



COMMUNITY DEVELOPMENT CORPORATION COMMUNICATION

DATE May 10, 2023

FROM: Tammy Dixon, Town Secretary

AGENDA ITEM: Consider approval of a Performance Agreement by and between the Bartonville Community Development Corporation and Cloud 9 Management LLC.

SUMMARY:

On March 8, 2023, the Board authorized staff to work with the Board attorney to prepare a Performance Agreement between the Board and Cloud 9 Management, LLC to provide financial assistance for additional construction costs for Cloud 9 Salon and Spa, in the amount of \$45,000.

The draft Performance Agreement drafted by the Board attorney, provides a total incentive of \$45,000 with half of the funding to be paid within 30 days of the effective date of the agreement and in accordance with State Law; and half within 30 days of the Developer's receipt of the Certificate of Occupancy.

In accordance with the Development Corporation Act, Section 505.159(a) of the Texas Local Government Code, a public hearing is required to receive public input regarding the funding of the project. The public hearing was held on April 12, 2023. No one spoke in opposition of the project.

State law provides that a Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

If approved, the resolutions will be considered at the May 16, 2023, Town Council meeting.

ATTACHMENTS:

- Draft agreement