



**NOTICE OF A REGULAR MEETING OF THE
CITY OF BUDA 4B CORPORATION
(Buda Economic Development Corporation)
Monday, November 15, 2021 at 6:00 PM
Buda Municipal Complex – Council Chambers
405 East Loop Street, Bldg. 100, Buda, TX 78610**

The Buda Economic Development Corporation will hold a regular board meeting beginning at **6:00 PM, Monday, November 15, 2021** at the **Buda Municipal Complex – Council Chambers**, 405 East Loop Street, Bldg. 100, Buda, Texas 78610.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENTS / PUBLIC TESTIMONY

Members of the public who wish to participate in Public Comment or offer Public Testimony must complete a sign-in form and turn it into the Executive Director before the period provided for Public Comment and Public Testimony is called for consideration by the presiding officer.

D. CONSENT AGENDA *[estimated discussion time: 5 minutes]*

All matters listed under this item are considered to be routine by the Buda Economic Development Corporation and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Board Member on any item, that item will be removed from the consent agenda and will be considered separately.

1. Approval of the October 18, 2021, regular Board meeting minutes.
2. Approval of the November 3, 2021, joint City Council meeting minutes.

E. PUBLIC HEARING *[estimated discussion time: 10 minutes]*

In accordance with Sections 505.159 and 505.160 of the Texas Local Government Code, the Buda 4B Corporation, a Texas non-profit 4B economic development corporation (the "Buda Economic Development Corporation") will receive public comments related to the following proposed economic development project(s) being considered by the Buda Economic Development Corporation as follows:

1. Financial incentives and performance agreement not to exceed sixteen thousand, six hundred fifteen dollars and 70/100s (\$16,615.70) to Nighthawk Frozen Food, Inc., for economic development purposes including the expansion of existing facilities to include a new engine room, production equipment and freezers; such incentives to be disbursed by the Buda EDC include a one-time cash payment.

F. GENERAL AGENDA ITEMS

1. Discussion and possible action to approve and authorize a Request for Loan Forgiveness and Release of Lien for Buck's Backyard, LLC, under the terms of a performance and loan agreement with the Buda EDC. *[ANDERSON] [estimated discussion time: 5 minutes]*
2. Discussion and possible action to approve and authorize a Request for Loan Forgiveness and Release of Lien for The Budaful Hiker, LLC under the terms of a performance and loan agreement with the Buda EDC. *[ANDERSON] [estimated discussion time: 5 minutes]*
3. Discussion and possible action to approve and authorize a Request for Loan Forgiveness and Release of Lien for Robertsons Family Restaurant II, under the terms of a performance and loan agreement with the Buda EDC. *[ANDERSON] [estimated discussion time: 5 minutes]*
4. Discuss and possible action regarding the hiring of a professional services firm to complete or assist with the creation of a Small Business Incentive Guideline. *[ANDERSON] [estimated discussion time: 15 minutes]*
5. Discussion and possible action regarding the adopted 2021-2026-2036 City of Buda Strategic Plan and 2021 Action Agenda. *[ANDERSON] [estimated discussion time: 20 minutes]*

G. EXECUTIVE SESSION

The Buda Economic Development Corporation Board of Directors will recess its open meeting and adjourn into executive session pursuant to the Texas Government Code, Chapter 551, to deliberate the following:

§ 551.071 – Consultation with Attorney – (1) legal advice regarding Memorandum of Understanding for Administrative & Professional Services between the City of Buda 4B Corporation and the City of Buda; (2) legal advice regarding Operations Policy; (3) legal advice regarding Request for Loan Forgiveness and Release of Lien for: Buck's Backyard, Inc., The Budaful Hiker, LLC, and Robertson's Family Restaurant II; (4) legal advice regarding the Buda Business Development Program; (5) legal advice regarding Garlic Creek Commons; (6) legal advice regarding a Buda EDC Social Media Policy. *[estimated discussion time: 90 minutes]*

§ 551.072. Deliberation regarding real property - A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. *[estimated discussion time: 30 minutes]*

§ 551.074 – Deliberation on personnel matters including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: (1) Executive Director. *[estimated discussion time: 15 minutes]*

§ 551.087 – Economic Development Negotiations – to discuss or deliberate 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 for the following projects: (1) Garlic Creek Commons; (2) Pediatric Junction; (3) Nighthawk Frozen Foods, Inc. *[estimated discussion time: 45 minutes]*

RECONVENE INTO OPEN SESSION

The Buda Economic Development Corporation Board of Directors will reconvene into open session to discuss, consider, and/or take any action necessary related to any of the items noticed for discussion during executive session including but not limited to the following:

1. Discussion and possible action regarding review and approval of the Memorandum of Understanding (MOU) for Administrative & Professional Services between the City of Buda 4B Corporation (Buda EDC) and City of Buda. *[ANDERSON] [estimated discussion time: 5 minutes]*
2. Discussion and possible action regarding review and adoption of a City of Buda 4B Corporation (Buda EDC) Social Media Policy. *[ANDERSON] [estimated discussion time: 5 minutes]*
3. Discussion and possible action regarding the Buda Business Development Grant application for Pediatric Junction. *[ANDERSON] [estimated discussion time: 5 minutes]*
4. Discussion and possible action regarding the approval of a Performance Agreement between City of Buda 4B Development Corporation (Buda Economic Development Corporation) and Nighthawk Frozen Foods, Inc. *[ANDERSON] [estimated discussion time: 5 minutes]*

H. UPDATES *[estimated discussion time: 10 minutes]*

1. Buda EDC Staff Report – *ANDERSON*
 1. Project/EDC Activities
 2. BRE Activities
 3. Buda Chamber Activities
 4. Updates:
 - Incentive Policy
 - Existing Land Use Map and Build Out/Available Land Information
 - Downtown land survey
2. Buda EDC Board Report – *BOARD*
 1. Mobile Food Truck Ad Hoc Committee (Davidson)
 2. Finance Committee (Horne-Williams, Otto, Storm)
 3. Buda EDC Incentive Review Committee (Urban, Ture, Storm)
 4. Buda EDC Personnel Committee (Storm, Urban, Martin)
 5. Events Committee (Martin, Otto, Urban)
 6. Small Business Task Force (Storm)
 7. Greater San Marcos Partnership Board (Storm)
 8. City/BEDC Incentive Task Force (Storm)
3. City Activities
 1. Capital Improvement Projects, Road Projects, Finance, Grants, Tourism, Events, Parks & Recreation, Legislative, Library, Development Projects.

I. FUTURE AGENDA ITEMS

1. Discussion and possible action regarding the hiring of a professional services firm to conduct a survey of the land owned by the City of Buda in downtown Buda for the purpose of potential development.

2. Discussion and possible action regarding a mural design for the WWII Memorial and Museum.

J. 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.

This agenda has been reviewed and approved by Buda Economic Development Corporation'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 and constitutes an opinion by the attorney that the items 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.

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 Economic Development Specialist 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, and on the Buda Economic Development Corporation's website which is readily accessible to the public at all times, by 5:00 p.m. on Friday, November 12, 2021.

Traci Anderson

Traci Anderson, Executive Director

