City of Hutto

Agenda

Special Called Hutto Economic Development Corp. Type A and Type B Board of Directors Meeting
Thursday, January 26, 2023 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, Chairman
Don Carlson, Vice Chairman
Erin Clancy, Secretary
Shawn Lucas, Treasurer
Mike Snyder, Board Member
Randal Clark, Board Member
Marcus Coleman, 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 on 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 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. Consider and approve Corporate Minutes from its Regular Meeting on 1/9/23, and its Special Called Joint Meeting with Cottonwood Development Corporation on 1/17/23

6. AGENDA ITEMS

6.1. Approve a Resolution approving a sales tax funding agreement between the Corporation and the City of Hutto, Texas in the amount of $6,000,000 for use in the acquisition of 250 acres of land currently owned by the Cottonwood Development Corporation

6.2. Discuss and consider action to select a second City Council Member to sponsor for the national ICSC event.

7. EXECUTIVE SESSION

The Board will now recess the open meeting and reconvene in executive session pursuant to Texas Government Code Section 551.071 (Attorney Consultation), 551.087 (Economic Development), and 551.072 (Real Property) to deliberate and seek legal advice regarding: Project Primero, Project Strat3, Project V, Project NQ2, Project Graceland, Project ESLO, Project Titan, Project Skybox, Project Poly, Project Chicago, Project E, Project CP2, the Megasite project; acquistitoin of Cottonwood Development Corporation properties, and any new prospects for potential incentive evaluation and consideration.

8. ACTION RELATIVE TO EXECUTIVE SESSION

8.1. Discuss and consider action to approve a Resolution authorizing the Corporation to enter into a Funding and Refunding Agreement with the City of Hutto, Texas for an amount of up to $12,000,000 to be used for the economic development infrastructure improvises - Megasite Spine Road construction as discussed in Executive Session (HEDC) and authorizing the Chiar to execute the agreement.

8.2. Discuss and consider action approving a Resolution authorizing the Corporation to enter into an Economic Development Incentive Agreement and a Purchase and Sale Agreement for Project Primero under the terms discussed in executive session and authorizing the Chair to execute all necessary closing documentation if approved as to form by Corporate Counsel to complete the sale.

8.3. Discuss and consider action approving the terms of an Economic Development Performance Agreement with the developer for Project E and directing staff and counsel to prepare the Performance Agreement, Funding Agreement and adoptive resolution necessary for approval at the next regular HEDC meeting.

8.4. Discuss and consider action on approving a Resolution authorizing the Corporation to enter into an Economic Development Performance Agreement with the developer for Project ESLO, enter into a Sales Tax Funding Agreement with the City of Hutto, Texas and authorizing the Chiar to executed the agreements in a form approved by Corporate Counsel.

8.5. Discuss and consider approving a Resolution authorizing the Corporation to enter into an Economic Development Performance Agreement providing a business retention incentive grant to an area restaurant, as discussed in the executive session.

9. ADJOURNMENT

10. CERTIFICATION

Angela Lewis

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@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 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.