

Minutes
Wylie Economic Development Corporation
Board of Directors Meeting
June 21, 2023 – 7:30 A.M.
WEDC Offices – Conference Room
250 S Hwy 78 – Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum

President Demond Dawkins called the meeting to order at 7:34 a.m. Board Members present were Blake Brininstool and Aaron Jameson.

Ex-Officio Member Mayor Matthew Porter and Ex-Officio Member City Manager Brent Parker were present.

WEDC staff present included Executive Director Jason Greiner, Senior Assistant Rachael Hermes, and Administrative Assistant Marissa Butts.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Matthew Porter gave the invocation and led the Pledge of Allegiance.

COMMENTS ON NON-AGENDA ITEMS

With no citizen participation, President Dawkins moved to Consent Agenda.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the WEDC Board of Directors and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. **Consider and act upon approval of Minutes from the May 17, 2023 Regular Meeting of the WEDC Board of Directors.**
- B. **Consider and act upon approval of the May 2023 WEDC Treasurer's Report.**
- C. **Consider and act upon a Performance Agreement between the WEDC and Wylie Insurance Agency, Inc.**

Board Action

A motion was made by Aaron Jameson, seconded by Blake Brininstool, to approve the Consent Agenda as presented. A vote was taken, and the motion passed 3-0.

REGULAR AGENDA

- 1. **Consider and act upon issues surrounding Downtown Parking and Drainage Improvements.**

Staff Comments

Staff discussed the ongoing coordination efforts with Kimley Horn for improved parking downtown and detention that will be needed either above ground or underground beneath each parking lot. Staff

confirmed that the contract provides for the engineering necessary to move forward with future improvements for Downtown Parking and Drainage. An Individual Project Order (IPO) for professional and engineering services for Downtown Parking and Drainage improvements has been provided for Board consideration.

Board Action

A motion was made by Blake Brininstool, seconded by Aaron Jameson, to award the contract to Kimley-Horn and Associates, Inc. in the amount of \$43,500 and further authorize the Executive Director to execute any and all necessary documents. A vote was taken, and the motion passed 3-0.

2. Consider and act upon issues surrounding Eubanks Easement and ROW Coordination.

Staff Comments

Staff discussed the May 17, 2023 Board approval of the installation of a gas main extension to serve properties from Brown Street to Eubanks Lane, north up to Hwy 78 and then east to Kreymer Lane. The contract provides for the engineering necessary to determine the ROW and provide the easement exhibits needed for this project. Staff confirmed that there are no concerns from engineering regarding tying both sides of the existing ROW and edge of pavement. An Individual Project Order (IPO) for professional and engineering services for the Eubanks Easement and ROW Coordination has been provided for Board consideration.

Board Action

A motion was made by Aaron Jameson, seconded by Blake Brininstool, to award the contract to Kimley-Horn and Associates, Inc. in the amount of \$23,125 and further authorize the Executive Director to execute any and all necessary documents. A vote was taken, and the motion passed 3-0.

3. Consider and act upon issues surrounding Environmental Services on WEDC properties located at the 544 Gateway Addition.

Staff Comments

Staff discussed the environmental cleanup efforts that have taken place over the past several years at the location of the former Chemical Recycling Inc. facility at 802 W Kirby. The process of developing the FM 544 Gateway property will require a detention pond to be installed at the location of this facility and Braun Intertec has provided a proposal to provide limited oversight and environmental assistance during the process of earthwork at the site.

Board Action

A motion was made by Blake Brininstool, seconded by Aaron Jameson, to award a contract to Braun Intertec in the amount of \$30,300 and further authorize the Executive Director to execute any and all necessary documents. A vote was taken, and the motion passed 3-0.

4. Consider and act upon a Second Amendment to the Purchase and Sale Agreement between WEDC and MLKJ Investments LLC.

Staff Comments

Staff noted that this Second Amendment provides a 45-day extension to the feasibility period of the Purchase and Sale Agreement. Upon initial Board discussion, Staff then recommended that the Board return to this Item after Executive Session.

5. Consider and act upon a First Amendment to the Performance Agreement between the WEDC and Glen Echo Brewing.

Staff Comments

Staff noted that the First Amendment amends Section 1 and Section 2 of the Performance Agreement allowing a 90-day extension and a modification to the economic assistance amount. Staff recommended that the Board return to this Item after Executive Session.

DISCUSSION ITEMS

DS1. Staff report: WEDC Property Update, Temporary Access Agreements, Downtown Parking, Engineering Report, Upcoming Events, and WEDC Activities/Programs.

Staff Comments

Staff referred the Board to the Agenda Report provided in the packet for all updates related to the WEDC Property Update, Temporary Access Agreements, Downtown Parking, Engineering Report, BRE Updates, Upcoming Events, and WEDC Activities/Programs.

Staff recommended that the Board move to the Executive Session and return to Discussion Item 2 following Executive Session.

EXECUTIVE SESSION

Recessed into Closed Session at 8:02 a.m. in compliance with Section 551.001, et. seq. Texas Government Code, to wit:

Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

ES1. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, FM 1378/Parker, Jackson/Oak, Regency/Steel, State Hwy 78/Alanis, State Hwy 78/Ballard, and State Hwy 78/Brown.

Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.

Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.

ES2. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2021-2d, 2021-5a, 2021-6a, 2021-6c, 2021-8a, 2021-9b, 2021-9f, 2022-1b, 2022-1c, 2022-7b, 2022-7c, 2023-1a, 2023-1c, 2023-1d, 2023-2d, and 2023-3b.

Mayor Porter left at 9:56 am.

RECONVENE INTO OPEN SESSION

Take any action as a result of the Executive Session.

President Dawkins reconvened into Open Session at 10:01 a.m. and moved to Regular Agenda Items 4 and 5.

REGULAR AGENDA

4. Consider and act upon a Second Amendment to the Purchase and Sale Agreement between WEDC and MLKJ Investments LLC.

Staff Comments

Staff noted that this Second Amendment allows a 45-day extension, giving the tenant at this location additional time to move out and to wrap up their civil submittals to the City of Wylie. In the event that more time is needed, a Third Amendment will be considered.

Board Action

A motion was made by Aaron Jameson, seconded by Blake Brininstool, to approve a Second Amendment to the Purchase and Sale Agreement between the WEDC and MLKJ Investments LLC and further authorize WEDC President or his designee to execute said agreement. A vote was taken, and the motion passed 3-0.

5. Consider and act upon a First Amendment to the Performance Agreement between the WEDC and Glen Echo Brewing.

Staff Comments

Staff reminded the Board that the original Performance Agreement outlined an \$80,000 infrastructure reimbursement associated with the cost of remodeling the building at 106 Birmingham. Due to unanticipated expenses related to the building's foundation and fire suppression system, staff discussed consideration of a 90-day extension and increase of the Performance Agreement dollar amount from \$80,000 to \$100,000. Staff discussed working with the city to install additional infrastructure closer to the building.

Board Action

A motion was made by Blake Brininstool, seconded by Aaron Jameson, to approve a First Amendment to the Performance Agreement between WEDC and Glen Echo Brewing, subject to City Council Approval and further authorize the Executive Director to execute any and all necessary documents. A vote was taken, and the motion passed 3-0.

President Dawkins moved to consider Discussion Item 2.

DISCUSSION ITEMS

DS2. Discussion regarding FY 2023-2024 WEDC Budget.

Staff Comments

Staff discussed the FY 23-24 WEDC Budget process and provided a high-level overview of FY 22-23 expenses in order to project the ending fund balance for the year. For this current FY, Staff anticipates an ending fund balance of \$10.3 MM. FY 23-24 Sales tax revenue is projecting a 10% increase at \$4.5 MM. Staff noted that the Board has discussed mitigating some of the costs associated with the maintenance of rental properties. Accordingly, staff will budget for demolition of structures and provide notice to vacates in order to market real estate as part of redevelopment and revitalization efforts. Staff reviewed the anticipated revenues and expenditures for FY 23-24, with an anticipated ending fund balance of \$2 MM. Further budget review will take place by members of the Board on July 6, 2023 and initial City Council review will take place on July 11, 2023. Final WEDC Board approval will take place on July 19, 2023 for inclusion at the last City Council Budget Work Session on July 25, 2023.

The Board then took the following action as a result of the Executive Session:

Board Action

A motion was made by Blake Brininstool, seconded by Aaron Jameson, to authorize the sale of Lot 6, Block A, 544 Gateway Addition, a 3.000-acre lot located on West Kirby Street in the amount of \$650,000 (with \$200,000 cash to close and a \$450,000 promissory note) further authorizing the WEDC Board President and/or his designee to execute all documentation necessary to effectuate the transaction. A vote was taken, and the motion passed 3-0.

Board Action

A motion was made by Aaron Jameson, seconded by Blake Brininstool, to authorize the Executive Director to execute a Performance Agreement between the Wylie EDC, Firewater Investments, LLC, and FWIRE, LLC (Project 2021-6a) in an amount not to exceed \$300,000. Upon proof of relocation, proof of capital investment in excess of \$1.5MM, and proof of Certificate of Occupancy on the 6,000 SF facility no later than 12-31-23, the company is entitled to receive two incentive payments. The performance agreement is to be paid as follows:

- Incentive #1, payable upon proof of CO, “proof of the relocation,” proof of a minimum of 10 new jobs, and proof of \$1.5MM in Capital Investment, the company will receive a reimbursement in the amount of \$200,000.
- Incentive #2, payable 12 months after CO, and upon proof of ongoing operations, the company is entitled to receive the final reimbursement incentive in the amount of \$100,000.

Incentive numbers one and two are also contingent upon the company being current on all taxes.

The cumulative incentive cannot exceed \$300,000 and is still subject to City Council Approval.

A vote was taken, and the motion passed 3-0.

FUTURE AGENDA ITEMS

There were no Items requested for inclusion on future agendas.

ADJOURNMENT

With no further business, President Dawkins adjourned the WEDC Board meeting at 10:15 a.m.

Demond Dawkins, President

ATTEST:

Jason Greiner, Executive Director