

CERTIFIED AGENDA AND MINUTES
SUNNYVALE 4A DEVELOPMENT CORPORATION
BOARD OF DIRECTORS
REGULAR MEETING
JUNE 5, 2008
7:00 P.M.

THE BOARD OF DIRECTORS OF SUNNYVALE 4A DEVELOPMENT CORPORATION WILL MEET IN REGULAR SESSION ON JUNE 5, 2008 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL, 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A., GOVERNMENT CODE SECTION 551.041. ITEMS TO BE DISCUSSED AND ACTED UPON ARE:

	PRESIDENT	BILL WHITEHURST
	VICE PRESIDENT	JIM WADE
	BOARD MEMBER	LARRY BOYD
	BOARD MEMBER	CLINT WESTMORELAND
ABSENT	BOARD MEMBER	DANNY ALLEN

- **CALL MEETING TO ORDER**

President Bill Whitehurst called the meeting to order at 7:00 p.m.

- **APPROVAL OF MINUTES**

1. **REGULAR MEETING OF APRIL 3, 2008.**

Walt McCool, 4A Attorney recommended an amendment to page 4, item B, suggesting that the first paragraph read, "Walt McCool, 4A Attorney recommended that the abatement be restructured to begin after the issuance of the certificate of occupancy, and continues for a period not to exceed five years; and the eight hundred thousand dollar cap on abated taxes be reworked into the draft before it is sent to the Town Council".

The 4A Board came to a consensus to table the minutes for the regular meeting of March 20, 2008.

A motion was made by member Wade to approve the minutes of the regular meeting of April 3, 2008, to include the changes suggested by Walt McCool. The motion was seconded by member Westmoreland. Motion passed unanimously.

2. **JOINT MEETING WITH TOWN COUNCIL OF MAY 22, 2008**

The 4A Board came to a consensus to approve the minutes for the joint meeting with the Town Council on May 22, 2008.

- **APPROVAL OF MONTHLY FINANCIAL REPORT FOR APRIL 30, 2008.**

Member Boyd suggested that a ring binder be distributed to the board for the monthly financials during the budget process.

Dave Cranford, Financial Director responded that the monthly reports could be printed and distributed to the board in any form the board requests.

Member Boyd stated that the financial reports are fine the way they are printed but would like a more detailed report of the checks being written throughout the month.

Scott Campbell, Town Manager stated to the board that because there is very little activity for this fund, a detailed list and description of each check cut could easily be provided to the Board.

A motion was made by member Wade to approve the monthly financial report for April 30, 2008. The motion was second by member Westmoreland. The motion passed unanimously.

- **PUBLIC COMMENT PERIOD: PERSONS MAY ADDRESS THE SUNNYVALE 4A DEVELOPMENT CORPORATION BOARD ON ITEMS NOT ON THE AGENDA. PLEASE OBSERVE THE TIME LIMIT OF THREE (3) MINUTES. CORPORATION AND ITS DIRECTORS CANNOT COMMENT OR DELIBERATE ITEMS OF PUBLIC COMMENT.**

There was no public comment.

- **DISCUSS WITH AND HEAR A REQUEST OF SUPERIOR TRAILERS OWNER FRANK DEEL FOR 4A CORPORATION INCENTIVE AGREEMENT TO PLACE A TOWN SANITARY SEWER LINE FROM THE EXISTING LINE ON THE SERVICE ROAD OF U.S. HIGHWAY 80 TO HIS BUSINESS AT 501 E. HIGHWAY 80.**

Frank Deel, 501 E. Highway 80, stated that he would like to contribute money a sewer line to serve portions of the Hwy 80 corridor. He further stated that his business has been in existence for twenty-two years and the sewer line would be very beneficial.

Member Boyd stated that he felt it would be beneficial for other businesses along Hwy 80 to contribute to the line. He further stated that he has personally paid over a 1.4 million in property taxes over a 20 - years period along with other fees paid to the Town; and would like to see all of the businesses benefit from the sewer line.

Mark Bland, Director of Pubic Works described the cost and location of the sewer line. Discussion followed regarding the options presented to the board.

Member Wade stated that he is willing to explore the options of the sewer line that has been presented to the board.

Member Boyd inquired as to what other businesses would be able to tie on to the sewer line. Scott Campbell stated that if there is interest from other businesses, and the Board is interested in further study, he would have the staff prepare more information for the next meeting.

Chairperson Whitehurst stated this item needs to be placed on the agenda for the next regular 4A meeting.

- **DISCUSS AND CONSIDER APPROVING A PARTICIPATION LEVEL AND APPROVAL OF A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUNNYVALE 4A DEVELOPMENT CORPORATION (“THE CORPORATION”) RATIFYING THE CORPORATION’S COMMITMENT OF FUNDS FOR THE PLANNED IMPROVEMENTS TO THE BRIDGE AND INTERSECTION AT U.S. HIGHWAY 80 AND COLLINS ROAD (“THE PROJECT”); AUTHORIZING NEGOTIATION OF A CONTRACT TO FULFILL THE CORPORATION’S COMMITMENT; AND PROVIDING AN EFFECTIVE DATE.**

Member Wade asked that this agenda item be tabled until after executive session.

Mike Anderson, representing RKS at Hwy 80 and Collins 352, stated that the bridge is very important to Sunnyvale. Mike Anderson also stated that Rick Sheldon has been very successful in Kyle Texas with one of the first signature bridges on I-35. He further stated that the bridge will identify Sunnyvale, and that the Town Council and the 4A Board have been involved with this project for at least a year and half. He stated that any above ground utilities that will be intrusive to the area, and that he hopes the board will help fund the project and the utility issues.

Member Wade inquired as to the major objection in having the high-pressure gas valve located on the Rick Sheldon property? Mike Anderson responded it was mainly aesthetics because the high pressure valve will be located at the main entrance along with the special features of the project. According to Lone Star Gas they need to have access to the gas valve and the gas valve cannot be surrounded by landscape. Mike Anderson stated that the gas line will benefit the area and Mr. Sheldon will donate 25,000.

Member Wade asked if Atmos would allow the valve to be hidden in some way. Mike Anderson responded that he has tried to deal with Atmos on this issue, and landscaping around the gas valve will not be allowed.

- **DISCUSS AND CONSIDER ADVERTISING IN THE DALLAS BUSINESS JOURNAL FOR THE SPECIAL EDITION OF ECONOMIC DEVELOPMENT FOR JUNE 26, 2008.**

Pam Mundo stated to the board that the Dallas Business Journal is having a special edition on June 26 for economic development advertisements. The Dallas Business Journal's distribution is sixteen thousand paid subscriptions, but believes the readership is one hundred thousand a week. She stated that this particular issue will go to San Jose in California; and if the board is interested the advertisement can be updated to include information on the Hospital and High School. She further stated that \$52,000 is included in the current budget for marketing.

Member Wade stated that he believes there is benefit to this advertisement, as it is a special issue devoted to economic development.

Member Boyd, stated that the ad placed two years ago didn't bring development, but last year when there was no advertisement a number of acres were developed. Member Boyd stated that Pam Mundo does a better job of making contacts than the ad.

Pam Mundo stated that the ad keeps the commercial brokers and investors aware that Sunnyvale is in the market for economic development.

A motion was made by member Wade to approve an advertisement be placed in the Dallas Business Journal with the expected cost of \$4,500 dollars. The motion was second by member Westmoreland. Motion passed unanimously.

- **EXECUTIVE SESSION AGENDA**
 1. **PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE TO DISCUSS AND DELIBERATE COMMERCIAL OR FINANCIAL INFORMATION FROM A POTENTIAL BUSINESS PROSPECT THAT THE BOARD IS SEEKING TO LOCATE OR EXPAND IN THE TOWN; TO DELIBERATE THE OFFER OF FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT.**
 2. **PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH THE ATTORNEY FOR THE SUNNYVALE 4A DEVELOPMENT CORPORATION ON MATTERS FOR WHICH THE ATTORNEY'S DUTIES CONFLICT WITH THE TEXAS OPEN MEETINGS ACT.**
 3. **PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE TO DISCUSS AND DELIBERATE PERSONNEL**
- **CONSIDER ANY ACTION AS A RESULT OF THE EXECUTIVE SESSION**

Chairperson Whitehurst adjourned into executive session at 7:50 p.m.
Chairperson Whitehurst reconvened into regular session at 8:35 p.m.

A motion was made by member Wade to approve Resolution 2008-05-1, with an amendment to add the words "with the pledged amount to be amortized with the Town's debt for the project. The motion was second by member Boyd. The motion passed unanimously.

A motion was made by member Wade that the 4A Board will contribute up to 75,000 dollars toward the construction of a low pressure gas line from approximately the new high school to approximately Hwy 80 along the west side of Collins Rd, to allow the line to be continued to the new hospital project. The motion was second by member Boyd. Motion made unanimously.

Member Wade stated that the 4A Board would like staff to provide information regarding potential sewer projects along Hwy 80 to service currently existing, or proposed new development.

Pam Mundo proposed a workshop to discuss tax increment financing, stating that a consultant from the Houston area has agreed to come present information on tax increment financing. Mrs. Mundo stated that the consultant is available to meet on the 23rd of June from six to seven p.m.

Walt McCool, stated that 4A Board's participation in the Bridge will require a contract between the 4A Corporation and the Town. He stated that he would represent the 4A Board in the matter and Gary Spencer would represent the Town. He further stated he wanted to disclose to the 4A Board that he did do some other legal work for the Town and wanted to make sure the 4A Board had no objection to him representing them in terms of the agreement with the Town related to the Bridge project.

- ADJOURN

Chairperson Bill Whitehurst adjourned the meeting at 8:39 p.m.

President, Bill Whitehurst

ATTEST:

4A Secretary, Scott Campbell

A TAPE RECORDING OF THIS MEETING IS ON FILE AT TOWN HALL. THESE MINUTES ARE CONDENSED THEREFROM