

**LORENA TIRZ #1 EAST
REGULAR MEETING OF THE BOARD OF DIRECTORS
MONDAY, APRIL 5, 2021, AT 6:30 P.M.
VIRTUAL MEETING, ONLINE VIA ZOOM**

<https://us02web.zoom.us/j/89010312845?pwd=UfFNTVBmbjV4QmdXYTVndi8vMWdMdz09>

Meeting ID: 890 1031 2845

Passcode: 264973

Or

Dial by your location

+1 346 248 7799

Meeting ID: 890 1031 2845

Passcode: 264973

or

One tap mobile

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MINUTES

Call to Order and Verification of Agenda Posting

The meeting was convened at 6:32 pm and Chairman Coleman noted that the meeting was posted in accordance with the requirements of the Texas Open Meetings Act and a quorum was present. Members Present: Bill Coleman, Chuck Roper, Chad Hanson, Steve Meadows, William Callan, and Commissioner Jim Smith. Members Not Present: Tommy Ross. Also Present: Joseph Pace (City Manager), Jason Mundo of Mundo and Associates, Inc. (TIRZ Administration and Program Management Consultants), Chrissy Brault (McLennan County); Mark Rizzuto (WB Development).

1. Discussion and possible action to approve Lorena TIRZ #1 East Meeting Minutes – February 1, 2021;

The Board reviewed the meeting minutes. Chad Hanson moved to approve the Lorena TIRZ #1 East Meeting Minutes – February 1, 2021. Jim Smith seconded the motion. The motion was unanimously approved.

2. Update on Path Forward of Lorena TIRZ #1 East.

Mr. Mundo updated the Board on the Administration of Lorena TIRZ #1 East.

February 2021 - Administration Contract:

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prepare for and conduct TIRZ Meeting, coordination with Chrissy Brault of Pct. 1 regarding TIRZ meeting; coordination with City of Waco regarding Pct. 1 Park; coordination with City Financial Officer on processing and payment of monthly financial reports and invoices; coordination with Public Works Director regarding expiration of Phase II Construction Bond; review of legislative bills as it relates to and impact to Lorena TIRZ #1 East and Tax Increment Financing; coordination with City Public Works Director regarding expiration of Phase II Construction Maintenance Bond and any repairs needed; coordination with City Public Works Director regarding repairs needed to access gate off Barnes Rd and ongoing flooding issue at Ph. 2 Lift Station. Preparation and sending of letter to Bell Construction to notify and arrange for repairs needed to close out Phase II Construction Maintenance Bond; attending Comptroller webinar on behalf of Lorena TIRZ #1 East regarding TIRZ regulations; preparation of TIRZ Annual Report for State Comptroller for state's transparency/reporting requirements for TIRZ; preparation of TIRZ Annual Report for State Comptroller for state's transparency/reporting requirements for TIRZ and submittal of Annual Report to State Comptroller office;

March 2021 - Administration Contract

coordination with TIRZ legal counsel inquiring if there will be an invoice for legal services in February 2021; coordination with Bell Contractors and KPA engineers regarding forthcoming expiration of Phase 2 Construction Maintenance Bond and needed repairs to 2 items including flooded lift station on Rosenthal; coordination with Bell Contractors and KPA engineers regarding forthcoming expiration of Phase 2 Construction Maintenance Bond and needed repairs to 2 items including flooded lift station on Rosenthal, preparation of TIRZ Financial pack and submittal to Chairman Coleman for review; coordination with Waco Chamber on statewide prospect Glass House which is considering the Braswell property in the TIRZ; coordination with Bright Farms developer and Robert Braswell; prepared and sent financial reports and invoices to City for processing and payment; coordination with realtor Bryan Jenkins regarding his Pre-Development Conference recommending he have his engineer attend to ask questions he/she might have; coordination with Robert Braswell and Waco Chamber regarding prospect Glass House and obtaining a purchase price for the 60 acres; coordination with Robert Braswell and Waco Chamber regarding prospect Glass House and obtaining a purchase price for the 60 acres.; coordination with Chairman Coleman regarding prospect Glass House; coordination with Robert Braswell, Waco Chamber, and prospect Glass House Prospect regarding obtaining a purchase price for the 60 acres from Braswell; coordination with Bell Contractor regarding proof of repairs to access gate as required by Construction Maintenance Bond; coordination with Robert Braswell inviting him to the April 5 TIRZ Meeting and sending him reminder to provide a price for the 60 acres; phone call with Robert Braswell and commercial realtor Brad Harrell obtaining purchase price for the 60 acres of the Braswell tract and discussing the potential of the remaining portions of the parcel after the proposed subdivision; coordination with Waco Chamber communicating Braswell purchase price and discussing next steps

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including coordination between the Waco Chamber and Mundo on the utility needs of the prospect; Preparation of site exhibit with sewer and water utilities that would serve the site; coordination with Waco Chamber regarding next steps with Prospect Glass House; coordination with City Public Works director Kevin Neal regarding water utility questions for 10 inch water line on Old Temple Rd for use by Prospect Glass House; coordination with Chairman Coleman on update for Prospect Glass House; review of bills in state legislature affecting Lorena TIRZ #1 East and Lorena; phone call with solar farm prospect; coordination with realtor/representative of travel center prospect

Look Ahead Months: 4/01/21 to 6/01/2021

Administration Contract (may include but not limited to):

Review, tracking, and follow-up if necessary regarding State of Texas Legislative Session for bills and legislation that may negatively impact Lorena TIRZ #1 East;

Preparation of TIRZ Financial Pack in May including preparation and review of all financial reports and invoices for April services. Coordination with City on approval and payment of those invoices.

Any additional coordination with TIRZ and City as needed regarding suggested path forward steps to address annexation and development issues and move forward with proposed Loera, McElla, Braswell, and Mitchell-Tully developments.

Website updates as needed and any other administrative items as they arise

Coordination on preparation of Precinct 1 Park long term lease.

Project Planning: Pct. 1/TIRZ Park Project Planning.(Implementation of TIRZ Project Plan)

Coordination with Tax Assessor/Collector regarding rollback taxes in properties changing from Ag to residential and commercial zoning.

3. Update on development interest in Braswell Properties.

Consultant Mundo updated the Board on the commercial greenhouse prospect interested in the Braswell Properties.

4. Update on development interest in Barnes IH-35 Property.

Consultant Mundo updated the Board on the travel center prospect interested in the Barnes IH-35 property.

5. Update on McElla and Braswell voluntary annexation.

City Manager Joe Pace noted that after previous delays, the City attorney was now working with McElla and Braswell on voluntary annexation.

6. Update on residential development of McElla properties.

City Manager Joseph Pace noted that McElla and WB Development is coordinating with the new city attorney on their planned development.

7. Update on development in Mitchell-Tully Properties.

Consultant Mundo updated the Board that he had reached out to Gary Tully and Gary Tully responded that there was no new information to report regarding any forthcoming development. Chairman Coleman noted that TIRZ legal counsel had sent Mitchell-Tully a letter in January notifying them of not meeting their development obligations for the second calendar year and notifying them of the associated \$10,000 fine and forfeiture of reimbursement of their latest \$50,000 TIRZ development contribution. It was noted that the Board had not received any response letter from Mitchell-Tully. Mayor Roper requested that the TIRZ coordinate with legal counsel to see what steps could be taken to spur Mitchell-Tully to meet their development obligations. Chairman Coleman added that he would follow up with TIRZ legal counsel regarding legal options available to the Board to spur Mitchell-Tully to meet their development obligations.

8. Update on State of Texas Legislative Session.

Consultant Mundo updated the Board on SB10, a bill designed to prohibit cities from monitoring and providing feedback to their legislators during future legislation; SB1433, a bill related to Tax Increment Financing designed to eliminate the ability of a Texas city to use a TIRZ to fund infrastructure and to limit funding of all TIRZ infrastructure to bonds approved in general elections; and HB1869, a bill designed to eliminate the ability of Texas Cities to use Certificates of Obligation to fund infrastructure and essentially limit funding of projects to bonds approved in general elections.

9. Update on Phase 2 construction maintenance bond expiration.

Consultant Mundo updated the Board that TIRZ Phase 2 construction maintenance bond had expired after the 2-year period and that he had coordinated with the Contractor to address a gate and perform some grading to address drainage issue identified by Public Works Director Kevin Neal.

10. Discussion and possible action(s) to approve the following financial reports and invoices:

- A) Lorena TIRZ #1 East monthly Financial Report and monthly Cash Flow Report;
- B) Mundo and Associates invoice representing Administration services March 2021;

The Board reviewed and discussed items A through B listed above. Commissioner Jim Smith moved to approve items A through B listed below:

A. Lorena TIRZ #1 East Financial Report and Cash Flow Report.

B: authorize payment of \$2,000.00 to Mundo and Associates representing Administration services March 2021

Steve Meadows seconded the motion. The motion was unanimously approved.

11. Adjournment

The meeting was adjourned at 7:28 pm

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

Bill Coleman, Board Chairman, Date

Chuck Roper, Board Secretary, Date