City of Hutto

Minutes

Economic Development Corp. Type A and Type B

Board of Directors Meeting

Monday, October 2, 2023 at 6:30 PM

City Council Chambers

1. **CALL SESSION TO ORDER**

   Meeting called to order at 6:32pm

2. **ROLL CALL**

   Board Member Thompson absent, all others present

   2.1. Don Carlson, Chairman
   Shawn Lucas, Vice Chairman
   Erin Clancy, Secretary
   Marcus Coleman, Treasurer
   Matthew Minton, Board Member
   Brian Thompson, Board Member
   Terrence Owens, 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. **AGENDA ITEMS**

   5.1. Discuss and consider action regarding an end of year budget amendment for the FY 2023 Budget of the Corporation.

   Motion by Vice Chair Lucas to authorize an end of year budget amendment for line transfers for all of the negative balance line items and that the $300,000 Hotel Project incentive be deducted from the fund balance; seconded by Secretary Clancy. Passed 6-0

5.2. Discuss and consider action regarding the financial processes and procedures of the Corporation and related amendments to the Bylaws.

The Chair elected to create a subcommittee of himself, Vice Chair Lucas and Treasurer Coleman to review and compile a process and bring forward a draft policy with Legal review for consideration by the Board at their meeting on November 13, 2023.

5.3. Discuss and consider action regarding the process for the Master Planning and Master Development of the Cottonwood Properties.

Direction to staff. No action.

5.4. Discuss and consider action to approve the Minutes from the Corporation's meeting on September 11, 2023.

Motion by Vice Chair Lucas to approve as presented; seconded by Board Member Minton. Passed 6-0

6. 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, Paradigm Expansion, Project NQ2, Project Sequel, Project Chicago, Spine Road Construction Project, the Megasite project, Project Margarita, Project Primero, Project Strat3, Project Flex, the Cottonwood Properties, Project CG2, Downtown development and incentive opportunities, Project 44, Project WelcomeMatt, possible litigation with BCL of Texas, the evaluation of available corporate funds for incentives, and pursuant to Section 551.071 (Attorney Consultation) deliberate and seek legal advice regarding amending the corporate bylaws.

Recessed to Executive Session at 7:26pm
Convened in Executive Session at 7:30pm
Exited Executive Session at 8:51pm
Reconvened public session at 8:53pm
No action in Executive Session

7. ACTION RELATIVE TO EXECUTIVE SESSION

7.1. Discuss and consider action regarding the timeline to award the construction contract for the construction of the Spine Road at the Megasite.

No action

7.2. Discuss and consider action regarding the second amendment to the Purchase and Sale agreement for Project Primero.

Motion by Board Member Minton not to enter into the amendment; seconded by Board Member Owens. Passed 6-0

7.3. Discuss and consider action regarding the Owner Authorization form for Project Strat3.

Motion by Treasurer Coleman to approve as presented; Legal proposed specific language: to approve the Owner Authorization Form to authorize Shelly Mitchell of Pape-Dawson Engineers to act the Corporation's behalf; amended language accepted by Treasurer Coleman; seconded by Vice Chair Lucas. Passed 6-0

7.4. Discuss and consider action regarding possible litigation with BCL of Texas.

No action

7.5. Discuss and consider action on any other item discussed in Executive Session.

No action

8. **FUTURE AGENDA ITEMS**

None

9. **ADJOURNMENT**

Meeting adjourned at 8:57pm

10. **CERTIFICATION**

Don Carlson, Chairman

Erin Clancy, Secretary