City of Hutto

Minutes

Economic Development Corp. Type A and Type B

Board of Directors Meeting

Monday, November 13, 2023 at 6:30 PM

City Council Chambers

1. **VIDEOCONFERENCE ATTENDANCE & LOCATION OF QUORUM NOTICE**

   1.1. This meeting is noticed pursuant to Texas Government Code Section 551.127 permitting videoconference attendance by one or more board members. Each portion of the meeting held by videoconference call that is required to be open to the public must be visible and audible to the public at the location where the quorum is present. Id. § 551.127(f). The city council must make at least an audio recording of the meeting and the recording must be made available to the public. Id. § 551.127(g). The location where the quorum is present, and each remote location from which a member of the governmental body participates, must have two-way audio and video communication with each other location during the entire meeting. Each participant's face in the videoconference call, while speaking, must be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the location where a quorum is present, and at any other location of the meeting that is open to the public. Id. § 551.127(h). 7. The audio and video signals perceptible by members of the public at each location of the meeting must meet or exceed minimum standards established by Texas Department of Information Resources (DIR) rules. Id. § 551.127(i). 8. The audio and video signals perceptible by members of the public at the location where the quorum is present, and any remote location must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting. Id. §551.127(j).

2. **CALL SESSION TO ORDER**

   Meeting called to order at 6:31pm

3. **ROLL CALL**

   All members present, Secretary Clancy attended virtually, all others physically present.

   3.1. 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

4. **PLEDGE OF ALLEGIANCE**

5. 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.)

1-James Earp

6. AGENDA ITEMS

6.1. Discuss and consider Resolution R-2023-309 regarding a Right of Entry extension to access the Coporation-owned property at the Megasite for the purposes of removal of a house.

Motion by Vice Chair Lucas to approve as presented; seconded by Secretary Clancy. Passed, 7-0.

6.2. Discuss and consider action to approve the Minutes from the Corporation's meeting on October 2, 2023.

Motion by Vice Chair Lucas to approve as presented; seconded by Board Member Minton. Passed, 7-0.

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: retail and restaurant incentives, Spine Road Construction Project, the Megasite project, Project Pumpkin, Project Sequel, Project Margarita, Project Fe, Project Flex, the Cottonwood Properties, Project CG2, ESD Sales Tax Sharing Agreement, and the evaluation of available corporate funds for incentives.

Recessed to Executive Session at 6:37pm
Convened in Executive Session at 6:48pm
Exited Executive Session at 8:00pm
Reconvened in Public Session at 8:03pm
No action in Executve Session

8. ACTION RELATIVE TO EXECUTIVE SESSION

8.1. Discuss and consider action on Resolution R-2023-312 to award a construction contract for the construction of the East-West Spine Road at the Megasite authorizing the Chair to execute the contract as approved to form by the Corporation's Legal Counsel.

Motion by Vice Chair Lucas to approve the award of the contract as discussed in Executive Session; seconded by Board Member Owens. Passed 7-0.

Minutes amended at the Board Meeting on 11/27/23 for this motion to read: Motion by Vice Chair Lucas to approve the award of the Spine Road Construction Contract to

Jordan Foster Construction as approved to form by Corporation Legal Counsel. Seconed by Board Member Owens. Passed 7-0.

8.2. Discuss and consider action on Resolution R-2023-280 to enter into a Purchase and Sale Agreement (PSA) for project Flex for the sale of HEDC owned property at the Megasite and authorize the Chair to execute the agreement and all associated documents to enter the agreement.
Motion by Board Member Owens to approve as presented; seconded by Board Member Minton. Passed 7-0.

8.3. Discuss and consider action on Resolution R-2023-281 to enter into a Purchase and Sale Agreement (PSA) for Project Sequel at the Megasite and authorize the Chair to execute the agreement and all associated documents to enter the agreement.
Motion by Board Member Minton to approve as presented; seconded by Secretary Clancy. Passed 7-0.

8.4. Discuss and consider action on any other item discussed in Executive Session.
No action.

9. FUTURE AGENDA ITEMS

Treasurer Coleman requested a Future Agenda Item regarding the marketing and communications plan for the Corporation.

10. ADJOURNMENT

Meeting adjourned at 8:09pm.

11. CERTIFICATION

Don Carlson, Chair

Erin Clancy, Secretary