City of Hutto

Agenda

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

Monday, September 9, 2024 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. Erin Clancy, Chair
Matthew Minton, Vice Chair
Terrence Owens, Secretary
Henry Gideon, Treasurer
Shawn Lucas, Board Member
Brian Thompson, Board Member
Kelli McLaughlin, 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

5.1. Staff will provide updates on critical projects including the Megasite, Spine Road Construction Project, Cottonwood Properties Master Planning, City staffing updates in the Economic Development Department, New Board Appointments, Williamson County Economic Development Partnership, Incentive Period Commencement for Project Fe, and documents associated with the Alliance Bank Loan.

6. AGENDA ITEMS

6.1. Discuss and consider action to approve the Corporation's financial report for August 2024.

6.2. Discuss and consider action to approve the Corporation's Minutes from their meeting on August 12, 2024.

6.3. Discuss and consider action on a Resolution to reschedule the October and November Board Meetings due to holiday conflicts.

6.4. Discuss and consider action regarding a Resolution to approve a second amendment to the Purchase and Sale Agreement (PSA) for project Flex to extend the due diligence period to February 3, 2025.

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 intervening to recover sums owed to the Corporation for breach of incentive agreements with the City and the Corporation by intervening in 24-0369-T480 County of Williamson, Texas v. JRS Company, Inc. pending in Williamson County District Court, workforce incentives, expansion incentives including, Project JPD, Project HP, Project Maverick, Spine Road Construction Project, the Megasite project, Project Titan, Project Flex, Project Strat3, Project Fe, the farm lease at the Megasite, the planning and development of the Cottonwood Properties, the overpass Project at Highway 79 and CR 132, and the evaluation of available corporate funds for incentives.

8. ACTION RELATIVE TO EXECUTIVE SESSION

8.1. Discuss and consider action regarding Project Maverick.

8.2. Discuss and consider action regarding utility easements on the Corporation owned Cottonwood Properties in support of the development of the Cottonwood Properties and surrounding areas and the wastewater line project on the Megasite.

8.3. Discuss and consider action regarding a Resolution authorizing a Letter of Support for the revised design of the overpass project at CR 132 and Highway 79 as it relates to the development of Corporation-owned property known as the Cottonwoood Properties.

8.4. Discussion and consider action to authorize the Corporation’s General Counsel to file an intervention in the Williamson County v. JRS Company, Inc to join the Williamson County, the State of Texas and other local governments to recover any and all funds owed to the Corporation and approve the joint representation of the City of Hutto, Texas to recover for the same owed to the City of Hutto, Texas, including that for breach of its Economic Development Agreement with JRS Company, Inc.

8.5. Discuss and consider action on any other items discussed in executive session.

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

11. CERTIFICATION

Charlotte Gonzalez

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.