



City of Hutto

Agenda

**Hutto Economic Development Corporation Type A and
Hutto Economic Development Corporation Type B
Boards of Directors Regular Meeting set for
Monday, October 10, 2022, beginning at 6:30 PM
in the City Council Chambers located at
500 West Live Oak, Hutto, Texas**

In accordance with the Texas Open Meetings Act, this meeting's agenda is posted on the bulletin board located on the exterior wall of the City Hall building at for public information, for at least 72 continuous hours before the scheduled time of the meeting. 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 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 discussing, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be considered, may be referred to corporate staff for consideration for placement on a future meeting agenda).

5. CONSENT AGENDA

- 5.1. Approval of September 12, 2022 meeting minutes.

6. AGENDA ITEMS

- 6.1. Consider action on a Resolution approving an economic development performance agreement between the Project V prospect and the HEDC Type B; approving and recommending a proposed Chapter 380 agreement for Project V between the HEDC Type B and the City of Hutto for funding a portion of the economic development incentives provided; and providing for related matters.
- 6.2. Consider action on a Resolution approving an economic development performance agreement between the Project E prospect and the HEDC Type B; approving and recommending a proposed Chapter 380 agreement for Project E between the HEDC Type B and the City of Hutto for funding a portion of the economic development incentives provided; and providing for related matters.
- 6.3. Consider action on a Resolution permitting an easement (subject to sizing specifications) along the railroad right-of-way on HEDC Type B-owned property located at the Megasite; and providing for related matters.
- 6.4. Consider action on a Resolution transferring the employment and supervision of the Executive Director from the City of Hutto to the Boards of Directors of the HEDC and HEDC Type B; creating the position of Assistant Director; providing for the powers and duties for the Executive Director and Assistant Director positions; providing for amendment of the Administrative and Professional Services Agreement between the City of Hutto and the HEDC Type B; providing for an amendment to the HEDC Type B budget; and providing for related matters.

7. PRESENTATION

- 7.1. Receive a presentation on corporate monthly financials, FY2022 and FY2023 budget expenditures and revenues approved by the City Council in the annual budget.

8. EXECUTIVE SESSION

- 8.1. The Board will now recess the open session meeting and reconvene in executive session pursuant to Texas Government Code pursuant to:

A) Sections 551.071 (Attorney Consultation), 551.087 (Economic Development), and 551.072 (real property) to deliberate and seek legal advice regarding Project Titan, Project Skybox, Project E, Project V, Restaurant, Retail, and Destination Incentive Program, the Megasite project, including infrastructure improvements incentives; and new prospects for incentive evaluation and consideration;

B) Section 551.071 (Attorney Consultation and Settlement) to deliberate and seek legal advice related to potential claims involving BCL-Texas and its related failure to properly service the corporate loan programs; and,

C) Sections 551.071 (Attorney Consultation) and 551.074 (Personnel) to deliberate the appointment, employment and supervision of the Executive Director, and the

appointment, employment, and potential duties of a new Economic Development Corporation staff member.

9. ACTION RELATIVE TO EXECUTIVE SESSION

- 9.1. Discussion and possible action related to Item 8.1 (A) above, if necessary.
- 9.2. Discussion and possible action related to Item 8.1 (B) above, if necessary.
- 9.3. Discussion and possible action related to Item 8.1 (C) above, if necessary.

10. 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 October 7, 2022 at 5:00 pm.



ANGELA LEWIS

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@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 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.