

**REGULAR MEETING MINUTES 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**

MINUTES

A. CALL TO ORDER

President Storm called the meeting to order at 6:07 p.m.

B. ROLL CALL

EDC Executive Director Anderson certified a quorum with the following:

Board Members Present:

President Jennifer Storm
Vice President Amy Martin
Treasurer LaVonnia Horne-Williams – excused absence
Secretary Betsy Urban
Board Director Monica Davidson
Board Director Evan Ture
Board Director Tim Otto – joined meeting at 7:34 p.m.

Buda EDC Staff/Attorneys Present:

EDC Executive Director Traci Anderson
EDC Attorney Josh Brockman-Weber

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

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 Buda Economic Development Corporation and City Council meeting minutes.**

RESOLVED, that the Board approved Consent Agenda item 1 only as presented. Motion by Member Davidson, seconded by Member Ture. Motion passed 5-0-0.

Consent Agenda Item 2 moved to General Agenda Items for discussion.

E. PUBLIC HEARING

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.**

President Storm opened the Public Hearing at 6:10 p.m. for public comment. With no participation, President Storm closed the Public Hearing at 6:10 p.m.

F. GENERAL AGENDA ITEMS

D. CONSENT AGENDA

- 2. Approval of the November 3, 2021 joint Buda Economic Development Corporation and City Council meeting minutes.**

RESOLVED, that the Board approved Consent Agenda item 2 as amended of NAICS code. Motion by Member Davidson, seconded by Treasurer Horne-Williams. Motion passed 5-0-0.

- 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.**

Tabled for next meeting.

- 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.**

RESOLVED, that the Board authorized President Storm to approve loan forgiveness and release of lien for The Budaful Hiker, LLC Microloan. Motioned by Member Ture, seconded by Member Davidson. Motioned passed 5-0-0.

- 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.**

Tabled for next meeting.

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.**

No action taken.

5. **Discussion and possible action regarding the adopted 2021-2026-2036 City of Buda Strategic Plan and 2021 Action Agenda.**

Executive Director Anderson gave a quick overview/review of the City of Buda Strategic Plan to coincide with the Buda EDC Strategic Plan moving forward. Legal consideration was given by Attorney Brockman Weber in regards to the City of Buda Strategic Plan versus the Buda EDC Strategic plan.

RESOLVED, the Board approved the Buda EDC to reference the 2021-2026-2036 City of Buda Strategic Plan and direct staff on how to incorporate City Plan into the Buda EDC Plan as the Buda EDC works on updating the Buda EDC strategic plan. Motion by Member Ture, seconded by Member Davidson.
Motion passed 5-0-0.

G. EXECUTIVE SESSION

At 6:33 p.m., 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.

§ 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.

§ 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.

§ 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.

RECONVENE INTO OPEN SESSION

At 8:48 p.m., the Buda EDC Board of Directors reconvened into open session to discuss, consider, and/or take any action necessary related to the items noticed for discussion during executive session.

§ 551.071

- 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.**

RESOLVED, the Board approved the Memorandum of Understanding (MOU) for Administrative & Professional Services between the City of Buda 4B Corporation (Buda EDC) and City of Buda as presented. Motion by Vice President Martin, seconded by Secretary Urban. Motioned passed 6-0-0.

- 2. Discussion and possible action regarding review and adoption of a City of Buda 4B Corporation (Buda EDC) Social Media Policy.**

Tabled

- 3. Discussion and possible action regarding the Buda Business Development Grant application for Pediatric Junction.**

Tabled

- 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.**

RESOLVED, the Board approve the Performance Agreement between City of Buda 4B Development Corporation (Buda Economic Development Corporation) and Nighthawk Frozen Foods, Inc subject to changes by the Buda EDC request. Motioned by Member Otto, seconded by Vice President Martin. Motion passed 6-0-0.

§ 551.071

(4) legal advice regarding the Buda Business Development Program:

Member Davidson was excused from this portion of the discussion.

H. UPDATES

- 1. Buda EDC Staff Report – ANDERSON**

- 1. Project/EDC Activities**

-Completing Financials has been a top priority this week.

-All incentive agreements is also a top priority this week.

-Marketing RFP final draft completed and ready to be sent up to Events Committee for final review.

-Companies have been seeking incentives into the Buda Midway Project for the last couple of weeks. There have been announcement in the papers of a few companies wanting to come into Buda.

-Worked with a Warehous Project wanting to come to town

-Appointments scheduled for the ICSC events.

-Events Committee met in regards to the sign for the WWII Miniature Golf Course. Got a quote for creating the sign and sent over to Events Committee for approval.

BRE Activities

-Met with several companies this month for BRE Activities and also talk through their agreements. Discussing with them some construction issues tha most of them have.

2. Buda Chamber Activities

-Buda EDC sponsored the BACC luncheon last week. Per President Storm, the sponsorship/co-hosting was well received and they were appreciative of the Buda EDC. She also mention that there has been a good number of increase membership with the BACC. It was a great turn out by businesses and also a great event. Executive Director Anderson mentioned that the BACC had several new membership because of that event. She also thanked all the Board Members that attended.

3. Updates:

- **Incentive Policy**

- Have the new documents back from our consultant and will be dispursed out this week.

- **Existing Land Use Map and Build Out/Available Land Information**

- Some work have been done on the mapping but not a major priority this week but will be continuing to work on getting information to answer some to the questions.

- **Downtown land survey**

- The survey we got back only break up the utilities, it does not have the easement items on it. Reaching out to others to get additional survey out.

Per Executive Director Anderson, our new hire has completed and passed her drug screening and will officially start on December 1, 2021. She is excited for the move to the Austin area and to start this new job.

Angela attended the Basic Economic Development Course and successfully got her certification. She is excited about all she has learned about Economic Development.

Last week, Executive Director Anderson as at the Economic Development Leadership class and graduated with her Advance Economic Development Certification. It was a two week intense course. Waiting on the press release to get all the information out.

Reminder that the EDC will be closed for the Thanksgiving Holiday, November 25-26, 2021. If have not done so, asking everyone to RSVP for the BEDC Holiday Dinner on December 9, 2021. The Economic Outlook is also on that day in the morning. The Buda/Kyle job fair is this Thursday from 10:00 a.m. – 3:00 p.m. The City of Buda will have a booth at the event.

Celebrated Vice President Amy birthday with the raspberry cake.

The City will be sending out ato do a Broadband study. They will also be going out for a feasibility study for the area of devopment. The downtown parking area study should be

coming soon. The City is including this year a Comprehensive Plan, which also include the map we have been talking about.

November 27, 2021 is Small Business Saturday, so get out and shop. Sunday, November 28, 2021 is Artist Sunday. Buda is hosting the Texas International Wine Competition on December 2-5, 2021, with 26 judges coming to Buda from six different state and 16 different countries to taste 800 wines. They have 102 rooms at the Fairfied Inn & Suites for 2 nights but

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. Events Committee (Martin, Otto, Urban)**
- 5. Small Business Task Force (Storm)**
- 6. Greater San Marcos Partnership Board (Storm)**
- 7. City/BEDC Incentive Task Force (Storm)**

President Storm stated there were no updates.

3. City Activities

- 1. Capital Improvement Projects, Road Projects, Finance, Grants, Tourism, Events, Parks & Recreation, Legislative, Library, Development Projects.**

President Storm stated no updates at this time.

I. FUTURE AGENDA ITEMS

None.

J. ADJOURNMENT

With no further business, President Storm adjourned the meeting at 9:00 p.m.

APPROVAL OF MINUTES:


Betsy Urban, Secretary

ATTEST:


Traci Anderson, Executive Director