City of Hutto

<u>Agenda</u>

Hutto Economic Development Corporation Type A and Hutto Economic Development Corporation Type B Board of Directors Meeting Monday, May 9, 2022, 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 before the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at huttotx.gov

1. CALL SESSION TO ORDER

2. ROLL CALL

2.1. Mike Arismendez, Chairman
Don Carlson, Vice Chairman
Cheney Gamboa, Secretary
Shawn Lucas, Treasurer
Mike Snyder, Board Member
Randal Clark, Board Member
Erin Clancy, 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 Hutto Economic Development Corporation Type A and the Hutto Economic Development Corporation Type B on agenda issues and 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 CityHall at (512) 759-4913 during business hours. Each person providing public comment will be limited to3 minutes. (Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits governing bodies from a full 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. PUBLIC HEARINGS

5.1. Conduct a Public Hearing presentation on Project E

5.2. Conduct a Public Hearing presentation on Project Titan Mega Land Developers.

6. CONSENT AGENDA

6.1. Consideration and possible action on approval of the April 6, 2022, Economic Development Corporation Type A and the Hutto Economic Development Corporation Type B, Board of Directors Meeting minutes.

6.2. Update on monthly financials.

7. AGENDA ITEMS

7.1. Welcome to new Board Member, Erin Clancy.

7.2. Discuss and consider an update and take any necessary action on the City's Comprehensive Land Use Planning process, as it relates to economic development within the city and related Board involvement.

7.3. Discuss and consider an update by the Chair on the City Council's feedback to the Executive Director's position transition and the addition of a second HEDC employee position proposed by the Board.

7.4. Discuss and consider an update and take any necessary action on the Matterhorn Express Pipeline easement request over the Megasite.

7.5. Discuss and consider and take any necessary action regarding an update on corporate website schedule and upcoming marketing opportunities for the Corporation.

7.6. Discuss and consider action, if any, related to HEDC Board standard workgroup updates by Board subcommittees

8. EXECUTIVE SESSION

8.1. The Board will now recess the open session meeting and reconvene in executive session, pursuant to Texas Government Code Section 551.087 (economic development), Section 551.071 (Attorney Consultation), and Section 551.072 (Real Property), to deliberate and seek the advice of its legal counsel regarding Project Acropolis, Project E, Project, M, Project R2D2, Project Megasite – Titan, update on Options to purchase land negotiations; the City of Hutto's request for easement(s) on Corporate owned property, the Treila Krueger Aery Trust Option for the Purchase of Land Assignment, and update on Rule 202 Petition in the matter of Hutto Economic Development Type B vs. BCL of Texas, Cause Number 22-0128-C425, In the 425th Judicial District Court of Williamson County, Texas.

9. ACTION RELATIVE TO EXECUTIVE SESSION

9.1. Discuss and consider action to approve an assumption and assignment agreement with Titan Mega Land Investors, LLC to acquire the Corporation's certain Option Agreement dated April 28, 2016, as thereafter amended and extended (the "Agreement") for the right to purchase real property containing approximately 43.998 acres located within the Megasite, Williamson County Appraisal Records No. R020915, in a form substantially similar and under the same terms as the prior assumption and assignment agreements negotiated with the purchaser for adjacent land and authorize the Board Chair to execute the agreement.

9.2. Discuss and consider action to direct legal counsel to cooperate with and coordinate the necessary easements for public utilities necessary in the area of the Megasite on corporate property and to authorize the Board Chair to execute any right of entry documents approved by General Counsel as to form and present any necessary possession and use agreements or easement agreements to the board for final approval once finalized.

10. ADJOURNMENT

11. CERTIFICATION

I certify that this notice of the Economic Development Corporation Type A and the Hutto Economic Development Corporation Type B meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on May 6, 2022 at 2:30 pm

Gracie Perez

The City of Hutto is committed to complying with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made48 hours before the meeting. Please email the City Secretary's office at City.Secretary@huttox.govor 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 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 the 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, tothe 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 are specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.