

# NOTICE OF MEETING

**MEETING:** Wichita Falls 4B Sales Tax Corporation Board of Directors (4BSTC)

**DATE:** February 4, 2019

**TIME:** 3:00 p.m.

**LOCATION:** City Council Chambers and/or City Council Conference Room; Memorial Auditorium, 1300 7th Street; Wichita Falls, Texas

1. Call to Order
2. Approval of Minutes of November 26, 2018
3. Report of financial condition (current, past & planned budget & expenditures); and other administrative actions, including, if necessary, induction of any new board members
4. Public Hearing to consider purchase of Director and Officer insurance
5. Consider purchase of Director and Officer insurance
6. Public Hearing to consider the transfer of ownership of the parking garage located at 710 Seventh Street in Wichita Falls from Wichita County to the 4BSTC
7. Consider approval of the Interlocal Cooperation Agreement between Wichita County and the 4B Sales Tax Corporation for the transfer of ownership of the parking garage located at 710 Seventh Street in Wichita Falls from Wichita County to the 4BSTC
8. Executive Sessions
  - (a) in accordance with TEXAS GOVERNMENT CODE §551.072, to deliberate the purchase, exchange, lease or value of real property at 710 Seventh Street, and
  - (b) In accordance with TEXAS GOVERNMENT CODE §551.087, to discuss or deliberate the offer of a financial or other incentive, including modification to an existing agreement, for a business prospect that the 4BSTC seeks to have, locate, stay, or expand in or near the territory of the City of Wichita Falls and with which the 4BSTC is conducting economic development negotiations for creation and retention of primary jobs (as defined by TEX. LOCAL GOV'T. CODE §501.002)
9. Adjourn

Wheelchair or handicapped accessibility to the meeting is possible by using the handicapped parking spaces and ramp located off the east parking lot on the 6th Street entrance nearest the Council Chambers. There are additional handicapped parking spaces and ramp on 7<sup>th</sup> Street at the main building entrance. Spanish language interpreters, interpreters for the hearing impaired, Braille copies or any other special needs will be provided to any person requesting a special service with at least 24 hours' notice. Please call the City Clerk's Office at 761-7409.

## Certification

I certify that the above notice of meeting was posted on the bulletin board at Memorial Auditorium, Wichita Falls, Texas, on the 1<sup>st</sup> day of February, 2019, at 9:00 o'clock a.m.

  
City Clerk

Every item on this agenda shall be considered a public hearing and citizens may appear at the beginning of this meeting and request to speak on any item. Regardless of the agenda heading under which any item is listed, any word or phrase of any item listed on this agenda shall be considered a subject for consideration for purposes of the Texas Open Meetings Act and other relevant law, and the Board of Directors may deliberate and vote upon any such subject and resolutions related thereto. Any word, phrase, or other subject may be voted upon, regardless of any language of limitation found in this agenda or any document referring to such action. In addition to other items listed hereon, any item that has previously been discussed by this Board of Directors may be discussed and deliberated and is herein added as a subject of this meeting without further notice. Any item on this agenda may be discussed in executive session if authorized by Texas law, regardless of whether any item is listed under "Executive Sessions" of this agenda, regardless of any past or current practice of this Board of Directors. Executive sessions described generally hereunder may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice. Executive sessions described generally hereunder are closed meetings, may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, and may include items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087. The posting of this notice constitutes publication of all items described in this agenda for purposes of Tex. Local Gov't Code § 505.160 and other provisions that establish minimum expenditure time periods and the sixty-day petition time. Any descriptions of property or amounts stated herein are descriptive and not restrictive, and property and amounts may be changed in the motions, actions or documents without further public notice. In addition to other items described herein, this board may perform all administrative actions appropriate for efficient corporation operation, including, but not limited to, appointment of officers and receipt and review of reports and memorandums. This agenda has been reviewed and approved by the attorney for the governing body, and the presence of any subject or description in the Executive Session portion of this agenda constitutes a written interpretation of Chapter 551 of the Texas Local Government Code by the attorney for the governmental body indicating that said subject or description thereof may be legally discussed in a closed meeting.

### Findings:

The Board of Directors finds the items approved pursuant to this agenda are in full compliance with the Bylaws and Articles of Incorporation of the Wichita Falls 4B Sales Tax Corporation and the Texas Development Corporation Act of 1979 and are for:

1. projects that are land, buildings, equipment, facilities, and improvements and:
  - (A) are required or suitable for use for professional and amateur (including children's) sports, athletic, entertainment, tourist, convention, and public park purposes and

events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of those items;

or

- (B) promote or develop new or expanded business enterprises that create or retain primary jobs, including a project to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that the board in its discretion determines promotes or develops new or expanded business enterprises that create or retain primary jobs;

or

- 2. promotional expenditures that advertise and publicize the City of Wichita Falls for the purpose of developing new and expanded business enterprises;
- or
- 3. the development, improvement, expansion, or maintenance of facilities relating to the operation of commuter rail, light rail, or motor buses;
- or
- 4. the development or expansion of “affordable housing” as described by 42 U.S.C. § 12745.

#### **Allocations and Authorizations:**

With respect to the Project(s) funded herein, the Board of Directors:

- 1. allocates the funds authorized on the preceding page, subject to the expiration of 60 days after the posting of this notice, which shall constitute “publication” for purposes of the notice provisions of the Texas Development Corporation Act of 1979,
- 2. amends the budget of this corporation to provide for the allocated expenditure from the current budget fiscal year (or different budget fiscal year as specified in the action),
- 3. authorizes the President of this corporation to execute all documents necessary to expend the funds allocated pursuant hereto and otherwise effectuate all approved actions, in a form to be approved by the City Attorney of the City of Wichita Falls, and
- 4. appoints the City of Wichita Falls as agent for the Wichita Falls 4B Sales Tax Corporation, and authorizes the City Manager and Chief Financial Officer of the City of Wichita Falls to expend the funds allocated herein.