



**COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION**  
**Regular Meeting Minutes of July 21, 2016**  
**Minutes Order # 2016-(07)-(21)**

**OPEN MEETING**

An Open Meeting was held concerning the following subjects:

**1. CALL TO ORDER**

*Chairman Bradi Diaz called the Regular Board Meeting of the Copperas Cove Economic Development Corporation to order at 12:01p.m.*

**2. INVOCATION**

*Director Jerry Smith led the invocation.*

**3. PLEDGE OF ALLEGIANCE**

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

**4. ROLL CALL**

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

**Member Not Present:**      *Jack Smith (excused)*

**Staff Attorney:**              *Robert Gradel, CCEDC Attorney*

**Staff Present:**                  *Monica MacKay*                  *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:*

<i>Thursday, July 21, 2016</i>	<i>City Council Workshop - 6:00 - 8:00 pm - CCEDC Board Room</i>
<i>Thursday, July 21, 2016</i>	<i>MM - Participate in ED panel for Leadership Central Texas</i>
<i>Friday, July 22, 2016</i>	<i>MM - Out of office (Dental Surgery)</i>
<i>Monday, July 25, 2016</i>	<i>DD - Ad hoc Meeting to review MDD - City hall Conference Room - 10:00 am</i>
<i>Monday, July 25, 2016</i>	<i>City P &amp; Z Meeting - 6:00 pm - CCEDC Board Room</i>
<i>Tuesday, July 26, 2016</i>	<i>City Council Special Meeting - 5:00 - 7:00 pm - CCEDC Board Room</i>
<i>Thursday, July 28, 2016</i>	<i>City Council Special Meeting - 6:00 - 8:00 pm - CCEDC Board Room</i>
<i>Thursday, July 28, 2016</i>	<i>Chamber Mixer - 5:30 - 7:00 pm - Stoney Brook</i>
<i>Tuesday, August 02, 2016</i>	<i>SBDC Counselor - One on One Counseling - 9:30 am - 1:00 pm</i>
<i>Tuesday, August 02, 2016</i>	<i>City Council Meeting - 6:00 - 8:00 pm - CCEDC Board Room</i>
<i>Tuesday, August 09, 2016</i>	<i>City Council Pubic Hearing --- City Budget and CCEDC Budget City Council Special Meeting - 6:00 - 8:00 pm - CCEDC Board Room</i>
<i>Thursday, August 11, 2016</i>	<i>Board of Adjustments Meeting - 6:00 - 8:00 pm - CCEDC Board Room</i>
<i>Friday, August 12, 2016</i>	<i>MM - Attend Meeting on Centex Sustainable Partnership - 9:30 - 10:30 am</i>
<i>Tuesday, August 16, 2016</i>	<i>City Council Meeting - 6:00 - 8:00 pm - CCEDC Board Room</i>
<i>Wednesday, August 17, 2016</i>	<i>Chamber Board Meeting - 11:30 - 12:30 - CCEDC Board Room</i>
<i>Wednesday, August 17, 2016</i>	<i>Animal Advisory Meeting - 6:00 - 8:00 pm - CCEDC Board Room</i>
<i>Thursday, August 18, 2016</i>	<i>CCEDC Regular Board Meeting - 12:00 - 1:00 CCEDC Board Room</i>

12. EXECUTIVE SESSION

*The Board of Directors convened in Executive Session at 12:05pm*

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).

**Discussion and consideration of prospect negotiations.**

*Director Jerry Smith made a motion to approve the Performance Agreement and Commercial Contract (Sales Contract) with CDL Research & Development Group, with the noted changes of limiting the deed restriction to the three years of the Performance Agreement and removing the property buy-back clawback language, awarding an effective incentive of \$58,370 delivered via a discount on the property. Secretary Annabelle Smith seconded the motion and with a unanimous vote, the motion carried.*

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

**Discussion and consideration of action regarding property issues.**

*No action taken.*

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.

**Discussion and consideration of action regarding property issues.**

*No action taken.*

*The Open Session reconvened at 12:33pm*

**7. PRESENTATIONS**

*Todd Pruitt of Patillo, Brown and Hill, L.L.P presented the results of the FY2014-15 Audit to the Board of Directors. Pruitt stated, "It's a very clean audit. To summarize, we have a clean opinion on your financial statements. You also have no internal control or compliance issues that were identified."*

**8. CONSENT AGENDA**

**a. Discussion and consideration of action regarding minutes for the Regular Board Meeting held on June 16, 2016.**

**b. Discussion and consideration of action regarding minutes for the Special Board meeting held on July 5, 2016.**

**c. Discussion and consideration of action regarding approving Revision #2 of the Proposed FY2016-2017 Budget as it relates to House Bill 157.**

**d. Discussion and consideration of action to approve payment in the amount of \$117,337.50 to the City of Copperas Cove for debt service.**

**e. Discussion and consideration of action to approve payment in the amount of \$70,764.00 to First National Bank Texas for debt service.**

**f. Discussion and consideration of action to approve payment in the amount of \$47,751.93 to Regions Bank for debt service, Sales Tax Revenue Bond Series 2012.**

*Director Jerry Smith made a motion to remove Consent Agenda item 8e, Secretary Annabelle Smith seconded the motion. Director Jerry Smith made a motion to approve agenda items a-d and f as read and Secretary Annabelle Smith seconded the motion and with a unanimous vote, the motion carried.*

**e. Discussion and consideration of action to approve payment in the amount of \$70,764.00 to First National Bank Texas for debt service.**

*Director Jerry Smith made a motion to approve payment in the amount of \$70,705.18 to First National Bank Texas for debt service; Secretary 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 June 2016.**

- 1. Profit and Loss – Budget vs. Annual**
- 2. Balance Sheet**
- 3. Investment Report**

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

**b. Review the Comparative Sales Tax Report for June 2016.**

*Information Only.*

## 10. OLD BUSINESS

*None.*

## 11. NEW BUSINESS

**a. Review and consideration of action regarding approval of the FY2014-2015 Audit.**

*Director Jerry Smith made a motion to approve item 11a and Secretary Annabelle Smith seconded the motion and with a unanimous vote the motion carried.*

**b. City Council to Hold Public Hearing for the Proposed Copperas Cove EDC FY2016-2017 Budget.**

*Information Only.*

- c. Discussion and consideration of action to approve the Performance Agreement and Commercial Contract (Sales Contract) with CDL Research & Development Group, awarding an effective incentive of \$58,370 delivered via a discount on the property.

*This item was considered in Executive Session.*

13. REPORTS AND ANNOUNCEMENTS FROM BOARD OF DIRECTORS

*None*

14. STAFF REPORTS

- a. Prospect Report – Monica MacKay.

15. ADJOURNED

*There being no further business, Chairman Bradi Diaz adjourned the Regular Meeting of the Board of Directors at 12:56 p.m.*

  
Annabelle Smith, Secretary

ATTEST:



Cindi Novak, Office Administrator