



**NOTICE OF MEETING
OF THE COPPERAS COVE
ECONOMIC DEVELOPMENT CORPORATION**

Notice is hereby given that the **Regular Meeting** of the Copperas Cove Economic Development Corporation will be held on **Thursday, March 24, 2016 at 12:00 p.m.** in the Copperas Cove Economic Development Corporation Office at 210 South First Street, Copperas Cove, Texas 76522 at which time the following agenda will be discussed.

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **CITIZENS FORUM**

At this time, citizens will be allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

6. **ANNOUNCEMENTS**
7. **PRESENTATIONS**

None

8. CONSENT AGENDA

- a. Discussion and consideration of action regarding minutes for the Regular Board Meeting held on February 18, 2016.

9. FINANCIALS

- a. Review and consideration of action regarding the Financial Report for the month of February 2016.
 - 1. Profit and Loss Statement
 - 2. Balance Sheet
 - 3. Investment Report
- b. Review the Comparative Sales Tax Report for February 2016.

10. OLD BUSINESS

- a. Discussion and consideration of action to adopt the Copperas Cove Economic Development Bylaws, as amended on February 18, 2016.
- b. Discussion and consideration of action to approve a contract with Johnson & Associates to conduct an executive search and authorize the Chairman to sign the document.

11. NEW BUSINESS

- a. Discussion and consideration of action to elect officers for the remainder of FY 2015-2016.
- b. Discussion and consideration of action to approve a budget reallocation of \$25,000 from Personnel – Executive Director Salary to General Administration – Consultant to provide funds for the Executive Search.

12. EXECUTIVE SESSION

Pursuant to §551.087 of the Open Meeting Act *Tex. Gov't. Code*, the Board of Directors will meet in Executive Session for deliberation regarding Economic Development negotiations with discussion regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- a. Discussion and consideration of prospect negotiations.

Pursuant to §551.071 of the Open Meeting Act *Tex. Gov't. Code*, the Economic Development Corporation shall receive legal advice from The Voss Law Firm regarding pending or contemplated litigation.

- a. Discussion and consideration of action regarding pending or contemplated litigation.

Pursuant to §551.072 of the Open Meetings Act. *Tex. Gov't. Code*, a governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- a. Discussion and consideration of action regarding property issues.

13. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEM POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION.

14. REPORTS AND ANNOUNCEMENTS FROM BOARD OF DIRECTORS

15. STAFF REPORTS

- a. Prospect Report – Monica MacKay
- b. Business Retention Activity Report – Diane Drussell

16. ADJOURN

The Board of Directors reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

Copperas Cove Economic Development Corporation office is wheelchair accessible and parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the office manager at (254) 547-7874 ext. 23 or FAX (254) 547-7388 for information or assistance.

I, undersigned authority, do hereby certify that the above Notice of Meeting of the Copperas Cove Economic Development Corporation was posted on March 18, 2016 at 12:00 p.m. on the glass front door of the Copperas Cove Economic Development Corporation a place convenient and readily accessible to the general public at all times.

Cindi Novak

Cindi Novak
Office Administrator



**Copperas Cove
Economic Development Corporation**

March 24, 2016

Agenda Item No. 8 (a)

Subject: Discussion and consideration of action regarding minutes for the Regular Board Meeting held on February 18, 2016.

Description/Information: Attached is the official transcript of minutes as transcribed by Cindi Novak for the Regular Meeting held on February 18, 2016. The minutes have been reviewed and approved by Secretary Smith.

Financial Impact: None.

Action/Recommendation: Staff recommends approval of the February 18, 2016 Regular Board Meeting Minutes.



COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION
Regular Meeting Minutes of February 18, 2016
Minutes Order # 2016-(02)-(18)

OPEN MEETING

An Open Meeting was held concerning the following subjects:

1. CALL TO ORDER

Chairman Diaz called the Regular Board Meeting of the Copperas Cove Economic Development Corporation to order at 12:00 p.m.

2. INVOCATION

Director Annabelle Smith led the invocation.

3. PLEDGE OF ALLEGIANCE

Chairman Diaz led the Pledge of Allegiance to the American Flag and the Texas State Flag.

4. ROLL CALL

Members Present: *Bradi Diaz* *Annabelle Smith*
 Jack Smith *Marc Payne*

Members Excused: *Jerry Smith*

Staff Attorney: *Robert Gradel, CCEDC Attorney*

Staff Present: *Monica MacKay* *Cindi Novak*
 Diane Drussell

City Council Present: *David Morris*

City Manager Present: *Andrea Gardner*

5. **CITIZENS FORUM**

No citizens spoke at this meeting.

6. **ANNOUNCEMENTS:**

Important Dates:

Saturday, February 20: *Fishin' in the Park – 9:00am-11:00am – 1206 Ave. B*
Monday, February 22: *Evening Workshop – 5:45-8:00pm – Entrepreneur Center*
Planning and Zoning Meeting – 6:00-8:00pm – CCEDC Board Room
Tuesday, February 23: *Morning Workshop – Proven Road Map for Business – 10:00-11:30am – E.C.*
February 24-26: *Monica M. / Diane D – TEDC Conference - Bastrop*
Thursday, February 25: *Chamber Mixer – 6:30-7:30pm – Integrity Rehab*
Tuesday, March 01: *SBDC Counselor – One on One Meetings – 9:30am-1:00pm – Entrepreneur Center*
City Council Meeting – 6pm-8pm – CCEDC Board Room
Tuesday, March 08: *Business Start Up with Diane – 9: am – 4:00pm – Entrepreneur Center*
Thursday, March 10: *Board of Adjustments Meeting – 6:00-8:00pm – CCEDC Board Room*
March 12-17: *Monica M. - vacation*
Tuesday, March 15: *SBDC Counselor – Business Workshop – 9:30am-1:00pm – Entrepreneur Center*
City Council Meeting – 6:00-8:00pm – CCEDC Board Room
Wednesday, March 16: *Chamber Board Meeting – 11:30am-1:00pm – CCEDC Board Room*
Thursday, March 17: *Regular CCEDC Board Meeting – 12:00-1:00 – CCEDC Board Room*
Military Affairs Dinner – 6:00-8:00pm – Civic Center
Wednesday, March 23: *Meet the City – 3:00-4:00pm*
Evening Workshop – 5:45-8:00pm – CCEDC Board Room
Thursday, March 24: *TENTATIVE NEW DATE for Regular Board Meeting – 12:00-1:00pm – CCEDC Board Room*
Chamber Mixer – 5:30-7:00pm

7. **PRESENTATIONS**

Interim Executive Director Monica MacKay briefed the Board on the CCEDC's current Marketing Strategy, traditional Economic Development projects, recruiting new businesses, "Why Copperas Cove" and Explore Cove.

8. **CONSENT AGENDA**

- a. Discussion and consideration of action regarding minutes for the Regular Board Meeting held on January 21, 2016.**

Secretary Smith made a motion to approve Consent Agenda item a as read and Director Annabelle Smith seconded the motion and with a unanimous vote, the motion carried.

- b. Discussion and consideration of action regarding an invoice from the Philadelphia Insurance Companies for \$6,223.00.**

Secretary Smith made a motion to approve Consent Agenda item b as read and Director Annabelle Smith seconded the motion and with a unanimous vote, the motion carried.

9. FINANCIALS

- a. Review and consideration of action regarding the Financial Report for the month of January 2016.
1. Profit and Loss – Budget vs. Annual
 2. Balance Sheet
 3. Investment Report

Director Payne made a motion to approve item a of the Financials and Director Annabelle Smith seconded the motion and with a unanimous vote the motion carried.

- b. Review the Comparative Sales Tax Report for January 2016.

Information Only.

10. OLD BUSINESS

- a. Discussion and consideration of action to approve payment of an invoice from Walker Partners in the amount of \$6,315.00.

Director Annabelle Smith made a motion to approve payment to Walker Partners in the amount of \$6,315.00 and Director Payne seconded the motion and with a unanimous vote, the motion carried.

- b. Review of CCEDC Bylaws – Discussion, review and consideration of possible changes to the CCEDC Bylaws.

Director Payne made a motion to approve the CCEDC Bylaws as presented, including a recommended term of 3 years and Director Annabelle Smith seconded the motion and with a unanimous vote, the motion carried.

- c. Discussion and consideration of approving a contract with an executive recruiting firm to conduct a search for the Executive Director position.

Director Payne made a motion to approve a contract with Johnson & Associates and Director Annabelle Smith seconded the motion and with a unanimous vote, the motion carried.

11. NEW BUSINESS

- a. Discussion and consideration of action regarding an invoice from the Copperas Cove Chamber of Commerce in the amount of \$2,500.00.

Director Annabelle Smith made a motion to approve payment to Copperas Cove Chamber of Commerce in the amount of \$2,500.00 and Secretary Smith seconded the motion and with a unanimous vote, the motion carried.

- b. Discussion and consideration of action regarding the City's request that CCEDC provide matching funds for the downtown sidewalk project, Phase III and also to authorize the Chairman of the Board to sign the letter of support.**

Director Annabelle Smith made a motion to approve the City's request to match funds and authorize the Chairman to sign the letter of support and Director Payne seconded the motion and Secretary Smith abstained and with a unanimous vote, the motion carried.

- c. Discussion and consideration of action regarding moving the March 2016 Regular Meeting of the Copperas Cove EDC Board of Directors.**

Director Annabelle Smith made a motion to move the March 2016 Regular Meeting to March 24 and Secretary Smith seconded the motion and with a unanimous vote, the motion carried.

- d. Discussion and consideration of action to hire a facilitator/consultant to conduct strategic planning for the Copperas Cove EDC.**

Director Payne made a motion to postpone this item until the meeting directly following the hire of a permanent Executive Director and Director Annabelle Smith seconded the motion and with a unanimous vote, the motion carried.

12. EXECUTIVE SESSION

The Executive Session convened at 1:24pm.

Pursuant to §551.087 of the Open Meeting Act *Tex. Gov't. Code*, the Board of Directors will meet in Executive Session for deliberation regarding Economic Development negotiations with discussion regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- a. Discussion and consideration of prospect negotiations.**

No action taken during this session.

The Open Session reconvened at 1:45

13. REPORTS AND ANNOUNCEMENTS FROM BOARD OF DIRECTORS

None

14. STAFF REPORTS

a. Staff Report – None.

b. Activity Log- Monica MacKay – Information only.

c. Activity Log- Diane Drussell- Information only.

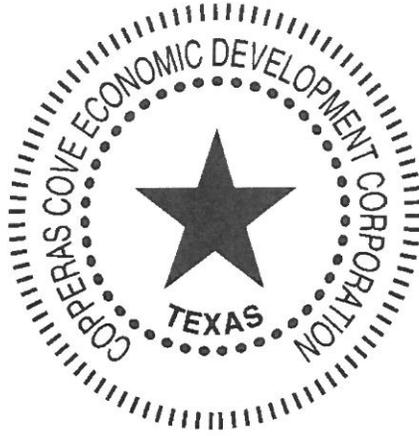
15. ADJOURNED

There being no further business, Chairman Diaz adjourned the Regular Meeting of the Board of Directors at 1:48 p.m.

Jack Smith, Secretary

ATTEST:

Cindi Novak
Cindi Novak, Office Administrator



**Copperas Cove
Economic Development Corporation**

March 24, 2016

Agenda Item No. 9 (a)

Subject: **Review and consideration of action regarding the Financial Report for the month of February 2016.**

Description/Information: Attached are the Corporation's Comprehensive Financial Reports and Financial Notes for the month of February 2016. This report has been submitted to the Board Secretary, Jack Smith, for review, edits and approval prior to submittal to the Board.

Financial Impact: None.

Action/Recommendation: Staff recommends approval of the Financial Report for the month of February 2016.

COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION
MONTHLY AND YEAR-TO-DATE
FINANCIAL REPORT

% OF FISCAL YEAR: 41.67

FINANCIAL SUMMARY	MTD	YTD	BUDGET	% OF BUDGET
<u>REVENUE SUMMARY</u>				
Sales Taxes	145,817.48	612,542.88	1,518,000.00	40.35
Other Revenue	685.30	20,575.25	359,800.00	5.72
TOTAL REVENUES	146,502.78	633,118.13	1,877,800.00	33.72
<u>EXPENDITURE SUMMARY</u>				
General Administration	37,327.25	153,252.47	479,487.75	31.96
Business Retention	282.50	3,615.45	46,565.00	7.76
Entrepreneur Center	3,625.75	17,856.03	56,207.00	31.77
Business Attraction	2,500.00	26,943.49	186,500.00	14.45
Digital Sign	0.00	281.42	21,700.00	1.30
Building Services	1,168.68	14,088.43	33,250.00	42.37
5 Hills Retail Ctr-Ph 2	0.00	0.00	21,000.00	0.00
Land Exchange	0.00	0.00	1,900,000.00	0.00
The Narrows B&T Park	6,715.00	13,445.96	83,000.00	16.20
Debt Service	12,337.50	45,793.31	338,697.00	13.52
TOTAL EXPENDITURES	63,956.68	275,276.56	3,166,406.75	8.69
REV. OVER/(UNDER) EXP. BEFORE DEPRECIATION	82,546.10	357,841.57	(1,288,606.75)	27.77-
Depreciation	4,288.28	21,407.12	0.00	0.00
REV. OVER/(UNDER) EXP. AFTER DEPRECIATION	78,257.82	336,434.45	(1,288,606.75)	

% OF FISCAL YEAR: 41.67

REVENUES	MTD	YTD	BUDGET	% OF BUDGET
<u>Sales Taxes</u>				
Local Sales Tax	1,307.81	6,892.28	18,000.00	38.29
State Sales Tax	144,509.67	605,650.60	1,500,000.00	40.38
Total Sales Taxes	145,817.48	612,542.88	1,518,000.00	40.35
<u>Other Revenue</u>				
Digital Sign	0.00	0.00	0.00	0.00
Entrepreneur Center	531.12	3,366.70	8,000.00	42.08
Insurance Proceeds	0.00	16,477.41	0.00	0.00
Interest	154.18	731.14	1,800.00	40.62
Property Sale	0.00	0.00	350,000.00	0.00
Cost of Land Sold	0.00	0.00	0.00	0.00
Total Other Revenue	685.30	20,575.25	359,800.00	5.72
TOTAL REVENUES	146,502.78	633,118.13	1,877,800.00	33.72
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EXPENSES	MTD	YTD	BUDGET	% OF BUDGET
<u>General Administration</u>				
<u>Personnel</u>				
Executive Director Salary	9,259.62	10,655.90	102,534.96	10.39
Exec. Director Car Allowance	0.00	0.00	6,000.00	0.00
Director of Business Developmt	1,204.24	20,057.63	51,489.40	38.95
Business Retention Specialist	3,930.00	19,650.01	47,160.13	41.67
Office Administrator	3,448.60	17,243.09	41,383.26	41.67
Office Coordinator	888.72	4,025.00	15,150.00	26.57
Payroll Expenses	1,385.11	5,245.13	38,000.00	13.80
Pension Plan	2,233.86	8,562.35	38,000.00	22.53
Medical/Insurance Employee	1,193.48	5,967.40	42,000.00	14.21
Educational Assistance	0.00	0.00	1,500.00	0.00
Workers Comp Insurance	0.00	1,385.00	1,000.00	138.50
Total Personnel	23,543.63	92,791.51	384,217.75	24.15
<u>Other Expenses</u>				
Maintenance/Svc Calls	280.00	1,562.50	5,000.00	31.25
Offsite Backup	275.00	1,375.00	3,500.00	39.29
Website Hosting	0.00	143.40	1,200.00	11.95
Legal	0.00	5,780.50	10,000.00	57.81
Financial Services	0.00	5,314.47	20,000.00	26.57
Alarm	45.99	269.95	600.00	44.99
Consultant	0.00	15.00	1,000.00	1.50
Copier - Color Copies	0.00	442.44	3,000.00	14.75
Copier Lease	179.53	1,088.78	2,100.00	51.85
Insurance	6,223.00	6,223.00	4,600.00	135.28 (1)
AAF	0.00	0.00	250.00	0.00
AUSA	150.00	150.00	300.00	50.00
CC Chamber	0.00	0.00	250.00	0.00
ICSC	50.00	50.00	250.00	20.00
IEDC	0.00	935.00	900.00	103.89
Lions Club	0.00	0.00	600.00	0.00
Rotary Club	0.00	0.00	720.00	0.00
TEDC	0.00	500.00	1,000.00	50.00
Seminar/Training/Prof Dev	192.06	3,566.84	6,000.00	59.45 (2)
Community Relations	1,119.53	5,563.86	15,000.00	37.09
Office Supplies	305.44	1,089.13	3,000.00	36.30
Postage & Shipping	0.00	36.76	1,000.00	3.68
Postage Machine Lease	0.00	412.00	1,000.00	41.20
Subscriptions-Publications	150.00	150.00	500.00	30.00
Phone	221.41	2,458.41	6,000.00	40.97
Internet Service Provider	112.04	814.18	1,500.00	54.28
Office Equipment	0.00	0.00	1,000.00	0.00
Furniture/Office Decor	0.00	0.00	1,000.00	0.00
Bank Service Charges	191.34	1,112.62	3,000.00	37.09
Bad Debt	0.00	0.00	1,000.00	0.00
Total Other Expenses	9,495.34	39,053.84	95,270.00	40.99
Total General Administration	33,038.97	131,845.35	479,487.75	27.50

EXPENSES	MTD	YTD	BUDGET	% OF BUDGET
<u>Business Retention</u>				
Flyers/Design	0.00	142.50	840.00	16.96
Newspaper/Pubs	0.00	898.13	4,225.00	21.26
Newsletter	0.00	0.00	2,200.00	0.00
Business Workshops	282.50	1,093.02	3,000.00	36.43
Shop Cove	0.00	1,481.80	3,500.00	42.34
Travel	0.00	0.00	2,000.00	0.00
Memberships	0.00	0.00	800.00	0.00
Incentives	0.00	0.00	30,000.00	0.00
Total Business Retention	282.50	3,615.45	46,565.00	7.76
<u>Entrepreneur Center</u>				
Legal	0.00	0.00	1,000.00	0.00
Alarm	36.95	187.80	444.00	42.30
Pest Control	40.00	235.00	480.00	48.96
Janitorial	0.00	1,275.00	2,000.00	63.75
Maintenance	186.00	1,388.00	4,800.00	28.92
Rent	2,500.00	10,000.00	30,000.00	33.33
Color Copies	(51.33)	17.28	250.00	6.91 (3)
Copier	0.00	798.78	2,000.00	39.94
Insurance	0.00	0.00	550.00	0.00
Advertising	306.00	306.00	1,400.00	21.86
Travel	0.00	0.00	2,000.00	0.00
Memberships (NBIA)	0.00	0.00	525.00	0.00
Community Relations	0.00	0.00	500.00	0.00
Office Supplies	0.00	92.95	300.00	30.98
Water/Sewer	0.00	277.24	2,160.00	12.84
Electric	406.76	2,260.29	4,800.00	47.09
Subscriptions	0.00	12.99	50.00	25.98
Phone	50.77	251.70	636.00	39.58
Internet Service Provider	150.60	753.00	1,812.00	41.56
Furnishings	0.00	0.00	500.00	0.00
Total Entrepreneur Center	3,625.75	17,856.03	56,207.00	31.77
<u>Business Attraction</u>				
Software	0.00	99.00	8,000.00	1.24
HOTDA	0.00	17,000.00	17,000.00	100.00
Prospect Generation Svcs	0.00	2,071.98	20,000.00	10.36
Site Consultant Outreach	0.00	0.00	5,000.00	0.00
Advertising & Mktg of Property	0.00	2,142.90	10,000.00	21.43
Joint Image Campaign	2,500.00	2,500.00	2,500.00	100.00 (4)
Travel	0.00	0.00	20,000.00	0.00
Team Texas	0.00	3,000.00	3,000.00	100.00
Texas One	0.00	0.00	1,000.00	0.00
Incentives	0.00	129.61	100,000.00	0.13
Total Business Attraction	2,500.00	26,943.49	186,500.00	14.45

EXPENSES	MTD	YTD	BUDGET	% OF BUDGET
<u>Digital Sign</u>				
Design Services	0.00	0.00	0.00	0.00
Maintenance	0.00	0.00	15,000.00	0.00
Insurance	0.00	0.00	4,200.00	0.00
Operating Equip - Wireless	0.00	0.00	0.00	0.00
Electric	0.00	281.42	2,500.00	11.26
Total Digital Sign	0.00	281.42	21,700.00	1.30
<u>Building Services</u>				
Janitorial	0.00	3,180.00	10,000.00	31.80
Building Maintenance	1,004.98	7,026.92	12,000.00	58.56 (5)
Supplies	163.70	163.70	250.00	65.48
Water/Sewer	0.00	348.67	2,000.00	17.43
Electric	0.00	3,369.14	8,000.00	42.11
Bldg Improvements (Capital)	0.00	0.00	1,000.00	0.00
Total Building Services	1,168.68	14,088.43	33,250.00	42.37
<u>5 Hills Retail Ctr-Ph 2</u>				
Legal	0.00	0.00	2,000.00	0.00
Survey/Engineering	0.00	0.00	10,000.00	0.00
Site Survey	0.00	0.00	5,000.00	0.00
Clean Up	0.00	0.00	4,000.00	0.00
Total 5 Hills Retail Ctr-Ph 2	0.00	0.00	21,000.00	0.00
<u>Land Exchange</u>				
Legal	0.00	0.00	25,000.00	0.00
Survey/Engineering	0.00	0.00	200,000.00	0.00
Purchase of Land	0.00	0.00	1,675,000.00	0.00
Total Land Exchange	0.00	0.00	1,900,000.00	0.00
<u>The Narrows B&T Park</u>				
Legal	0.00	0.00	8,000.00	0.00
Construction	6,715.00	13,445.96	10,000.00	134.46 (7)
Electric Service Constr	0.00	0.00	50,000.00	0.00
Clean Up	0.00	0.00	15,000.00	0.00
Total The Narrows B&T Park	6,715.00	13,445.96	83,000.00	16.20
<u>Debt Service</u>				
2001 Sales Tax Bond Note	0.00	10,727.25	82,000.00	13.08
2012 Sales Tax Bond Note	0.00	22,728.56	71,000.00	32.01
Reliever Route Commit - City	12,337.50	12,337.50	130,000.00	9.49 (8)
Ave D Sidewalk - City	0.00	0.00	19,820.00	0.00
Gateway Sign Project - City	0.00	0.00	35,877.00	0.00
Total Debt Service	12,337.50	45,793.31	338,697.00	13.52
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TOTAL EXPENDITURES	59,668.40	253,869.44	3,166,406.75	8.02
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REV. OVER/(UNDER) EXP. BEFORE DEPRECIATION	86,834.38	379,248.69	(1,288,606.75)	1,483.98-

EXPENSES	MTD	YTD	BUDGET	% OF BUDGET
<hr/>				
<u>Depreciation</u>				
Depreciation	4,288.28	21,407.12	0.00	0.00
Total Depreciation	4,288.28	21,407.12	0.00	0.00
REV. OVER/(UNDER) EXP. AFTER DEPRECIATION	82,546.10	357,841.57	(1,288,606.75)	
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**FOOTNOTES TO THE
PROFIT AND LOSS BUDGET
VS
ACTUAL REPORT
FEBRUARY 2016**

- | | |
|--------------------------------------|--|
| (1) GA - Insurance | \$6,223.00 - Liability and D&O - Premium came in higher than budgeted amount |
| (2) GA - Seminar/Prof Development | \$192.06 - D. Drussell reimburse travel expenses for T.E.D.C /Lion's Club |
| (3) EC - Color Copies | (\$51.33) - Tenant final reimbursment payment |
| (4) BA - Joint Image Campaign | \$2,500.00 - Annual Payment made |
| (5) Bldg Services - Bldg Maintenance | \$1,004.98 - Change flags/filters, paint gutter, pest control, storage of doors |
| (6) Bldg Services - Supplies | \$163.70 - Assorted janitorial supplies |
| (7) The Narrows - Construction | \$6,315.00 - Replat The Narrows (Walker Partners)
\$400.00 - Final Plat Application (City of Copperas Cove) |
| (8) Debt Service - Reliever Route | \$12,337.50 - Interest Payment |

BALANCE SHEET

AS OF: FEBRUARY 29TH, 2016

100-GENERAL FUND

ACCOUNT# TITLE

ASSETS

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Current Assets

100-1000 Checking Account - 2120	215,429.11
100-1001 Land Account - 5770	10,000.00
100-1002 Sales Tax Revenue Acct - 2640	10,000.00
100-1003 Sweep Acct#20351821(for 2120)	583,161.66
100-1004 Sweep Acct#20351847(for 5770)	1,896,231.91
100-1005 Sweep Acct#20351839(for 2640)	16,408.99
100-1100 Sales Tax Receivable	131,587.48
100-1105 Accounts Receivable	<u>1,877.82</u>
TOTAL Current Assets	2,864,696.97

Non Current Assets

100-1710 Land Property	1,119,901.99
100-1720 Building & Improvements	508,189.28
100-1730 Furniture & Fixtures	0.00
100-1740 Improvements - Other	0.00
100-1750 Digital Sign	246,600.00
100-1760 Equipment	61,992.04
100-1770 CIP-Building Improvements	0.00
100-1771 Deferred Contributions	0.00
100-1780 Accumulated Depreciation	(324,099.91)
100-1790 2012 Sales Tax Bond Expense	0.00
100-1791 Accumulated Amortization	<u>0.00</u>
TOTAL Non Current Assets	1,612,583.40

4,477,280.37

TOTAL ASSETS

4,477,280.37

=====

LIABILITIES

=====

Current Liabilities

100-2000 Accounts Payable	(34,893.05)
100-2050 Unapplied Credit	0.00
100-2075 Accrued Interest	9,393.00
100-2100 Accrued Wages	20,147.09
100-2150 Payroll Liabilities	<u>8,811.79</u>
TOTAL Current Liabilities	3,458.83

Non Current Liabilities

100-2500 2012 Sales TAX Bond (RB)	1,460,000.00
100-2510 2001 Sales Tax Bond (FNB)	<u>420,000.00</u>
TOTAL Non Current Liabilities	1,880,000.00

TOTAL LIABILITIES

1,883,458.83

FUND BALANCE/EQUITY

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100-3000 Fund Balance	(261,430.15)
100-3010 Unassigned Fund Balance	1,080,105.12
100-3020 Restricted Fund Balance	2,531,865.00

BALANCE SHEET

AS OF: FEBRUARY 29TH, 2016

100-GENERAL FUND

ACCOUNT# TITLE

100-3030	City - Reliever Route	705,000.00	
100-3040	Deferred Contributions-City	(1,819,560.00)	
100-3050	Prior Period Adjustment	<u>0.00</u>	
	TOTAL BEGINNING EQUITY	2,235,979.97	
	TOTAL REVENUE	633,118.13	
	TOTAL EXPENDITURES	<u>275,276.56</u>	
	TOTAL REVENUE OVER/(UNDER) EXPENSES	357,841.57	
	TOTAL EQUITY & OVER/(UNDER)	<u>2,593,821.54</u>	
	TOTAL LIABILITIES, EQUITY & OVER/(UNDER)		4,477,280.37

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INVESTMENT REPORT

In February 2016 the Corporation’s investment portfolio was made up of three Commercial Checking Public (Interest Bearing) Repurchase Accounts with Extraco Bank. In February 2013 Treasurer Diaz and staff met with Extraco Bank and consolidated the existing five Commercial Checking Public (Non-Interest Bearing) accounts into three. This portfolio accomplishes the objective of maintaining liquidity while earning a modest yield on invested taxpayer dollars.

February-16	Balance 02/01/16	Deposits	Debits	Interest	Balance 02/29/16
Main Checking Account 2120	\$230,000.00	\$223,883.19	\$238,454.08	\$0.00	\$215,429.11
Sweep Acct: 1821 for 2120	\$523,808.75	\$133,392.86	\$74,062.90	\$22.95	\$583,161.66
Sweep Acct: 1847 for 5770	\$1,896,101.35	\$0.00	\$0.00	\$130.56	\$1,896,231.91
Land (Capital Projects) Account 5770	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
Sweep Acct: 1839 for 2640	\$16,408.32	\$0.00	\$0.00	\$0.67	\$16,408.99
Sales Tax Revenue Account 2640	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
				TOTAL	\$2,731,231.67

Total **Interest** Earned in February 2016 **\$154.18**

Total **Bank Analysis Fees** in February 2016 **\$191.34**

The Book Value of the Corporation’s investment is equivalent to the Market Value. This report is in compliance with the Corporation’s investment policy and with the Public Funds Investment Act.

Prepared By:

Cindi Novak

Approved By: **Bradi Diaz, Chairman**



**Copperas Cove
Economic Development Corporation**

March 24, 2016

Agenda Item No. 9 (b)

Subject: Review the Comparative Sales Tax Report for February 2016.

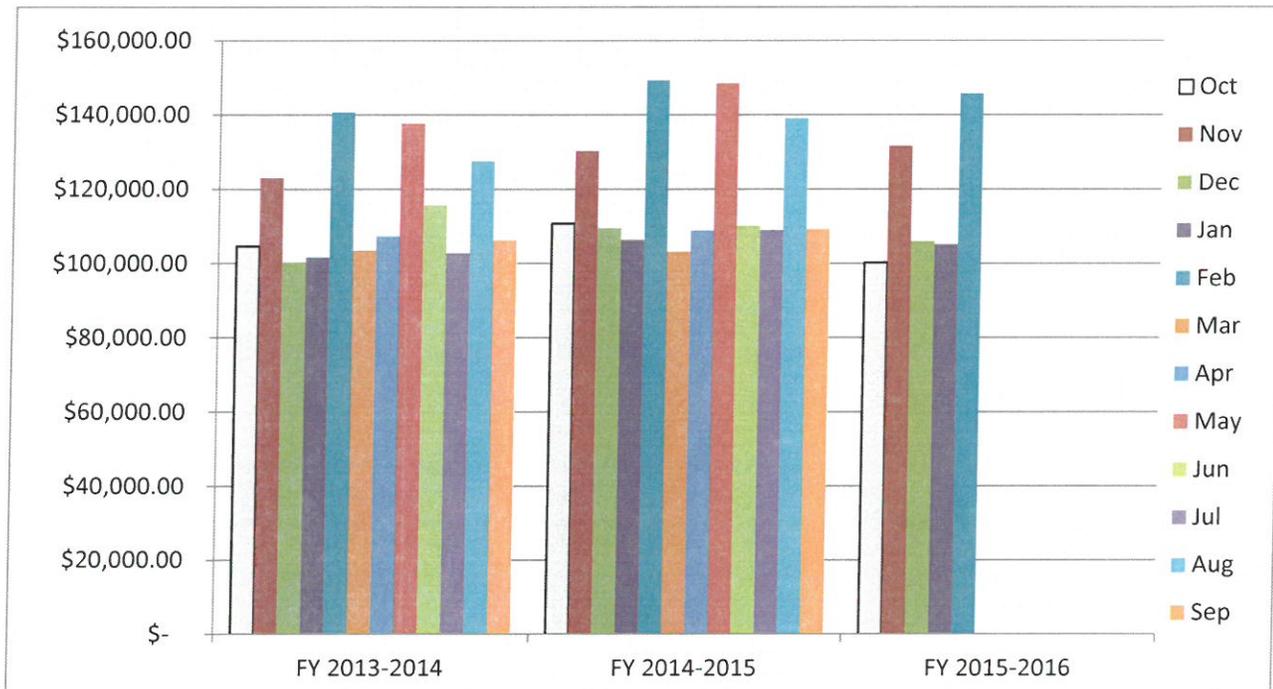
Description/Information: For Information Purposes Only.

Financial Impact: None.

Action/Recommendation: None Required.

Copperas Cove Economic Development Corporation
Current YTD Schedule of Sales Tax Collections
(With YTD and Comparative Collections in FY 2015-2016)
As of February 29, 2016

	Monthly Receipts FY2013-2014	Monthly Receipts FY2014-2015	Monthly Receipts FY2015-2016	% Comparison to Prior Year
October	\$ 104,621.28	\$ 110,813.77	\$ 100,329.85	(9.46)
November	\$ 122,977.55	\$ 130,215.40	\$ 131,587.48	1.05
December	\$ 100,224.80	\$ 109,419.06	\$ 105,976.19	(3.15)
January	\$ 101,587.42	\$ 106,313.38	\$ 105,049.40	(1.19)
February	\$ 140,686.23	\$ 149,288.46	\$ 145,817.48	(2.33)
March	\$ 103,425.35	\$ 103,117.99		
April	\$ 107,096.31	\$ 108,778.82		
May	\$ 137,559.51	\$ 148,470.44		
June	\$ 115,637.01	\$ 110,106.85		
July	\$ 102,693.91	\$ 108,950.04		
August	\$ 127,482.27	\$ 139,123.02		
September	\$ 106,168.56	\$ 109,193.30		
Total	\$ 1,370,160.20	\$ 1,433,790.53	\$ 588,760.40	(2.85)
YTD Totals	\$ 1,370,160.20	\$ 1,433,790.53	\$ 588,760.40	(2.85)





**Copperas Cove
Economic Development Corporation**

March 24, 2016

Agenda Item No. 10 (a)

Subject: Discussion and consideration of action to adopt the Copperas Cove Economic Development Bylaws, as amended on February 18, 2016.

Description/Information: On March 2, 2016, Chairman Diaz presented changes to the CCEDC Bylaws to City Council. Ms. Diaz asked the City Council to reconsider the length of a director's term, as the statute cited in a previous workshop actually referred to Type B (formerly known as 4B) corporations. The council agreed that the term should be left at three years.

The changes to the bylaws are, in brief:

- 1) The Financial Services Agreement now governs how we work with the City regarding financial reporting
- 2) Removal of term limits and adding a Vice Chairman
- 3) Adding language pertaining to the possible result of a board member with too many unexcused absences
- 4) Only officers (and not the executive director) can sign checks
- 5) Budget reallocations greater than \$50,000 between funds must be approved by City Council.
- 6) Terms for directors are three (3) years, with an annual review and no term limits as the directors serve at the pleasure of council.

Financial Impact: None.

Action/Recommendation: Staff recommends that the Board of Directors adopt the Copperas Cove Economic Development Corporation Bylaws, as amended on February 18, 2016.



CORPORATE BYLAWS

Amended by CCEDC Board 2/19/2016

Approved by City Council 3/1/2016

Adopted by CCEDC Board 3/24/2016

ARTICLE I POWERS AND PURPOSES

Section 1.01

In order to implement the purposes for which the Corporation was formed as set forth in the Articles of Incorporation, the Corporation shall receive, secure, and reimburse tax proceeds from the half cent sales tax for economic development and may issue obligations to finance all or part of the cost of one or more "projects" or other uses authorized by Chapters 501, 502 and 504 of the Texas Local Government Code (the "Act"), as amended (the "Code").

Section 1.02

The Corporation shall not issue any bonds or certificates of obligation pursuant to the Code, unless the City of Copperas Cove City Council (the "Unit") has approved said action by resolution, adopted no less than thirty (30) days prior to the date of the issuance of the bonds or certificates of obligation. The Unit shall have the authority to direct the Corporation to expend funds and issue bonds or certificates of obligation to support eligible projects pursuant to the Code.

**Section
1.03**

The Corporation shall keep correct and accurate books and records of account in the financial software system in use by the City (the Unit) and shall also provide monthly financial reporting in a format approved by the Unit. All books and records of the Corporation shall be kept at the principal office of the Corporation in accordance with Section 501.073 of the Texas Local Government Code. The Unit and the Corporation acknowledge and agree that the management of the Corporation's financial records shall be administered by the Unit pursuant to the terms of the Financial Services Agreement.

**Section
1.04**

All expenditures of the Corporation shall be completed in accordance with Texas Local Government Code chapter 501, Subchapter A, Section 501.073 and Chapter 504. The Corporation shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. The audit shall be completed by an independent auditor selected by the Unit.

**ARTICLE II
DIRECTORS and OFFICERS**

**Section
2.01**

The property and affairs of the Corporation shall be managed and controlled by the Board of Directors, subject to the restrictions imposed by law, the articles of incorporation and bylaws, and shall be composed in its entirety of persons appointed by the Unit. The Directors and Officers shall be appointed and serve in accordance with Texas Local Government Code Chapter 504, Subchapter B.

**Section
2.02**

Vacancies in the Board shall be filled by the appointment of successor Directors by the Unit.

**Section
2.03**

The property and business of the Corporation shall be managed by the Board of Directors, which may exercise all powers of the Corporation.

**Section
2.04**

The Directors serve in accordance with Texas Local Government Code Chapter 504, Section 504.051. Directors shall serve a term of three (3) years, be reviewed by the Unit annually, and are eligible for re-appointment upon approval of the Unit.

**Section
2.05**

The annual meeting of the Corporation shall be held at the principal office of the Corporation to coincide with the Regular October Meeting of the Board of Directors. All other meetings may be held at the place selected within the corporate limits of the City of Copperas Cove, Texas. Every Annual, Regular, or Special Meeting of the Board of Directors shall be open to the public, except as otherwise permitted by the Constitution of the State of Texas or by the Open Meetings Act, Texas Government Code Chapter 551.

**Section
2.06**

Regular meetings may be held at such time as shall from time to time be determined by the Board, approved by the Unit and held in accordance with the Texas Open Meetings Act. All meeting minutes of the Board shall be posted on the Corporation's website upon approval of the minutes by the Board.

**Section
2.07**

Special meetings of the Board may be called by the Chairman on three days' notice to each Director, either personally, by regular mail or by electronic mail. Special meetings may also be called by the Secretary in a like manner on the written request of two Directors.

**Section
2.08**

Meetings of the Board and Requests for Public Information shall comply with the Texas Local Government Code Chapter 501, Section 501.072. The Corporation will keep minutes of the proceedings

of its Board of Directors (the "Board of Directors") and committees having any of the authority of the Board of Directors.

**Section
2.09**

At all meetings of the Board of Directors the presence of three Directors shall be necessary and sufficient to constitute a quorum for the transaction of business. Unless otherwise provided in these Bylaws or in the Articles of Incorporation or as required by law, the act of a simple majority of the Directors present at any meeting for which a quorum is present shall be the act of the Board of Directors. Any Director may bring to the attention of the meeting any apparent conflict of interest or potential conflict of interest of any other Director, in which case the Board of Directors shall determine whether a true conflict of interest exists before any vote shall be taken regarding that particular matter. The Director as to whom a question of interest has been raised shall refrain from voting with regard to the determination as to whether a true conflict exists.

Section 2.10

Public hearings required under Section 147(f) of the Internal Revenue Code of 1954, as amended, may be called and conducted by any officer or Director of the Corporation, and such officer or Director may establish the date, place, and time of the hearing and may give notice of the hearing.

Section 2.11

The Board of Directors may, by resolution or resolutions adopted by a majority of the whole Board of Directors, establish one or more committees, each committee to consist of two or more of the Directors of the Corporation. Such committee or committees shall have such name or names, and such powers, as may be determined from time to time by resolution adopted by the Board of Directors.

Section 2.12

The committee shall keep regular minutes of their proceedings and report the same to the Board of Directors when required.

Section 2.13

Directors, as such, shall receive no compensation for services rendered as Directors, but shall be reimbursed for all reasonable expenses incurred in performing their duties as Directors.

Section 2.14

Each October, at the Annual Meeting of the Board, the Directors shall organize, appointing a Chairman, Vice Chairman and Secretary.

Section 2.15

The Chairman shall preside at all meetings of the Board of Directors and shall be an ex officio member of all standing committees, shall have a general supervision of the management of the business of the Corporation, and shall see that all orders and resolutions of the Board of Directors are carried into effect.

Once reviewed and approved by the Unit, the Chairman may execute bonds, mortgages, and other contracts requiring a seal of the Corporation, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Board of Directors to some other officer or agent of the Corporation.

Section 2.16

The Vice-Chairman, in the absence or disability of the Chairman, performs the duties and exercises the powers of the Chairman and shall perform such other duties as the Board of Directors shall prescribe.

Section 2.17

The Secretary shall attend all sessions of the Board of Directors and cause to be recorded accurate minutes of the proceedings in compliance with all statutes and ordinances governing the EDC as well as the bylaws and resolutions of the City Council. He shall give, or cause to be given, notice of all special meetings of the Board of Directors and shall perform other such duties as may be prescribed by the Board of Directors or the Chairman, under whose supervision he shall be. He shall keep in safe custody the seal of the Corporation and, when authorized by the Board, affix the same to any instrument requiring it, and when so affixed, it shall be required as to instruments executed in the course of ordinary business he shall attest to the signature of the Chairman and shall affix the seal hereto.

Section 2.18

Any officer may be removed at any time by the affirmative vote of a majority of the whole Board. If the office of any officer becomes vacant for any reason, the vacancy shall be filled by the Board of Directors.

Section 2.19

The Board of Directors may require the serving officers to give the Corporation bond in such sums and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of the duties of their office and for the restoration of the Corporation, in case of his death, resignation, retirement, or removal from office, of all books, papers, vouchers, money and other property of whatever kind in his possession or under his control belonging to the Corporation.

Section 2.20

All members of the Board of Directors shall be required to attend the Basic Economic Development Course (BEDC) at an acceptable institution of higher learning within twelve months of the initial appointment date to the Board of Directors. An acceptable alternative course that would meet the BEDC's curriculum requirements may be substituted with approval in advance by a majority vote of the other Board of Directors. If because of scheduling requirements or no course vacancies are available, one six-month extension period to the requisite may be granted by a majority vote of the Board of Directors. Otherwise, if this prerequisite is not met with the prescribed time frame, the Board of Directors shall, within thirty days of the end of the prescribed period, recommend to the Unit that the non-complying Board member's position be declared vacant by the Board of Directors within thirty days of the end of the prescribed period. In addition, within 90 days of taking the oath of office, the Board Member shall complete the courses of training of not less than one and not more than two hours regarding the responsibilities of the government body IAW Chapter 551 of the Open Meeting Act and Chapter 552 of the Public Information Act. These courses may be completed on the current State of Texas Web sites.

Section 2.21

Regular attendance at the Board of Directors' meeting is required of all Directors. Should any Director miss three consecutive meetings without being excused by the remaining Directors or attendance reflecting unexcused absences constituting fifty percent (50%) of the regularly scheduled meetings over any twelve month period, they may be removed from the Board. In the event replacement is indicated, Director will be counseled by the Chairman and, subsequently, the Chairman shall submit, in writing, to the City Secretary, a statement informing the Unit of the need to replace the Director in question. The office shall be declared vacant and filled in accordance with these Bylaws.

Section 2.21

The City Manager or designee or the Unit designee may attend all meetings of the Board of Directors, including executive, private or public. These representatives shall not have the power to vote in the meetings they attend. Their attendance shall be for the purpose of ensuring the flow of information occurs to assist project movement.

ARTICLE III NOTICES

Section 3.01

Whenever under the provisions of the statutes or these Bylaws, notice is required to be given to any Director, it shall not be construed to mean personal notice, but such notice may be given in writing, by regular mail or electronic mail addressed to such Director at such address as appears on the books of the Corporation and such notice shall be deemed to be given at the time when the same shall be thus mailed.

Section 3.02

Whenever any notice is required to be given under the provisions of the statutes or of these Bylaws, a waiver thereof in writing signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent thereto.

ARTICLE IV FISCAL PROVISIONS

Section 4.01

No dividends shall ever be paid by the Corporation and no part of its net earning remaining after payment of its expenses shall be distributed to or inure to the benefit of its directors or officers or any individual, firm, corporation, or association, except that in the event the Board of Directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds, and other obligations of the Corporation, then any net earnings, of the Corporation thereafter accruing shall be paid to the City of Copperas Cove, Texas.

Section 4.02

The Board of Directors shall have prepared for each annual meeting a full and clear statement of the business and condition of the Corporation. The Corporation will be audited annually. The audit shall be presented to the Unit for review. Once a month the Corporation shall submit to the Unit a Monthly Report containing unaudited financial status and other significant activities of the Corporation.

Section 4.03

All checks or demands for money and notes of the Corporation shall be signed by such officers as the Board of Directors may from time to time designate, provided that in no event shall a check be negotiable until it is signed by at least two officers.

Fiscal Year

Section 4.04

The fiscal year shall be from October 1 to September 30 each year.

Section 4.05

The Executive Director shall prepare each year a Corporation itemized budget to cover the proposed expenditures of the Corporation for the succeeding year. The proposed budget shall be submitted to the Board the 90th day prior to the Board adoption of the budget. The Board shall submit the proposed itemized budget to the Unit's City Secretary, for record and placement on the Council agenda, before the 60th day the Unit's Governing Body is scheduled to approve the Corporation's budget. The itemized budget shall provide as clear a comparison as practicable between expenditures included in the proposed budget and actual expenditures for the same or similar purposes made for the preceding year. The budget must show as definitely as possible each of the projects for which expenditures are set up in the budget and the estimated amount of money carried in the budget for each project. The budget must contain a complete financial statement of the Corporation that shows (1) the outstanding obligations of the Corporation; (2) the cash on hand to the credit of each fund; (3) the funds received from all sources during the preceding year; (4) the funds available from all sources during the ensuing year; and (5) the estimated revenue available to cover the proposed budget. A public hearing shall be held by the governing body. The governing body shall set the public hearing date after the 15th day after the date the Board files the proposed budget with the City Secretary. The Corporation shall provide notice of the date, time and location of the hearing and the approval date by the Unit's governing body on the Corporation's website.

**Fiscal Policy for Maintaining Adequate Level of Reserves in
Corporation's Operating Fund and Other Funds**

Section 4.06

The Corporation shall maintain unencumbered cash reserves equivalent to three (3) months expenditures for the Operating Fund. This twenty-five (25) percent designated reserve shall be based on the approved Operating Fund Budget for that year. Any long-term debt shall have at least a three (3) month reserve or whatever is required by bond ordinance or instrument (once reviewed and approved by the Unit). Unencumbered cash reserves in excess of the recommended amounts may be moved to the Capital Projects Fund upon approval by the Board of Directors. The Capital Projects Funds may be used in a manner prescribed by the Board of Directors for a major capital outlay, capital improvement, land acquisition, or other items allowed by Texas Law. Disbursement from the Capital Project Fund shall be by budget appropriation. Upon approval by the Unit funds may also be transferred from the Capital Project Fund to the Operating Fund Reserve when the level of reserve falls below minimum levels with approval of the Board of Directors.

Section 4.07

The Executive Director shall be authorized to complete line item transfers within the Budget, without increasing the total Budget. These line item transfers will be completed by Budget Reallocation, as needed, and will be presented to the Board of Directors for approval. Estimated expenditures shall not exceed estimated resources. If at any time the Budget needs to be amended through an increase, a majority vote of the Board of Directors and approval of the Unit will be required. Any budget reallocations between funds equal to or greater than \$50,000.00 will require the approval of the Unit's governing body.

Section 4.08

Temporary and idle funds which are not needed for immediate obligations of the Corporation may be invested in any legal manner provided by the Public Funds Investment Act and authorized by the approved Copperas Cove Economic Development Corporation Investment Policy.

ARTICLE V OFFICES

Section 5.01

The principal office of the Copperas Cove Economic Development Corporation (the "Corporation") shall be at 210 South First Street, Copperas Cove, TX, 76522.

ARTICLE VI

Section 6.01

These Bylaws are not in force until approved by the Unit.

Section 6.02

These Bylaws may not be altered, changed, or amended in any manner without review and approval by the Unit. Amendments must be completed in accordance with the Texas Local Government Code Section 501.064(c)(2) and shall be reviewed by the Board at a minimum of every two (2) years.

Section 6.03

Executive Director

The salary of the Executive Director may not exceed \$100,000 per year without prior approval of the Unit and the auto allowance provided to the Executive Director may not exceed \$500 per month without the approval of the Unit.

The Executive Director position shall be posted with the following desired/preferred minimum qualifications for certification requirements: (1) be a graduate of the Economic Development Institute (EDI) within two (2) years from date of employment; and (2) must reside in the corporate City limits of Copperas Cove within six months from date of employment.

APPROVED BY THE COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS

on _____, 2016 at which meeting a quorum was present and voting.

Bradi D. Diaz, Chairman

ATTEST:

Jack Smith, Secretary

APPROVED BY THE UNIT ON THIS _____, 2016 at a meeting held in compliance with the Open Meetings Act (Texas Government Code, Article 551.001 et seq), at which meeting a quorum was present and voting.

Frank Seffrood, Mayor
City of Copperas Cove

ATTEST:

Mariela Alcott, City Secretary

APPROVED AS TO FORM:

Denton, Navarro, Rocha
& Bernal, P.C., City Attorney



**Copperas Cove
Economic Development Corporation**

March 24, 2016

Agenda Item No. 10 (b)

Subject: Discussion and consideration of action to approve a contract with Johnson & Associates to conduct an executive search and authorize the Chairman to sign the document.

Description/Information: On March 2, 2016, the City Council approved the contract with Johnson & Associates to conduct a search for an Executive Director.

The contract is attached for your review.

Financial Impact: \$25,000 from the Personnel: Executive Director Salary category to be reallocated to General Administration – Consultants category.

Action/Recommendation: Staff recommends that the Board of Directors approve a contract with Johnson & Associates and authorize the Chairman to sign the document.

EXECUTIVE SEARCH AGREEMENT

STATE OF TEXAS

COUNTY OF TRAVIS

This Agreement is made and entered into this 24th day of March, 2016, by and between the **Copperas Cove Economic Development Corporation** (hereinafter referred to as the "Client") and **Johnson & Associates** (hereinafter referred to as the "Consultant").

WHEREAS, the Client desires to engage the services of the Consultant as an independent contractor and not as an employee to provide services on the terms and conditions provided in this Agreement; and

WHEREAS, the Consultant is an Executive Search consultant and desires to render Executive Search services for the Client to fill the position of **Executive Director**, on the terms and conditions provided in this Agreement;

NOW, THEREFORE, the Client engages the services of the Consultant, and in consideration of the mutual promises contained in this contract, the parties agree as follows:

Term

1. This Agreement shall be in force until the Client fills the position of **Executive Director** and for such time thereafter as is necessary for consultant to fulfill all of its duties or obligations under this Agreement, unless sooner terminated by either party by giving thirty (30) days' written notice to the other party. Only fees and/or expenses earned prior to written notice will be paid.

2. The Client is responsible for any fees incurred due to deadline date changes made by the Client.

Services

3. The Consultant agrees to provide the executive search services as set forth herein in accordance with the terms and conditions of this Agreement. The Client agrees that it does not own, control or have access to all resumes and all information in the Consultant's possession. The Client agrees it only owns, has control or access to, the information and resumes as provided under Paragraph 4 below. Further, Client agrees that if it receives a Public Information Act request regarding the position and applicants under consideration, the Client will redact any information that may be excepted from public disclosure under Chapter 552 of the Texas Government Code and will redact any information considered to be confidential by law, either constitutional, statutory or by judicial decision in accordance with the Texas Public Information Act or other applicable law.

4. These services shall include but shall not be limited to:

a. Position Needs Assessment

Interview selection committee to review position requirements

Computer enhanced work environment to determine your perception of the job

- b. National Recruitment Network
 - Selected state and national publications
 - Johnson & Associates - J&A Today
 - Professional network
- c. Initial Candidate Screening
 - Receive, review, and evaluate all resumes from candidates
 - Client agrees that only the resumes selected by Consultant for presentation to Client are owned by and subject to the Client's access and control.
 - Prepare summary of candidate's qualifications
 - Present resumes of top candidates
 - Client agrees that only the resumes selected by Consultant for presentation to Client are owned by and subject to the Client's access and control.
- d. Preliminary Skype Interview
 - Client will determine Semi-Finalists for preliminary interview using Skype technology. Consultant will set up a 'trial' run with Candidates prior to interview with the top candidates.
- e. Finalist Selection
 - Meet with selection committee to determine the Finalists for the position following the Skype Interviews.
- f. Background Investigation
 - Verify pertinent education and training; employment check
 - Contact references given by candidates
 - Contact references in J&A's network
 - Client agrees that the information obtained from the references in J&A's network is neither owned by or subject to the Client's access and control.
 - Johnson & Associates contracts with a professional background investigation firm to ensure candidate backgrounds are thoroughly investigated.
 - Some items included in this check are: Consumer Credit Report, Social Security Number Trace, Multi-Jurisdictional Database Search, State District Court Criminal Search, 7-Year State District Court Criminal Search, Federal District Court Criminal Search, 7-Year Federal District Court Criminal Search, Statewide Criminal Search, Driving Record/Motor Vehicle Report, Department of Transportation (DOT) Driving Record/Motor Vehicle Report
 - Written report summarizing background investigation
 - Client agrees that only the information contained in the written report by Consultant is owned by Client and subject to the Client's access and control.
 - Client further agrees that it will consult with its attorney as to what forum the client wishes to discuss reference comments.
- g. Finalist Interviews
 - Coordinate interviews
 - Provide interview guidelines and questions
 - Present comparison of candidates Interview Insights and Selection Committee's Work Environment
 - Evaluation form for the selection committee's use
 - Client agrees to and understands the Consultant only provides the evaluation forms and does not complete information on these forms. Client also understands that evaluation forms, with comments made by the Selection Committee, may be subject to disclosure under the Public Information Act.
 - Attend interviews
- h. Candidate Selection
 - Notify candidate selected
- i. Selection Announcement

Notify selected state and national publications
Notify other candidates of action taken

Guarantee

5. The Consultant shall replace the employee in the event that the employee hired through the Consultant terminates or is terminated from his/her position of employment within one year from the date the employee accepts employment, if the Client notifies Consultant in writing within fifteen (15) days after such termination.

Consultant's fee and expense reimbursement shall be payable in full and no guarantee will be applicable if employee's term of employment is terminated due to insufficient work for the employee.

6. No refund of fees or expenses shall be due if the Client hires a candidate from another source. This is an exclusive Executive Search Agreement.

7. The guarantees referred to above are valid only if Consultant receives payment of fees and expenses in full within thirty (30) days from due date of the invoice.

Compensation

8. The Client shall compensate the Consultant for the services by payment of the following fees and expenses:

a. \$15,000 plus candidate development expenses incurred by Consultant. The development expenses include, but are not limited to advertising, long distance telephone calls, postage, printing, travel expenses, of which are payable at the offices of Johnson & Associates, 8308 Tecumseh Drive, Austin, Texas 78753. Development expenses will be billed monthly until all expenses from the search have been paid.

b. One third of Consultant's fee (\$5,000) shall be due upon the signing of this contract. The second payment is due at the time candidates are selected for interview and the final third is due upon candidate's acceptance of the job offer.

c. Any payment more than thirty (30) days late, will incur a 10% per annum late fee, said late fee to begin on the 31st day after said payment is due.

Time

9. The consultant shall devote such time as is reasonably necessary for the satisfactory performance of the duties under this Agreement.

Entire Agreement

10. This Agreement constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting this subject matter.

Assignment

11. Neither this Agreement nor any duties or obligations under it shall be assignable by the Consultant without the prior written consent of the Client. In the event of an assignment by the Consultant to which the Client has consented, the assignee or the assignee's legal representative shall agree in writing

with the Client to personally assure, perform, and be bound by all the covenants, obligations, and agreements contained in this Agreement.

Successor and Assigns

12. Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.

Attorneys' Fees

13. If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other remedy to which the party may be entitled. However, all claims and disputes of any nature relating to or arising under this Agreement, any performance of duties relating to or arising under this Agreement, any negotiations prior to the Agreement, and any representations prior to or after the execution of this Agreement shall be subject to mediation in accordance with the applicable rules of the American Arbitration Association. This mediation agreement shall survive any execution of this Agreement, any merger or integration clause, and shall continue to inure to the benefit of both parties hereto for all purposes. The parties hereto stipulate and agree that this Agreement affects interstate commerce.

Governing Law

14. The validity of this Agreement and any of its terms or provisions as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas and exclusive venue for any action concerning this Agreement shall be in State District Court of Travis County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court.

Amendment

15. This Agreement may be amended by the mutual written agreement of the parties.

Legal Construction

16. In the event of one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not effect any other provisions and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

17. If at any time during the selection period, Johnson & Associates is requested by the Client to discriminate among applicants in violation of those areas prohibited by federal or state guidelines, Johnson & Associates will immediately withdraw its services from the selection process and will no longer serve as a representative for the Client. Any expenses incurred by Johnson & Associates will be payable in full by the Client as well as the prorated fee for professional services.

18. The Client shall be solely responsible for completing the employee's employment eligibility verification requirements for the Immigration Reform and Control Act of 1986.

Notice

19. Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United States mail, postage prepaid, certified mail, return receipt requested, addressed to the Client or Consultant as the case may be at the following addresses:

Bradi Diaz
Board President
Copperas Cove Economic Development Corporation
210 South First Street
Copperas Cove Texas 76522

Chloe R. Johnson
Johnson & Associates
8308 Tecumseh Drive
Austin, Texas 78753

EXECUTED in duplicate originals this the 24th day of March, 2016.

JOHNSON & ASSOCIATES

By: Chloe R. Johnson
Chloe R. Johnson, Principal

EXECUTED in duplicate originals this the 24th day of March, 2016.

Copperas Cove Economic Development Corporation

By: _____
Bradi Diaz, Board President



**Copperas Cove
Economic Development Corporation**

March 24, 2016

Agenda Item No. 11 (a)

Subject: Discussion and consideration of action to elect officers for the remainder of FY 2015-2016.

Description/Information: In a previous agenda item, the Copperas Cove Economic Development Corporation Board of Directors adopted the CCEDC Bylaws, as amended on February 18, 2016.

Section 2.14 reads as follows:

Each October, at the Annual Meeting of the Board, the Directors shall organize, appointing a Chairman, Vice Chairman and Secretary.

The current slate of officers only includes a Chairman and Secretary.

Financial Impact: None.

Action/Recommendation: Staff recommends that the CCEDC Board elect a new slate of officers: Chairman, Vice Chairman and Secretary.



**Copperas Cove
Economic Development Corporation**

March 24, 2016

Agenda Item No. 11 (b)

Subject: Discussion and consideration of action to approve a budget reallocation of \$25,000 from Personnel - Executive Director Salary to General Administration – Consultant to provide funds for the Executive Search.

Description/Information: On January 5, 2016, CCEDC was directed to conduct an executive search for an Executive Director. During their regular meeting on January 21, 2016, the board voted to form a committee to handle the details of hiring an executive search firm. The committee's members are Bradi Diaz, Chairman; Jack Smith, Secretary; and Diane Drussell, Business Retention Specialist.

The committee had several meetings, sent out requests for proposals to three firms and recommended the hiring of Johnson & Associates. On February 18, 2016, the CCEDC Board of Directors agreed with the committee's choice and approved a contract with Johnson & Associates, in the amount of \$15,000 plus expenses.

CCEDC did not budget for an executive search for Fiscal Year 2015-2016, so a budget reallocation in the amount of \$25,000 is necessary. This amount is intended to cover the \$15,000 base fee as well as any other approved expenses, such as travel costs for potential candidates.

The City Council approved both the contract with Johnson & Associates and the budget reallocation during their regular meeting held March 1, 2016.

In the current fiscal year budget, \$102,535 was budgeted for the Executive Director's salary. The stipend and pay differential for the interim executive director totals \$31,674 through July 31, 2016, leaving \$70,861 left in that line item, which is enough to cover the

costs for the executive search as well as salary for the executive director, assuming that person will begin work on June 1, 2016.

Financial Impact:

\$25,000 from Personnel - Executive Director Salary to General Administration – Consultants

Action/Recommendation:

Staff recommends that the Board of Directors approve the budget reallocation of \$25,000 from Personnel - Executive Director Salary to General Administration – Consultants” to provide funds for the Executive Search.



Diane Drussell
Business Retention Specialist
Staff Report
February 13 – March 16, 2016

Copperas Cove EDC

- Working on a Retention manual for records
- Reviewing all of our websites to ensure everything is up to date
 - Working with CT Online Design to update
- Working with 2 clients looking for space in Copperas Cove
- Attended Military Affairs Dinner (OTC)

Business Retention and Expansion

- Working on a list of businesses to visit
 - Share info on EDC
 - Share info on Entrepreneur Center
 - Offer workshop flyers and information
- Walk in Customers
 - Phillip S. – Looking for a building here or surrounding area (assisting)
 - Amanda P. – Starting a business and wanted to make sure she is on the right track
- Working with an existing customer who is changing her business idea/ plan. Meeting bi-weekly
- Finalized draft of Business Start- up Information packet for clients
 - Working with Board Member Marc Payne
 - Creating a presentation based on the information as well
- Coordinated SBDC Workshops
 - Organized workshop with the SBDC Counselor for a schedule of programs for the upcoming year
 - Business Start-up 101
 - Business Plan Series
 - Financials
 - Market Industry
- Workshops
 - Scheduled all of the day time workshops through the month of April
 - Evening workshops are being scheduled and have been well attended
 - Create workshops
 - Websites Still Matter (February workshop)
 - Taxes and Your Business (March)
 - Financial Health (April)

- Customer Service (May)
- LinkedIn

Entrepreneur Center

- Open House/ Chamber Mixer to be held on April 7 – Mark the Date
- Signed new tenant in March – Phillip S. – Ribbon cutting to be scheduled
- Two pending tenants
 - Steve H.
 - Jennifer C.
- Working to partner with SCORE on some events
 - Scheduled and held a 3 – part series titled “Proven Business Road Map” workshop
 - Will create more joint workshops
 - Possible monthly networking event
- Creating new marketing material for CCEC
 - Revamping brochure
 - Flyers
 - Schedule postings on Facebook pages

Facebook pages continue to gain “Likes”

- Copperas Cove EDC (Main Page) – **560** (from **555**) -
- Copperas Cove EDC (sub- page) - **658** (from 623)
- Copperas Cove Entrepreneur Center - **420** (from **413**)

Community involvement

- D. Drussell – President of the Copperas Cove Noon Lions Club
 - Attends meetings 2x’s a month
 - Sits on the Golf Committee
 - 28th Annual Golf Tournament – April 2. Looking for sponsors and golfers
 - Certified on the SPOT VISION SCREENING machine. This allows us to screen kids as young as six months old for vision issues.
 - Had a road clean up on March 5. Very successful. Great participation.
 - DON’T MESS WITH TEXAS Campaign – April 9 – Volunteers always welcome! (we adopted a 2 mile section on the by-pass)
- D. Drussell is an Ambassador
 - Received the “Yes” award from the Chamber
 - Meet once a month for Ambassador meeting
 - Attend Business of the Month ceremonies
 - Will be working the garage sale – Saturday, April 2nd