

**LORENA TIRZ #1 EAST
REGULAR MEETING OF THE BOARD OF DIRECTORS
MONDAY APRIL 1, 2024, AT 6:30 P.M.
LORENA CITY HALL, 107A S. FRONTAGE RD., LORENA, TX 76655**

MINUTES

1. Call to Order/Roll Call.

The meeting was convened at 6:30 pm and it was noted that the meeting was posted in accordance with the requirements of the Texas Open Meetings Act and a quorum was present. Members Present: Chairman Tommy Ross, Katrina George, Brad Wetzel and Commissioner Jim Smith. Members not present: Kelly Yarbrough, Emily McKenzie, and William Callan; Also Present: Kevin Neal (City of Lorena City Manager).

2. Citizens questions or comments.

There were no visitors or citizens present, and no email correspondence was received by City Manager Neal.

3. Discussion and possible action to approve Lorena TIRZ #1 East Meeting Minutes – February 5, 2024.

The Board reviewed the meeting minutes. Brad Wetzel moved to approve the Lorena TIRZ #1 East Meeting Minutes – October 9, 2023. Commissioner Jim Smith seconded the motion. The motion was approved unanimously.

4. Discussion and possible action to approve the Lorena TIRZ # 1 East monthly Financial Report and Cash Flow Report.

The Board reviewed the financial and cash flow report. City Manager Neal explained revenues and expenditures for the preceding months between the last TIRZ meeting and February 1, 2024. Commissioner Smith moved to approve the Lorena TIRZ # 1 East monthly Financial Report and Cash Flow Report. Brad Wetzel seconded the motion. The motion was unanimously approved.

5. Discussion and possible action on recommending nominations to the Lorena City Council for seats 2, 4, and 6 of the Lorena TIRZ #1 East Board of Directors.

City Manager Neal explained that this is just a normal operating function of the TIRZ and because the TIRZ had changed administration services in October of 2023 this item did not get discussed at the October 2023 meeting as it should have. Due to this change in administration services this item was overlooked at the February 2024 meeting; therefore, the TIRZ Board should take action to recommend appointment of these seats. The Chairman was directed to check with all board members for reappointment of their seats for an additional term. The Chairman then mad recommendation to the Lorena City Council for appointment at the regularly scheduled Lorena City Council meeting. Commissioner Smith moved to approve

nominations to the Lorena City Council for seats 2, 4, and 6 of the Lorena TIRZ #1 East Board of Directors. Katrina George seconded the motion. The motion was unanimously approved.

6. Discussion and possible action on amending the development contract between the Mitchell-Tully Group and the TIRZ at the request of the Mitchell-Tully Group to forgive future penalties in accordance with Section II Paragraph B of said contract.

TIRZ Board Chairman Tommy Ross explained that the Mitchell-Tully Group has reached out to him to request all future \$10,000.00 penalty fees for each year that they did not develop as required in the developer's agreement. Chairman Ross further explained that it was his decision and solely his decision for not billing the Mitchell-Tully Group their \$10,000.00 penalty in 2023. This was due to the fact that he felt the Mitchell-Tully Group was promised things from the previous TIRZ consultant that could not be delivered. City Manager Neal explained that in his opinion of the developer's agreement the Mitchell-Tully Group had forfeited their right to reimbursement due to the fact that they had not developed in accordance with the agreement, and if any such amendment to forgive future payments was to be made the amendment need to clearly state the Mitchell-Tully group would not be reimbursed any funds. Neal further explained that he would work with the TIRZ Attorney to bring forth an amendment to the developer's agreement for the Mitchell-Tully Group and with Chairmen's Ross approval would present the amendment to them. Commissioner Smith moved to approve amending the development contract between the Mitchell-Tully Group and the TIRZ at the request of the Mitchell-Tully Group to forgive future penalties in accordance with Section II Paragraph B of said contract. Brad Wetzel seconded the motion. The motion was unanimously approved.

7. Future Agenda Items

none

8. Adjournment.

The meeting was adjourned at 6:58 pm



Tommy Ross - Lorena TIRZ #1 East Chairman

August 5, 2024

Date