

**City of Buda 4B Corporation
Regular Meeting Minutes
March 9, 2020**

A. CALL TO ORDER

President Storm called the meeting to order at 6:08 p.m.

B. ROLL CALL

Buda EDC Economic Development Specialist certified a quorum with the following Board Members present:

President Jennifer Storm
Vice-President Monica Davidson – arrived at 6:18 p.m.
Treasurer John Tomme
Member Lee Urbanovsky
Member Ray Bryant
Member Urban – arrived at 7:16 p.m.

C. PUBLIC COMMENTS – None

D. PRESENTATIONS

1. Presentation regarding the Sportsplex Lighting Update Presentation – *Greg Olmer, Parks & Rec Director*

A presentation was given by Greg Olmer, the Park and Receptions Director of the Sportsplex. This consisted of a description of the grounds including size of fields, number of restrooms, etc. Mr. Olmer explained the impact of the Sportsplex was for the benefit of the City of Buda.

E. GENERAL AGENDA ITEMS

1. DISCUSSION AND POSSIBLE ACTION ON THE APPROVAL OF THE MINUTES FROM THE FEBRUARY 8, 2020 STRATEGIC PLANNING WORKSHOP [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the minutes from the February 8, 2020 Strategic Planning Workshop as presented. Motion by Member Urbanovsky, seconded by Member Bryant. Motion passes 5-0-0.

2. DISCUSSION AND POSSIBLE ACTION ON THE APPROVAL OF THE MINUTES FROM THE FEBRUARY 10, 2020 REGULAR CALLED BOARD MEETING [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the minutes from the February 10, 2020 Board Meeting as presented. Motion by Member Bryant, seconded by Vice-President Davidson. Motion passes 5-0-0

3. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF THE MINUTES FROM THE FEBRUARY 18, 2020 SPECIAL CALLED BOARD MEETING [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the minutes from the February 18, 2020 Special Called Board Meeting. Motion by Treasurer Tomme, seconded by Member Urbanovsky. Motion passes 5-0-0.

4. DISCUSSION AND POSSIBLE ACTION ON THE ADOPTION OF THE MINUTES FROM THE FEBRUARY 18, 2020 JOINT MEETING WITH CITY COUNCIL [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the minutes from the February 18, 2020 Joint Meeting with City Council. Motion by Member Urbanovsky, seconded by Member Bryant. Motion passes 5-0-0.

5. DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL OF THE SEPTEMBER 2019 YEAR END TREASURER'S REPORT [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the September 2019 Year End Treasurer's Report with the adjustment of variance colors. Motion by President Storm, seconded by Vice-President Davidson. Motion passes 5-0-0.

6. DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL OF JANUARY 2020 TREASURER'S REPORT [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the January 2020 Treasurer's report as presented. Motion by Vice-President Davidson, seconded by Member Urbanovsky. Motion passes 5-0-0.

7. DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL OF TEXPOOL RESOLUTIONS FOR ACCOUNT CHANGES [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the TexPool resolution as presented. Motion by President Storm, seconded by Member Bryant. Motion passes 5-0-0.

8. DISCUSSION AND POSSIBLE ACTION REGARDING THE ELECTION OF THE FINANCE COMMITTEE [PUBLIC TESTIMONY]

No public testimony.

Motion to table until the March 23, 2020 Board Meeting. Motion by President Storm, seconded by Member Urbanovsky. Motion passes 5-0-0.

F. EXECUTIVE SESSION

1. At 7:00 p.m., the Buda EDC Board of Directors met in a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:
 - (1) Section 551.071 – Consultation with Attorney regarding – (1) legal advice regarding a Joint Defense and Allied Litigant Agreement with the City of Buda related to Personnel Matters; (2) legal advice and update regarding status of unemployment claims regarding former BEDC employees
 - (2) Section 551.071(2) – Consultation with legal attorney pursuant to Section §551.071, of the Texas Government Code, to receive legal advice and counsel in connection with the Buda EDC's, duties, privileges, and obligations related to project funding and incentive agreements and in which the duty of the attorney to the EDC Board of Directors under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Tex. Gov't Code.
 - (3) Section 551.071(3) – Consultation with legal counsel regarding the Buda EDC's duties, privileges, and obligations related to a proposed contract with Binkley & Barfield to complete the engineering work and related services related to the South Loop 4 Wastewater Line Project and where the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Chapter 551 of the Tex. Gov't Code.
 - (4) Section 551.071(4) – Consultation with legal counsel regarding the Buda EDC's, duties, privileges, and obligations related to a proposed funding agreement with the City of Buda to complete the engineering work and related services related to the South Loop 4 Wastewater Line Project and where the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Chapter 551 of the Tex. Gov't Code.
 - (5) Section 551.087 – Economic Development Negotiations – (1) 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 (2) to deliberate the offer of a financial or other incentive to a business prospect regarding the following projects: Fat Quarter Shop, Buda Mill & Grain, HotsyCarlson, Eagle Point and Two Wheel Brewing
2. At 8:12 p.m., the Buda EDC Board of Directors reconvened into open session to discuss, consider and/or take any action necessary related to the executive session noted herein.
 - (1) Section 551.071 – No action taken.
 - (2) Section 551.071(2) – Direction was provided to staff. No formal action taken.
 - (3) Section 551.071(3) – No action was taken. Will be taken up with open item.
 - (4) Section 551.071(4) - No action was taken. Will be taken up with open item.
 - (5) Section 551.087 – No action taken.

G. GENERAL AGENDA ITEMS CONTINUED

9. DISCUSSION AND POSSIBLE ACTION REGARDING THE CONSIDERATION OF A CONTRACT WITH BINKLEY & BARFIELD AND CONSIDERATION AND POSSIBLE ACTION AUTHORIZING A FUNDING AGREEMENT WITH THE CITY OF BUDA RELATED TO THE SOUTH LOOP 4 WASTEWATER LINE PROJECT [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approve a proposal to develop plans and specifications and to create a funding agreement with the City for the remaining amount not to exceed \$87,896.70. Motion by President Storm, seconded by Treasurer Bryant. Motion passes 6-0-0.

10. DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE BUDGET AMENDMENTS TO THE FISCAL YEAR 2019 – 2020 BUDGET [PUBLIC TESTIMONY]

No public testimony.

RESOLVED, that the Board approved the amendments to the 2019-2020 Fiscal Year budget as presented. Motion by President Storm, seconded by Treasurer Tomme. Motion passes 6-0-0

H. UPDATES

- 1.** EDC Staff Report: See attachment.
- 2.** Board President Update: None.
- 3.** City Activities: Member Bryant attended a Black History Month Event, where over 100 people attended. The Police Chute out event is to take place this week, and is the biggest hotel event
- 4.** Chamber Activities: State of the City Address will take place March 11, 2020.

I. FUTURE AGENDA ITEM

None.

J. ADJOURNMENT

With no further business, President Storm adjourned the meeting at 8:27 p.m.

LaVonnia Horne-Williams, Secretary

APPROVED:

Jennifer Storm, President

Approval of Minutes:

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

Jennifer Storm, Director

Monica Davidson, Director

LaVonia Horne-Williams, Director

John Tomme, Director

Lee Urbanovsky, Director

Besty Urban, Director

Ray Bryant, Director