City of Hutto

Agenda

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

Monday, April 10, 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. 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. PUBLIC HEARINGS

5.1. Hold a Public Hearing for Project HWB: The project supports the opening of a new light food and alcohol service venue located in the Historic District of Downtown which is to open in August 2023. It is planned to offer both indoor and outdoor service areas with more than 3,000sf of floor space and an anticipated occupancy capacity of 160 people. The venue may be used as an event rental space and may offer memberships. Incentives desired include a small business grant to offset certain expenses for finish out and start-up costs.

6. ECONOMIC DIRECTOR'S REPORT

6.1. Staff updates relative to the Site Selectors' visit hosted by the Williamson County Economic Development Partnership on March 23-25,2023, planning for the upcoming ICSC Conference in Las Vegas on May 21-23,2023, HEDC Budget planning, and the proposed Business Retention and Expansion program and FTE.

7. CONSENT AGENDA

7.1. Consider and approve Corporate Minutes from its Special Called Meetings on 3/20/23 and 3/30/23.

8. PRESENTATIONS

8.1. TSTC Annual Report (Lissa Adams, TSTC Provost)

8.2. City of Hutto Budget planning process update (Finance)

9. AGENDA ITEMS

9.1. Discuss and consider action approving the opening of a new bank account for the Corporation and transfer of the balance of funds in the current account to the new account due to the closure of the Corporation's current bank, Cadence Bank in Hutto.

9.2. Discuss and consider action approving a Refunding Agreement with Williamson County for the construction of the right-turn lane from 3349 onto the Spine Road at the Megasite.

9.3. Discuss and consider action to approve autodraft monthly interest payments for the Alliance Bank loan.

9.4. Discuss and consider action on a Resolution approving a second amended funding and refunding agreement by and between City of Hutto and the corporation to acquire property to promote new or expanded business development within the City, authorizing the Vice Chairman to execute the agreement; and providing an effective date.

9.5. Discuss and consider action on a Resolution requesting the city to amend its current design contract with K Freise in the amount of bid from K Freise of $489,171.20 to add water, wastewater, drainage and detention for the East West Spine Road with the Corporation funding the increase in the contract.

10. 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, pending legal action against BCL of Texas, Project Primero, Project Fire Rock, Project Strat3, Project NQ2, Project Graceland, 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. Pursuant to Texas Government Code Section 551.074 (Personnel) to deliberate the appointment of a new Board President/Chair and the duties of the Economic Development Director.

11. ACTION RELATIVE TO EXECUTIVE SESSION

11.1. Discuss and consider action to appoint a new HEDC Board Chair or Interim Chair and specify the term.

11.2. Discuss and consider action on approving a Purchase and Sale Agreement for approximately 77 acres located at the Megasite for Project Fire Rock as discussed in Executive Session and authorizing the Vice Chair to execute the agreement.

11.3. Discuss and consider action directing staff to work with counsel and the developer of Project Poly to negotiate the Purchase and Sale Agreement as directed in Executive Session and bring back to the Board for consideration at its next regular meeting.

11.4. Discuss and consider action approving the PSA for Project E under the terms discussed in Executive Session and authorizing the Vice Chair to execute the agreement.

11.5. Discuss and consider action to pursue the marketing and development option as discussed in Executive Session for the 250 acres known as the Cottonwood Properties.

11.6. Discuss and consider action to approve the requested revisions to the Local Restaurant Incentive Agreement to increase the incentive amount from $20,000 per year to $25,000 per year of the four-year term and decrease the revenue requirement from $3,000,000 per year to $2,000,000 per year as discussed in Executive Session.

11.7. Discuss and consider action to approve the HEDC Cash Flows Pro Forma financial report as presented and direct staff to provide an updated report quarterly at the corresponding regular monthly meeting of the HEDC.

12. ADJOURNMENT

13. 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.