



City of Hutto

Agenda

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 to 3 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 made 48 hours before the meeting. Please email the City Secretary's office at City.Secretary@huttotx.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 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, 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 are specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.



City of Hutto, TX

Balance Sheet

Account Summary

As Of 04/30/2022

Account	Name	Balance
Fund: 35 - Economic Development Corporation		
Assets		
35-1000	Claim on Cash	0.00
35-1035	EDC Checking - FSB	55,834.16
35-1079	TexPool - EDC Operating	2,755,811.29
35-1221	Sales Tax Receivable	1,809,775.69
35-1231	Accounts Receivable	0.00
35-1270	Loan Funds at BCL	0.00
35-1275	Business Loans	92,386.34
Total Assets:		4,713,807.48
		4,713,807.48
Liability		
35-2001	Accounts Payable	81.00
35-2250	Due to City of Hutto	660,486.91
35-2251	Due to City of Hutto TIRZ	0.00
35-2504	Legal Fee Deposit Liability	50,000.00
Total Liability:		710,567.91
Equity		
35-3001	Fund Balance	3,238,786.49
Total Beginning Equity:		3,238,786.49
Total Revenue		2,035,193.25
Total Expense		1,270,740.17
Revenues Over/Under Expenses		764,453.08
Total Equity and Current Surplus (Deficit):		4,003,239.57
Total Liabilities, Equity and Current Surplus (Deficit):		4,713,807.48



City of Hutto, TX

Income Statement Account Summary

For Fiscal: 2021-2022 Period Ending: 04/30/2022

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 35 - Economic Development Corporation						
Revenue						
35-5005	Sales Tax	0.00	2,283,273.00	230,889.76	1,809,775.69	473,497.31
35-5041	Interest Earned	0.00	1,250.00	630.88	1,456.73	-206.73
35-5099	Other Revenue	0.00	23,128.00	200,000.00	223,960.83	-200,832.83
	Revenue Total:	0.00	2,307,651.00	431,520.64	2,035,193.25	272,457.75
Expense						
35-500-008-6401	Attorney Svcs	0.00	125,000.00	37,898.34	106,392.26	18,607.74
35-500-008-6405	Professional Svcs	0.00	390,000.00	5,292.31	272,842.51	117,157.49
35-500-008-6416	Marketing Services	0.00	100,000.00	0.00	43,441.00	56,559.00
35-500-008-6417	Business Program Administration	0.00	12,000.00	0.00	-346.40	12,346.40
35-500-008-6441	Audit Svcs	0.00	5,000.00	5,000.00	5,000.00	0.00
35-500-008-6502	Training & Development	0.00	15,000.00	0.00	0.00	15,000.00
35-500-008-6504	Postage	0.00	250.00	0.00	0.00	250.00
35-500-008-6507	Membership Dues & Subscriptions	0.00	5,000.00	75.00	8,743.00	-3,743.00
35-500-008-6550	Business Incentives	0.00	967,500.00	0.00	600,000.00	367,500.00
35-500-008-6555	Small Business Incentive Program	0.00	225,000.00	0.00	0.00	225,000.00
35-500-008-6556	Performance Grants	0.00	500,000.00	0.00	55,000.00	445,000.00
35-500-008-6801	EDC Debt Principal Pmt	0.00	190,000.00	0.00	0.00	190,000.00
35-500-008-6802	EDC Debt Interest pmt	0.00	359,336.00	0.00	179,667.80	179,668.20
	Expense Total:	0.00	2,894,086.00	48,265.65	1,270,740.17	1,623,345.83
Fund: 35 - Economic Development Corporation Surplus (Deficit):		0.00	-586,435.00	383,254.99	764,453.08	
Total Surplus (Deficit):		0.00	-586,435.00	383,254.99	764,453.08	

Income Statement

For Fiscal: 2021-2022 Period Ending: 04/30/2022

Group Summary

Account Type	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 35 - Economic Development Corporation					
Revenue	0.00	2,307,651.00	431,520.64	2,035,193.25	272,457.75
Expense	0.00	2,894,086.00	48,265.65	1,270,740.17	1,623,345.83
Fund: 35 - Economic Development Corporation Surplus (Deficit):	0.00	-586,435.00	383,254.99	764,453.08	-1,350,888.08
Total Surplus (Deficit):	0.00	-586,435.00	383,254.99	764,453.08	

HUTTO ECONOMIC DEVELOPMENT CORPORATION

Checking - FSB, Period Ending 04/30/2022

RECONCILIATION REPORT

Reconciled on: 05/03/2022

Reconciled by: Christina Bishop

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

Summary	USD
Statement beginning balance	117,085.75
Checks and payments cleared (4)	-60,443.84
Deposits and other credits cleared (3)	1,041.67
Statement ending balance	57,683.58
Uncleared transactions as of 04/30/2022	-1,849.42
Register balance as of 04/30/2022	55,834.16

Details

Checks and payments cleared (4)

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
03/23/2022	Check	7020	Russell Rodriguez Hyde Bullock, LLP	-20,945.50
03/23/2022	Check	7018	Kelleygraphics	-1,500.00
04/28/2022	Journal	199		-37,898.34
04/28/2022	Journal	199		-100.00
Total				-60,443.84

Deposits and other credits cleared (3)

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
10/20/2021	Check	6991	Integrated Environmental Solutions, LLC	0.00
04/07/2022	Check	7021	Russell Rodriguez Hyde Bullock, LLP	0.00
04/28/2022	Journal	199		1,041.67
Total				1,041.67

Additional Information

Uncleared checks and payments as of 04/30/2022

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
Total				-1,849.42



BancorpSouth
Member FDIC

E0/2

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

STATEMENT DATE
04/30/22
ACCOUNT NUMBER
150500-029-7

INFOLINE 1-888-797-7711

***** CHECKING ACCOUNT SUMMARY *****
PREVIOUS BALANCE 117,085.75 AVERAGE BALANCE
+ 1 CREDITS 1,041.67 90,856
- 3 DEBITS 60,343.84 YTD INTEREST PAID
- SERVICE CHARGES 100.00 .00
+ INTEREST PAID .00
ENDING BALANCE 57,683.58

DAYS IN PERIOD 30

***** CHECKING ACCOUNT TRANSACTIONS *****
DEPOSITS AND OTHER CREDITS

DATE.....	AMOUNT	TRANSACTION DESCRIPTION	CHK NO/ATM CD
04/29	1,041.67	DEPOSIT	

CHECKS

DATE..	CHECK NO.....	AMOUNT	DATE..	CHECK NO.....	AMOUNT
04/01	7018	1,500.00	04/01	7020*	20,945.50

OTHER DEBITS

DATE.....	AMOUNT	TRANSACTION DESCRIPTION	CHK NO/ATM CD
04/12	100.00	XAA ANALYSIS	
04/28	37,898.34	HUTTO ECONOMIC 1824764194	
		-SETT-CCACH DEP/PAY PPD	

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

DATE.....	BALANCE	DATE.....	BALANCE	DATE.....	BALANCE
03/31	117085.75	04/12	94540.25	04/29	57683.58
04/01	94640.25	04/28	56641.91		



City of Hutto, TX

Check Report

By Check Number

Date Range: 04/01/2022 - 04/30/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: EDC operating-Bancorp EDC operating						
E21851	Russell Rodriguez Hyde Bullock, LLP	04/29/2022	Bank Draft	0.00	27,452.08	DFT0002047
E21851	Russell Rodriguez Hyde Bullock, LLP	04/29/2022	Bank Draft	0.00	10,446.26	DFT0002047

Bank Code EDC operating Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	0	0	0.00	0.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	2	2	0.00	37,898.34
EFT's	0	0	0.00	0.00
	2	2	0.00	37,898.34

CITY OF HUTTO

Sales Tax Revenue Tracking - FY 2021-22

Gross Receipts (100%) Includes EDC Portion

Received Month	FY Accrual Month	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-2019	2019-2020	FY 2020-2021		2021-22		HEDC
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Estimate	Actual	GL 2004
December	October	180,535	200,560	224,166	253,148	277,071	369,429	474,540.93	\$ 506,956.04	\$ 614,452.11	\$ 867,705.76	587,594.31	\$ 867,705.76	216,926.44 Actual
January	November	227,614	242,855	270,788	319,943	350,533	359,361	357,339.68	\$ 490,708.23	\$ 708,121.25	\$ 846,803.07	568,762.06	\$ 846,803.07	211,700.77 Actual
February	December	189,806	197,678	224,496	262,807	275,993	454,681	501,980.52	\$ 628,416.51	\$ 803,617.57	\$ 691,117.40	728,374.72	\$ 691,117.40	172,779.35 Actual
March	January	182,189	184,293	208,071	251,671	318,914	345,985	413,621.31	\$ 499,327.62	\$ 633,444.02	\$ 763,237.31	578,752.49	\$ 763,237.31	190,809.33 Actual
April	February	222,761	263,069	278,373	325,954	376,762	341,629	457,895.95	\$ 465,973.71	\$ 526,666.04	\$ 727,223.18	540,093.18	\$ 727,223.18	181,805.80 Actual
May	March	184,169	171,996	211,318	240,129	342,423	519,952	464,344.36	\$ 625,087.68	\$ 916,583.66	724,516.40	736,429.00	724,516.40	181,129.10 Estimate
June	April	175,584	180,871	201,446	247,293	326,004	418,009	465,712.35	\$ 635,365.46	\$ 770,825.18	736,429.00	736,429.00	736,429.00	184,107.25 Estimate
July	May	252,109	272,544	316,882	356,069	436,641	398,817	492,082.90	\$ 669,240.51	\$ 771,258.97	775,692.34	775,692.34	775,692.34	-
August	June	215,821	241,769	273,195	275,157	320,400	379,982	568,882.97	\$ 744,000.08	\$ 884,912.65	862,343.44	862,343.44	862,343.44	-
September	July	189,126	216,412	248,786	264,304	359,171	416,196	477,730.72	\$ 652,155.07	\$ 859,528.79	755,889.22	755,889.22	755,889.22	-
October	August	277,847	271,848	341,712	353,526	420,207	398,188	475,877.63	\$ 628,781.38	\$ 795,008.63	728,797.63	728,797.63	728,797.63	-
November	September	213,156	229,467	276,364	290,809	385,022	468,620	562,669.45	\$ 677,062.41	\$ 1,087,061.94	784,758.42	784,758.42	784,758.42	-
	Total	2,510,716	2,673,362	3,075,578	3,440,810	4,189,140	4,870,848	5,712,679	7,223,075	9,371,481	8,372,003	8,372,003	3,896,087	1,339,258
	EDC	627,679	668,341	768,895	860,203	1,047,285	1,217,712	1,428,170	1,805,769	2,342,870	2,093,001	2,093,001	974,022	974,022
	Prop Tax	627,679	668,341	768,895	860,203	1,047,285	1,217,712	1,428,170	1,805,769	2,342,870	2,093,001	2,093,001	974,022	974,022
	City - 1%	1,255,358	1,336,681	1,537,789	1,720,405	2,094,570	2,435,424	2,856,339	3,611,537	4,685,740	4,186,002	4,186,002	1,948,043	1,948,043
	Total City	1,883,037	2,005,022	2,306,684	2,580,608	3,141,855	3,653,136	4,284,509	5,417,306	7,028,611	6,279,002	6,279,002	2,922,065	2,922,065



City of Hutto

Minutes

Hutto Economic Development Corporation Type A and Hutto Economic Development Corporation Type B Board of Directors Meeting Wednesday, April 6, 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 – 6:31 PM

2. ROLL CALL

- 2.1. Mike Arismendez, Chairman
Don Carlson, Vice Chairman
Shawn Lucas, Treasurer
Cheney Gamboa, Secretary
Mike Snyder, Board Member
Randal Clark, Board Member
All Board Members were present.

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT - None

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 Board of Directors of the Hutto Economic Development Corporation (HEDC) 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 to 3 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. CONSENT AGENDA

- 5.1. Consideration and possible action on approval of the March 14, 2022, Special Called Economic Development Corporation Type A and the Hutto Economic Development Corporation Type B, Board of Directors Meeting minutes.

A motion was made by Shawn Lucas was made to approve item 5.1. as presented, the motion was seconded by Don Carlson. The motion passed 6:0.

- 5.2. Update on monthly financials.
Item 5.2. was pulled from Consent Agenda for discussion.

6. AGENDA ITEMS

- 6.1. Executive Director and Board Members' report on Innovating Commerce Serving Communities (ICSC) Conference at Red River held in Dallas, Texas on 3/30/22-4/1/22.
Bob Farley presented a report to the Board of Directors.
- 6.2. 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.
The Board of Directors was updated by George Hyde, Legal Counsel.
- 6.3. Update on the negotiations between HEDC and Oncor regarding the electrical utility easement on the Megasite at the corner of Hwy 79 and FM 3349.
Item 6.3 was postponed until after the executive session.

7. EXECUTIVE SESSION – Entered at 7:08 PM

The Board will recess its open session and reconvene in executive session, in accordance with Texas Government Code Chapter 551 on the following items.

- 7.1. Pursuant to Texas Government Code Section 551.071 (Consult with Attorney), deliberate and seek the advice of its legal counsel regarding Rule 202 Petition in the matter of Hutto Economic Development Corporation Type B vs. BCL of Texas, Cause Number 22-0128-C425, In the 425th Judicial District Court of Williamson County, Texas.
Item 7.1. was not discussed in Executive Session due to the discussion in open session (Item 6.2.).
- 7.2. Pursuant to Texas Government Code Sections 551.087 (Economic Development), 551.071 (Consult with Attorney), and Section 551.072 (Real Property), deliberate and seek the advice of its legal counsel regarding a Downtown tourism incentive, Megasite, and surrounding properties development and property conveyances, including options and consideration, Project D, Project E, Project Acropolis, and Pipeline Projects updates, Oncor's request for an easement on Corporate owned property, city water, and wastewater easement requests, Matterhorn Express Pipeline easement request.

8. ACTION RELATIVE TO EXECUTIVE SESSION – Reconvened at 7:57 PM

Item 6.3. was recalled. George Hyde, Legal Counsel provided an update. Board Member Shawn Lucas made a motion to approve Oncor's requests for an electrical easement and temporary construction easement on the Megasite property, owned by the Corporation as modified and discussed in the executive session and authorized the Chair to execute the easements. Board Member Cheney Gamboa seconded the motion. The motion passed 6:0.

Item 7.2. was recalled for consideration and action on Project D. Board Member Don Carlson made a motion to approve the assignment and assessment agreement to Titan Mega Development, LLC permitting the assignment of the option contract to purchase 43.9888 acres owned by the Treila Krueger Avery Trust, referred to in Williamson County Appraisal District Records Parcel Number R020915 and authorized the Chairman to execute the agreement. The motion was seconded by Shawn Lucas. The motion passed 6:0.

9. ADJOURNMENT – Adjourned at 8:01 PM.

Mike Arismendez, Chairman

Gracie Perez, Assistant City Secretary