



City of Hutto

Agenda

**Economic Development Corporation (EDC) Board Meeting
and
Community Development Corporation (CDC) Board Meeting
Monday February 1, 2021
6:30 p.m.
City Council Chambers
500 West Live Oak, Hutto, Texas**

In accordance with the Texas Open Meetings Act this NOTICE is hereby given that a regular meeting of the City of Hutto Economic Development Corporation Board of Directors and the City of Hutto Community Development Corporation Board of Directors will take place at the above stated date, time and location.

COVID-19 PRECAUTIONS

The following social distancing rules apply to the public attending this meeting:

- 1) Any member of the public attending the meeting shall maintain a six-foot distance from others (except for those who live in the same household). City Staff, Corporation Staff and City Officials shall practice social distancing to the extent able without interfering in the ability to carry out the essential government functions to be conducted at this meeting.*
- 2) Attendance in the Council Chamber will be limited to allow for the public in attendance to practice social distancing. Seating may be assigned.*
- 3) Coughs and sneezes must be covered with a cloth or tissue, which should be then properly disposed of or washed, and shall not be exposed to others.*
- 4) Public courtesies such as handshakes or other greetings shall be respectfully ignored.*
- 5) Any member of the public approaching city representatives, whether they be city staff or elected or appointed officials, must maintain six-foot social distances.*

Any person who fails to comply with the COVID-19 Precautions may be removed from the meeting.

During the meeting, the following subjects will be discussed and may be acted upon:

1. CALL MEETING TO ORDER
2. ROLL CALL

Steven Harris, Chairman
Don Carlson, Vice Chairman
Kevin LaFrance, Treasurer
Henry Gideon, Board Member
Shawn Lucas, Board Member
Mike Arismendez, Board Member

3. PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE
4. PUBLIC COMMENT

- 4.A. 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 Community Development Corporation on agenda issues and on non-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 fully discussing, 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. AGENDA ITEMS

- 5.A. Discuss and consider approval of the December 7, 2020 Hutto Economic Development Corporation Type A and the Hutto Community Development Corporation Type B Board of Directors' meeting minutes. (Cheri Bowman)
- 5.B. Discuss and consider acknowledgement of the removal of Director and Corporate Secretary Lucas Evans from the Hutto Economic Development Corporation Board of Directors and the Hutto Community Development Corporation Board of Directors by the City of Hutto City Council effective January 21, 2021 and election of a new corporate secretary officer for both corporations.
- 5.C. Update on monthly financials. (James Bryson)
- 5.D. Presentation, discussion and possible action regarding payment of annual grant under the Economic Development Performance Agreement with Longhorn Real Estate Ventures, LLC and Aend Industries, Inc., entered into on or about July 11, 2018. (Cathie Childs)
- 5.E. Presentation, discussion and possible action regarding the revised Economic Development Performance Agreement with K-Tonic, LLC incorporating City of Hutto comments and concerns, and adopting a resolution authorizing the Chairman to execute the re-negotiated Performance Agreement. (Cathie Childs)
- 5.F. Presentation, discussion and possible action or direction to staff regarding how the Corporations shall respond to marketing and leasing inquiries regarding the Megasite Property.
- 5.G. Presentation, discussion and possible action regarding Broad Reach Power LLC inquiries regarding long-term lease of Megasite property and possible template

license agreement for short-term rental of surface of Megasite property. (Cathie Childs)

- 5.H. Presentation, discussion and possible action regarding creating a business advisory committee of the Board of Directors. (Steven Harris)

6. EXECUTIVE SESSION

- 6.A. The Board may recess its Open Session and convene into Executive Session pursuant to Government Code Chapter 551 regarding the following:

- 1) Section 551.071 to deliberate and seek the advice of its General Counsel regarding pending corporate operations, corporate tax exemption, state reporting requirements, demand letter and phone system dispute;
- 2) Sections 551.071, 551.072, and 551.087 to deliberate and seek the advice of its General Counsel regarding economic development incentive negotiations, involving Longhorn Real Estate Ventures, LLC and Aend Industries, Inc. and KTonic, LLC; and Pipeline projects;
- 3) Sections 551.071, 551.072 to deliberate and seek the advice of its General Counsel regarding the Megasite real property;
- 4) Section 551.071 and 551.074 to deliberate and seek advice of its General Counsel regarding employment of an Executive Director and appointment of a new corporate officer.

- 6.B. Reconvene Open Session to discuss and consider action on any of the items listed for Executive Session.

7. ADJOURNMENT

8. CERTIFICATION

I certify that this notice of the **February 1, 2021** Hutto Economic Development Corporation and the Hutto Community Development Corporation meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on **January 29, 2021 by 5:00 P.M.**



Cheri Bowman, Business Retention Specialist
Hutto Community Development Corporation

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@huttox.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.