City of Hutto

Minutes

Economic Development Corp. Type A and Type B

Board of Directors Meeting

Monday, April 10, 2023 at 6:30 PM

City Council Chambers

1. CALL SESSION TO ORDER

2. ROLL CALL

All members listed were present.

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.)

None

5. PUBLIC HEARINGS

Public Hearing opened at 7:22pm, no one for public input/comment; Public Hearing closed at 7:27pm

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

Regarding the BRE FTE, Board Member Snyder requested specific detail regarding roles and responsibilities to justify the FTE hours and salary.

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

Motion to approve by Treasurer Lucas, second by Secretary Clancy. Passed 6-0

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.

Motion to open a new HEDC Bank account at Wells Fargo, by Board Member Clark, second by Treasurer Lucas. Passed 5-1 (Coleman).

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.

Motion to approve as presented by Treasurer Lucas, second by Secretary Clancy. Passed 6-0

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

Motion to approve by Treasurer Lucas, second by Secretary Clancy. Passed 6-0

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.

Motion to table until after Executive Session by Chairman Carlson, second by Board Member Clark. Passed 6-0.
After Executive Session: Motion to postpone to the next meeting by Secretary Clancy, second by Treasurer Lucas. Passed 5-0.

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.

Motion to table until after Executive Session by Chair Carlson, second by Board Member Clark. Passed 6-0.

After Executive Session: Motion to postpone to the next meeting by Secretary Clancy, second by Treasurer Lucas with the friendly amendment to include details regarding authorized expenditures and disbursed payments by both City of Hutto and HEDC for this contract. Passed 5-0.

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.

Recessed to Executive Session at 8:11pm
Convened in Executive Session at 8:13pm
Exited Executive Session at 11:03pm
Reconvened Public Session at 11:07pm
No action taken in Executive Session
Board Member Coleman left the meeting during Executive Session, did not return.

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.

Moved to Public Session following Public Comment.

Discussion regarding potential outcomes of upcoming City Election impact to HEDC Board and current Board Member terms expiring in June as reasons to appoint a Chair until 6/30/23 so that future Board could appoint a Board Chair at that time.

Motion to appoint Vice Chairman Don Carlson to Chairman of the Board by Board Member Snyder, second by Treasurer Lucas, Vice Chair Carlson accepted. Passed 6-0.

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.

Motion to approve as presented in Executive Session with section 12 and the construction of the detention pond moved to Post-Closing and authorizing the Chair to execute the agreement with those two modifications. Motioned by ????, second by ????. Passed 4-1 (Snyder)

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.

No action

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.

No action

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.

No action

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.

Motion by Secretary Clancy to rescind and cancel the restaurant incentive for T4-1.... second by Board Member Clark. Passed 5-0

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.

No action

12. ADJOURNMENT

Adjourned at 11:12pm

13. CERTIFICATION

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Don Carlson, Chairman

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Erin Clancy, Secretary