

February 8, 2021

**ROCKDALE MUNICIPAL DEVELOPMENT DISTRICT  
SPECIAL MEETING**

**Present:**

**MDD Board Members:**

John King  
Belinda Hillhouse  
Denise Wallace  
Michelle Larkin  
Jason Barcak ❖  
Richard Coppedge  
Doug Calame ★

**MDD Staff:**

Terry Blanchard, Interim Asst. Secretary  
Roxanne Proudley, Interim Asst. Treasurer  
Uryan Nelson, Interim Director

**Call to Order and announce a Quorum is Present**

The Rockdale Municipal Development District conducted a hybrid meeting by in-person and telephone conference on Monday, February 8, 2021. With a quorum of the MDD Board members present, the Special Meeting of the Rockdale Municipal Development District was called to order by Board President Michelle Larkin at 7:02 p.m.

**Pledge of Allegiance**

**Citizen Communications**

No comments were received.

★ Board Member Calame arrived at 7:04 p.m.

**5A. Consideration, Ratification and Approval** of actions taken at the following meetings:

- 1) October 5, 2020
- 2) October 12, 2020
- 3) October 19, 2020
- 4) November 9, 2020
- 5) December 21, 2020

and effective immediately, to include the following:

- 1) Consider and take any necessary action on the appointment of officers for the MDD Board of Directors, specifically Michelle Larkin as president, Doug Calame as vice-president, Richard Coppedge as treasurer, and Denise Wallace as secretary
- 2) Consider and take action as deemed appropriate in the MDD Board's discretion, regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Rockdale MDD Executive Director, more specifically the dismissal of the executive director, Kara Clore
- 3) Consent Agenda Approvals (with any amendments or corrections thereto) of
  - a. Minutes of the MDD Regular Meeting August 24, 2020
  - b. Minutes of the MDD Regular Meeting October 5, 2020
  - c. Minutes of the MDD Special Meeting October 12, 2020
  - d. Minutes of the MDD Special Meeting October 19, 2020
  - e. Minutes of the MDD Special Meeting October 26, 2020
  - f. August and September Financials
  - g. September and October Revenue Report
  - h. October Financials
  - i. ED Project Balance Sheets
  - j. Bills to be paid
  - k. Bill payments
- 4) Approval of the Public Funds Investment Act Training and payment for Board President Larkin to attend
- 5) Approving Resolution No. 2020-10-12-8B adopting the Municipal Development District Investment Policy as written
- 6) Approving the termination of the Bojorquez Law Firm, P.C.
- 7) Consider and take any necessary action regarding retaining a law firm for the Rockdale Municipal Development District, more specifically retaining The Knight Law Firm, LLP

- 8) Approve the amendments to the Rockdale Municipal Development District Façade and Infrastructure Improvement Incentive Program Score sheet with the following amendments: the ratings at the bottom to percentages for funding as stated; 80-90 good & 90-100 excellent combined 50%; 70-79 average 40%; 60-69 fair 30%; 0-59 poor 0% funding
- 9) Approve amendments to the Rockdale Municipal Development District By-laws with the following amendments: page 3, Section A, #2 to strike out "or Director of Economic Development" and add in place for approval by the Rockdale MDD Board President within 30 calendar days
- 10) Approve the purchase of table and chairs and lease contract with Ricoh, USA, Inc. for copier/printer/scanner for the Rockdale Municipal Development District Office
- 11) Approve that the Rockdale MDD President is authorized to go forward with the review/amendments of the investment plan under the MDD Investment policy to fall in line and in accordance with state law
- 12) Approval of the posting for the job and job description for the Executive Director of the Rockdale MDD position as amended; and to post to TEDC and TML and anywhere else Rockdale MDD Board President sees fit including salary depends on experience
- 13) Approval of the Special Board Meeting Minutes dated October 5, 2020 and amendments as indicated in the recording of the meeting on October 26, 2020
- 14) Approval of 4% increase in salary for the MDD Executive Assistant effective the first pay period of the fiscal year
- 15) Approval of the Rockdale MDD President's authority to work with the EDA in Economic Development negotiations
- 16) Approval to authorize the Rockdale MDD President to work with lawyers to address the Kara Clore Lawsuit
- 17) Approval of payments of any recurring and/or pre-approved bills prior to monthly meetings
- 18) Approval to enter an Interlocal Agreement with the City for inclusion on their IT Services contract and authorize the City to deduct the applicable charges from the MDD account
- 19) Approval of the Interlocal Agreement with CTCOG to include monthly payment for services
- 20) Approval to designate the City Finance Director as the interim assistant treasurer for the District
- 21) Approval to designate the City Secretary as the interim assistant secretary for the District
- 22) Approving Resolution 2020-12-21-6D designating the assistant secretary as the Public Information Officer for the District and to take the Public Information Act Training on behalf of the MDD Board, including MDD-related emails and maintenance for the official record
- 23) Approval to authorize the interim assistant treasurer as a signatory on all MDD financial accounts
- 24) Approval to authorize the MDD president to enter into an agreement with CTCOG for consultant services
- 25) Approval to decline both offers to buy the MDD building and remove the listing of the MDD building off of Real Estate (as it is no longer for sale)

Board President Larkin read the following statement:

*I would like to take a moment to make a comment about this agenda item number 5A.*

*The agenda item number 5A in today's agenda in response to a lawsuit currently pending against the City of Rockdale, Texas as well as the Rockdale Municipal Development District.*

*Kara Clore has filed a lawsuit against the City of Rockdale, Texas and the Rockdale Municipal Development District alleging violations of the Open Meetings Act. The Rockdale Municipal Development District as well as the City of Rockdale, Texas wholly deny those allegations and have filed such proper denials with the Court. The Rockdale Municipal Development District's position is that any of the actions challenged by Ms. Clore were proper and in full compliance of the Texas Open Meetings Act and that Ms. Clore's claims are without merit.*

*Out of an abundance of caution, and as recommended by the Texas Attorney General when an action is challenged, the Rockdale Municipal Development District will again consider the agenda items that are being challenged and take any action as necessary effective as of today. Today's actions on agenda item 5.A. are simply to once again consider and approve the challenged actions. The actions were proper when they were originally considered and approved.*

*With that statement, we will proceed to consider agenda item 5A and any actions taken on this agenda item will be effective as of the time of the action.*

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member Wallace, the MDD Board voted six (6) for and none (0) opposed to approve the item as read effective immediately. Motion carried.

❖ Board Member Barcak arrived at 7:13 p.m.

**6A. Consent Agenda – Approvals**

1. Minutes of MDD Special Meetings on November 9 and December 21, 2020
2. December and January Financials
3. December and January Revenue report
4. ED Project Balance Sheet

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member King, the MDD Board voted seven (7) for and none (0) opposed to approve the consent agenda as presented. Motion carried.

**7. MDD Staff Report**

Uryan Nelson gave a presentation to the Board regarding development activities, grant activities, and general updates.

**8A. Consider and take any necessary action on a resolution amending the MDD By-Laws**

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member King, the MDD Board voted seven (7) for and none (0) opposed to approve the resolution as presented. Motion carried.

**8B. Consider and take any necessary action regarding the Rockdale MDD Industrial Park/EDA Grant**

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member Hillhouse, the MDD Board voted seven (7) for and none (0) opposed to approve and authorize the Board President to act on the Board's behalf. Motion carried.

**8C. Consider and take any necessary action on the 2021 Projects list**

The following items were discussed:

- Mural Committee is looking at a couple of sites for murals. City-wide mural project would include up to 5 or 6 murals for approximately \$10K
- Bridge Park – stage/staging area for live music and a food truck section
- Veterans Park – upgrade walking trail
- Initial plan for Bridge Park was for it to be connected by a walking trail to downtown and Patterson Community Center
- Sumuel Park – needs a fence across ditch area. Mural could be painted on fence.
- Downtown Christmas decorations and signs
- Clean-out MDD building of excess furniture and move items to storage facility to make room for a workable office set up
- Visit samwelly.com to view sample murals

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member Larkin, the MDD Board voted seven (7) for and none (0) opposed to approve \$5,000 to mural project and bid out for stage at Bridge Park. Motion carried.

**8D. Consider and take any necessary action on an agreement for a leased storage unit**

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member Wallace, the MDD Board voted seven (7) for and none (0) opposed to approve storage unit payments through September and

authorize the Board President to get rid of excess furniture from MDD office (either to storage or sale, etc.). Motion carried.

**8E. Consider and take any necessary action to designate an interim manager for the District**

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member Hillhouse, the MDD Board voted seven (7) for and none (0) opposed to designate Uryan Nelson as the interim manager. Motion carried.

**8F. Convene into executive session for:**

- 1. Discussion pursuant to Texas Government Code Section 551.072 and Section 551.087: Deliberate the purchase, exchange, lease, or value of real property for the purpose of commercial development inside the District boundaries, and to discuss economic development negotiations related to the same commercial development**
- 2. Discussion pursuant to Texas Government Code Section 571.071 and Texas Disciplinary Rules of Professional Conduct Section 1.05: Consult with legal counsel regarding pending litigation, specifically Cause No. CV40539, *Kara Z. Clore v. Rockdale Municipal District, et al.*, pending in the 20<sup>th</sup> Judicial District of Milam County, Texas**
- 3. Discussion pursuant to Texas Government Code Section 551.074, Texas Government Code Section 571.071 and Texas Disciplinary Rules of Professional Conduct Section 1.05: Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Rockdale MDD Executive Assistant and to allow for consultation with legal counsel regarding same**

The Board convened into Executive Session at 7:55 p.m.

The Board reconvened into Open Session at 8:49 p.m.

**8G. Reconvene into open session to:**

- 1. Consider and take any necessary action related to the purchase, exchange, lease, or value of real property for the purpose of commercial development inside the District boundaries, and to discuss economic development negotiations related to the same commercial development**
- 2. Consider and take any necessary action regarding pending litigation, specifically Cause No. CV40539, *Kara Z. Clore v. Rockdale Municipal District, et al.*, pending in the 20<sup>th</sup> Judicial District of Milam County, Texas**
- 3. Consider and take any necessary action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Rockdale MDD Executive Assistant**

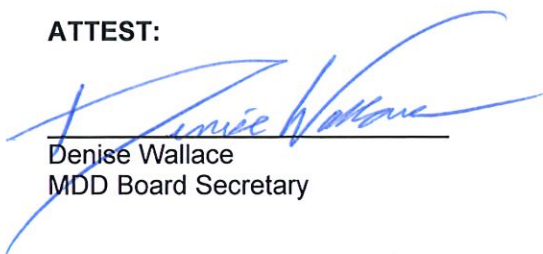
**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member Larkin, the MDD Board voted seven (7) for and none (0) opposed to hold due process hearing for Kara Clore on March 11, 2021 at 5:30 p.m. regarding her termination. Motion carried.

**MOTION:** Upon a motion made by Board Member Coppedge and a second by Board Member Hillhouse, the MDD Board voted seven (7) for and none (0) opposed to give authority to the interim manager to terminate the MDD Executive Assistant's employment with the District. Motion carried.

Adjourned at 7:07 p.m.

These minutes approved on the 8<sup>th</sup> day of March, 2021.

**ATTEST:**

  
Denise Wallace  
MDD Board Secretary

**APPROVED:**

  
Michelle Larkin  
MDD Board President