# City of Hutto

## Minutes

## ecial 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

**1. CALL SESSION TO ORDER**

Meeting called to order at 6:11pm by Chairman Arismendez

**2. ROLL CALL**

Present: Chaiman Mike Arismendez, Vice Chairman Don Carlson, Treasurer Shawn Lucas, Board Member Mike Snyder

Absent: Secretary Erin Clancy, Board Member Marcus Coleman, Board Member Randal Clark

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) 759-4911 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.)

None

**5. CONSENT AGENDA**

Motion to approve consent agenda items by Vice Chairman Carlson, second by Treasurer Lucas. Passed 4-0

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

Agenda Items 6.1 & 6.3 were pulled to Executive Session by Chairman Arismendez; item 6.2 will be taken up after Executive Session.

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.

Motion to approve as presented by Vice Chairman Carlson, second by Treasurer Lucas. Passed 4-0.

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.

Motion to approve as presented by Treasurer Lucas, second by Vice Chairman Carlson. Passed 4-0.

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.

Motion to approve as presented per the 2 options discussed in Executive Session by Vice Chairman Carlson, second by Treasurer Lucas. Passed 4-0.

## 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.

Recessed to Executive Session at 6:13pm
Convened in Executive Session at 6:15pm
Exited Executive Session at 7:28pm
Reconvened Public Session at 7:30pm
No action taken during Executive Session

## 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.

Postponed

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.

Postponed

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.

Motion to approve as presented by Board Member Snyder, second by Treasurer Lucas. Passed 4-0

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

Motion by Board Member Snyder to approve an extension to April 28, 2023, second by Treasurer Lucas. Failed 2-2. Chairman Arismendez and Vice Chairman Carlson opposed.

## 9. ADJOURNMENT

Meeting adjourned at 7:36pm

## 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.

~~Mike Arismendez~~, Chairman
Don Carlson

Erin Clancy, Secretary