



City of Hutto

Agenda

**Special Called Joint Meeting of the Hutto Economic
Development Corp. Type A and Type B
Board of Directors and the Cottonwood Development
Corporation Board of Directors
Thursday, February 2, 2023 at 5:30 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. HEDC Board of Directors:

Mike Arismendez, Chairman
Don Carlson, Vice Chairman
Erin Clancy, Secretary
Shawn Lucas, Treasurer
Marcus Coleman, Board Member
Randal Clark, Board Member
Mike Snyder, Board Member

Cottonwood Development Corporation Board of Directors:

Dan Thornton, Chairman
Peter Gordon, Vice Chairman
Mike Arismendez, 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. AGENDA ITEMS

6. EXECUTIVE SESSION

Pursuant to Texas Government Code Sections 551.071 (legal consultation), 551.072 (Real Property) and 551.087 (Economic Development), to deliberate and seek legal advice regarding structure and

funding of economic development real property acquisition by the Hutto Economic Development Corporation and Cottonwood Development Corporation.

7. ACTION RELATIVE TO EXECUTIVE SESSION

- 7.1. Discuss and consider a Resolution approving the Bill of Sale offering to purchase the Cottonwood Development Corporation real estate of approximately 250 acres, approving the expenditure of corporate funds necessary to purchase the property and related fees, and directing the Chair to execute the agreement as soon as practicable, in a form approved by the corporation's counsel, to acquire the Cottonwood properties. (HEDC)
- 7.2. Discuss and consider a Resolution accepting the Offer of Sale by the Hutto Economic Development Corporation to acquire corporate real estate of approximately 250 acres, authorizing the City Manager to execute closing documents consistent with the action taken herein on behalf of the Corporation. (CDC)
- 7.3. Discuss and consider a Resolution approving Cottonwood Development Corporation's sale of the approximate 250 acres of property owned by the Corporation, under duress, accepting the Hutto Economic Development Corporation's offer to purchase the property as contained in the Bill of Sale issued by Hutto Economic Development Corporation Type B, under duress, and authorizing the City of Hutto City Manager to execute the closing documents consistent with the action taken on behalf of the Corporation. (CDC)
- 7.4. Discuss and consider release of an Opinion Letter, issued by Corporate Counsel, in support of the Alliance Bank Loan obtained for the purchase of approximately 250 acres from the Cottonwood Development Corporation. (HEDC)

8. ADJOURNMENT

9. CERTIFICATION

- 9.1. I certify that this notice of the Joint Special Called meeting of the Cottonwood Development Corporation and the Hutto Economic Development Corporation Type A and the Hutto Community Development Corporation Type B meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto before 5:00 P.M. on Monday, January 30, 2023



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.