

BudaTx Economic Development Corp.

**NOTICE OF MEETING OF THE
Buda Economic Development Corporation
Monday, April 15, 2019 at 5:30PM
Buda Municipal Complex – Multipurpose Room
405 E. Loop Street, Bldg. 100, Buda, TX 78610**

The Buda Economic Development Corporation will hold a Special called board meeting at **5:30PM, Monday, April 15, 2019** at **Buda Municipal Complex – Multipurpose Room**, 405 E. Loop Street, Bldg. 100, Buda, Texas.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENTS

At this time, comments will be taken from the audience on non-agenda related topics for a length of time not to exceed three minutes per person. To address the EDC Board, please submit a Citizen's Comment Form to the Operations & Finance Administrator prior to the start of the meeting. No action may be taken by the EDC Board during Public Comments.

D. GENERAL AGENDA ITEMS

1. Discussion and possible action regarding the approval of the Minutes from the March 28, 2019 Special Board Meeting – *SHAW*
2. Discussion and possible action regarding the approval of the Minutes from the April 3, 2019 Board Meeting – *SHAW*

E. EXECUTIVE SESSION

1. The Buda Economic Development Corporation Board of Directors will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

Section 551.071 – Consultation with Legal Counsel regarding legal issues related to personnel matters and workplace investigations, BEDC Bylaws revision and related procedures, Board member appointment, removal, and related procedures, and Adoption of Resolutions.

Section 551.072 – Deliberation regarding Real Property

- A.** To discuss or deliberate regarding purchase, exchange, lease, or value of real property

Section 551.074 – Deliberation regarding Personnel Matters

- A. to discuss or deliberate regarding the following:
- Executive Director Position
 - Finance & Operations Administrator Position
 - Retail & Marketing Coordinator Position
 - Planner II – ED Specialist Position
 - Employment contract(s)

Section 551.087 – Deliberation regarding economic development negotiations:

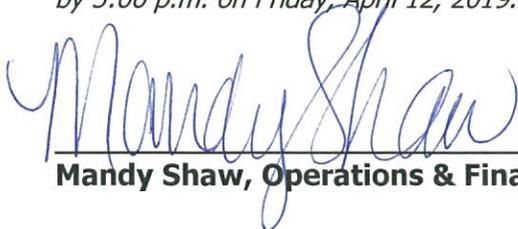
- B. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.
- C. To deliberate the offer of a financial or other incentive to a business prospect.
2. The Buda Economic Development Corporation Board of Directors will reconvene into open session to discuss, consider, and/or take any action necessary related to the executive session, and/or related items.
- A. Discussion and possible action regarding amendments to the Buda EDC Bylaws
- B. Discussion and possible action regarding Personnel
- C. Discussion and possible action regarding Real Property

F. ADJOURNMENT

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees 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.

The Buda Economic Development Corporation reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible. The meeting venue is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to the meeting. Please contact the Operations and Finance Administrator at 512.295.2022 for information or assistance. I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the Buda Economic Development Corporation was posted on the door of the Buda Economic Development Corporation and Buda City Hall, which is readily accessible to the public at all times, by 5:00 p.m. on Friday, April 12, 2019.



Mandy Shaw, Operations & Finance Administrator, Buda EDC





**City of Buda 4B Corporation Minutes
March 28, 2019**

A. CALL TO ORDER

President Montoya called the meeting to order at 5:30 p.m.

B. ROLL CALL

Buda EDC Executive Director certified a quorum with the following Board Members present:

President Jose Montoya
Vice President Jim Lewis
Treasurer John Hatch
Board Member Eileen Altmiller
Board Member Tia Pair

C. PUBLIC COMMENTS –

Public Comments: Open 5:31pm – Closed at 5:35pm

Mark Peterson: 12400 S. Hwy 71 / 980 South Loop 4 (GMAG Holdings, Buda). I just wanted to state that I've had a really good experience with the EDC and Ann Miller specifically. She has always been professional, bright and really balanced in her approach in the things that I've dealt with. I think she has the right idea about what to do for Buda so short and sweet version is I think she is real asset to have here in Buda and I like her assertiveness. I think she is a go getter and gets things done in an appropriate manner. Thank You. I like what's happening to Buda, I've had really good experiences and really pleases about the way things have gone and a lot of that in my opinion is because of the EDC and Ann Miller.

Brad Hullum: 358 Clarence Court. I felt that it was important to come over here and I would have had something written up for Ann and Mandy, but I can't read anything right now. But I felt it was important to be here to talk on her behalf because Ann and Mandy, they are a necessity, I feel in my opinion for the community. I've lived in Buda since 2007, I live over at 358 Clarence Court over in Cullen Country. You know it was a dream of mine to have a small business in this community. I was pretty much born and raised here as well. These two ladies (Ann Miller & Mandy Shaw) really took the time, I kind of did things backwards. I never built anything before, so it was my first rodeo. What they did for me, the time and the patience that they showed me and all the compassion they had for me as someone who is getting off the ground, I will forever be indebted to these ladies right here for what they did for me and my family and for my neighbors too. I feel that we want to be an asset to this community. I feel what they did for me and guiding me through the process and being very patient with me because I had a lot of stupid questions. They really helped shape my dream and I'm very grateful for what you ladies did for me and how patient you were with me. They fought for me and I will be forever indebted to you ladies. Something like that to me is genuine. I think these are genuine folks that you have here representing this community. I know that they are not out there for personal gain, they are out for the community's best interest and that's important to me and my neighbors, that there is someone out there battling for the right folks to bring into this community and shaping this because its totally different. I love them and I will do anything for you guys. I would really push to keep these good folks around for a long time, because lord knows we need more good folks in this world and we definitely want to keep our good folks here and this community and we don't to push them out. Thank you for everything.

Public Comments: Reopen 5:40 – Closed 5:45

Brooklyn Robertson: Owner of Brooklyn's Down South on Main Street in Buda. I was asked but I don't know what this is about to be honest and Ann was pretty vague on the text message just saying that if I had anything to say for or against her and what her abilities are to help the downtown Buda grow. I bought those buildings, the buildings that Cleveland's was in probably about 7 years ago and since then we have Cleveland's and we got out of that and renamed it and redid a bunch of things and put it as Brooklyn's Down South. My background is not in being a restaurant owner, I do research and so moving from where I was at doing stem-cell research to coming in here and running a restaurant in downtown Buda and dealing with the public and City Council and EDC and asking for money and doing things, I've asked my parents for a lot of money but asking publicly for money is a little difficult. I will tell you this that sometimes it's difficult and there are so many loopholes and so many things that you can get kind of swallowed up in, it's nice sometimes to have people who can actually help you. It seems like in this world of fast paced growth that everybody kind of misses the important thing and that's the small businesses. Small businesses are what make a town, you look around and you see the Cabela's and see the Chick-Fil-A's and its awesome. It's the little antique shop and the little Mexican food restaurant on the corner, it's the little things, they are the ones that start Buda out and they are the ones that are here to help it grow and help entice people to come here to want to grow. And so, a lot of times you forget about those little people. I will say this, that when I started taking over Brooklyn's Down South, there were a couple of people that really kind of stood out in helping things. And one of them is this Ann Miller, Chance Sparks. Why is that important, because just naming people off and saying like, I don't think that Brooklyn's would have been as successful as it is and still around if I didn't have that guidance. Asking the City and the EDC specifically for signs and we asked them for Façade improvements funding, we asked historic committee if we could change the paint color on things. There are a lot of things that require a lot paperwork and a lot of guidance and wiggling through, so you are not in a violation and getting slapped with a fine. And its these people that touch "us" as small businesses and keep things going and allow us to contain and do our business where we don't sink. To us, losing a days' worth of business is whether or not our business sinks or swims. It's not like we \$2million dollars in Capital sitting there that we can miss these things. I don't know specifically what this is about and why I'm giving a recommendation for Ann Miller, but I will tell you this, there hasn't been a day that has gone by in business that I haven't leaned and asked her (Ann) for something to be honest. Whether its we need a road closure and I can't get a hold of anybody from the Park, because let me tell you something, if you have ever submitted something, its months before you get shit back. And I have to ask her in order to get things done, for her to lean on people that we get a timely response back. Just the little things of someone was dumping crap in my dumpster, and I couldn't find out what the heck was going on because I was paying a exorbitant amount of money and everybody was complaining that we had trash out in our thing and I said its not us because we pay for pickup and we don't use that much trash. This young lady (Ann) waited out in front of my trash can at 6 o'clock every morning for an entire week to try and find out who was dumping that stuff in there. Not on business hours, not on your clock, she did that because she wanted to help me. I will say that there are only a couple of people that I will vouch for at the City that have reached out and helped me, because most people are trying to drag you down, in order for their business to be more successful than yours. But this young lady has helped me out tremendously, and I can't vouch for her personal life, but as a small business in this little town of Buda that is growing, she has helped me out more than I can thank her for.

D. GENERAL AGENDA ITEMS

1. DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION EXPRESSING SUPPORT FOR HOUSE BILL 1303 OF THE 86TH TEXAS LEGISLATURE WHICH WOULD PROHIBIT OFF-PREMISE SIGNS ON CERTAIN HIGHWAYS IN HAYS COUNTY

RESOLVED, that the Board approve the Resolution expressing support for House Bill 1303. Motion by Director Altmiller, seconded by Director Lewis. Motion passes 5-0-0.

2. A RESOLUTION EXPRESSING SUPPORT FOR HOUSE BILL 1044 OF THE 86TH TEXAS LEGISLATURE WHICH WOULD ALLOW FOR CERTAIN INJECTION WELLS THAT TRANSECT A PORTION OF THE EDWARDS AQUIFER, "AQUIFER STORAGE & RECOVERY".

RESOLVED, that the Board approve the Resolution expressing support for House Bill 1044. Motion by Director Pair, seconded by Director Hatch. Motion passes 5-0-0.

3. DISCUSSION AND POSSIBLE ACTION REGARDING THE REIMBURSEMENT OF VEHICLE-RELATED COSTS IN ASSOCIATION WITH CITY OF BUDA INSPECTION/JOB SITE VISITS AND AMENDING THE FY 18-19 BUDGET ACCORDINGLY

RESOLVED, that the Board approve identifying a line item within the FY 18-19 Budget to reimburse vehicle-related expenses in association with City of Buda Inspection/Job Site Visits and authorize the Board President to approve expenses up to \$1,000 but seek full Board approval on any expenditures over \$1,000. Motion by Director Altmiller, seconded by Director Lewis. Motion passes 5-0-0.

4. DISCUSSION AND POSSIBLE ACTION REGARDING THE PROCUREMENT OF AN EDC VEHICLE TO CONDUCT OFFICIAL EDC BUSINESS AND CITY OF BUDA INSPECTION/JOB SITE VISITS AND AMENDING THE FY 18-19 BUDGET ACCORDINGLY

Direction to Staff – deferred to FY 19-20 Budget Committee.

E. EXECUTIVE SESSION

The Board went into Executive Session from 6:05 pm to 7:55 pm to consult with Legal Counsel regarding legal issues related to personnel matters, BEDC Bylaws revision and related procedures, and Board member appointment, removal, and related procedures.

The Board went into Executive Session from 7:56 pm to 9:31 pm to discuss the following:

Section 551.071 – consult with Legal Counsel regarding legal issues related to personnel matters, BEDC Bylaws revision and related procedures, and Board member appointment, removal, and related procedures.

Section 551.072 – Deliberation regarding Real Property

Section 551.074 – Deliberation regarding Personnel Matters

Section 551.087 – Deliberation regarding economic development negotiations with prospects

- a. During Executive Session, the Board had lengthy discussions about the investigation and supplements, prepared by Ms. Gladstone, the Board is in agreements that it needs some additional time to fully consider the contents of that report to decide on the appropriate action to take in response thereto, and that the Board is going to call a special meeting to address that and additional issues.
- b. Discussed the amended Bylaws as proposed by the City Council and its Resolution dated March 26th and the Board is asking EDC General Counsel to (1) compare each proposed change to the existing Bylaws in order to fully advise the Board of the effect of those changes and (2) compare the resulting proposed Bylaws with Bylaws of other active Type B Economic Development Corporations and to advise the Board of any particular differences or problems that may exist in the proposed Bylaws.
- c. Discussed taking action on Project Pink Sunshine in light of an email received from the City Manager. The EDC has previously entered into two (2) Sales Contracts in connection with

Project Pink Sunshine. The intent of those contracts being that the Board would have a feasibility period of 60 days as stated in the contracts, to determine among other things, whether the City Council approved the purchase of the two properties covered by those contracts. It was anticipated that the approval would be forthcoming and that it would be welcomed by the City Council but we now have an email from the City Manager that indicates that they have not been approved, therefore the Board needs to verify that Project Pink Sunshine is not going to be approved by the City Council in order that it may withdraw from the two Sales Contracts before the end of the feasibility period which is on or about May 4th.

- d. Board also indicated that there are additional personnel issues that may arise affecting the other staff members of the EDC and those issues need to be addressed and acted upon at the Special Meeting that is going to be scheduled for some date between April 8th & April 16th and that President Montoya will determine what everyone's schedule is and will decide the date of that meeting and will contact all Board members to advise of that date.

RESOLVED, that the Board approve a motion to accept the recommendations of EDC General Counsel. Motion by Director Altmiller, seconded by Director Hatch. Motion passes 5-0-0.

F. ADJOURNMENT

With no further business, President Montoya adjourned the meeting at 9:35 p.m.

Joy Hart, Secretary

APPROVED:

Jose Montoya, President

Approval of Minutes:

The foregoing minutes are approved as the acts of the Directors of the Corporation.

Jose Montoya, Director

Jim Lewis, Director

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Joy Hart, Director

John Hatch, Director

Eileen Altmiller, Director

XX

Jeremy De Alcala, Director

Tia Pair, Director



**City of Buda 4B Corporation Minutes
April 3, 2019**

A. CALL TO ORDER

President Montoya called the meeting to order at 5:30 p.m.

B. ROLL CALL

Buda EDC Executive Director certified a quorum with the following Board Members present:

President Jose Montoya
Vice President Jim Lewis
Board Member Eileen Altmiller
Board Member Jeremy De Alcala
Board Member Tia Pair

C. PUBLIC COMMENTS – Open: 5:32pm – Closed: 5:35pm

Mark Peterson – 980 South Loop 4, Buda – I am here on behalf of the EDC and specifically Ann Miller, I wanted to have a couple of comments about what I thought about the EDC and Ann Miller. I would sum up Ann as amazing and I will elaborate on that, but she is an assertive, bright, passionate and professional person. I can't say enough about her. Part of the reason we are down here is because of Ann and the EDC. She is a very fair person, to me it's hard to find people now that are really interested in what they are doing and that's part of the passion of it and when you have somebody like that, that is a go getter, ball of fire, it's refreshing. I'm in the semiconductor business, so I would classify it as a transistor, its either a valve or it's an amplifier, and I think she amplifies all the good stuff. I've never seen her have an alternate agenda for anything. I think she's going at things in a professional manner, with everyone's best interests. Just very fair about what's good for everybody. She's available all the time, which I love, because I work early and late, I can call her at any time and I know she will pick up and have a discussion about whatever it is that is important for what we are doing. I love Buda in general, and I think a lot of that is because of Ann and the EDC and getting the right people here. You've got Kyle down the road from us, in my opinion I've been down there and seen the sort of scatter of businesses down there and this is a really good balance here and I think it's a lot of Ann and the EDC's work. That's all I have, and I hope that's enough because I don't have words for a lot of it, just a great person.

D. GENERAL AGENDA ITEMS

1. DISCUSSION AND POSSIBLE ACTION ON THE APPROVAL OF THE MINUTES FROM THE MARCH 4, 2019 BOARD MEETING

RESOLVED, that the Board approve the Minutes from the March 4, 2019 Board Meeting. Motion by Director De Alcala, seconded by Director Lewis. Motion passes 5-0-0.

2. DISCUSSION AND POSSIBLE ACTION ON THE APPROVAL OF THE FEBRUARY 2019 TREASURER’S REPORT

RESOLVED, that the Board approve Treasurer’s Report as of February 28, 2019. Motion by Director Altmiller, seconded by Director Pair. Motion passes 5-0-0.

E. EXECUTIVE SESSION

The Board went into Executive Session from 5:37 pm to 6:56 pm to discuss Economic Development Negotiations and Personnel Matters.

- a. No action taken

F. UPDATES

- 1. EDC Staff Report: Executive Director Miller gave updates during Executive Session regarding prospects. Miller provided a brief update on upcoming EDC activities including that the EDC Office will be closed April 4th & 5th while Staff attends a TEDC Conference in Waco, TX. Miller also advised the Board that Staff would be scheduling a Special Meeting for April 15th where the Board will review the Resolution and Bylaws Revisions that is currently with EDC Legal Counsel for review. Miller also advised the Board that she would be implementing a “Comp Time Reduction Plan” to reduce the amount of comp time that she currently has.
- 2. Board President Update: None.
- 3. City Activities: None.
- 4. Chamber Activities: None.

G. FUTURE AGENDA ITEM - None

H. ADJOURNMENT

With no further business, President Montoya adjourned the meeting at 7:02 p.m.

Joy Hart, Secretary

APPROVED:

Jose Montoya, President

