



COMMUNITY DEVELOPMENT CORPORATION COMMUNICATION

DATE April 12, 2023

FROM: Tammy Dixon, Town Secretary

AGENDA ITEM: Public hearing to consider and take action upon the following project: to provide financial assistance in an amount not to exceed \$45,000, to Cloud 9 Management, LLC; and to consider approval of a Performance Agreement by and between the Bartonville Community Development Corporation and Cloud 9 Management LLC.
4/8/23 This item was amended to include the public hearing.

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. Notice of the public hearing was published on March 25, 2023.

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.

ATTACHMENTS:

- Funding Application – Cloud 9
- Draft agreement