City of Hutto

Minutes

) Economic Development Corp. Type A and Type B

Board of Directors Meeting

Monday, January 9, 2023 at 6:30 PM

City Council Chambers

1. **CALL SESSION TO ORDER**

   Meeting called to order at 6:31pm

2. **ROLL CALL**

   Present: Chairman Mike Arismendez, Secretary Erin Clancy, Treasurer Shawn Lucas, Board Member Mike Snyder, Board Member Randal Clark, Board Member Marcus Coleman

   Absent: Vice Chairman Don Carlson

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.)

   None

5. **ECONOMIC DIRECTOR'S REPORT**

   5.1. Postponed

6. **CONSENT AGENDA**

   6.1. Consider and approve Corporate Minutes from its Regular Meeting on 12/12/22, its Special Called Meeting on 12/16/22, its Special Called Meeting and its Joint Special Called Meeting with City Council on 12/22/22.

   Motion to approve minutes by Treasurer Lucas, second by Board Member Clark; passed 6-0

7. **PRESENTATIONS**

7.1. Consider Presentation by Dave Porter, on behalf of the Williamson County Economic Development organization, discuss and consider membership and cost, and any other options raised and take any action necessary.

Dave Porter presented the plans for the Williamson County Economic Development Partnership & invited HEDC to join. Motion to join Wilco EDP at a membership level of 1 Board seat and cost of $10,000.00 made by Board Member Snyder, second by Board Member Clark; passed 4-2

7.2. Consider Presentation by Brian Moore, GFF regarding conceptual land planning when developing land fronting FM 3349, discuss and consider options raised and take any action necessary.

No action on presentation by GFF

7.3. Consider Presentation on the state of corporate financials, financial account access and related vendor management, discuss and take any action necessary.

Discussion on monthly financials and current processes for reconciling A/R. Board requested that these accounts be reconciled monthly. Discussed budget amendment of $50,000.00 for payment of an existing incentive agreement. Motion to remove previous CFO from all HEDC accounts and reconcile accounts as presented made by Treasurer Lucas, second by Secretary Clancy; passed 6-0

8. AGENDA ITEMS

8.1. Conduct a Public Hearing on Project Henrietta to acquire and develop approximately 1.5 acres in Historic Downtown Hutto in support of revitalization efforts providing a more robust destination retail and dining experience, additional sales tax revenues and employment opportunities.

Public Hearing opened at 8:06pm; closed at 8:07pm

8.2. Discuss and consider selection of attendees to fill the EDC's table for 10 at the Chamber Gala scheduled for January 28th, 2023.

Board directed staff to invite Board Member Coleman and guest, Executive Director Bob Farley and guest, Assistant Director Cheney Gamboa and guest, Treasurer Shawn Lucas and guest, and reach out to invite Vice Chairman Don Carlson and guest; and if additional seats remain, invite current CFO Christina Bishop or Community Outreach & Programs Manager Kristi Barnes.

8.3. Discuss and consider continuation and selection of Marketing Subcommittee members, ICSC attendance planning, and approved invitation list.

Chairman Arismendez disbanded the Marketing Subcommittee citing no ongoing need at this time; Board instructed staff to include at ICSC in Las Vegas: Board Member Coleman, Secretary Clancy, Treasurer Lucas, and to sponsor two City Council Members to attend in addition to staff members Bob Farley & Cheney Gamboa.

8.4. Discuss and consider any action necessary on Corporate Documents including the Type A Bylaws, Type B Bylaws, and the professional Services Agreement between the corporation and the City of Hutto, Texas.

Type A and Type B Bylaws were previously presented and approved at the July 11, 2022 HEDC Board Meeting and accepted by City Council at the September 15, 2022 City Council Meeting, but were not fully executed. Board instructed staff to execute as previously approved and bring back to future meeting to address any amendment requests. Board instructed staff to bring back the professional services agreement between the HEDC and City of Hutto for discussion at the February meeting.

8.5. Discuss and consider adoption of protocols and procedures regulating the way the Board conducts its meetings.

DocuSign will be implemented to expedite signature requirements to execute documents; Board directed staff to explore password protected options for sharing confidential files in meeting packets and requested some kind of running list of action items similar to what City Council will be implementing.

9. EXECUTIVE SESSION

9.1. The Board will now recess the open session meeting and reconvene in executive session in accordance with the Texas Government Code and pursuant to: Sections 551. 071 (Attorney Consultation), 551.087 (Economic Development), and 551.072 (Real Property), to deliberate and seek legal advice regarding: project Primera, restaurant/retail prospect incentives, Project Chicago, project Graceland,Project Strat3, Project V, Project NQ2, Project ESLO, Project Titan, Project Skybox, Project Poly, Project E, Project TP2, the Megasite project; the structure, funding and acquisition of approximately 250 acres of real property owned by Cottonwood Development Corporation, and new prospects for potential incentive evaluation and consideration.

Recessed to executive session at 8:49pm
Convened in executive session at 8:53pm
Exited executive session at 10:14pm
Reconvened public session at 10:16pm

10. ACTION RELATIVE TO EXECUTIVE SESSION

10.1. Discuss and consider action approving the terms of two Chapter 380 funding agreements with the City of Hutto, Texas, funding their contribution of sales tax to fund approved incentives for Project NQ2, and for Project V, and authorizing the Board Chair to execute the agreements.

Motion to approve as presented made by Board Member Clark; second by Secretary Clancy; passed 6-0

10.2. Discuss and consider action to approve any resolutions or pass any minute orders of the Board authorizing the Hutto Economic Development Corporation to enter into any economic development performance agreement, in whole or part, approving the purchase of law, authorizing the acquisition of funding, whether by grant, loan or sale of assets by and between the City of Hutto, any agency of the City of Hutto, or any third-party to fund economic development growth and to achieve the goals of the Board, including the authority to both acquire funds and to expend funds to acquire real estate, including real estate contracts and land currently owned by Cottonwood Development Corporation, the approval of entering into funding agreements between the City and the Hutto Economic Development Corporation to provide for an economic development programs in compliance with Texas Local Government Code Section 380.002(b) for any project identified in Section 9, Executive Session, of this agenda and authorizing the Chair to execute any such agreements or contracts approved by the Board.

Motion by Treasurer Lucas to appropriate $1.5 million for us in acquisition costs to acquire approximately 250 acres of land currently owned by the Cottonwood

Development Corporation; second by Secretary Clancy; passed 6-0
Motion by Board Member Snyder to direct staff and legal counsel to negotiate with Titan regarding amending provisions of megasite property option assignment agreement as discussed in executive session; second by Board Member Clark; passed 6-0

11. ADJOURNMENT

Adjourned at 10:21pm

12. CERTIFICATION

Mike Arismendez, Chairman

~~Angela Lewis~~, City Secretary
Erin Clancy