City of Hutto

Agenda

Special Called Hutto Economic Development Corp. Type A and Type B Board of Directors Meeting

Monday, March 20, 2023 at 6:00 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, Chaiman
Don Carlson, Vice Chairman
Erin Clancy, Secretary
Shawn Lucas, Treasurer
Marcus Coleman, Board Member
Randal Clark, Board Member
Mike Snyder, 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 Meeting on 3/6/23 and its Joint Meeting with the Cottonwood Development Corporation on 3/2/23.

5.2. Consider and accept the financial report for the month ended February 28, 2023

6. AGENDA ITEMS

6.1. Discuss and consider action approving a Refunding Agreement with Williamson County for the costs associated with the design and construction of a turn lane from FM3349 onto the Megasite Spine Road not to exceed $600,000 and including this design and cost into the total cost of the Spine Road project.

6.2. Discuss and consider action approving a mid-year budget amendment for the budget year beginning October 1, 2022 and ending September 30, 2023 to reallocate funds to pay for current budget shortages and additional planned expenses as presented.

6.3. Discuss and consider approving an ammendment to the Spine Road design contract with K Friese and Associates to include water, wastewater and drainage design not to exceed $490,000 and to include this cost in the current Spine Road design and construction budget.

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: City TIRZ projects/impact and potential Board's role, retail and restaurant incentives, Project Strat3, Project NQ2, Project ESLO, Project E, the Megasite project; and any new prospects for potential incentive evaluation and consideration.

8. ACTION RELATIVE TO EXECUTIVE SESSION

8.1. Discuss and consider action on approving Resolution R-2023-067 authorizing the Corporation to enter into a revised 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 Chair to execute the agreements in a form approved by Corporate Counsel.

8.2. Discuss and consider action on approving Resolution R-2023-013 authorizing the Corporation to enter into a revised Economic Development Performance Agreement with the developer for Project NQ2, enter into a Sales Tax Funding Agreement with the City of Hutto, Texas and authorizing the Chair to execute the agreements in a form approved by Corporate Counsel.

8.3. Discuss and consider action approving a Purchase and Sale Agreement for Project Strat3 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.

8.4. Discuss and consider action regarding the requested 12-month closing date extension for Project E.

9. ADJOURNMENT

10. CERTIFICATION

10.1. I certify that this notice of the March 20, 2023 Hutto 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 or before Friday March 17, 2023 at 5:30 P.M.

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.