



Minutes

Special Called Meeting of the Board of Directors
*Economic Development Corporation and
Community Development Corporation*
City Hall – Council Chambers
500 West Live Oak Street, Hutto TX 78634

Wednesday, May 27, 2020 at 6:30 p.m.

Chairman Steven R. Harris
Vice-Chairman Don Carlson
Treasurer Kevin LaFrance
Secretary Daniel Thornton

Board Member James Guzman
Board Member Henry Gideon

The Economic Development Corporation and the Community Development Corporation met in a Special Called meeting on Wednesday, May 27, 2020 at the City Hall Council Chambers located at 500 West Live Oak Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Chairman, Steven Harris, called the meeting to order at 6:30 p.m.

ROLL CALL

Members of the Community Development Corporation Board that were present were Steven Harris, Chairman; Daniel Thornton, Secretary; Don Carlson, Vice Chairman; Board Member, James Guzman; and, Board Member, Henry Gideon

Treasurer Kevin LaFrance was absent.

Members of staff that were present were Tim Jordan, Economic Development Coordinator; and Cheri Bowman, Economic Development Specialist.

PUBLIC COMMENTS

There were no comments from the public.

REGULAR AGENDA

5A. Discussion and possible action regarding legal counsel for the EDC.

Tim Jordan – The new City Attorney for the City of Hutto has advised the Board to seek alternative legal counsel to represent the Boards, as there is a conflict with the City Attorney representing both the City of Hutto and the EDC/CDC Boards. Steven and Tim had talked with Mr. George Hyde, of the law firm Russell Rodriguez Hyde Bullock, as a potential legal counsel to represent the Board.

George Hyde – Greeted the Board. He “is a partner in the nine-attorney law of Russell Rodriguez Hyde Bullock, LLP located in Georgetown, Texas and dedicated to assisting local government.” He “has served as General Counsel for Tax Increment Reinvestment Boards, Economic Development Boards, and Local Government Corporations since 2003 and have served in more than eight (8) municipalities.” A detailed professional biography is available at www.txlocalgovlaw.com

Board Member Henry Gideon – Are we considered to have “tort immunity”?

George Hyde – It does not extend to contract agreements. Lawyers cannot guarantee the outcome. Legal counsel’s job is to advise Board, the Board makes the decisions.

Board Member Henry Gideon – During the work session, the City attorney’s representation was questioned. Outcome?

Chairman Steven Harris – The City’s attorney cannot represent the Board because the Board is not in a contract with her. The City attorney encourages, and recommends that the Board use outside counsel. Separate representation is in the best interest of the Board.

George Hyde – There could be a conflict/issue if the City and the Board were working on the same project and using a joint legal counsel. A separate legal counsel would allow for the best answer to fit each organization.

He stated that he has also been asked to represent Cottonwood Development Corporation Board, and River Creek Development Corporation Board.

Chairman Steven Harris – The Board currently has 2 urgent matters, a personnel matter and the Loan program, that need to be addressed quickly.

George Hyde – Once the Board decides to enter into a contract for his services, he will review the 2 matters, then counsel the Board as to moving forward with the personnel matter and the project. The Board doesn’t have legislative authority, but has a fiduciary responsibility spending tax money.

Chairman Steven Harris – The Board would need to ask the City Council to approve a Budget Amendment for the adjusted Legal Counsel fees.

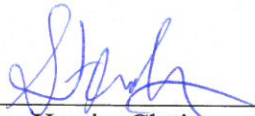
MOTION: *Vice Chairman Don Carlson made a motion to authorize the Chairman to execute a contract with Russell Rodriguez Hyde Bullock for the legal counsel services of George Hyde, for the Hutto Economic Development Corporation Board (EDC Type A), and the Hutto Community Development Corporation Board (CDC Type B). Board member Henry Gideon seconded the motion.*

ACTION: *The motion passed 5 - 0*

ADJOURNMENT

With no other business to conduct, the meeting was adjourned at 7:05 p.m.

Community Development Corporation



Steven Harris, Chairman

ATTEST:



Cheri Bowman, Economic Development Specialist
Business Retention Specialist