

**SPECIAL MEETING OF THE CITY OF RED OAK
INDUSTRIAL DEVELOPMENT CORPORATION
THURSDAY, JULY 22, 2021 – 2:00 PM
200 LAKEVIEW PARKWAY
RED OAK, TEXAS 75154**

MINUTES

I. CALL TO ORDER

President Goodwyn called the meeting to order at 2:00 p.m. He confirmed that a quorum was present with a roll call of the board, and he announced that notices were legally posted pursuant to the Open Meetings Act and in accordance with an Order of the Office of the Governor issued March 16, 2020, and as amended on April 2, 2020. The Industrial Development Corporation for the City of Red Oak, Texas, will conduct the regular meeting by telephone conference to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19). This is an open meeting conducted by telephone conference, however, there will be no public access to the physical location.

Board Members Present:

Ben Goodwyn, President
Casey Hargrove, Secretary
Alan Hugley, Member

Staff Present:

Todd Fuller, City Manager
Jonathan Phillips, Assistant City Manager
Lee McCleary, Economic Dev Director
Robert E. Hager, City Attorney

Board Members Absent:

Weylan McAnally, Vice President
David Wells, Treasurer

II. REGULAR SESSION

- A. Discussion and possible action concerning Resolution No. 21-006R approving the proposed Red Oak Industrial Development Corporation (ROIDC) Budget for FY 2021 - 2022.

President Goodwyn read Agenda Item A into the record.

Member Hugley made the motion, seconded by Secretary Hargrove, to adopt Resolution No. 21-006R as presented. The motion carried unanimously.

Roll Call Vote: Ben Goodwyn – Aye
Casey Hargrove – Aye
Alan Hugley – Aye

- B. Discussion and possible action concerning approving an Administrative Services Agreement with the City of Red Oak to provide administrative services to the Red Oak Industrial Development Corporation (ROIDC) for FY 2021 – 2022.

President Goodwyn read Agenda Item B into the record.

Secretary Hargrove made the motion, seconded by Member Hugley, to approve the Administrative Services Agreement. The motion carried unanimously.

Roll Call Vote: Ben Goodwyn – Aye
Casey Hargrove – Aye
Alan Hugley – Aye

- C. Discussion and possible action concerning Resolution No. 21-007R approving the Letter of Intent, and the Purchase and Sale Agreement, by and between H&H Capital Acquisitions, LLC and/or its assigns, and the Red Oak Industrial Development Corporation (ROIDC), for the proposed purchase of a tract of land, approximately thirty-six (36) acres, located in Ellis County, Texas, at the northwest quadrant of FM664/Ovilla Road and Highway 342, along Houston School Road; and, authorizing the ROIDC President to execute all necessary documents regarding the transfer of ownership for this property.

President Goodwyn read Agenda Item C into the record.

Secretary Hargrove made the motion, seconded by Member Hugley, to adopt Resolution No. 21-00R as presented. The motion carried unanimously.

Roll Call Vote: Ben Goodwyn – Aye
Casey Hargrove – Aye
Alan Hugley – Aye

III. EXECUTIVE SESSION

Texas Government Code, Section 551.071: As authorized by Chapter 551 of the Texas Government Code, the City of Red Oak Industrial Development Corporation ("ROIDC") reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the Corporate Attorney about any matters listed on the agenda.

- A. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Cause No. 19-CV-1007-RP, W.D. Tex.; *City of Red Oak, Tex. v. USDA, et al.*, Civil Action No. 19-cv-02761-S, N.D., Tex.; *ex Parte-City of Red Oak v. 201st Judicial District Court of Travis County*, Cause No. D-IGN-20-002116; *Rockett Special Utility District v. City of Red Oak, Texas*, Case No. 3:20-cv-1320; *City of Red Oak v. USDA, et al.*, Case No. 1:20-cv-00483-RP, W.D. Tex.; and *Rockett Special Utility District v. Botkin, et al.*, Civil Action No. 20-cv-1207-RP, W.D. Tex.
- B. Pursuant to Texas Government Code, Section §551.087 – **Deliberations Regarding Economic Development Negotiations**
1. Discuss or deliberate regarding commercial or financial information from a business prospect that seeks to locate, stay or expand in the City of Red Oak.
 2. Discuss or deliberate an offer, if any, with such business prospect.
- C. Pursuant to the Texas Government Code, Section §551.072 – **Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property**
1. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Houston School Road, west of SH 3422, south of the Ellis County line, north of FM664/Ovilla Road, Red Oak, Texas.
 2. Discuss or deliberate acquisition, sale and/or exchange of Real properties generally located east of Lowrance Road, west of Batcheler Road, north of FM2377, and south of the city limits line, Red Oak, Texas.

IV. CONVENE INTO EXECUTIVE SESSION – President Goodwyn opened the Board into Executive Session at 2:05 p.m. He invited Todd Fuller, Jonathan Phillips, Lee McCleary,

Robert Hager and members of the Industrial Development Corporation into Executive Session.

IV. RECONVENE INTO REGULAR SESSION – President Goodwyn reconvened the IDC Board into Open Session at 4:04 p.m.

V. EXECUTIVE SESSION

Economic Development Director McCleary read the following motion: Authorize the President to enter into a Purchase and Sale Agreement by and between ROIDC and H&H Capital Acquisition to sell 10± acres of real property at \$1.50 square feet of said property being contiguous on the north side to the Compass site. Pending City Attorney review and approval.

Secretary Hargrove moved the motion, seconded by President Goodwyn. The motion carried unanimously.

Roll Call Vote: Ben Goodwyn – Aye
Casey Hargrove – Aye
Alan Hugley – Aye

Economic Development Director McCleary read the following motion: Authorize the President to enter into a Purchase and Sale Agreement by and between ROIDC and Blue Ladder Development LLC to sell 133± acres of real property at \$1.50 square feet; said property east of the Compass site. Pending City Attorney review and approval.

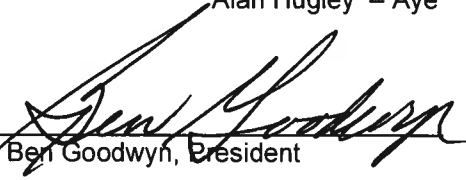
Member Hugley moved the motion, seconded by Secretary Hargrove. The motion carried unanimously.

Roll Call Vote: Ben Goodwyn – Aye
Casey Hargrove – Aye
Alan Hugley – Aye

V. ADJOURNMENT

Secretary Hargrove made the motion, seconded by Member Hugley, to adjourn the meeting at 4:07 p.m. The motion carried unanimously.

Roll Call Vote: Ben Goodwyn – Aye
Casey Hargrove – Aye
Alan Hugley – Aye

Submitted by: 
Ben Goodwyn, President

Attested: 
Lori McGlothlin, Executive Assistant