City of Hutto

Agenda

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

Monday, June 12, 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, Chairman
   Shawn Lucas, Vice Chairman/Treasurer
   Erin Clancy, Secretary
   Mike Snyder, Board Member
   Randal Clark, Board Member
   Marcus Coleman, Board Member
   Matthew Minton, 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. **ECONOMIC DIRECTOR'S REPORT**

6. **CONSENT AGENDA**

   6.1. Discuss and consider action to approve an extension of 6 months to the current Right of Entry for the HEDC Megasite property in relation to the relocation of a vacant home on the property.

   6.2. Discuss and consider action to approve the Minutes from the Coporation's meeting on May 8, 2023

7. **PRESENTATIONS**

   7.1. Discuss and consider a presentation on the proposed new employment positions for the Corporation in FY24 consisting of one FTE position of Business Retention Specialist and one Intern position for the summer of 2024.

7.2. Discuss and consider a presentation of the Corporate Financial Reports for April 2023 and May 2023.

8. AGENDA ITEMS

8.1. Discuss and consider action to appoint a new Treasurer of the Corporation.

8.2. Discuss and consider action to approve via ratification the revised EDPA for Project ESLO as approved by City Council.

8.3. Discuss and consider action to approve Resolution R-2023-135 authorizing an amended funding agreement in the amount of $12,000,000 by and between the City of Hutto and the Corporation to construct the Megasite East-West Spine Road Project to promote new or expanded business development within the City, authorizing the Chairperson to execute the agreement; and providing an effective date.

8.4. Discuss and consider action to approve a 90-day extension of the due-diligence period for Project Primero.

9. 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: retail and restaurant incentives, pending legal action against BCL of Texas, Project Graceland, Project Titan, Project Skybox, the Megasite project; the Cottonwood Properties, and deliberate with general counsel regarding: Bylaws, Professional Services Agreement with the City, 312 application, review allocation of Corporate funds for incentives.

10. ACTION RELATIVE TO EXECUTIVE SESSION

10.1. Discuss and consider action to approve the 312 Abatement Incentive application form.

10.2. Discuss and consider action to approve Resolution R-2023-136 recommending approval of the Skybox - City of Hutto 312 Abatement Incentive Application by the City Council.

10.3. Discuss and consider action to approve a contract amendment with Good Fulton Farrell to complete concept design updates for the Cottonwood Properties and the proposed mixed-use property located at the Megasite.

10.4. Discuss and consider action regarding the current offers to develop the HEDC land known as the Cottonwood Properties

10.5. Discuss and consider action regarding the current and proposed Professional Services Agreement between the Corporation and the City of Hutto.

10.6. Discuss and consider action regarding Board appointments, re-appointments, term of appointments, and removals.

10.7. Discuss and consider action directing staff regarding an Economic Development Performance Agreement for the hotel development as discussed in executive session

10.8. Discuss and consider action to approve the extended dates for the revised Titan contract at the Megasite

10.9. Discuss and consider action on any other item discussed in executive session.

11. ADJOURNMENT

12. 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.