings in accordance with all applicable Texas law.

Section 2.3: Regular Meetings. Regular meetings of the Board shall be held ~~at such times on the first Monday of the month except in cases of observed holidays falling on the first Monday (e.g., Labor Day, etc.) and places as shall be at Hutto City Hall unless otherwise noted and~~ designated, from time to time, ~~by resolution of on the Board posted agenda.~~ Notice of regular meetings need not be given to each Director, but public notice of each meeting shall be given in the manner prescribed by law.

Section 2.4: Special Meetings. Special meetings of the Board shall be held whenever called by the Chairperson, by the Secretary or by a majority of the Directors then in office, upon advice of the Corporation's General Counsel or by request of the City Council.

The Chairperson or his/her designee shall give or cause public notice to be given of each special meeting. Special notice of each special meeting shall also be given to each Director either by mail, telephone, electronically or in person at least two (2) hours before the meeting. Notice required by law to be given to any other person or entity shall be given in the manner prescribed by law. Except as otherwise provided by law or unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting. At any meeting at which every Director is present, even though without any notice, any matter pertaining to the purposes of the Corporation may be considered and acted upon, except as otherwise provided by law.

Section 2.5: Quorum. A majority of the Directors fixed by these Bylaws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law. Any member of the Board may request a record vote on any matter to come before the Directors and that record vote will become a part of the minutes.

Section 2.6: Conduct of Business. At the meetings of the Board, matters pertaining to the purposes of the Corporation shall be considered in such order from time to time as the Board may determine.

Section 2.7: Compensation of Directors. Directors shall not receive any compensation for their services as Directors except that they may, upon request, be reimbursed for their actual expenses incurred in the performance of their official duties.

Section 2.8 Board Committees. The Board may designate two (2) or more directors to constitute an official committee of the Board to exercise such authority as is delegated and approved by resolution of the Board. It is provided, however, that all final, official actions of the Corporation may be exercised only by a majority of the full Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 2.9: Advisory Board. The Board may appoint an advisory board or boards to assist the Board and perform such other duties as the Board may from time to time assign to the advisory board. An advisory board shall be made up of no more than seven (7) individuals. At the time the Board creates an advisory board, the Board shall adopt rules and regulations regarding membership of the advisory board. The advisory board may make recommendations to the Board, but all final, official actions of the Corporation shall be exercised only by the Board. The Board shall create a small business, convention and tourism advisory board which may include board members of the Hutto Chamber of Commerce, in addition to such other advisory boards desired by the Board.

Section 2.10: Texas Open Meetings Act and Texas Public Information Act. Meetings of the Board are subject to the Texas Open Meetings Act, Texas Government Code Chapter 551, and the Corporation is subject to the Texas Public Information Act, Texas Government Code Chapter 552.

Article III: Officers.

Section 3.1: Titles and Terms of Office. The Officers of the Corporation shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer, and such person may hold more than one office, except the Chairperson shall not also hold the office of Secretary. The Chairperson and each other officer of the Corporation shall be appointed by a majority vote of the directors of the Board then in office and shall hold office for a term of two (2) years or until his/her successor is elected or appointed. Each officer shall affirm their office and commitment to continue serving in their office in June of every year.

No City Council member serving on the Board may also serve as an officer of the corporation nor have signature authority on behalf of the corporation.

All officers shall be subject to removal from office with or without cause at any time by a majority vote of the City Council members then in office. A vacancy in any office shall be filled by appointment by a majority of the City Council Board.

Section 3.2: Chairperson. The Chairperson shall be the Chief Executive Officer of the Corporation, and, subject to the control of the Board, the Chairperson shall be in general charge of the properties and affairs of the Corporation. The Chairperson shall preside at all meetings of the Board in furtherance of the purposes of the Corporation; the

Chairperson may sign and execute all contracts, conveyances, resolutions, franchises, bonds, deeds, assignments, notes and other instruments in the name of the Corporation.

The Chairperson shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or matters incidental to the operation and functions of the Board. The Chairperson shall have the authority to appoint ad-hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.

The Chairperson shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board may direct, all of which shall during business hours be open to inspection at the principal office of the Corporation.

Section 3.3 Vice-Chairperson. The Vice Chairperson shall have such powers and duties as may be assigned by the Board and shall exercise the powers of the Chairperson during the Chairperson's absence or inability to act. Any action taken by the Vice Chairperson in the performance of the duties of the Corporation shall be with conclusive evidence of the absence or inability of the Chairperson to act at the time such action was taken.

Section 3.4 Secretary. The Secretary shall attest or sign with the Chairperson in the Corporation's name all contracts, conveyances, resolutions, franchises, bonds, deeds, assignments, mortgages, notes, and other instruments of the Corporation.

In the absence of the Secretary, the Chairperson may appoint any other Board member as Secretary during such absence.

Section 3.5 Treasurer. The Treasurer shall have custody of all funds and securities of the Corporation that come in to his/her hands.

- a. When necessary, or proper, signature authority for the corporation rests with the Chairman, the Vice-Chair and the Treasurer may, any two (2) of whom (so long as 2 different individuals) shall be required to sign or endorse, on behalf of the Corporation for collection or payment of checks, notes and other obligations and shall deposit any funds received to the credit of the Corporation in such bank or banks or depositories as shall be designated by the Board.
- b. Whenever required by the Board, the Treasurer shall enter or cause to entered regularly in the books of the Corporation to be kept by the Treasurer for that purpose full and accurate amounts all monies received and paid out on account of the Corporation.
- c. The Treasurer shall perform all acts incident to the position of the Treasurer subject to the control of the Board.

- d. The Treasurer, if required by the Board, shall give such bond for the faithful discharge of his/her duties in such form as the Board may require.

Financial accounting for Corporate funds may be delegated to the City as determined by the ~~board~~Board and if so, the Corporation shall pay the City reasonable compensation for such services pursuant to an agreement between the parties.

Section 3.6: Compensation. Officers of the Board shall not receive any compensation for their services as Officers except that they may be reimbursed for their actual expenses incurred in the performance of their official duties.

Article IV: Provisions Regarding Bylaws.

Section 4.1: Effective Date. These ~~Second~~Third Amended and Restated Bylaws shall become effective only upon the occurrence of the following events:

- (1) the adoption of these Bylaws by the Board of the Corporation; and,
- (2) the approval of these Bylaws by the City Council.

Section 4.2: Amendment of Bylaws. These ~~Second~~Third Amended and Restated Bylaws may be amended at any time and from time to time, if consistent with state law and the Certificate of Formation, by majority vote of the Board ~~of Directors~~ then in office, but only with the approval by resolution of the City Council.

Section 4.3: Interpretation of Bylaws. These ~~Third~~Amended and Restated Bylaws shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these ~~Second~~Third Amended and Restated Bylaws, or the application thereof to a person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these ~~Second~~Third Amended and Restated Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these ~~Second~~Third Amended and Restated Bylaws to any other person or circumstance shall not be affected thereby.

Article V: General Provisions.

Section 5.1 Principal Office. The current principal office of the Corporation is at 500 W. Live Oak Street, Hutto, Texas ~~78644~~78634. The Corporation may relocate such principal office and have such other offices as the Board shall determine necessary.

Section 5.2: Seal. The seal of the Corporation shall be as determined by the Board. The Board may determine the Corporation will have no seal.

Section 5.3: Notice and Waiver of Notice. Whenever any notice whatsoever is required to be given to the Board under the Act, the Certificate of Formation or these ~~Second~~Third Amended and Restate Bylaws, such notices shall be deemed to be sufficient if

given by depositing it for mailing in a post office box, by electronic mail or with a private courier in a sealed postpaid wrapper addressed to the person entitled thereto at his/her address, as it appears on the books of the Corporation, and such notice shall be deemed given on the day of such mailing or courier receipt.

Attendance of a member of the Board at a meeting shall constitute waiver of notice of such meeting except where a director attends a meeting for the sole purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A written waiver of notice, signed by the person or persons entitled to notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Neither the business to be transacted ~~nor~~ the purpose of any regular or special meeting of the Board need be set forth in any notice to a director of such meeting unless required by the Board. Any notice whatsoever that may be required to be given to the public by law, shall be given in the manner prescribed by law.

Section 5.4: Resignations. Any director or Officer may resign at any time. Any such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the Chairperson. Absent a written notice of the resignation, the City Council of the City shall cause a notice of the resignation to be provided. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation. Notwithstanding the effective date, a resigning director shall serve until such time as his/her successor takes office.

Section 5.6: Organizational Control. The Board may, by majority vote and in its sole discretion and at any time, alter or change the structure, organization or activities of the Corporation (including the termination of the Corporation), subject to the Act, any limitation on the impairment of contracts and the approval of the City Council.

Section 5.7: Dissolution of the Corporation. Upon dissolution of the Corporation, title to or other interest in any real or personal property then owned by the Corporation shall vest in the City except and unless otherwise expressly authorized by the City Council.

Section 5.8: Staff and Organizational Management. The Board, in its sole discretion, may hire and terminate employees of the Corporation. Pursuant to an administrative and professional services agreement between the Corporation and the City, the City may provide some staffing and support to the Corporation and pursuant to such an agreement, the Corporation shall reimburse the City for costs and expenses reasonably necessary for such support.

Section 5.9: Indemnification. The Corporation shall indemnify any current or former members of the Board, Officer, or employee of the Corporation, or any other person who may serve at the Corporation's request as a director, officer,

or employee of another corporation or entity in which it owns shares of stock or other ownership interest or of which it is a creditor, against expenses actually and necessarily incurred by such person and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil, criminal, arbitrative, or investigative in nature, in which such person was, is, or is threatened to be made a named defendant or respondent by reason of being or having been such a director, officer, or employee (whether or not the person is or was such at the time the costs or expenses are incurred by or imposed upon such person) as is required by Section 8.051 of the Texas Business Organizations Code ("TOBC"). The Corporation may indemnify any such person against and for any such expenses or costs and may advance expenses to any such person as is permitted by and according to the terms of Section 8.101 of the TBOC.

Section 5.10: Insurance. The Corporation may at the discretion of the Board purchase and maintain insurance on behalf of the Corporation and any person whom it has the power to indemnify pursuant to law, the Certificate of Formation and ~~Second~~Third Amended and Restated Bylaws or otherwise, including without limitation directors and ~~officers~~officer's liability insurance.

~~The Second~~These Third Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type B dba Hutto Community Development Corporation were adopted at a duly called meeting of the Board of Directors of the Corporation, held on November __, 2020. These ~~Second~~Third Amended and Restated Bylaws shall become effective upon the date of their approval by resolution of the City Council of the City of Hutto, Texas.

By: _____
~~Steven R. Harris~~Mike Arismendez, Chairman
Hutto Community Development
Corporation

By: _____
~~Doug Gaul~~Mike Snyder,
Mayor, City of Hutto, Texas

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Presentation, discussion and possible action on March Servicing Invoice, June Servicing Invoice, June Wire Report and final payment to BCL of Texas under the terminated Professional Services agreement.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Hutto March-Servicing Invoice
2. Hutto June-Servicing Invoice
3. Hutto June Wire Report

**bcl**

1011 San Jacinto Blvd, Suite 500 | Austin | TX | 78701
P: 512.912.9884 | F: 512.912.9869 | E: askus@bcloftexas.org

INVOICE

INVOICE #03312021
DATE: MARCH 31, 2021

BILL TO:**Hutto Economic Development**

c/o Cheri Bowman
500 W. Live Oak
Hutto, TX. 78634

Unpaid

DESCRIPTION	TOTAL
Payment for RLF administration	
01/31/2021	\$1,500.00
02/28/2021	\$1,500.00
03/31/2021	\$1,500.00
56 days past due.	
TOTAL DUE	\$4,500.00

Make all checks payable to **BCL of Texas**

If you have any questions concerning this invoice, contact Ellie Elenes/Accounting Specialist at 512-912-9884 Ext. 100 or accounting@bcloftexas.org

Thank you for your business!

HUTTO EDC Quarterly Report

Economic Recovery Loan Activity

As of March 29, 2021

Note: All loan customers are current and paying as agreed

Hutto Economic Recovery Loan Portfolio				Three Month Report (Jan, Feb, March 2021)				
All Loans Zero percent; 3 month deferment; 27 month amortization								
Borrower	Date Funded	Loan Amount	Previous Balance (As of 12/31/2020)	Jan. 15, 2021 Payment	Feb. 15, 2021 Payment	Mar. 15, 2021 Payment	Total ACH this Quarter	Remaining Balance
The Hutto Smiths	4/13/2020	\$25,000.00	\$19,791.65	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$16,666.64
CBA Brushy Creek, LLC*	4/13/2020	\$25,000.00	Paid in full	\$ -	\$ -	\$ -	\$ -	\$ -
JL3 Construction Services, LLC	4/13/2020	\$25,000.00	\$19,791.65	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$16,666.64
Hippo Learning Station	4/13/2020	\$25,000.00	\$19,791.65	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$16,666.64
Tiger Rock Martial Arts, Hutto	4/13/2020	\$25,000.00	\$19,791.65	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$16,666.64
Miss Natural Beauty Supply	4/13/2020	\$20,000.00	\$15,833.35	\$ 833.33	\$ 833.33	\$ 833.33	\$ 2,499.99	\$13,333.36
Orange Fitness, LLC	10/1/2020	\$25,000.00	\$25,000.00	deferred	\$ 1,041.67	\$ 1,041.67	\$ 2,083.34	\$22,916.66
D & C Pallets	10/1/2020	\$25,000.00	\$25,000.00	deferred	\$ 1,041.67	\$ 1,041.67	\$ 2,083.34	\$22,916.66
7 Active ER Loans (1 Loan Paid in Full*)	Totals	\$195,000.00	\$144,999.95	\$ 5,000.01	\$ 7,083.35	\$ 7,083.35	\$ 19,166.71	\$125,833.24



bcl

1011 San Jacinto Blvd, Suite 500 | Austin | TX | 78701
P: 512.912.9884 | F: 512.912.9869 | E: askus@bcloftexas.org

INVOICE

INVOICE #06302021
DATE: JUNE 22, 2021

BILL TO:
Hutto Economic Development
c/o Cheri Bowman
500 W. Live Oak
Hutto, TX. 78634

DESCRIPTION	TOTAL
Payment for RLF administration	
04/30/2021	\$1,500.00
05/31/2021	\$1,500.00
06/30/2021	\$1,500.00
TOTAL DUE	\$4,500.00

Make all checks payable to **BCL of Texas**

If you have any questions concerning this invoice, contact Ellie Elenes/Accounting Specialist at 512-912-9884 Ext. 100 or accounting@bcloftexas.org

Thank you for your business!

Hutto EDC Quarterly Report

Economic Recovery Loan Activity
Loan Servicing/Recaptured April-June 2021

NOTE: All loan customers are current and paying as agreed.

Hutto Economic Recovery Loan Portfolio				Three Month Report (April, May, June 2021)				
All Loans Zero percent; 3 month deferment; 27 month amortization								
Borrower	Date Funded	Loan Amount	Previous Balance (As of 03/31/2021)	April 15, 2021 Payment	May 17, 2021 Payment	June 15, 2021 Payment	Total ACH this Quarter	Remaining Balance
The Hutto Smiths	4/13/2020	\$25,000.00	\$16,666.64	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$13,541.63
CBA Brushy Creek, LLC*	4/13/2020	\$25,000.00	Paid in full	\$ -	\$ -	\$ -	\$ -	\$ -
JL3 Construction Services, LLC	4/13/2020	\$25,000.00	\$16,666.64	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$13,541.63
Hippo Learning Station	4/13/2020	\$25,000.00	\$16,666.64	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$13,541.63
Tiger Rock Martial Arts, Hutto	4/13/2020	\$25,000.00	\$16,666.64	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$13,541.63
Miss Natural Beauty Supply	4/13/2020	\$20,000.00	\$13,333.36	\$ 833.33	\$ 833.33	\$ 833.33	\$ 2,499.99	\$10,833.37
Orange Fitness, LLC	10/1/2020	\$25,000.00	\$22,916.66	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$19,791.65
D & C Pallets	10/1/2020	\$25,000.00	\$22,916.66	\$ 1,041.67	\$ 1,041.67	\$ 1,041.67	\$ 3,125.01	\$19,791.65
7 Active ER Loans (1 Loan Paid in Full*)	Totals	\$195,000.00	\$125,833.24	\$ 7,083.35	\$ 7,083.35	\$ 7,083.35	\$ 21,250.05	\$104,583.19

Wire Funding Report to Hutto EDC

We have included two reports as reference for our June wire payment for your review.

Report 1 – Reflects a correction made for loan payments recaptured thru May 2021 and wired on 5/21/2021. The correct recaptured amount for Orange Fitness and D&C Pallets did not reflect correctly on the Original report. The adjusted amount difference is \$6,312.52 which will be included with the wire on 6/25/21 total.

Report 2 – Loan Payments recaptured for June 2021. The June total came to \$7,083.35 and with the adjusted amount of \$6,312.52 referenced above, the total wire for 6/25/21 will be \$13,395.87.

Hutto EDC Quarterly Report

Economic Recovery Loan Activity
Payments Recaptured thru May, 2021

Please Note: All loan customers are current and paying as agreed.

Adjusted Report thru May 2021

Hutto Economic Recovery Loan Portfolio				Three Month Report (Apr, May, June 2021)			
All Loans Zero percent; 3 month deferment; 27 month amortization							
Borrower	Date Funded	Loan Amount	Apr. 15, 2021 Payment	May 15, 2021 Payment	June 15, 2021 Payment	Total ACH this Quarter	Cumulative Recaptured Totals
The Hutto Smiths	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
CBA Brushy Creek, LLC	4/13/2020	\$25,000.00	Paid in full	Paid in full	Paid in full	Paid in full	\$ 25,000.00
JL3 Construction Services, LLC	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
Hippo Learning Station	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
Tiger Rock Martial Arts, Hutto	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
Miss Natural Beauty Supply	4/13/2020	\$20,000.00	\$ 833.33	\$ 833.33		\$ 1,666.66	\$ 8,333.30
Orange Fitness, LLC	10/1/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 4,166.68
D & C Pallets	10/1/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 4,166.68
7 Active ER Loans (1 Loan Paid in Full)	Totals	\$195,000.00	\$ 7,083.35	\$ 7,083.35	\$ -	\$ 14,166.70	\$ 83,333.46
						1%	\$ 833.33
						Orig. Report TOTAL	\$ 84,166.79
						Less Amount Wired on 5/21/21	\$ (77,854.27)
						Adjusted Amount	\$ 6,312.52

Original Report Submitted

Hutto Economic Recovery Loan Portfolio				Three Month Report (Apr, May, June 2021)			
All Loans Zero percent; 3 month deferment; 27 month amortization							
Borrower	Date Funded	Loan Amount	Apr. 15, 2021 Payment	May 15, 2021 Payment	June 15, 2021 Payment	Total ACH this Quarter	Cumulative Recaptured Totals
The Hutto Smiths	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
CBA Brushy Creek, LLC	4/13/2020	\$25,000.00	Paid in full	Paid in full	Paid in full	Paid in full	\$ 25,000.00
JL3 Construction Services, LLC	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
Hippo Learning Station	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
Tiger Rock Martial Arts, Hutto	4/13/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 2,083.34	\$ 10,416.70
Miss Natural Beauty Supply	4/13/2020	\$20,000.00	\$ 833.33	\$ 833.33		\$ 1,666.66	\$ 8,333.30
Orange Fitness, LLC	10/1/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 1,041.67	\$ 1,041.67
D & C Pallets	10/1/2020	\$25,000.00	\$ 1,041.67	\$ 1,041.67		\$ 1,041.67	\$ 1,041.67
7 Active ER Loans (1 Loan Paid in Full)	Totals	\$195,000.00	\$ 7,083.35	\$ 7,083.35	\$ -	\$ 14,166.70	\$ 77,083.44
						1%	\$ 770.83
						Wire TOTAL	\$ 77,854.27

Hutto EDC Quarterly Report

Economic Recovery Loan Activity
Payments Recaptured for June 2021

Please Note: All loan customers are current and paying as agreed.

Hutto Economic Recovery Loan Portfolio			Monthly Report (June 2021)				
All Loans Zero percent; 3 month deferment; 27 month amortization							
Borrower	Date Funded	Loan Amount	Apr. 15, 2021 Payment	May 15, 2021 Payment	June 15, 2021 Payment	Total ACH for June	Cumulative Recaptured Total
The Hutto Smiths	4/13/2020	\$25,000.00			\$ 1,041.67	\$ 1,041.67	\$ 11,458.37
CBA Brushy Creek, LLC	4/13/2020	\$25,000.00	Paid in full	Paid in full	Paid in full	Paid in full	\$ 25,000.00
JL3 Construction Services, LLC	4/13/2020	\$25,000.00			\$ 1,041.67	\$ 1,041.67	\$ 11,458.37
Hippo Learning Station	4/13/2020	\$25,000.00			\$ 1,041.67	\$ 1,041.67	\$ 11,458.37
Tiger Rock Martial Arts, Hutto	4/13/2020	\$25,000.00			\$ 1,041.67	\$ 1,041.67	\$ 11,458.37
Miss Natural Beauty Supply	4/13/2020	\$20,000.00			\$ 833.33	\$ 833.33	\$ 9,166.63
Orange Fitness, LLC	10/1/2020	\$25,000.00			\$ 1,041.67	\$ 1,041.67	\$ 5,208.35
D & C Pallets	10/1/2020	\$25,000.00			\$ 1,041.67	\$ 1,041.67	\$ 5,208.35
7 Active ER Loans (1 Loan Paid in Full)	Totals	\$195,000.00	\$ -	\$ -	\$ 7,083.35	\$ 7,083.35	\$ 90,416.81

June TOTAL	\$ 7,083.35
Plus Adj. Amount from May	\$ 6,312.52
June Wire Total	\$ 13,395.87

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Presentation, discussion and possible action regarding a replacement third-party administrator for the Small Business / Disaster Relief Loan program.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT



To: EDC/CDC Board

Subject: Presentation, discussion and possible action on adopting a resolution approving the establishment of a Project using Type B sales tax funds related to certain infrastructure improvement projects and authorizing the Chairman to execute a Funding Agreement with the City of Hutto, Texas regarding the hiring of the independent contractor Freese and Nichols for an expanded Downtown Plan related to this Project.

Meeting: Tuesday, July 13, 2021

Department: City Secretary

Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. COH Downtown Plan Funding Agreement 070821
2. HCDC Res approving 501.103 Project for DP Study 060321

DOWNTOWN PLAN STUDY FUNDING AGREEMENT

This “Downtown Plan Study Funding Agreement” (the “Agreement”) is made and entered into by the City of Hutto, a Texas home rule municipality located in Williamson County (the “City”) and the Hutto Economic Development Corporation, a Texas Type B Corporation dba the Hutto Community Development Corporation (“HCDC”); and

Section 501.103 of the Texas Local Government Code allows expenditures found by the board of directors of an economic development corporation to be required or suitable for infrastructure necessary to promote or develop new or expanded business projects as a “Project” under the Development Corporations Act; and

The HCDC is informed and believes that the City of Hutto (the “City”) entered into an agreement with Freese and Nichols, Inc. for a Downtown Plan Study (the “Study”), which will identify certain infrastructure projects necessary or suitable in order to promote or develop new or expanded business enterprises and for the creation or retention of primary jobs; and

On June 7, 2021, the HCDC held a public hearing to establish the proposed contribution of the HEDC to the Study as an infrastructure improvement project in the City pursuant to Section 501.103 of the Texas Local Government Code (the “Project”); and

On July 13, 2021, the HCDC approved the Study as a Project related to certain infrastructure improvements projects promoting new or expanded small business development in the City; and

THEREFORE, in consideration of the mutual covenants and promises set forth below, the receipt and sufficiency of which are hereby acknowledged, the City and HCDC agree as follows:

SECTION 1. PURPOSE. The purpose of this Agreement is for the HCDC and City to enhance and promote the City of Hutto and the City’s economy through expenditures that promote the new or expanded business development through economic development projects as defined in Chapters 501, 502 and 505 of the Texas Local Government Code (the “Act”).

SECTION 2. OBLIGATIONS OF THE HCDC.

(a) The HCDC shall provide funding to the City over two (2) fiscal years in two (2) payments of ninety thousand dollars (\$90,000) each payment, for a total contribution of one hundred eighty thousand dollars (\$180,000) for the co-funding of the Study and solely for this eligible Project.

(b) The HCDC shall provide these Funds to the City no more than thirty (30) days after receipt of the City's annual request.

SECTION 3. OBLIGATIONS OF THE CITY.

(a) The HCDC funds shall only be used for those activities associated with activities covered under this Agreement for the Study and Project.

(b) The City shall allow the HCDC or its auditors to conduct an audit of City books and records for confirmation of HCDC funds being expended on the Study and Project.

SECTION 4. RIGHTS. The HCDC has the right to inspect the books or records of the City that may relate to the performance of this Agreement during normal business hours upon reasonable notice.

SECTION 5. TERM. This Agreement becomes effective on the date signed by the Chairman and terminates two (2) fiscal years thereafter.

SECTION 6. RECAPTURE PROVISION. In the event the City is unable to use the funds according to this Agreement or fails to appropriately spend the funds on the Project in accordance with the Act, or is otherwise in default under this Agreement, the City shall repay the HCDC all funds paid to the City for the Project.

SECTION 7. DEFAULT. The HCDC reserves the right to terminate this Agreement if the City fails to comply with the terms of this Agreement. The HCDC may terminate this Agreement for breach of any provision of this Agreement upon written notice of event of default and provide thirty (30) days in which to cure the breach to the satisfaction of the HCDC.

SECTION 8. NOTICE. All Notices required or permitted under this Agreement shall be in writing and shall be delivered in person or mailed to:

For the CITY:

Warren Hutmacher
City Manager
City of Hutto
500 West Live Oak Street
Hutto, Texas 78634

for the HCDC:

Mike Arismendez
Chairman, Board of Directors
Community Development Corporation
500 West Live Oak Street
Hutto, Texas 78634

With a Copy to:

Cristian Rosas-Grillet
City Attorney
Bojorquez Law Firm PLLC
11675 Jollyville Road, Suite 300
Austin, TX 78759

With a Copy to:

George E. Hyde
General Counsel
Russell Rodriguez Hyde Bullock LLP
1633 Williams Drive, Bldg. 2, Suite 200
Georgetown, TX 78628

SECTION 9. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement of the Parties regarding the subject matter contained herein. The Parties may not modify or amend this Agreement, except by written agreement approved by the governing bodies of each party and duly executed by their authorized agents.

SECTION 10. APPROVAL. This Agreement has been duly considered and properly approved by each party's governing body and constitutes a binding obligation on each party.

SECTION 11. ASSIGNMENT. Except as otherwise provided in this Agreement, neither party may assign their duties under this Agreement nor subcontract the performance of services without first obtaining the written consent of the other party.

SECTION 12. NON-WAIVER. A party's failure to exercise a right or remedy does not constitute a waiver of the right or remedy. An exercise of a right or remedy under this Agreement does not preclude the exercise of another right or remedy. Rights and remedies under this Agreement are cumulative and are not exclusive of other rights or remedies provided by law.

SECTION 13. HEADINGS. The various paragraph headings are inserted for convenience or reference only and shall not affect the meaning or interpretation of this Agreement or any section thereof.

SECTION 14. ATTORNEYS FEES. In any lawsuit concerning this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees from the non-prevailing party, plus all out-of-pocket expenses such as deposition costs, telephone calls, travel expenses, expert witness fees, court costs, and their reasonable expenses, unless otherwise prohibited by law.

SECTION 15. SEVERABILITY. If any of the terms, subsections, sentences, clauses, phrases, provisions, covenants or conditions of this Agreement are for any reason held to be invalid, void or unenforceable, the remainder of the terms, sections, subsections, sentences clauses, phrases, provisions, covenants or conditions of this Agreement shall remain in full force and effect and shall in no way be affected, impaired or invalidated by the offending term.

SECTION 16. **VENUE.** The parties agree that all disputes that arise from this Agreement are governed by the laws of the State of Texas and venue for all purposes herein shall be in Williamson County, Texas.

IN WITNESS WHEREOF, the City and the HCDC make and execute this Agreement on the dates reflected below.

CITY OF HUTTO, TEXAS:

**HUTTO COMMUNITY
DEVELOPMENT CORP.:**

By: _____
Warren Hutmacher
City Manager

By: _____
Mike Arismendez
Chairman, Board of Directors

Date: _____

Date: _____

**HUTTO COMMUNITY DEVELOPMENT CORPORATION
RESOLUTION NO. _____**

A RESOLUTION OF THE HUTTO COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS APPROVING A PROJECT FOR A STUDY TO IDENTIFY CERTAIN INFRASTRUCTURE IMPROVEMENTS NECESSARY OR SUITABLE TO PROMOTE NEW OR EXPANDED BUSINESS DEVELOPMENT AND AUTHORIZING THE CHAIRPERSON OF THE HUTTO COMMUNITY DEVELOPMENT CORPORATION TO EXECUTE ALL DOCUMENTS NECESSARY FOR SAID PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Hutto Economic Development Corporation, Type B dba the Hutto Community Development Corporation (the “HCDC”) is a Type B Economic Development Corporation organized and operated pursuant to Texas Local Government Code Chapters 501, 502, 504 and 505 (the “Act”); and

WHEREAS, Section 501.103 of the Act defines an authorized “project” for an economic development corporation to include “. . . expenditures that are found by the board of directors to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises”, with certain limitations; and

WHEREAS, the Board of Directors of the HCDC finds that contributing to the funding of a study by Freese and Nichols, Inc. for an updated Downtown Plan (the “Study”) will promote the HCDC and promote or develop new or expanded business enterprises in the City of Hutto; and

WHEREAS, the Board of Directors held a public hearing regarding establishing a project for the Study on June 7, 2021; and

WHEREAS, Section 501.103 of the Act authorizes the HCDC’s approval of a project for certain infrastructure improvements and the contribution of one hundred eighty thousand dollars (\$180,000) towards the Study by Freese and Nichols to identify such necessary infrastructure to promote or develop new or expanded business enterprises within the City of Hutto is an authorized project as provided by the Act.

NOW, THEREFORE, BE IT RESOLVED by the Hutto Community Development Corporation Board of Directors that:

I.

The HCDC hereby finds that the statements set forth in the recitals of this resolution are true and correct, and the HCDC hereby incorporates such recitals as a part of this resolution.

II.

Texas Local Government Code, §501.103 authorize the HCDC to enter into a Funding Agreement with the City of Hutto attached hereto as Exhibit “A”, in which the HCDC agrees to contribute one hundred eighty thousand dollars (\$180,000) towards the Study to identify certain infrastructure improvement necessary for the promotion or development of new or expanded business enterprises along with the creation or retention of primary jobs.

III.

The HCDC authorizes the Executive Director to execute all necessary documents, agreements and contracts required to complete the necessary improvements to carry out this Project, provided that such documents agreement and contracts are approved as to form and legality by the HCDC General Counsel.

IV.

This resolution shall be and is hereby cumulative of all other resolutions of the HCDC and this resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

V.

If any section, subsection, sentence, clause, or phrase of this resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

VI.

This resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the Board of Directors of the HCDC, and upon approval thereof as prescribed by law.

PASSED AND ADOPTED by the Hutto Community Development Corporation on this 13th day of July 2021.

APPROVED

Mike Arismendez, Chairperson

ATTEST:

_____, Secretary

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Presentation, discussion and possible action regarding the adoption of Corporate Policies and Procedures for the day-to-day operation of the corporations.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Draft Corporate Policies 052021

HUTTO ECONOMIC DEVELOPMENT CORPORATION and HUTTO COMMUNITY DEVELOPMENT CORPORATION

CORPORATE POLICIES AND PROCEDURES

The Hutto Economic Development Corporation and Hutto Community Development Corporation's Corporate Policies and Procedures are designed to be a working document that guides the HEDC and HCDC Board of Directors, the Executive Director and staff as they represent the corporations both during official Board actions and during area and corporate functions.

The HEDC and HCDC Board of Directors are committed to promoting an inclusive business environment and community in the City of Hutto, Texas.

The HEDC and HCDC Boards will not discriminate based on race, ethnicity, color, gender, faith, physical handicap, political affiliation or sexual orientation.

Policies & Procedures approved _____, 2021

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CHAPTER 1: PURPOSE

1.1 Purpose

The Board of Directors (the “Board”), as the governing bodies of both the Hutto Economic Development Corporation (“HEDC”) and Hutto Community Development Corporation (“HCDC”), are entrusted with the authority to establish policies and procedures for the governance of HEDC and HCDC. These corporate policies and procedures (the “Policies”) establish the parameters and guidelines for the Chairman of the Board, Board Members, the Executive Director and staff to conduct business.

The purposes of the HEDC & HCDC Policies are to:

- 1.1.1 Proactively inform Board Members, the Executive Director and staff of the HEDC & HCDC’s intent goal and aspirations;
- 1.1.2 Promote consistency of Board action;
- 1.1.1 Clarify Board Members’ and the Executive Director’s roles.

1.2 Corporate Policies & Procedures are not Staff Policies

HEDC & HCDC make an important distinction between the Board’s Policies and staff policies. Board Policies establish the broad parameters within which the Board and Executive Director will operate.

Personnel policies are an example of staff policy developed by the Executive Director in conjunction with the Board. The Executive Director develops the personnel policies appropriate for staff and has them reviewed by legal counsel for the HEDC & HCDC. The Executive Director then informs the Board that personnel policies are in place. The Board is not directly involved with developing personnel policies other than to ensure that the Executive Director has carried out that project.

Once the Board officially adopts the new Policies, the Policies shall be the standard for dealing with the subject matter covered by the Policies. If an issue comes before the Board that is not in line with existing Policies, the issue will be out of order and will be considered only in terms of a policy change.

1.3 Policy Decisions Require a Majority Vote of the Board

All Policy decisions will be made by majority vote of the Board and only at an official Board meeting.

1.4 Source of Policies

Policies may be recommended to the Board by the public, the Executive Director, individual Board Members or the Chairman. Any Policy recommendation shall be submitted in writing to the Chairman. All proposed policies will be researched to ensure that they are legal, and, when added, do not contradict already established Policy or the Bylaws of either the HEDC or HCDC. If approved by the Board, the adopted policies will be written, coded, dated at time of approval, and included in all copies of the Board policy manual.

1.5 Consideration for all Policies

All policies proposed to the Board should be tested. Is the proposed policy:

- Necessary for the efficient operation of the corporations?
- Consistent with the City of Hutto's Economic Development Policy?
- Within the scope of Board authority?
- Consistent with local, state and federal law?
- Compatible with other policies of the Board?
- Practical?
- Enforceable?

1.6 Accountability for Carrying out Policies

The Executive Director will be accountable to the Board for carrying out these Policies, ensuring all Policies are effectively explained to employees and making every reasonable effort to see that they are understood, accepted, and complied with. If the Executive Director position is vacant, then the Chairman of the Board will be accountable for carrying out these policies until a new Executive Director is in place.

1.7 Distribution of Policy Manual

The Board Policy manual will be available on-line for the general public to view.

1.8 Amendment or Suspension of Policy

All Policies will be annually reviewed by the Board for accuracy and appropriateness, and recommendations will be made to the Board for amendment, addition, or elimination. Except as otherwise provided by law, any Policy of the Board may be suspended, repealed, amended, or waived by a majority vote of the Board.

CHAPTER 2: BOARD ORGANIZATION

2.1 Establishment of the Organization

The EDC and CDC are economic development corporations which were established as Type A and Type B corporations, respectively, under Texas Local Government Code Chapters 501-505 (the “Act”). The Act allows a municipality to create nonprofit development corporations that promote the creation of new and expanded industry and manufacturing activity within the municipality and its vicinity.

2.2 Authority of the Board of Directors

Each member of the Board, together with the other members of the Board, is legally and morally responsible for all activities of the corporations. All members of the HEDC and HCDC Boards share in a joint and collective authority which exists and can only be exercised when the group is in session in a properly noticed and legally compliant meeting.

2.3 Authority of the City Council of the City of Hutto

The HEDC and HCDC are separate legal entities from the City of Hutto, Texas. However, pursuant to §501.062 of the Act, all Board Members are appointed by the Hutto City Council and may be removed by the City Council. The Hutto City Council is the governing body of the corporations’ authorizing unit and must also approve the Bylaws and certain Projects the corporations undertake.

2.4 Board Member Commitment

Serving as a Board Member of the HEDC and HCDC involves a special commitment. Board Members are expected to be:

- faithful to the City’s Economic Development Policy and goals;
- be knowledgeable and stay up to date on the Board’s responsibilities, such as required disclosures as well as corporate finances , Bylaws and policies;
- prepare for, attend and actively participate in Board meetings and workshops;
- concentrate on the business of the organization while attending board meetings and functions;
- serve on committees, assume special assignments and perform duties as assigned by the Chairman; and,
- maintain a professional relationship with fellow Board Members.

2.5 Director Training

The Board is required by the Act at least once in each 24-month period, to take training provided by a statewide organization representing economic development corporations. Legal counsel for the Corporations will provide open meeting and public information act training as needed.

2.6 Soliciting or Receiving Gifts

Board Members of the HEDC and HCDC Boards must never offer, give, solicit, or receive any form of bribe or kickback through their connection to the HEDC and HCDC. Board Members must never solicit a personal gift of any kind from anyone who does business with the HEDC and HCDC. This restriction applies to both actual and proposed projects involving the corporations.

2.7 Board Member Conflicts of Interest

- 2.7.1 Board Members have a duty to subordinate personal interests to the welfare of the corporations and those they serve. Conflicting interests can be financial, personal relationship, status or power.
- 2.7.2 Board Members are prohibited from receiving gifts, fees, loans, or favors from applicants for HEDC or HCDC programs, contractors, consultants, or financial agencies, which might obligate or induce a Board Member to compromise responsibilities to negotiate, inspect or audit, purchase or award contracts, with the best interest of the corporations in mind.
- 2.7.3 Board Members are prohibited from knowingly disclosing information about the HEDC or HCDC to those who do not have a need to know or whose interest may be adverse to the corporations, either inside or outside of the corporations. Nor may any Board Member use information obtained from the corporations to the detriment of either corporation.
- 2.7.4 Board Members may not have a financial interest in any property which the HEDC or HCDC purchases, or a direct or indirect interest in a supplier, contractor, consultant, applicant or other entity with which the corporations do business.
- 2.7.5 Since it is impossible to write a policy that covers all potential conflicts of interest, Board Members are expected to be alert for and avoid any situation which could be construed as or have the appearance of a conflict of interest.

- 2.7.6 Any possible conflict of interest on the part of any Board Member should be disclosed to the Chairman who then will bring it to the attention of the rest of the Board and made a matter of record, either through an annual procedure or when the interest becomes a matter of Board action.
- 2.7.7 Any Board Member having a conflict of interest or possible conflict of interest should not take part in any deliberation, vote, or use their personal influence on the matter, and should not be counted as part of a quorum for that portion of the Board meeting. The minutes of the meeting should reflect that a disclosure of a potential conflict of interest was made, the abstention of the Board Member from discussion as well as voting, and the quorum situation noted.
- 2.7.8 These restrictions should not be construed as preventing the Board Member from briefly stating their position in the matter, nor from answering pertinent questions from other Board Members, since their knowledge could be of assistance to the Board's deliberations.
- 2.7.9 All Board Members are required to complete the "Personal Financial Disclosure" form required by City of Hutto Ordinance No. O-19-12-15-11D on or before April 30th of each calendar year. These statements shall be reviewed by the Board annually and given to each new Board Member for signature during orientation or training. This statement is included in the Forms Section of these policies.

2.8 Legal Obligations of Board Members

The HEDC and HCDC Boards are both responsible and liable for the corporations. The HEDC and HCDC Boards and the law require every Board Member to follow the rule of the reasonably prudent person and the principle of good faith in their roles as Board Members.

- 2.8.1 The rule of the reasonably prudent person means the Board Member will not:
 - 2.8.1.1 mismanage the HEDC or HCDC by deviating from fundamental management principles, such as planning carefully for the future of the corporations, regularly reviewing the financial status of the corporations, and monitoring compliance with Board Policies;
 - 2.8.1.2 fail to govern by utilizing all control systems to govern the corporations;
or,
 - 2.8.1.3 be involved in self-dealing that provides personal gain to any Board Member.

- 2.8.2 The principle of good faith means that Board Members shall:
- 2.8.2.1 attend all Board and committee meetings to be a part of Board actions;
 - 2.8.2.2 read and understand the corporations' Policies and Bylaws;
 - 2.8.2.3 pay attention to corporate affairs and keep informed about organization activities;
 - 2.8.2.4 ensure that HEDC and HCDC are in compliance with legal requirements; and,
 - 2.8.2.5 avoid self-dealing.

2.9 Ethical Obligations of Board Members

All current and incoming Board Members will be given a copy of the Code of Ethics Pledge and Confidentiality Agreement to be signed and returned annually. Board Members will be expected to adhere to the provisions of that code. Individuals who refuse to sign these agreements will not be seated or will be removed from the Board.

2.10 Legal Requirements of Board Members

- 2.10.1 All Board Members will be expected to recognize and accept their legal position as governing agents of the HEDC and HCDC. A Board Member occupies the role of a fiduciary with regard to those served. A fiduciary is a person who holds something in trust for another. If Board Members violate their trust or fiduciary duties, they may be subject to legal consequences. The duties and responsibilities of Board Membership attach automatically when Board Members accept the office to which they are appointed.
- 2.10.2 There is a certain amount of liability involved with being a Board Member. The Board shall annually discuss liability issues and discuss other means on minimizing risk to the Corporation.

2.11 Maintaining Ethical Credibility

- 2.11.1 The conduct of the Board has a direct impact on public and constituent perceptions about the HEDC and HCDC. Board Members shall maintain an appearance of high credibility in adhering to legal, ethical and Policy requirements.

- 2.11.2 Board Members will be active and encourage all other Board Members to be active by attending meetings, reviewing materials distributed before Board meetings, questioning during meetings, voting on all issues, monitoring progress and maintaining active committees.
- 2.11.3 Board Members shall vote against proposed actions if they feel there is insufficient information on which to conclude a project promotes the economic development policy of the City of Hutto, Texas.
- 2.11.4 Board Members will formally adopt any rules, regulations, policies and budgets necessary for the smooth operation of the corporations.
- 2.11.5 Rules and regulations will be available for Board Members.
- 2.11.6 Board Members shall review fiscal records and controls at regular intervals.
- 2.11.7 Board Members shall ensure that standard budget forms and annual report forms are prepared and filed as required by law.
- 2.11.8 Members of the Board must never make political donations on behalf of the corporations or as a Board Member of either corporation.
- 2.11.9 Any Board Member who believes that a fellow Board Member has acted unethically should first review the current Board ethics policy. Board Members should not file or encourage the filing of ethics complaints that are frivolous and are intended to intimidate or harm the respondent rather than protect the HEDC and HCDC.
- 2.11.10 If a Board Member believes and ethical complaint against a fellow Board Member is in order, the ethics complaint shall be filed with the corporations' legal counsel who will investigate allegations contained in the complaint and introduce the complaint and findings to the Board at the next Board meeting.

2.12 Maintenance of all HEDC & HCDC Documents

- 2.12.1 The Executive Director of the corporations is responsible for the security of all major HEDC and HCDC organizational legal documents, such as the articles of incorporation, real estate titles, building blueprints, and network administrator accounts/passwords. Any other historical or archived documents will be maintained by the Executive Director.
- 2.12.2 All HEDC and HCDC Board documents, including but not limited to, Bylaws, Policies and Board minutes, will be available to Board Members, the Executive Director and staff in a secure digital format.

- 2.12.3 All signature cards and authorizations shall be updated annually or when changes in the Board necessitate earlier.
- 2.12.4 This policy provides for the systematic review and retention of documents received or created by HEDC or HCDC in connection with the transaction of corporate business. The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records, and to facilitate operations by promoting efficiency. The Executive Director shall monitor document management to ensure compliance with document retention rules.

The HEDC and HCDC follow the document retention policies outlined below. Documents that are not listed but are substantially similar to those listed in this schedule, shall be retained for the similar appropriate length of time according to the rules promulgated by the Texas State Library regarding document retention for the following:

- Budgets
- Audit Reports
- Contracts
- Legal Correspondence and documents
- Mortgage and note agreements
- Articles of incorporation
- Meeting minutes
- Board policies / resolutions
- Bylaws
- Disbursement Journal

2.13 Nomination and Election of Corporate Officers

2.13.1 It is the policy of the HEDC and HCDC to nominate and elect corporate officers who:

- 2.13.1.1 believe in the cause and mission of the HEDC and HCDC;
- 2.13.1.2 will commit completely to the Board Member responsibility for the HEDC and HCDC;
- 2.13.1.3 will participate actively as part as part of the HEDC and HCDC team; and
- 2.13.1.4 Are community leaders and will advocate in the community for HEDC and HCDC.

2.13.2 Annual terms of office and election procedures are set forth in the corporations' Bylaws.

2.13.3 Each elected officer must annually affirm their appointment to an office and their commitment to continue in that role.

2.14 Meeting Attendance Required

2.14.1 It is the policy of the HEDC and HCDC Boards that Board Members must attend meetings to maintain governance continuity, to be fully informed about the issues on which they will vote, and to meet their responsibility to contribute to the decisions the Board is required to make.

2.14.2 A Board Member planning to be absent from a Board meeting should contact the Chairman, the Executive Director or staff know so that a quorum may be assured for every meeting.

2.15 Reimbursement of Expenses Subject to Board Review and Approval

2.15.1 Board Members may be reimbursed for expenses actually incurred carrying out their duties as a Board Member when a Request for Reimbursement form is submitted to the Executive Director and will be reviewed and approved or not approved by the Board as a whole.

2.15.2 Mileage will be reimbursed as set by the Internal Revenue Service in its standard mileage rate for a given year, if approved by the Board as a reimbursable expense.

2.15.3 Receipts must be submitted with any lodging or incidental expense reimbursement request for the Board to review and consider.

2.15.4 All expenses charged to HEDC or HCDC credit cards must be accompanied by receipts returned to the HEDC and HCDC office at the end of the billing cycle. If a Board Member fails to turn in receipts by the end of the second billing cycle, the Chairman has the option of requiring permanent forfeiture of credit card and expense reimbursement privileges.

2.15.4 The HEDC and HCDC will not reimburse Board Members for purchases of alcohol. Board Members, the Executive Director and staff may consume alcohol at any HEDC and HCDC related event at their own expense.

- 2.15.6 Some expenses may be deemed unreasonable and unnecessary or extravagant. Such charges will be deemed personal and not reimbursable without compelling cause. The Board as a whole may determine unreasonable expenses.

No expenses will be authorized by HEDC or HCDC for expenses for friends, relatives or families accompanying a Board Member on HEDC or HCDC business, nor for any non-related business travel or extension of stay beyond completion of the intended HEDC and/or HCDC business.

2.16 Board Legal Counsel

Only the Chairman, Executive Director or their designee may contact legal counsel on behalf of the Board. Costs billed to HEDC and/or the HCDC and associated with individual Board Members contacting legal counsel, auditors, or other professional consultants without specific authority from the Board of Directors will be billed to the Board Member personally making the unauthorized contact.

2.17 Board Members' Communications to the Public or Media

- 2.17.1 Individual Board Members may not speak to the public or the media on behalf of the HEDC or HCDC unless authorized by the Board to do so.
- 2.17.2 When speaking about the HEDC or HCDC or about Board action, Board Members should be careful to define when their remarks represent personal opinion and when their remarks represent official Board positions. Board Members must be aware that they are always seen as Board Members even when they designate comments as personal.
- 2.17.3 The Chairman or designee will be responsible for publicizing the agenda and summary of Board Meetings.
- 2.17.4 No unofficial broadcasting, recording or publishing of any correspondence or discussions at any gathering of the HEDC and HCDC Boards shall be permitted.
- 2.17.5 No material or information disclosed in closed or executive session of the Board will be released to any unauthorized person.

2.18 Authority of Board Members

- 2.18.1 Board Members have authority only when acting as a body in regular, special and emergency meetings of the Board.

- 2.18.2 The Board will not be bound in any way by any statement or action by any individual Board Member except when such statement or action is in pursuance of an adopted Board resolution or special instructions by the Board, or under specified delegation of responsibility.

2.19 Political and Legislative Activity

To ensure that the HEDC and HCDC support legislative issues which further the basic interests of those they serve, and oppose legislative issues detrimental to their missions, the following guidelines are established:

- 2.19.1 HEDC and HCDC shall support or oppose federal, state or local legislative issues if and as the Board determines necessary and advisable. The HEDC and HCDC shall not directly endorse or oppose any candidate or party.
- 2.19.2 Employees and Board Members shall not engage, directly or indirectly in partisan activities as representatives of the HEDC or HCDC, and neither corporation's funds may be used for that purpose.
- 2.19.3 Board Members and employees are free, as individuals, to participate in political activity as long as they do not utilize the HEDC's or HCDC's funds, time or identities.
- 2.19.4 Board Members and the Executive Director should be aware that, because of their positions, they should exercise discretion at all times to not convey the impression that the HEDC or HCDC is endorsing a political candidate.
- 2.19.5 The HEDC and HCDC Boards are responsible for setting any legislative goals for the corporations.

2.20 Board Members as Advocates for the HEDC & HCDC

- 2.20.1 Board Members are potentially the most powerful advocates for the HEDC and HCDC projects and services and are expected to take an active role in promoting the corporations. Advocacy opportunities for Board Members include appearances at local events, legislative advocacy and public relations.
- 2.20.2 The Executive Director will regularly bring opportunities for Board Member advocacy and local events to the Board.
- 2.20.3 The Executive Director will ensure that each Board Member has a supply of brochures and other marketing material about HEDC and HCDC projects and inform a Board Members about other materials available for advocacy activities.

2.21 Board Members Management of Staff and Public Concerns

2.21.1 The HEDC and HCDC Boards recognize the importance of getting feedback from those they serve. Therefore, the corporations will regularly survey members of the community for feedback about HEDC and HCDC projects.

2.21.2 The Executive Director or designee will be responsible for conducting surveys. Results of public surveys will be reported to the Boards. Information gathered will be used to develop the long-range plans of the corporations.

CHAPTER 3: BOARD APPROVED CORPORATE POLICIES

3.1 Harassment Policy

This policy only pertains to harassment involving a Board Member, Executive Director or HEDC / HCDC staff as alleged victim, an alleged perpetrator, or a witness of alleged harassment. HEDC and HCDC are firmly committed to an environment free of all forms of harassment.

Harassment not only violates HEDC / HCDC policy and, in certain instances, might also violate local, state and federal laws. It is neither permitted nor condoned.

Prohibited Conduct

3.1.1 All types of harassment are prohibited, including, but not limited to, sexual harassment. Harassment at any HEDC / HCDC associated event or meeting is prohibited.

Sanctions

3.1.2 Sanctions against Board Members or Executive Director may include, but are not limited to, oral warnings, written warnings, removal from the HEDC / HCDC Boards, and/or legal action.

Complaint Procedure

3.1.3 Any Board Member, Executive Director or staff who believes they have been or is being subjected to any form of harassment is encouraged to directly inform the offending person that the conduct is unwelcome and must stop. If the person who believes they have been harassed is uncomfortable approaching the offending person, the information is unsuccessful, or the conduct continues, they will report the matter to the Executive Director or the Chairman. Any third party who knows of or suspects the occurrence of harassment is encouraged to report the matter as set out above. Nothing in this policy will require the person alleging harassment to present the matter to the person who is the subject of the complaint.

Investigation

- 3.1.4 The Executive Director and Chairman may confer with legal counsel to initiate an investigation. If an investigation occurs the affected individual will be notified of the outcome at the conclusion of the investigation. The Board will be notified of the outcome of the investigation.

Protection and Retaliation

- 3.1.5 Retaliation for any good faith report of harassment should immediately follow the same reporting procedure as that set forth above for reporting harassment. Confirmed acts of retaliation will be treated in the same manner as confirmed harassment.

Confidentiality

- 3.1.6 To the fullest extent practical, all reports and any associated information relating to the investigation of harassment will be kept confidential. All Board Members and the Executive Director who receive information concerning alleged or actual harassment will keep such information strictly confidential and only discuss such information when appropriate.

3.2 Training

Any curriculum materials paid for by the HEDC or HCDC will remain property of the corporations and not the individual who attended the training providing the curriculum.

3.3 Collecting on Delinquent Loans

The Executive Director shall be responsible for reviewing delinquency reports on all loan programs funded by the HEDC and HCDC and bring to the Board's attention any businesses having difficulty repaying their loans.

3.4 Process for Persons Other than HEDC and HCDC Staff to File a Complaint

- 3.4.1 From time-to-time situations may occur that create legitimate complaints on the part of the public or those served by the HEDC and HCDC. Complaints must be aired so that all sides of the issue may be heard and a rational procedure/solution found.
- 3.4.2 Anyone having a complaint is encouraged to file a complaint by following the formal process listed below.

- STEP 1 - The formal process begins with the person sending to the HEDC or HCDC their contact information and the nature of complaint. A staff member will evaluate the concern and respond.
- STEP 2 - If the complainant is not satisfied with the staff member's response or if the staff member feels they are unable to resolve the complaint, then they may present the complaint to the Executive Director (in writing). The Executive Director shall respond to the complainant within seven (7) business days.
- STEP 3 - If the complainant is not satisfied with the response of the Executive Director, the complainant may submit a copy of the complaint to the HEDC and HCDC Chairman and the Executive Director within ten (10) business days of receiving the Executive Director's response.
- STEP 4 - Within twenty (20) business days of the Chairman's and Executive Director's receipt of the complaint, the Board may gather additional pertinent information and may conduct a hearing. A response will be provided in written format to the complainant. This decision is final.

No Retaliation

- 3.4.3 No person, who in good faith reports a concern shall suffer harassment, retaliation, or adverse employment consequence. An employee or Board Member who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including loss of their position or termination of employment as applicable. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the corporations prior to seeking resolution outside the corporations.

Reporting Violations

- 3.4.4 In keeping with the policy of maintaining the highest standards of conduct and ethics, HEDC and HCDC will investigate any suspected fraudulent or dishonest use or misuse of the corporations' resources or property by staff, the Executive Director, Board Members, consultants or volunteers. A person's concerns about possible fraudulent or dishonest use or misuse of resources or property should be reported to the next level of responsibility within the corporations. If, for any reason, a person finds it difficult to report their concern to the next level of responsibility, the person may report the concerns to the Board Chairman, or if the Board Chairman is related to the complaint, the Vice-Chairman. If the complainant wishes to remain anonymous, the complainant may submit the complaint in writing to the Board's legal counsel. Reports of violations or suspected violations will be investigated, kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Acting in Good Faith

- 3.4.5 Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense which may result in termination or loss of position.

3.5 Removal of a Member of the Board

The Hutto City Council has the right to remove a Board Member with or without cause at any time.

3.6 Executive Director Vacancy

In the absence of an Executive Director, the Chairman shall have all of the duties of the Executive Director in the day-to-day operations of the corporations until a new Executive Director is hired and in place.

3.8 Chairman vacancy

In the event of a vacancy in the office of Chairman occurring through death, resignation, or otherwise, the Vice-Chairman shall fill the vacancy for the remainder of the term. The remaining Board Members will elect a new Vice-Chairman at the meeting following the event causing the vacancy.

CHAPTER 4: EXECUTIVE DIRECTOR

4.1 HEDC & HCDC Executive Director

The Executive Director is designated as the authority to operate the HEDC and HCDC's day-to-day business in accordance with Bylaws and Board policies as established by the Board of Directors as a Development Corporation under the laws of the State of Texas.

4.2 Authority of the Executive Director

The Executive Director is legally and ethically responsible to ensure all activities of the HEDC and HCDC operate in accordance with the Board Policies. The Executive Director will base all decisions on the expressed intent of the Board of Directors acting by majority vote.

4.3 Executive Director Commitment

Service as Executive Director of the HEDC and HCDC involves a special commitment to increase the corporations' visibility and involvement in the City of Hutto community. To meet this commitment, the Executive Director is expected to:

- support all Board Members in area events;
- attend all Board Meetings;
- assume special assignments as requested;
- oversee the business of the HEDC and HCDC;
- support the Board and committee meetings;
- ensure adherence to the City of Hutto Economic Development Policy;
- maintain the integrity and current status of data systems, documents, and procedures for conducting daily operations of the corporations; and,
- attend meetings and coordinate with City of Hutto staff as necessary to further the goals and projects of the HEDC and HCDC.

4.4 Professional Growth

The Executive Director will be required to attend training and professional growth to meet statutory requirements and stay current in Economic Development trends as required by statute, agreed upon by the Board of Directors and shall be included in yearly evaluations.

4.5 Fiduciary Responsibility

- 4.5.1 The Executive Director is not authorized to provide additional monies or gifts to employees without prior approval of the Board (i.e., bonuses, loans, etc.).
- 4.5.2 All contracts, agreements and project payments that are not included as a line item in the annual budget of the corporations will be reviewed by the Executive Director and presented to the Board for Approval.
- 4.5.3 The Executive Director shall review and approve the monthly payroll prior to submission.

4.6 Executive Director Evaluation

The Executive Director will be evaluated annually:

- 4.6.1 The evaluation committee shall be comprised of the Chairman, the Vice-Chairman and the Secretary of the corporations;

- 4.6.2 Board Members will receive the evaluation form no later than two (2) weeks prior to the evaluation meeting with the Executive Director.
- 4.6.3 Board Members will submit their evaluation instrument no later than two weeks prior to the evaluation meeting with the Executive Director.
- 4.6.4 Board Members will submit their completed evaluation form to the Chairman no later than one week prior to the evaluation.
- 4.6.5 The evaluation committee will discuss the results of the completed evaluation forms with the Executive Director at the evaluation meeting.
- 4.6.6 The Chairman will provide a summary of the results to the full Board in closed session.
- 4.6.7 The Chairman, Vice Chairman and Secretary will review the evaluation form annually and revise as needed.

4.7 Soliciting or Receiving Gifts

The Executive Director must never solicit any sort of personal gift from any party that does business with the HEDC and/or HCDC. The Executive Director must never receive any form of bribe or kickback through their position at HEDC and HCDC. These restrictions apply to both actual and proposed business transactions with HEDC and HCDC.

4.8 Executive Director Conflict of Interest

- 4.8.1 The Executive Director has a duty to subordinate to the welfare of the HEDC and HCDC and those they serve. Conflicting personal interests can be financial, relationship, status or power.
- 4.8.2 The Executive Director is prohibited from receiving gifts, fees, loans or favors from applicants, consultants or financial agencies which obligate or induce the Executive Director to compromise responsibilities to negotiate, inspect or audit, consider or award contracts, with the best interests of the HEDC and HCDC in mind.
- 4.8.3 The Executive Director may not have a financial interest in any property the HEDC or HCDC purchases or a direct or indirect interest in any project the HEDC or HCDC undertakes.
- 4.8.4 The Executive Director is prohibited from knowingly disclosing information about the HEDC or HCDC to those who do not have a need to know or whose interests

may be adverse to HEDC and/or HCDC, either inside or outside of HEDC and/or HCDC.

- 4.8.5 Any possible conflict of interest or the potential appearance of a conflict of interest should be disclosed to the Chairman and then the Board and made a matter of record, either through an annual procedure or when the interest becomes a matter of board action.

4.9 Legal Obligations of the Executive Director

The HEDC, HCDC and the law require the Executive Director follow the rule of the reasonably prudent person and follow the rule of good faith.

- 4.9.1 The rule of the reasonably prudent person means the Executive Director will not:

- 4.9.1.1 Mismanage HEDC and HCDC by deviating from fundamental management principles, such as: planning carefully to meet all open meetings requirements for bringing matters before the Board, regularly reviewing the financial status of the corporations, and monitoring compliance with Board action and policies.

- 4.9.1.2 Fail to manage the day-to-day operations of the corporations.

- 4.9.1.3 Be involved with self-dealing that provides personal gain to the Executive Director or Board Members.

- 4.9.2 The principle of good faith means that the Executive Director will:

- 4.9.2.1 read, understand, and comply with the HEDC and HCDC's policies and Bylaws;

- 4.9.2.2 pay attention to HEDC and HCDC affairs and keep informed about their activities;

- 4.9.2.3 ensure that the HEDC and HCDC are in compliance with all legal requirements;
and,

- 4.9.2.4 avoid self-dealing.

HEDC & HCDC CONFLICT OF INTEREST STATEMENT

I, _____, have read and am familiar with the Hutto Economic Development Corporation and Hutto Community Development Corporation's Board of Directors Policy regarding conflicts of interest, and I have checked the appropriate box opposite the applicable paragraph below.

- ☐ During the past year, neither I, nor to the best of my knowledge, any member of my family has had an interest or taken any action which would contravene the policies of this Board.
- ☐ During the past year, neither I, nor to the best of my knowledge, any member of my family has had an interest or taken any action which would contravene the policies of this Board, except such interest or action fully disclosed below:

Board Member Signature: _____

Printed Name: _____

Date: _____

HEDC and HCDC BOARD CODE OF ETHICS PLEDGE

As a member of the HEDC and HCDC Board of Directors, I will:

- listen carefully to my colleagues and those served by the HEDC and HCDC;
- respect the opinion of other Board Members;
- respect and support the majority decisions of the Board;
- recognize that all authority is vested in the Board when it meets in legal session and not with individual Board Members;
- keep well-informed of developments that are relevant to issues that may come before the Board;
- while attending Board meetings and functions, concentrate on the business of the organization;
- refrain from activities that distract from the business of the corporations;
- call to the attention of the Board any issues that I believe will have an adverse effect on the HEDC, HCDC or those they serve;
- refer constituent or staff complaints to the proper level on the chain of command;
- recognize that a Board Member's job is to ensure that the HEDC and HCDC are well managed, not to manage the corporations;
- vote to hire and retain the best possible Executive Director for the HEDC and HCDC;
- represent all members of the Hutto business community and not just certain groups the Board Member is interested in;
- consider myself a fiduciary of the HEDC and HCDC and do my best to ensure the corporations are well maintained, financially compliant and always operating in the best interests of the Hutto business community;
- always work to learn more about the Board Member's job and how to do it better; and,
- declare any conflict of interest or potential conflict of interest between my personal life and my position on the HEDC and HCDC Boards and avoid voting on issues that appear to be a conflict of interest.

As a member of the HEDC and HCDC Boards, I will not:

- be critical, in or outside of Board meetings, of other Board Members or their opinions;
- use HEDC or HCDC or any part of the corporations for my personal advantage or the personal advantage of my friends or relatives;
- discuss the confidential proceedings of the Board outside the Board meeting;
- promise prior to a meeting how I will vote on any issue in the meeting; or,
- interfere with duties of the Executive Director or undermine the Executive Director's authority.

Board Member Signature: _____

Printed Name: _____

Date: _____

HEDC AND HCDC BOARD MEMBER CONFIDENTIALITY AGREEMENT

As a requirement for service on the HEDC and HCDC Boards, all Board Members will be required to read and sign the following confidentiality agreement.

As a member of the HEDC and HCDC Boards, I acknowledge the importance of confidentiality with respect to the affairs of the corporations. In light of this acknowledgement, I agree to keep confidential, during and after my service on the Board, all confidential information acquired pertaining to HEDC and HCDC and any related activities in the course of my membership on the Boards.

I particularly recognize the sensitivity of information regarding capital decisions, real estate purchases or sales, and decisions regarding strategic plans that may impact the HEDC and HCDC's position relative to other organizations.

I agree that this confidentiality agreement includes, but is not limited to:

- information pertaining to personnel matters of the corporations including evaluation data, compensation, and grievances.
- issues related to the Boards' legal, ethical and regulatory responsibility for the oversight of statistical data, risk management information and litigation information, and reviews of attitude and opinions from those working for the corporations;
- unofficial broadcasting of any correspondence or discussions at any gathering of the Boards of Directors.
- individual Board Members speaking to the public or the media on behalf of the Boards unless authorized by the Boards to do so.

I understand that it is the Board Chairman's responsibility to address infractions of confidentiality by individual Board Members and to take action to remedy the problem. I also understand that if infractions of confidentiality by individual Board Members continue, it is the expectation the Board Chairman will ask for the resignation of the individual Board Member who has violated this confidentiality agreement.

I agree to resign my Board position if requested to do so by a majority vote of the Board Members for any infraction of this Board Member Confidentiality Agreement.

Board Member Signature: _____

Printed Name: _____

Date: _____

HEDC AND HCDC COMPLAINT FORM:

Date: _____

Person Filing Complaint: _____

Phone No.: _____

Where may you be reached (address)?

Explain nature of complaint:

Requested Remedy:

Response #1 (staff):

Response #2 (Executive Director):

Response #3 (Board of Directors):

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Discussion and possible action on the forming of subcommittees or advisory groups for focused purposes (e.g., Texas State Technical College Task Force, Business Advisory Committee, etc.).
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Discussion and possible action to pay JHL Company of Austin, Texas for Economic Development Marketing Audit and Strategy.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. JHLProposal.2021
2. City of Hutto EDC_Communications Audit



Hutto Economic Development Corporation

Strategic Consulting, Marketing, Event Planning Proposal

Presented on:
December 17, 2020

COMPANY OVERVIEW



WHAT WE DO

- PUBLIC AFFAIRS
- EVENTS
- FIRST IMPRESSIONS



We are a company built only by word-of-mouth referrals. We understand the importance of reputation and our priority is to uphold yours by producing quality results. We know how to make it easy for you to be successful.

When working with us, you should expect big-idea thinking, focused execution, and open, honest communication. We build the platform and stand in the background, so our clients are the face of the effort. It's not about us, it's about you.

OUR APPROACH

UNDERSTAND

your definitions
of success

EVALUATE

your assets
and challenges

WORK

with you to establish
achievable goals and
objectives

LAY OUT

a customized road map
and work with you across
that finish line



Building The Future

The City of Hutto is a beautiful community with the perfect location to capitalize on the significant business relocation movement toward central Texas.

Through the development and implementation of a rebranding and marketing plan along with a strategic strategy on economic development, we believe Hutto can successfully recruit quality jobs to our community.

OBJECTIVE

JHL will develop and implement the strategic marketing and event plan for Hutto Economic Development and the City of Hutto.

The results will be focused marketing strategy to recruit jobs and tourism to the City and promote the businesses and organizations in the community. We will maximize the assets in the community and build the story of Hutto.

SCOPE OF SERVICES



Strategic Marketing

Identifying and communicating the right message with the right audience

JHL will:

- Develop core messaging and communications plan
- Implement communications plan
- Manage the development of marketing campaigns and collateral
- Consult on the development and daily implementation of social media
- Coordinate all efforts with the City strategy for job and tourism creation to the region

Event Planning and Maximizing Community Assets

JHL will:

- ✓ Lead all major community event planning efforts
- ✓ Develop a city asset activation plan
- ✓ Work daily managing the economic development efforts in partnership with City of Hutto staff to successfully recruit new jobs to Hutto, simultaneously building trust, comradery, and pride within the community.

COMMUNICATIONS TOUCH POINT SCHEDULE



- Develop and manage communications touch point implementation schedule with targeted stakeholders
 - Newsletter updates
 - Social media content
 - Talking points for EDC leadership and emails to critical opinion leaders
 - Develop content for calls and emails from community leader/grassroot allies to Legislators and/or executive staff leaders
- Develop implementation products (for example: newsletters, targeted emails, etc.)

REFERENCES



Our clients will tell you that we set a high standard for ourselves and the work that we deliver. We believe collaboration, creativity, and above all, passion, lead to success.

We do not rest until the job is done; and done right.

Rob Braziel

VICE PRESIDENT

Texas Automobile
Dealers Association

512-983-8324

rbraziel@tada.org

Rob Golding

CEO

Rodeo Austin

512-913-3000

Rob@RodeoAustin.com

OUR TEAM

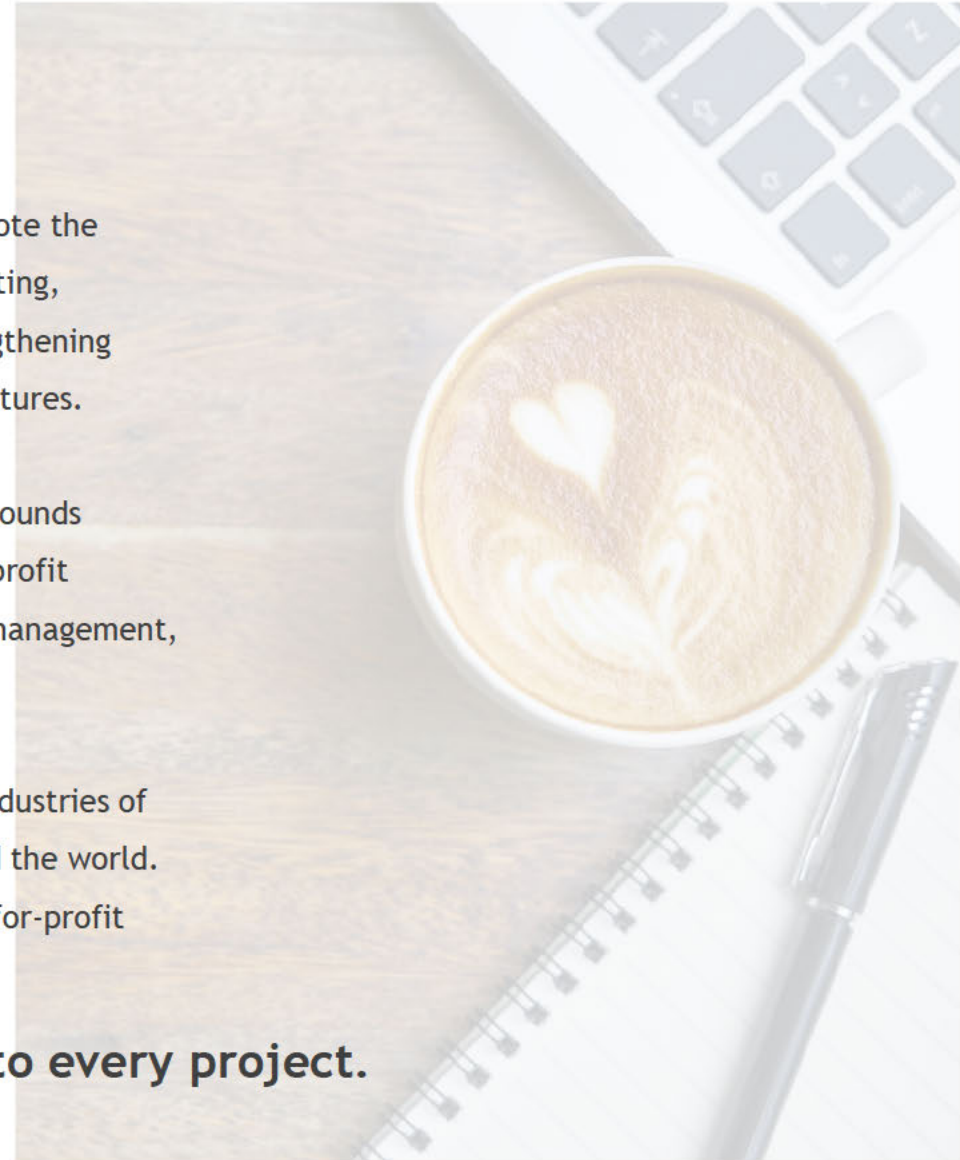


JHL Company leverages its expertise as a full-service consulting firm to promote the interests of our clients. We aim to be an integral provider committed to creating, empowering, and facilitating opportunities through connecting people, strengthening relationships, implementing strategy, and enriching business and political ventures.

The JHL team brings diverse expertise to each client from a variety of backgrounds including marketing, communications and social media, association and non-profit management, development, event planning, legislative policy, state agency management, political campaign management, and more.

Based in Austin, Texas, JHL has experience working with clients in multiple industries of the private sector as well as government and community leaders from around the world. For more than 17 years, JHL has worked closely with both for-profit and not-for-profit corporations, associations, trade organizations, and government offices.

Our team brings enthusiasm and professionalism to every project.





JENNIFER STEVENS, CEO

Jennifer Stevens is the founder and president of JHL Company and Rocca.



In 2004, Jennifer founded JHL - a consulting firm specializing in public affairs, strategic communications, and event management. Founded in 2010, Jennifer launched Rocca, a customer-service driven promotional product company. Rocca was born from JHL's frustration with inconsistent quality, inflated profit margins, nail-biting delivery schedules, and—above all—a complete lack of creativity and marketing insight from other vendors.

Before she was a small business owner, Jennifer started her career in politics on the 1994 George W. Bush for Governor Campaign. Jennifer worked side by side with Senator John Cornyn for more than six years. In her last political campaign in 2002, Jennifer served as the Campaign Manager for United States Senator John Cornyn.

Jennifer serves on the Board of Texas Exes and the center for Child Protection and the Austin Chamber of Commerce. Jennifer serves on the advisory committee for Veteran Homelessness at the Army Futures Command. Jennifer previously served as Past President of the Board of the Susan G. Komen Austin Affiliate, on the board of Foster Angels of Central Texas, as a Director in the Texas Lyceum, on the board of the Umlauf Sculpture Garden, and as a Robert S Straus Fellow.

Jennifer is a native of Denton, Texas and a graduate of the University of Texas at Austin. She resides in Austin with Don and their three children. Jennifer is a devoted yet struggling yoga and Pilates trainee.



WHY JHL?

We know how to connect with the audiences that matter most to you.

By working together, we are confident that we can meet your goals.

JHL has nearly a decade of experience in economic development and nearly two decades of experience in community events and strategic communications.

We will establish clear goals and objectives and will lay out the stepping stones to get you to the finish line. We will create the plan, manage the implementation, and keep you informed along the way.

We will work with you as your partner to achieve success.





TERMS

Proposed contract term is January 1, 2021 – December 31, 2022. Either party may terminate the agreement without penalty with sixty (60) days written notice. Agreement may be extended by mutual agreement.

For the scope of services herein, JHL will charge a monthly retainer of \$11,000. All expenses associated with the execution of work are the full responsibility of Hutto EDC.

Terms presented herein are available for fifteen (15) days.



We are honored to be considered.
THANK YOU

Jennifer Stevens, CEO

512.236.1001 | JENNIFER@JHLCOMPANY.COM | JHLCOMPANY.COM

City of Hutto Economic Development Corporation

Communications Audit by JHL



May 18, 2021

Communications Audit

The City of Hutto has requested a communications audit for the Hutto Economic Development Corporation (EDC). This audit includes logo, tagline, website, one pagers and marketing collateral, social media, and general marketing tools.

An audit report of recommended changes/ updates, asset inventory and general updates are enclosed.



Logo

The below logo is the one we received when requesting the City of Hutto EDC logo:



Question for COH: Is the Community Development Corporation a separate initiative from the Economic Development Corporation?

JHL recommends to edit this logo/the EDC branding. The look and feel needs to be consistent with the City, but not redundant.



Tagline

A tagline was not found for the City of Hutto EDC.

JHL recommends creating a tagline to use for marketing materials, including but not limited to website, one pagers, and social media. JHL to work with City of Hutto to develop 3 to 5 options for review.



Website

JHL understands the City of Hutto is developing a new website that is scheduled to launch in summer 2021. The following page currently exists for the EDC: https://www.huttotx.gov/departments/economic_development.php. The page shares Hutto recognitions, facts, regional attractions, list of members, and contact information.

JHL recommends a stand-alone website for the EDC. We have best practice recommendations of what that should be included. If a website is already underway, we want to review and ensure all important facts, resources, and information are incorporated into the website content.



One Pagers

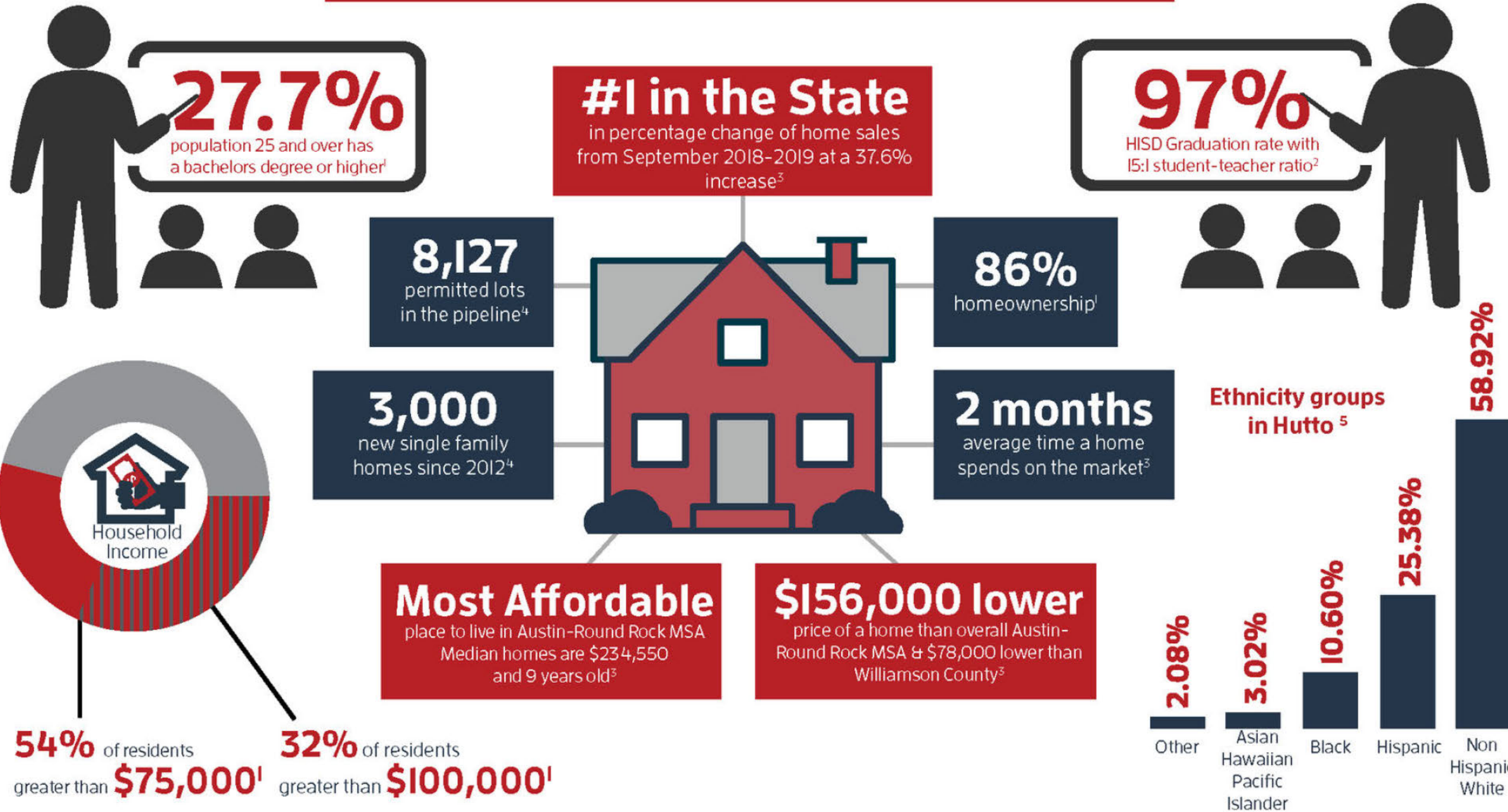
The following one pagers currently exist for the City of Hutto EDC:

- Welcome to Hutto
- Small Town Feel Big Town Opportunities
- Life Sciences in Hutto
- Downtown Hutto Incentives
- Rack Card: Hutto Plaza Sample

The one pagers are enclosed for review and discussion. Question for COH: Need to confirm stats to ensure we have most accurate, up to date details to maintain consistency with our content.



Welcome to Hutto



\$113,000
Median Household⁵
Income

35,555
Residents in Hutto⁵

31.5
Median age in Hutto¹

3.22
Average Household size⁷

31.1
Average commute
in minutes¹

299,979
Primary Trade Area
Population⁶

Small Town Feel
Big Town Opportunities



7,300+ Homes
in Pipeline



Population 30,000+
Increase of 108% since 2010



Home Value Range
\$250,000-\$400,000



\$93,317 Average
Household Income



Median Age 34



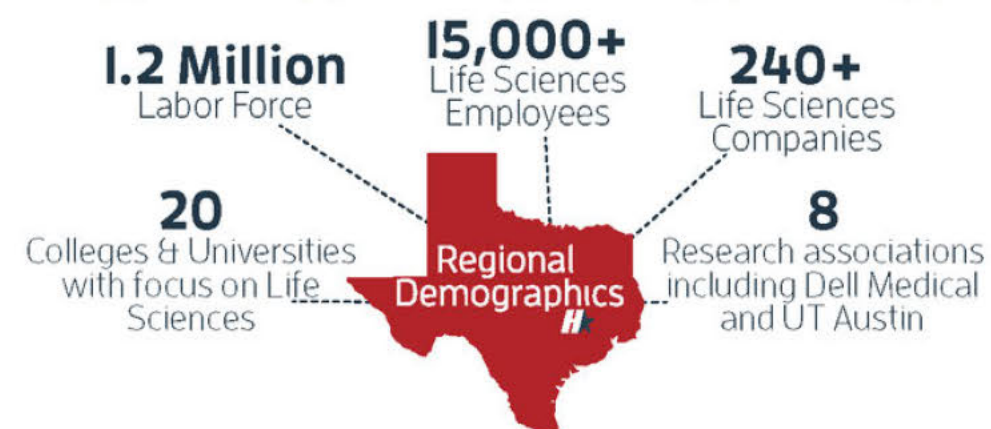




CITY OF
HUTTO
HUTTOTX.GOV

FIND YOUR LIFE SCIENCES HOME IN HUTTO

The City of Hutto is one of the fastest growing communities in the Central Texas region attracting talent, innovation and technology. The City of Hutto has a pro-business environment with a low tax burden, and the State of Texas is ranked with the best business climate. The addition of the new Dell Medical School at UT Austin is expected to transform the local economy similar to the semiconductor and dot-com industries did in previous decades.



TAX INCENTIVES



- Chapter 380 Incentive
- Infrastructure Assistance
- Property Tax Abatement
- Industrial Revenue Bond Program
- Freeport Exemption
- Sales Tax Rebates

Quality of Life

15+
Events

**Music, Culture
Sports**

**Outdoor
Recreation**

DOWN TOWN HUTTO

Old Town

Old Town refers to Hutto's historic district, bound loosely by Park Street to the east, Orgain Street to the south, the Co-Op site to the west, and north just past the intersection of Church Street and FM 1660. With charming structures dating back to the 1800's, Old Town truly is the Heart of Hutto. Old Town is home to a number of local businesses, shops and restaurants that attract Hutto residents and visitors alike.

Old Town Incentives

The Hutto City Council approved the Downtown Incentive Program to encourage development within Old Town.

Any new business that opens or locates in the Old Town Historic District in a permanent structure since October 2011 is eligible. Only businesses and properties located in the Old Town Historic District are eligible for this incentive program. Applications must be submitted in advance of construction starting or within six month of issuance of a COA.

City of Hutto

Downtown & Tourism
growinghutto@huttotx.gov
Phone: 512.759.4029

500 W. Live Oak Street
Hutto, Texas 78634

Information on Incentive
Programs, Zoning, &
Development Guidelines can be
obtained by visiting the
www.HuttoTx.Gov

DOWN TOWN HUTTO

INCENTIVES



Property Tax Rebate

A business wanting to expand or start with new construction of a non-residential or mixed use space of ten-thousand (10,000) square feet or less may be eligible for a rebate on a percentage of the City portion of their property tax. To be eligible, the business must increase the value of the property by a minimum of twenty (20) percent as determined by the Williamson County Appraisal District tax rolls. The business could be eligible for a rebate on the portion of tax increase above the value at the time of application. The reimbursement will be calculated on the appraised value of improvements as follows:

Tax Reimbursement

Year 1	Year 2	Years 3-5
100%	100%	80%

Sales Tax Rebate

A reimbursement of City sales taxes on sales from any new retail business, of less than 4,000 square feet, will be granted as follows:

Tax Reimbursement

Year 1: 100%

An “Agreement for Disclosure of Confidential Tax Information” must be filed with the State of Texas Comptroller in order for the City to rebate City sales taxes. Sales tax rebates will only occur on businesses that generate sales tax. Sales tax rebates will generally occur one quarter after the actual payment of the sales tax due to the processing time of sales tax information at the State Comptroller.

A business participating in this policy must be in business at the time of the rebate to be eligible to receive the rebate.

Reduced Development Fees

The following fees will be reduced by 80% for the following development applications:

- Preliminary Plat, Final Plat, Amended Plat and Replat
- Dedication of a Public Right-of-Way Easement
- Building Permit fees

The following fee will be reduced 100% for the following development application:

- Demolition of any Non-Historic Building or Structure

Federal Historic Preservation Tax Credit

- Administered by the National Park Service
- 20% tax credit for qualifying expenses
- Income producing properties only
- Must be on or eligible for the National Register of Historic Places

State Historic Preservation Tax Credit

- Administered by the Texas Historical Commission
- 25% tax credit for qualifying expenses
- Income producing properties and non-profits
- Must be on or eligible for the National Register of Historic Places



Historic Preservation Tax Freeze

Authorized by Title 1, Section 11.24 of the Texas Tax Code. For substantial rehabilitation of *contributing residences* within the Historic District. Municipal property taxes frozen at the pre-renovation value for 5 years.

Projects are eligible when spending 20% or more of the assessed property improvement value (value of the structure) on qualifying expenses that extend the life of the building.

Qualifying expenses:

- New roof, foundation improvements, exterior siding, restoration of original windows, etc.

**Contributing residences* are deemed as such by the local historic preservation commission's record of local historic and contributing structures. A copy of the map is available on <http://www.huttotx.gov>.

**Grants are available annually, funding is limited and not all applicants will automatically receive funding approval. Applicants will be notified within 30 days of receipt if they are eligible to receive funding.*



Hutto Plaza

General Information

Hutto Plaza is a thriving shopping center in the City of Hutto, Texas, one of the fastest-growing suburbs of Austin.

It is located across the street from Hutto High School and the City's new 310 unit multi-family development, flex manufacturing space or bulk warehouse space.



Site Advantages

- 1,200 square foot – 15,000 square foot; end cap with drive-thru available
- Traffic Counts along FM 685 – 18,641 vehicles per day
- Easy access to SH 130 and US 79
- Area traffic generators include – Advanced Auto Parts, Dollar General, Golden Chick, CVS Pharmacy, Valero, and AutoZone
- Named "Top 100 Places in Major Markets to Locate Your Business" by Southern Business & Development along with other accolades



SEE MAP ON BACK



City Facts



30,972
City Population
581,027
Population within
15 miles



7,300+
Residential Units in Pipeline



\$96,051
Median Household
Income



35,000
Cars travel on
US 79 each day



250K-400K
Average Home Value

Contact Info

Jessica Bullock, AICP-Director of Economic Development - 512-759-4012 - jessica.bullock@huttotx.gov



Marketing Collateral

The following marketing collateral currently exist for the City of Hutto EDC:

- City of Hutto General Information
 - Click to review- <https://bit.ly/33T4mjX>
- City of Hutto Submission Template
 - Click to review- <https://bit.ly/3fne0ke>

JHL to review with COH for accuracy and up to date information. JHL has recommendations for updated templates and collateral.



Social Media

The City of Hutto EDC does not have its own dedicated social media accounts and presence. JHL recommends creating new profiles on LinkedIn, Facebook, and Twitter. The goal of these pages is to attract new business to the City of Hutto. JHL will create a social media strategy plan for the City of Hutto to implement including key target audiences, suggested content, suggested graphics/ videos, etc.



Next Steps

Enclosed is a 30 60 90 plan with recommended next steps for the City of Hutto EDC.

Strategic Plan

Brand Building – Public Awareness– Communications Plan

Objective: To develop and expand the mission and impact of the City of Hutto Economic Development Corporation.



30 Days

- Discuss overall goals for the EDC with the COH team
- Branding/ marketing
 - Begin to create brand guidelines
 - Create new logo mockups
 - Develop taglines for review
 - Create email signatures for EDC team
 - Begin to create new standard templates for collateral—including, but not limited to stationary template, memo template, PowerPoint template, site location template, one pager template
 - Website: discuss plan for EDC to have standalone website vs. page on COH website
 - Offer best practice recommendations to COH for content, layout, etc.
 - Content/ Stats
 - Identify one COH team member maintaining all updated stats—create location of where to share these internally with the full team
 - Work on updating stats and facts to be used across all marketing materials
 - Develop core messaging
- Create preliminary budget for all communications: collateral, social media, and graphic design
 - Determine if COH team will work on all templates, graphics, etc. or JHL to engage graphic designer
- Begin to develop rollout plan for new EDC Director
 - Identify target audiences—site selectors, media, etc.

60 Days

- Approve budget for all communications
- Finalize brand guidelines
- Finalize core messaging
- Confirm new tagline
- Approve new logo
- Implement new branding—logo, tagline, messaging, email signatures across all platforms and collateral
- Confirm updated stats and content to use
- Review and edit new standard templates for collateral
- Create social media content plan and strategy
 - Determine next steps for COH team to manage implementation of the plan, creation of the content, etc.
- Continue to work on website creation with COH team
- Implement rollout plan for new EDC Director



90 Days

- Implement new standard templates
- Continue updating collateral as needed
- Finalize website design and creation
- COH to begin to implement social media content plan
- Continue to implement rollout plan for new EDC Director as needed
- Support additional communications needs



AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Presentation of proposed 2021-2022 marketing plan.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Discussion and possible action adopting a resolution regarding remaining balance of its allowed promotional expenses from the current fiscal year, and wishes to preserve and set aside that balance for future promotional expenditures.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. HCDC Res re preserving FT 21 Promotional Funds 070821

HUTTO COMMUNITY DEVELOPMENT CORPORATION

RESOLUTION NO. _____

A RESOLUTION OF THE HUTTO COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS REGARDING REMAINING AVAILABLE PROMOTIONAL FUNDS FOR FISCAL YEAR 2021 AND SETTING ASIDE THESE REVENUES FOR PROMOTIONAL PURPOSES; AUTHORIZING THE CHAIRPERSON OF THE HUTTO COMMUNITY DEVELOPMENT CORPORATION TO EXECUTE ALL NECESSARY DOCUMENTS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Hutto Economic Development Corporation, Type B dba the Hutto Community Development Corporation (the “HCDC”) is a Type B Economic Development Corporation organized and operated pursuant to Texas Local Government Code Chapters 501, 502, 504 and 505 (the “Act”); and

WHEREAS, the Act authorizes a corporation that chooses to spend revenues for promotional purposes may spend up to ten percent (10%) of its annual revenue for that purpose or may set all or some of those funds aside Ina promotional purposes account; and

WHEREAS, the Act also authorizes unexpended revenues specifically set aside for promotional purposes in past years may be expended along with ten percent (10%) of then current revenues without violating the cap; and

WHEREAS, if a corporation has not set aside such moneys in past years, it is limited to spending no more than ten percent (10%) of its then current annual revenues on promotional purposes; and

WHEREAS, the Board of Directors of the HCDC finds that it has a remaining balance of its allowed promotional expenses from the current fiscal year, and wishes to preserve and set aside that balance for future promotional expenditures; and

WHEREAS, the Board of Directors wishes to establish a “Promotional Purposes Account” to retain and preserve the remaining balance of its allowed promotional expenses from the current fiscal year for future promotional expenditures

NOW, THEREFORE, BE IT RESOLVED by the Hutto Community Development Corporation Board of Directors that:

I.

The HCDC hereby finds that the statements set forth in the recitals of this resolution are true and correct, and the HCDC hereby incorporates such recitals as a part of this resolution.

II.

The HCDC Board of Directors finds that:

- a) A “Promotional Purposes Account” is to be established for the HCDC; and
- b) Any remaining balance of this fiscal year’s unexpended revenues for promotional purposes, as well as future unexpended balances at fiscal yearend, be specifically set aside in the Promotional Purposes Account for future promotional purposes.

III.

The HCDC authorizes the Chairperson to execute all necessary documents, agreements and contracts required to complete the necessary improvements to carry out this Project, provided that such documents agreement and contracts are approved as to form and legality by the HCDC General Counsel. Establish such account and fund segregation.

IV.

This resolution shall be and is hereby cumulative of all other resolutions of the HCDC and this resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

V.

If any section, subsection, sentence, clause, or phrase of this resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

VI.

This resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the Board of Directors of the HCDC, and upon approval thereof as prescribed by law.

PASSED AND ADOPTED by the Hutto Community Development Corporation on this 13th day of July 2021.

APPROVED

Mike Arismendez, Chairperson

ATTEST:

_____, Secretary

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Consideration and possible action on selecting a Secretary of both corporations.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

The Bylaws for the EDC/CDC Corporations state the following:

Economic Development Corporation Type B:

Section 2.2: Meetings of Directors in General. The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Secretary no later than 10 days prior to the date of the Board meeting. The Board may hold its meetings at any place authorized by the Act and as the Board may from time to time determine; provided that. In the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City.

The Board shall conduct its meetings in accordance with the requirements of the Act and Chapter 505 of the Local Government Code as amended.

Section 2.3: Regular Meetings. Regular meetings of the Board shall be held at such times and places as shall be designated, from time to time, by resolution of the Board. Notice of regular meetings need not be given to each of the Directors, but public notice of each meeting shall be given in the manner prescribed by law. – I cannot locate a resolution that specifies the first Monday of the month being the chosen meeting date.

Community Development Corporation Type B:

Section 2.2: Meetings of the Directors in General. The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Chairman no later than ten (10) days prior to the date of the Board meeting. The Board may hold its meeting at any place authorized by the Act and as the Board may from time to time determine; provided that in the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City. The Board shall conduct its meetings in accordance with all applicable Texas law.

Section 2.3: Regular Meetings. Regular meetings of the Board shall be held at such times and places as shall be designated, from time to time, by resolution of the Board. Notice of regular

AGENDA ITEM REPORT



meetings need not be given to each Director, but public notice of each meeting shall be given in the manner prescribed by law. I cannot locate a resolution that specifies the first Monday of the month being the chosen meeting date.

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. R-2021-112 EDC-CDC Meeting date and time

RESOLUTION NO. R-2021-112

A RESOLUTION OF THE ECONOMIC DEVELOPMENT CORPORATION AND THE COMMUNITY DEVELOPMENT CORPORATION OF THE CITY OF HUTTO, TEXAS, ESTABLISHING MEETING DATES AND TIME FOR BOTH CORPORATIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bylaws of both the Economic Development Corporation and the Community Development Corporation hereinafter referred to as EDC/CDC specify that both boards shall meet at least once each month. The EDC/CDC Board of Directors would like to establish a day and time for their monthly meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ECONOMIC DEVELOPMENT CORPORATION AND COMMUNITY DEVELOPMENT CORPORATION, OF THE CITY OF HUTTO, TEXAS, THAT:

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are hereby adopted as findings of the Board of Directors and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: The EDC/CDC hereby approves and authorizes the monthly EDC/CDC Board of Directors meetings to be held on the second Monday of each month beginning at 6:30 PM.

SECTION 3: The Board of Directors hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of July, 2021.

Mike Arismendez, Chairman

ATTEST:

Holly Nagy, City Secretary

AGENDA ITEM REPORT



To: EDC/CDC Board
Subject: Discussion and possible action on Resolution No. R-2021-112 establishing customary meeting dates and times for both corporations.
Meeting: Tuesday, July 13, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. rev R-2021-112 EDC-CDC Meeting date and time 070821

RESOLUTION NO. R-2021-112

A RESOLUTION OF THE HUTTO ECONOMIC DEVELOPMENT CORPORATION AND THE HUTTO COMMUNITY DEVELOPMENT CORPORATION ESTABLISHING CUSTOMARY MEETING DATES AND TIME FOR BOTH CORPORATIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bylaws of both the Hutto Economic Development Corporation (“HEDC”) and the Hutto Community Development Corporation (“HCDC”) specify that both corporations’ boards of directors shall meet at least once each month. The HEDC and HCDC Boards of Directors would like to establish a customary day and time for their monthly meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HUTTO ECONOMIC DEVELOPMENT CORPORATION AND HUTTO COMMUNITY DEVELOPMENT CORPORATION TEXAS, THAT:

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are adopted as findings of fact and are incorporated herein as if fully set forth verbatim.

SECTION 2: The HEDC and HCDC Boards of Directors hereby approve and authorize the customary monthly Board of Directors’ meetings to be held on the second Monday of each month beginning at 6:30 p.a., central time.

SECTION 3: The HEDC and HCDC Board of Directors hereby find and declare that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was timely posted and that such meeting complied with the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of July, 2021.

Mike Arismendez, Chairman

ATTEST:

_____, Secretary