CITY OF SAN ANGELO TEXAS
Development Corporation

# Agenda
# 2/22/2023

Notice is hereby given of a regular meeting of the City of San Angelo Development Corporation (COSADC) to be held on February 22, 2023 at 8:30 AM at the East Mezzanine of City Hall, 72 W. College Ave., San Angelo, Texas, for the purpose of considering the following agenda items.

1. **Call to Order**
2. **Prayer**
3. **Public Comment**

Issues or items that are not on the agenda may be raised by the public at this time. Citizens should speak from the podium, begin by stating their name and limit remarks to less than three minutes. Board members may request that a discussed item be placed on a future agenda. The Board takes public comment on all Regular Agenda items during the discussion of those items.

4. **Consent Agenda**
   a. Consider approving the necessary Corporation disbursements
   b. Consider approving the January 25, 2023 Meeting minutes
   c. Consider approving the January 2023 Financials (Tina Diereschke)
5. **Regular Agenda**
   a. Consider approving 2022 Business Plan Competition winner, Bearded Barista to amend the use of $20,000 towards equipment purchase. (Presentation made by Nora Nevarez, Economic Development Assistant)
   b. Update regarding the Economic Development Director position and search process (Presentation by Michael Dane, Interim Director of Economic Development)
   c. Discussion and possible action regarding the proposed revisions to the COSADC Bylaws. (Presentation by Brandon Dyson, Deputy City Attorney)
   d. Consider authorizing the Board President to negotiate and execute Amendment 1 to the 2023 COSADC-Chamber of Commerce Professional Services Performance Agreement with ratification by City Council (Presentation made by Michael Dane, Interim Director of Economic Development)
   e. Discussion regarding the Marketing & Recruitment Professional Services Agreement between COSADC and the San Angelo Chamber of Commerce Agreement for the next fiscal year (Presentation by Nora Nevarez, Economic Development Assistant)
   f. Update regarding Affordable Housing Program (Presentation by Bob Salas, Director of Neighborhood and Family Services)
6. **Closed Session**

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

a. Section 551.071 – Consultation with attorney regarding affordable housing borrower delinquencies

b. Section 551.087 - Business prospect negotiations regarding
   a. Project Cienna
   b. Project New Wave
   c. Skyline Aviation
   d. Project Monet
   e. Occupational Training Facility at Mathis Field

**7. Follow Up and Administrative Issues**

a. Consideration and possible action of items discussed in Closed Session, if needed

b. Announcements and consideration of Future Agenda items

**8. Adjournment**

**CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 17th day of February 2023 at 4:00 P.M.

*Nora Nevarez on behalf of Michael Dane*

Michael Dane
Economic Development Interim Director

All agenda items are subject to action. All contracts/agreements may be subject to further negotiation prior to execution. The Board reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code. In compliance with the Americans with Disabilities Act, the City of San Angelo Development Corporation will provide for reasonable accommodations for persons attending board meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the Economic Development Office at 325-653-7197. COSADC meetings are broadcast on Channel 17-Government Access at 8:00 A.M. on every Wednesday on the Wednesday after each meeting.

Report to Board

CITY OF SAN ANGELO TEXAS Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Consent Item

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**Caption:**

Consider approving the necessary Corporation disbursements

**Summary/History:**

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

1. Disbursement 02-22-2023 Disbursement 02-22-2023.pdf

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

**City of San Angelo Development Corporation**
**Check Disbursements**
**For Board Approval February 22, 2023**

**Economic Development**

| | | | | |
|---|---|---|---|---|
| TX Midwest Community Network | $ | 5,000.00 | TMCN Annual membership dues (Inv. 2016822 | |
| MWC Interests, Inc. | | 4,500.00 | Brush Clearing at Indust Park (Inv. 221231) | *Ck. 5836* |
| **Total for Board Consideration** | **$** | **9,500.00** | | |
| Jowers Commercial Cleaning | $ | 616.25 | Janitorial Cleaning (Inv. 5900) | *Ck. 5842* |
| Jowers Commercial Cleaning | | 800.00 | Janitorial Cleaning (Inv. 5889) | *Ck. 5834* |
| CTWP | | 668.47 | Copier lease for Eco Dev and Business Factory (Inv. 1420043, 1425863, & 1425947) | *Ck. 5840* |
| JR Silva Tree Serv & Landscaping | | 663.00 | Clean landscaping at BRC (Inv. 4326) | *Ck. 5835* |
| Atmos Energy | | 371.67 | Gas Utilities at BRC (Inv. 022123) | |
| Rad's Window Cleaning | | 350.00 | Clean windows at BRC-interior & exterior (Inv. 1094) | *Ck. 5837* |
| Statewide Elevator Inspec. LLC | | 336.65 | Annual Elevator Test Inspec at BRC (Inv. 27356) | *Ck. 5832* |
| House of Chemicals | | 211.78 | Janitorial supplies (Inv. 1012150) | *Ck. 5841* |
| Ener-tel | | 100.00 | Mo. Burglar alarm system at BRC (Inv. 294532) | |
| House of Chemicals | | 67.54 | Paper towels (Inv. 1012538) | |
| CVEC | | 47.33 | Electric at Airport sign (Inv 26511) | |
| Angelo Water Service | | 45.22 | Water delivery & cooler rental (Inv. 7005/2301) | *Ck. 5839* |
| Republic Serv | | 30.49 | Trash service at BRC (Inv. 0691-001179958) | |
| TX Dept. of Licensing & Regulations | | 20.00 | Permit fee for elevator (Inv. 36807/2301 | *Ck. 5833* |
| Angelo Awards | | 14.86 | Name plate (Inv. 11118) | *Ck. 5838* |
| | **$** | **4,343.26** | | |
| **Total Economic Development Disbursements** | **$** | **13,843.26** | | |

**Ballot**

| | | | | |
|---|---|---|---|---|
| First Title Co. | $ | 52,450.00 | Mortgage Buydown - 120 W. 16th | *Ck. 2035* |
| **Total for Board Consideration** | **$** | **52,450.00** | | |
| **Total Routine Disbursements** | **$** | **-** | | |
| **Total Ballot Disbursements** | **$** | **52,450.00** | | |
| **Grand Total Disbursements this Period** | **$** | **66,293.26** | | |

Report to Board

CITY OF SAN ANGELO TEXAS Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Consent Item

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**Caption:**

Consider approving the January 25, 2023 Meeting minutes

**Summary/History:**

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

1. COSADC Meeting Minutes 01-25-2023 COSADC Meeting Minutes 01-25-2023.pdf

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

City of San Angelo, Texas
Development Corporation Meeting
Wednesday, January 25, 2023

Max Puello, President
John Bariou, First Vice President
Dr. Ruben Ceballos, Director
Dr. Farrah Gomez, Director
Rick Mantooth, Director

1. **Call to Order**

With a quorum of the City of San Angelo Development Corporation Board Members present, President Puello called the regular session of the City of San Angelo Development Corporation to order at 8:31 A.M., on Wednesday, January 25, 2023, in the City of San Angelo City Hall, 72 W College Avenue, San Angelo, TX 76903

2. **Prayer**

An invocation was provided by First Vice President Bariou.

3. **Public Comment**

No public comments were made.

4. **Consent Agenda**

a. Consider approving the necessary Corporation disbursements

b. Consider approving the December 19, 2022 Meeting Minutes

c. Consider approving the November 2022 Financials. (Tina Dierschke)

d. Consider approving a professional services agreement between COSADC and Duncan Mechanical Service, Inc., not to exceed $50,000 per year with an option to extend for one year, and authorizing the Board President or their designee to execute all necessary documents. (Nora Nevarez)

No public comment.

**Motion:** First Vice President Bariou made a motion, seconded by Director Ceballos to approve the consent agenda as presented. The motion carried unanimously six (6) ayes to zero (0) nays.

**5. Regular Agenda**

a. Consider approving the December 2022 Financials (Presentation made by Tina Dierschke, Director of Finance)

No public comment.

**Motion:** Director Ceballos made a motion, seconded by First Vice President Bariou to approve the December 2022 Financial Statements. The motion carried unanimously five (5) ayes to zero (0) nays.

b. Consider approving the sale of approximately nine (9) acres of land in the Industrial Park Phase 2 to Big Country Equipment at a price of $45,000 per acre, the total area to be determined by a survey on the ground and the total price to be calculated based on that area; authorizing the Board President to negotiate and execute a real estate sales contract and all required documentation with approval by City Council. (Presentation by Robert Schneeman, Economic Development Project Manager)

No public comment.

**Motion:** First Vice President Bariou made a motion, seconded by Director Gomez to approve the sale of approximately nine (9) acres of land in the Industrial Park as presented. The motion carried unanimously five (5) ayes to zero (0) nays.

c. Consider authorizing Staff to seek grant writer assistance for preparation of a grant application to fund water and sewer service to the railport, to include engineering design and construction costs. (Presentation by Robert Schneeman, Economic Development Project Manager)

No public comment.

**Motion:** Director Mantooth made a motion, seconded by First Vice President Bariou to seek grant writer assistance to fund water and sewer service to the rail port and include engineering design and construction costs. The motion carried unanimously five (5) ayes to zero (0) nays.

d. Consider a resolution authorizing the Board President to negotiate and execute a professional services agreement with Kimley-Horn and Associates, Inc., in an amount not to exceed $83,500 plus expenses to perform professional engineering and design services evaluation of non-potable fire suppression pump station at the San Angelo Regional Airport (Mathis Field), a project authorized under Chapter 505 of the Development Corporation Act for infrastructure improvements necessary for development at Mathis Field, subject to approval of the City Council. (Presentation made by Robert Schneeman, Economic Development Project Manager)

No public comment.

**Motion:** Director Ceballos made a motion, seconded by Director Gomez to approve the resolution as presented. The motion carried unanimously five (5) ayes to zero (0) nays.

e. Update regarding the Economic Development Director position and search process (Presentation by Michael Dane, Interim Director of Economic Development)

Mr. Michael Dane, Interim Director of Economic Development provided an update.

f. San Angelo Chamber of Commerce project updates regarding the following:
A. Transpermian H2Hub achieving second round DOE designation
B. Rosenberger Site Solutions, LLC project including a facility update, personnel hiring status and plans for full operation
(Presentation made by Michael Looney, Vice President of Marketing & Recruitment)

Mr. Michael Looney provided an update.

g. Discussion and possible action regarding City Council denial of the ratification of the proposed revisions to the COSADC Bylaws at their January 17, 2023 meeting. (Presentation made by Michael Dane, Interim Director of Economic Development)

https://www.youtube.com/watch?v=TGuKu91zMyQ

No Public Comment

**Motion:** President Puello made a motion, seconded by Director Mantooth that the By-Laws Committee review, change, and make recommendations of the proposed bylaws changes. The motion carried unanimously five (5) ayes to zero (0) nays.

h. Discuss economic development initiatives to be addressed with City Council and possible avenues for such discussion between COSADC and City Council. (Per the request, of First Vice President Bariou)

First Vice President Bariou requested we seek clarity with the Attorney General. Director Mantooth did not agree, prefer to clear up any questions from Council.

Brandon Dyson, Deputy City Attorney provided options to appoint a committee from COSADC and a committee from City Council to have a joint discussion. This is just an option.

**6. Closed Session**

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

**At 10:12 a.m., the Board convened Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtle A. Open Government, Chapter 551. Open Meeting, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections.**

a. Section 551.087 - Business prospect negotiations regarding Project Sienna

**At 11:06 a.m., the Board reconvened**

**7. Follow Up and Administrative Issues**

a. Consideration and possible action of items discussed in Closed Session, if needed

**No action taken on this item.**

b. Announcements and consideration of Future Agenda Items

Mr. Dyson informed the board about delinquency regarding a homeowner that is participating in the Affordable Housing Program. A special called meeting may be required prior to the next meeting.

Mr. Dane will be providing an update in regard to the Scope of Services for the San Angelo Chamber of Commerce.

**8. Adjournment**

**Motion: Director Ceballos made a motion, seconded by First Vice President Bariou to adjourn the meeting. The motion carried unanimously five (5) ayes to zero (0) nays.**

**There being no further business, the meeting adjourned by consensus at 11:11 a.m.**

THE CITY OF SAN ANGELO

_____
Corporation President

ATTEST:

_____
Corporation Secretary

In accordance with Chapter 2, Article 2.300, of the Official Code of the City of San Angelo, the minutes of this meeting consist of the preceding Minute Record and the Supplement Minute Record. Details on Board meetings may be obtained from the City Clerk's Office. (Portions of the video recording may be distorted due to equipment malfunction or other uncontrollable factors.)

Report to Board

CITY OF SAN ANGELO TEXAS Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Consent Item

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**Caption:**

Consider approving the January 2023 Financials (Tina Diereschke)

**Summary/History:**

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

1. COSADC FS 2301 COSADC FS 2301.pdf

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

# City of San Angelo Development Corporation

## Financial Information and Schedules
## As of January 31, 2023

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Executive Summary

Economic Development

- Balance Sheet
- Revenue & Expenditure Report
- Project Commitments

Ballot

- Balance Sheet
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- Project Commitments

Transaction Detail by Account

2011 Bond Issue

Hickory Water Supply


**This UNAUDITED information is designed for internal use and analysis only.**

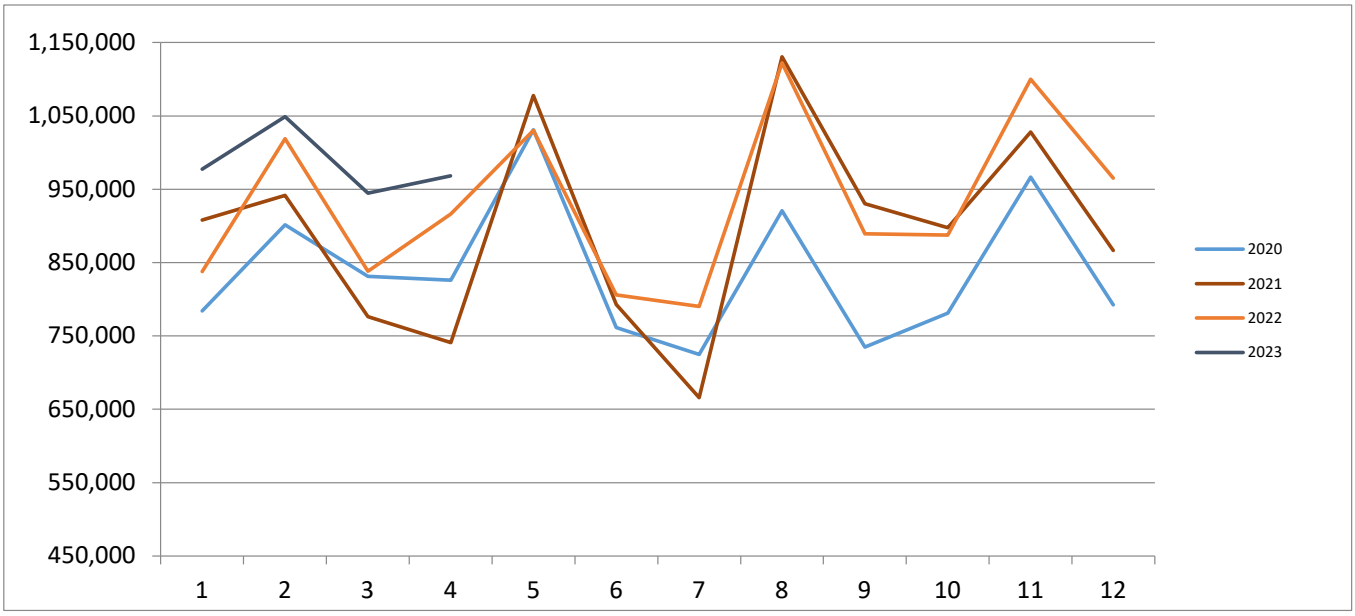
# City of San Angelo Development Corporation
# Executive Summary
# January 2023

Available Fund Balances

| | |
|---|---|
| Unassigned Fund Balance-Economic Development | 4,577,605 |
| Unassigned Fund Balance-Ballot | 3,362,488 |

Sales Tax Analysis

| Month | 2020 | 2021 | 2022 | 2023 | % Over/(Under) |
|---|---|---|---|---|---|
| Oct | 784,232 | 907,912 | 837,902 | 977,628 | 16.68% |
| Nov | 901,416 | 941,714 | 1,018,994 | 1,049,058 | 2.95% |
| Dec | 831,209 | 776,336 | 838,245 | 944,644 | 12.69% |
| Jan | 826,116 | 740,927 | 916,151 | 968,413 | 5.70% |
| Feb | 1,030,912 | 1,077,963 | 1,030,426 | | |
| Mar | 761,229 | 792,882 | 806,025 | | |
| Apr | 725,032 | 665,954 | 790,185 | | |
| May | 920,877 | 1,130,561 | 1,122,067 | | |
| Jun | 734,988 | 930,276 | 889,239 | | |
| Jul | 781,279 | 897,588 | 887,685 | | |
| Aug | 966,590 | 1,027,915 | 1,100,228 | | |
| Sep | 792,202 | 866,535 | 965,151 | | |



**City of San Angelo Development Corporation**
**Balance Sheet - Economic Development**
**As of January 31, 2023**

| | |
|---|---|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| Cash | 414,808 |
| Money Market | 3,930,010 |
| Total Checking/Savings | 4,344,818 |
| Accounts Receivable | |
| Leases | 238 |
| Total Accounts Receivable | 238 |
| Other Current Assets | |
| Investments | 6,745,419 |
| Total Other Current Assets | 6,745,419 |
| Total Current Assets | 11,090,475 |
| Fixed Assets | |
| Land -Industrial Park | 62,948 |
| Industrial Park-Phase I | 409,078 |
| Industrial Park-Phase II | 4,261,855 |
| Industrial Park-Phase III | 20,377 |
| Building-Business Resource Ctr | 2,004,967 |
| Accum Depr-Building | (1,080,184) |
| Total Fixed Assets | 5,679,039 |
| TOTAL ASSETS | 16,769,515 |
| LIABILITIES & FUND EQUITY | |
| Liabilities | |
| Current Liabilities | |
| Security Deposits | 2,733 |
| Total Current Liabilities | 2,733 |
| Total Liabilities | 2,733 |
| Fund Equity | |
| Committed for Eco. Dev. Projects | 5,008,137 |
| Restricted for Fixed Assets | 5,679,039 |
| Reserved for Encumbrance | 212,870 |
| Assigned for Operating Expenditures | 1,289,130 |
| Unassigned Fund Balance | 4,577,605 |
| Total Fund Equity | 16,766,782 |
| TOTAL LIABILITIES & FUND EQUITY | 16,769,515 |

# City of San Angelo Development Corporation
## Revenue & Expenditure Report - Economic Development
## January 2023

| | | Budget | Month Actual | YTD Actual | YTD Actual W/ Enc | Over/(Under) Budget | % of Budget |
|---|---|---|---|---|---|---|---|
| Revenues | | | | | | | |
| Sales & Use Tax | | 2,934,328 | 271,156 | 1,103,128 | 1,103,128 | (1,831,200) | 38% |
| Interest on Investments | | 54,570 | 20,440 | 53,526 | 53,526 | (1,044) | 98% |
| Lease Income | | 1,713 | 1,139 | 1,686 | 1,686 | (27) | 100% |
| Miscellaneous Income | | - | - | 450 | 450 | 450 | 100% |
| Total Revenues | | 2,990,611 | 292,735 | 1,158,790 | 1,158,790 | (1,831,821) | 39% |
| Expenditures | | | | | | | |
| Administrative | | 128,452 | 8,264 | 23,293 | 32,832 | (95,620) | 26% |
| Partnership Affiliations | | 91,297 | - | 56,297 | 56,297 | (35,000) | 62% |
| COSADC Staff | | 465,643 | - | - | - | (465,643) | 0% |
| City Services | | 220,408 | - | - | - | (220,408) | 0% |
| Industrial Park Ops & Maint | | 19,350 | 97 | 1,561 | 3,224 | (16,126) | 17% |
| Marketing-Chamber of Commerce | | 262,500 | - | 131,250 | 262,500 | - | 100% |
| Advertising | | 25,000 | - | - | - | (25,000) | 0% |
| Building Maintenance/Utilities | | 90,850 | 2,360 | 18,426 | 61,027 | (29,823) | 67% |
| Capital | | 40,000 | - | 6,610 | 6,610 | (33,390) | 17% |
| Business Factory | | 191,032 | 499 | 7,965 | 8,955 | (182,077) | 5% |
| Total Operating Expenditures | | 1,534,532 | 11,220 | 245,402 | 431,445 | (1,103,087) | 28% |
| Projects | | | | | | | |
| Principle LED | DC0134 | 1,004 | - | - | - | (1,004) | 0% |
| Phase II Sewer Line | DC0136 | 96,000 | - | - | - | (96,000) | 0% |
| TXDOT Aside Program Grant | DC0137 | 60,500 | - | - | - | (60,500) | 0% |
| Parkhill | DC0139 | 27,024 | - | - | 9,212 | (17,812) | 34% |
| Industrial Park-Phase II | DC0147 | 2,848 | - | - | 2,848 | - | 100% |
| US Customs Retention II | DC0152 | 151,762 | - | - | - | (151,762) | 0% |
| Principle LED BREP | DC0154 | 2,500 | - | - | - | (2,500) | 0% |
| West Texas Steel | DC0162 | 59,000 | - | - | - | (59,000) | 0% |
| SMC Global | DC0163 | 151,423 | - | - | - | (151,423) | 0% |
| J's Deer & Wild Game | DC0164 | 15,000 | - | - | - | (15,000) | 0% |
| Double Barrel | DC0167 | 20,000 | - | - | - | (20,000) | 0% |
| Ethicon | DC0170 | 732,156 | - | - | - | (732,156) | 0% |
| Airport Exit Monument | DC0179 | 100,000 | - | - | - | (100,000) | 0% |
| TGC/GAFB II | DC0181 | 78,139 | - | - | - | (78,139) | 0% |
| SMC Global - BREP | DC0182 | 362,500 | - | - | - | (362,500) | 0% |
| Dorado Construction | DC0183 | 50,000 | - | - | - | (50,000) | 0% |
| SME-Prime | DC0184 | 50,000 | - | - | - | (50,000) | 0% |
| Ind Park Clearing | DC0188 | 6,186 | - | - | 6,186 | - | 100% |
| Skyline P3 | DC0192 | 3,000,000 | - | - | - | (3,000,000) | 0% |
| BREP - 4540 Construction | DC0201 | 32,500 | - | - | - | (32,500) | 0% |
| Ind. Park Brush Clearing | DC0202 | 98,796 | 4,500 | 89,204 | 98,796 | - | 100% |
| Future Projects | | 1,556,557 | - | - | - | (1,556,557) | 0% |
| Total Project Expenditures | | 6,653,895 | 4,500 | 89,204 | 117,042 | (6,536,853) | 1% |
| Total Expenditures | | 8,188,427 | 15,720 | 334,606 | 548,487 | (7,639,940) | 4% |
| Revenue Over/(Under) Expenditures | | (5,197,816) | 277,015 | 824,184 | 610,303 | | |

# City of San Angelo Development Corporation
## Economic Development Projects
## As of January 31, 2023

| Project | Code | Original Allocation | Current Allocation | Current Year Activity | Inception to Date | Remaining Allocation |
|---|---|---|---|---|---|---|
| Principle LED | DC0134 | 550,001 | 516,123 | - | 515,119 | 1,004 |
| Phase II Sewer Line | DC0136 | 100,000 | 100,000 | - | 4,000 | 96,000 |
| TXDOT Aside Program Grant | DC0137 | 100,000 | 100,000 | - | 39,500 | 60,500 |
| Parkhill | DC0139 | 308,000 | 323,000 | - | 295,975 | 27,025 |
| Industrial Park-Phase II | DC0147 | 2,000,000 | 4,225,568 | - | 4,222,719 | 2,849 |
| US Customs Retention II | DC0152 | 46,435 | 1,149,225 | - | 997,462 | 151,763 |
| Principle LED BREP | DC0154 | 300,147 | 300,147 | - | 297,647 | 2,500 |
| West Texas Steel | DC0162 | 59,000 | 59,000 | - | - | 59,000 |
| SMC Global | DC0163 | 200,000 | 200,000 | - | 48,577 | 151,423 |
| J's Deer & Wild Game | DC0164 | 60,000 | 60,000 | - | 45,000 | 15,000 |
| Double Barrel | DC0167 | 70,000 | 70,000 | - | 50,000 | 20,000 |
| Ethicon | DC0170 | 47,724 | 1,057,203 | - | 325,047 | 732,156 |
| Airport Exit Monument | DC0179 | 100,000 | 100,000 | - | - | 100,000 |
| TGC/GAFB II | DC0181 | 145,000 | 145,000 | - | 66,861 | 78,139 |
| SMC Global - BREP | DC0182 | 362,500 | 362,500 | - | - | 362,500 |
| Dorado Construction | DC0183 | 150,000 | 150,000 | - | 100,000 | 50,000 |
| SME-Prime | DC0184 | 150,000 | 150,000 | - | 100,000 | 50,000 |
| Ind Park Clearing | DC0188 | 25,000 | 25,000 | - | 18,813 | 6,187 |
| Skyline P3 | DC0192 | 3,000,000 | 3,000,000 | - | - | 3,000,000 |
| BREP - 4540 Construction | DC0201 | 32,500 | 32,500 | - | - | 32,500 |
| Ind. Park Brush Clearing | DC0202 | 188,000 | 188,000 | 89,204 | 178,408 | 9,592 |
| | | 7,773,807 | 12,092,766 | - | 7,305,129 | 5,008,137 |

| | |
|---|---|
| Total Committed, Not Expended | 5,008,137 |

**City of San Angelo Development Corporation**
**Balance Sheet - Ballot**
**As of January 31, 2023**

| | |
|---|---|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| Cash | 1,840 |
| Money Market | 6,571,890 |
| Total Checking/Savings | 6,573,730 |
| Other Current Assets | |
| Investments | 3,000,688 |
| Total Other Current Assets | 3,000,688 |
| Total Current Assets | 9,574,417 |
| TOTAL ASSETS | 9,574,417 |
| LIABILITIES & FUND EQUITY | |
| Fund Equity | |
| Committed for Ballot Projects | 746,329 |
| Assigned for Debt Service | 5,465,600 |
| Unassigned Fund Balance | 3,362,488 |
| Total Fund Equity | 9,574,417 |
| TOTAL LIABILITIES & FUND EQUITY | 9,574,417 |

# City of San Angelo Development Corporation
# Revenue & Expenditure Report - Ballot
# January 2023

| | Budget | Month Actual | YTD Actual | YTD Actual w/ Enc | Over/(Under) Budget | % of Budget |
|---|---|---|---|---|---|---|
| Revenues | | | | | | |
| Sales & Use Tax | 7,545,415 | 697,258 | 2,836,615 | 2,836,615 | (4,708,800) | 38% |
| Interest on Investments | 30,430 | 26,320 | 67,746 | 67,746 | 37,316 | 223% |
| Total Revenues | 7,575,845 | 723,578 | 2,904,361 | 2,904,361 | (4,671,484) | 38% |
| Expenditures | | | | | | |
| City Services | 40,412 | - | - | - | (40,412) | 0% |
| Affordable Housing Admin | 30,135 | - | - | - | (30,135) | 0% |
| Loan/Debt Service | 5,465,600 | - | - | - | (5,465,600) | 0% |
| Total Operating Expenditures | 5,536,147 | - | - | - | (5,536,147) | 0% |
| Projects | | | | | | |
| West TX Water Partnership | 200,000 | 6,698 | 13,896 | 13,896 | (186,104) | 7% |
| Affordable Housing | 676,319 | 122,775 | 122,775 | 122,775 | (553,544) | 18% |
| Water Rights | 498,960 | - | - | - | (498,960) | 0% |
| Future Projects | 1,035,873 | - | - | - | (1,035,873) | 0% |
| Total Project Expenditures | 2,411,152 | 129,473 | 136,671 | 136,671 | (2,274,481) | 6% |
| Total Expenditures | 7,947,299 | 129,473 | 136,671 | 136,671 | (7,810,628) | 2% |
| Revenue Over/(Under) Expenditures | (371,454) | 594,105 | 2,767,690 | 2,767,690 | | |

**City of San Angelo Development Corporation**
**Ballot Projects**
**As of January 31, 2023**

| Project | Project Allocation | Current Year Activity | Inception to Date | Remaining Allocation |
|---|---|---|---|---|
| **Ballot Projects:** | | | | |
| **Water Supply Projects** | | | | |
| West Texas Water Partnership | 916,969 | 13,896 | 730,865 | 186,104 |
| * Reclaimed Water Alternatives | 1,389,965 | - | 1,389,965 | - |
| * Red Arroyo Storm Water Basin | 151,040 | - | 151,040 | - |
| Total Expenditures | 2,457,974 | 13,896 | 2,271,870 | 186,104 |
| Total Water Supply Projects | | | | 186,104 |
| **Affordable Housing** | | | | |
| Revenues | | | | |
| * Sale of Fixed Assets - Blackshear Properties | 394,351 | - | 394,351 | - |
| Total Revenues | | | | |
| Expenditures | | | | |
| Affordable Housing | 4,225,072 | 122,775 | 3,664,847 | 560,225 |
| * Administrative Contract | 120,405 | - | 120,405 | - |
| * Blackshear Neighborhood Boundary | 28,300 | - | 28,300 | - |
| * Blackshear Properties | 404,125 | - | 404,125 | - |
| * Neighborhood Blitz | 550,000 | - | 550,000 | - |
| * Neighbors Helping Neighbors | 53,000 | - | 53,000 | - |
| * Rebuilding Together - Housing One Stop | 23,759 | - | 23,759 | - |
| * Rebuilding Together - Housing Repair | 74,920 | - | 74,920 | - |
| * Rehabs | 114,487 | - | 114,487 | - |
| * Roofing Grant | 200,000 | - | 200,000 | - |
| Total Expenditures | 5,794,068 | 122,775 | 5,233,844 | 560,225 |
| Total Affordable Housing | | | | 560,225 |
| **Other Projects** | | | | |
| * Sports Facilities Maintenance | 285,353 | - | 285,353 | - |
| Total Expenditures | 285,353 | - | 285,353 | - |
| Total Ballot Projects Committed, Not Expended | | | | 746,329 |
| **Voter Approved Projects:** | | | | |
| * Fort Concho Improvements | 900,000 | - | 900,000 | - |
| * Sports & Athletics Facilities | 708,744 | - | 708,744 | - |
| * 29th Street Sports Complex | 1,750,000 | - | 1,750,000 | - |
| Total Expenditures | 3,358,744 | - | 3,358,744 | - |
| Total Voter Approved Projects Committed, Not Expended | | | | - |

* Completed

# City of San Angelo Development Corporation
# Transaction Detail by Account
# December 2022

| Group # | PO # | Type | Date | Number | Description | Amount |
|---|---|---|---|---|---|---|
| **Fund 700 DEVELOPMENT CORPORATION** | | | | | | |
| **700-0000-313.00-00 TAX / SALES AND USE TAX** | | | | | | |
| 2590 | | AJ | 1/31/2023 | 187 | COSADC Sales Tax | 271,155.77 |
| **700-0000-361.10-00 INTEREST / INTEREST ON INVESTMENTS** | | | | | | |
| 2617 | | AJ | 1/31/2023 | 197 | Bank Interest | 2,149.78 |
| 2617 | | AJ | 1/31/2023 | 197 | MM Interest | 14,036.23 |
| 2617 | | AJ | 1/31/2023 | 197 | Investment Interes | 4,253.75 |
| **700-0000-363.11-00 RENT / RENT** | | | | | | |
| 2189 | | AJ | 1/15/2023 MR | | | 1,139.25 |
| **700-0700-411.03-11 PROFESSIONAL & TECHNICAL / INDIRECT COST** | | | | | | |
| 2615 | | AJ | 1/31/2023 | 195 | Reclass Expense | 67,854.00 |
| 2639 | | AJ | 9/30/2022 | 206 | COSADC Accruals | -67,854.00 |
| **700-0700-411.03-12 PROFESSIONAL & TECHNICAL / ADMINISTRATIV** | | | | | | |
| 2615 | | AJ | 1/31/2023 | 195 | Reclass Expense | -67,854.00 |
| 2637 | | AJ | 9/30/2022 | 205 | Accrue Admin Servi | -56,436.62 |
| 2639 | | AJ | 9/30/2022 | 206 | COSADC Accruals | -108,632.50 |
| **700-0700-411.03-20 PROFESSIONAL & TECHNICAL / PROFESSIONAL** | | | | | | |
| 2290 | 127749 | AP | 12/31/2022 | 5836 | MWC INTERESTS, INC | 4,500.00 |
| PROJECT#: DC0202 | | | | | | |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -25,325.86 |
| **700-0700-411.03-23 PROFESSIONAL & TECHNICAL / LOBBYING** | | | | | | |
| 2110 | | AP | 1/11/2023 | 5824 | PORTS-TO-PLAINS | -56,046.80 |
| 2111 | | AP | 1/11/2023 | 5827 | PORTS-TO-PLAINS | 56,046.80 |
| 2110 | | AP | 1/11/2023 | 5824 | PORTS-TO-PLAINS | -250 |
| PROJECT#: DC0181 | | | | | | |
| 2111 | | AP | 1/11/2023 | 5827 | PORTS-TO-PLAINS | 250 |
| PROJECT#: DC0181 | | | | | | |
| 2113 | | AP | 1/11/2023 | 5827 | PORTS-TO-PLAINS | -56,046.80 |
| 2114 | | AP | 1/11/2023 | 5828 | PORTS-TO-PLAINS | 56,046.80 |
| 2113 | | AP | 1/11/2023 | 5827 | PORTS-TO-PLAINS | -250 |
| PROJECT#: DC0181 | | | | | | |
| 2114 | | AP | 1/11/2023 | 5828 | PORTS-TO-PLAINS | 250 |
| PROJECT#: DC0181 | | | | | | |
| 2078 | | AP | 1/10/2023 | 2031 | PORTS-TO-PLAINS | -56,046.80 |
| 2079 | | AP | 1/10/2023 | 5824 | PORTS-TO-PLAINS | 56,046.80 |
| 2078 | | AP | 1/10/2023 | 2031 | PORTS-TO-PLAINS | -250 |
| PROJECT#: DC0181 | | | | | | |
| 2079 | | AP | 1/10/2023 | 5824 | PORTS-TO-PLAINS | 250 |
| PROJECT#: DC0181 | | | | | | |
| 1949 | | AP | 1/6/2023 | 5810 | PORTS-TO-PLAINS | -56,046.80 |
| 1950 | | AP | 1/6/2023 | 2031 | PORTS-TO-PLAINS | 56,046.80 |
| 1949 | | AP | 1/6/2023 | 5810 | PORTS-TO-PLAINS | -250 |
| PROJECT#: DC0181 | | | | | | |
| 1950 | | AP | 1/6/2023 | 2031 | PORTS-TO-PLAINS | 250 |
| PROJECT#: DC0181 | | | | | | |
| **700-0700-411.03-32 PROFESSIONAL & TECHNICAL / SOFTWARE MAIN** | | | | | | |
| 2548 | | AJ | 1/10/2023 | 172 | Web Forwarding | 16.99 |
| 1896 | | AP | 11/18/2022 | 10797 | CITIBANK, N.A | -144 |
| **700-0700-411.04-11 PURCHASED SERVICES / WATER/SEWER UTILITI** | | | | | | |
| 1927 | | AJ | 1/4/2023 UT | | UB CHARGE UPDATE | 136.76 |
| **700-0700-411.04-12 PURCHASED SERVICES / NATURAL GAS** | | | | | | |
| 2138 | 129403 | AP | 1/5/2023 | 5829 | ATMOS ENERGY | 371.86 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -77.76 |
| **700-0700-411.04-13 PURCHASED SERVICES / ELECTRICITY** | | | | | | |
| 2409 | | AP | 1/17/2023 | 700663 | GEXA ENERGY, LP | 617.8 |
| **700-0700-411.04-31 PURCHASED SERVICES / BLDG. & GROUNDS MAI** | | | | | | |
| 2289 | 129501 | AP | 1/15/2023 | 5834 | JOWERS COMMERCIAL | 800 |
| 2289 | 129539 | AP | 1/13/2023 | 5837 | RADS WINDOW CLEANI | 350 |
| 2078 | 129724 | AP | 1/10/2023 | 2025 | BOWLES HEATING & C | -301 |

# City of San Angelo Development Corporation
# Transaction Detail by Account
# December 2022

| Group # | PO # | Type | Date | Number | Description | Amount |
|---|---|---|---|---|---|---|
| 2079 | 129724 | AP | 1/10/2023 | 5818 | BOWLES HEATING & C | 301 |
| 2078 | 128880 | AP | 1/10/2023 | 2026 | BUG EXPRESS, INC | -85 |
| 2079 | 128880 | AP | 1/10/2023 | 5819 | BUG EXPRESS, INC | 85 |
| 2078 | 130031 | AP | 1/10/2023 | 2027 | DUNCAN MECHANICAL | -616.25 |
| 2079 | 130031 | AP | 1/10/2023 | 5820 | DUNCAN MECHANICAL | 616.25 |
| 2078 | 129474 | AP | 1/10/2023 | 2028 | ENER-TEL SERVICES | -100 |
| 2079 | 129474 | AP | 1/10/2023 | 5821 | ENER-TEL SERVICES | 100 |
| 2078 | 129501 | AP | 1/10/2023 | 2029 | JOWERS COMMERCIAL | -800 |
| 2079 | 129501 | AP | 1/10/2023 | 5822 | JOWERS COMMERCIAL | 800 |
| 2078 | 129501 | AP | 1/10/2023 | 2029 | JOWERS COMMERCIAL | -800 |
| 2079 | 129501 | AP | 1/10/2023 | 5822 | JOWERS COMMERCIAL | 800 |
| 2078 | 129725 | AP | 1/10/2023 | 2032 | REPUBLIC SERVICES, | -30.49 |
| 2079 | 129725 | AP | 1/10/2023 | 5825 | REPUBLIC SERVICES, | 30.49 |
| 2021 | 128880 | AP | 1/5/2023 | 2026 | BUG EXPRESS, INC | 85 |
| 2216 | | AP | 1/5/2023 | 5833 | TEX DEPT OF LICENS | 20 |
| 2216 | | AP | 1/5/2023 | 5832 | STATEWIDE ELEVATOR | 336.65 |
| 2021 | 129501 | AP | 1/4/2023 | 2029 | JOWERS COMMERCIAL | 800 |
| 1976 | 129474 | AP | 1/1/2023 | 2028 | ENER-TEL SERVICES | 100 |
| 2022 | 129725 | AP | 12/31/2022 | 2032 | REPUBLIC SERVICES, | 30.49 |
| 2139 | 129286 | AP | 12/30/2022 | 5830 | CONCHO VALLEY ELEC | 44.95 |
| 1977 | 129501 | AP | 12/21/2022 | 2029 | JOWERS COMMERCIAL | 800 |
| 1977 | 129724 | AP | 12/19/2022 | 2025 | BOWLES HEATING & C | 301 |
| 2023 | 130031 | AP | 11/30/2022 | 2027 | DUNCAN MECHANICAL | 616.25 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -800 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -1,350.00 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -664 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -47.36 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -16.83 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -95 |
| **700-0700-411.04-33 PURCHASED SERVICES / VEHICLE MAINTENANCE** | | | | | | |
| 2616 | | AJ | 1/31/2023 | 196 | Mthly Vehicle Main | 35 |
| **700-0700-411.04-42 PURCHASED SERVICES / RENT OF EQUIPMENT** | | | | | | |
| 2455 | 129830 | AP | 12/30/2022 | 5840 | CTWP | 420 |
| 2048 | | AP | 12/29/2022 | 700266 | CTWP | -109.97 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -194.37 |
| **700-0700-411.05-30 PURCHASED SERVICES / COMMUNICATION** | | | | | | |
| 2593 | | AJ | 1/28/2023 | 190 | Suddenlink Jan 23 | 584.49 |
| 2631 | | AJ | 1/28/2023 | 202 | VoIP - Jan 23 | 318 |
| **700-0700-411.05-31 PURCHASED SERVICES / CELLULAR PHONE** | | | | | | |
| 2635 | | AJ | 1/6/2023 | 203 | AT&T Jan '23 | 9.13 |
| 2594 | | AJ | 12/22/2022 | 191 | Verizon Chrgs Dec | 55.31 |
| **700-0700-411.05-65 PURCHASED SERVICES / SPECIAL PROJECT "A"** | | | | | | |
| 2454 | 129727 | AP | 1/2/2023 | 5838 | ANGELO AWARDS | 14.86 |
| 2455 | 129830 | AP | 12/30/2022 | 5840 | CTWP | 17.32 |
| 2455 | 129830 | AP | 12/30/2022 | 5840 | CTWP | 30 |
| 1896 | | AP | 11/16/2022 | 10797 | CITIBANK, N.A | 100 |
| 1896 | | AP | 11/16/2022 | 10797 | CITIBANK, N.A | 18.6 |
| 1896 | | AP | 11/14/2022 | 10797 | CITIBANK, N.A | 318.6 |
| **700-0700-411.05-80 PURCHASED SERVICES / TRAVEL & LODGING** | | | | | | |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -578.02 |
| **700-0700-411.06-10 SUPPLIES / OFFICE SUPPLIES** | | | | | | |
| 1896 | | AP | 11/17/2022 | 10797 | CITIBANK, N.A | 14.53 |
| 1896 | | AP | 11/10/2022 | 10797 | CITIBANK, N.A | 183.33 |
| 1896 | | AP | 11/10/2022 | 10797 | CITIBANK, N.A | 79.46 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -59.71 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -27.48 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -128.06 |
| **700-0700-411.06-26 SUPPLIES / GASOLINE** | | | | | | |
| 2616 | | AJ | 1/31/2023 | 196 | Mthly Fuel Expense | 47.56 |
| **700-0700-411.06-30 SUPPLIES / FOOD** | | | | | | |

# City of San Angelo Development Corporation
# Transaction Detail by Account
# December 2022

| Group # | PO # | Type | Date | Number | Description | Amount |
|---|---|---|---|---|---|---|
| 2454 | 129293 | AP | 1/23/2023 | 5839 | ANGELO WATER SERVI | 45.22 |
| 2078 | 129293 | AP | 1/10/2023 | 2024 | ANGELO WATER SERVI | -45.22 |
| 2079 | 129293 | AP | 1/10/2023 | 5817 | ANGELO WATER SERVI | 45.22 |
| 2078 | 130049 | AP | 1/10/2023 | 2033 | SAN ANGELO CHAMBER | -5,400.00 |
| 2079 | 130049 | AP | 1/10/2023 | 5826 | SAN ANGELO CHAMBER | 5,400.00 |
| 2138 | 130062 | AP | 1/6/2023 | 5831 | SAN ANGELO CHAMBER | 1,500.00 |
| 1977 | 129293 | AP | 12/22/2022 | 2024 | ANGELO WATER SERVI | 45.22 |
| 2475 | | AP | 12/20/2022 | 10848 | CITIBANK, N.A | 25 |
| 2022 | 130049 | AP | 12/13/2022 | 2033 | SAN ANGELO CHAMBER | 5,400.00 |
| 1896 | | AP | 11/10/2022 | 10797 | CITIBANK, N.A | 212.96 |
| 1896 | | AP | 11/10/2022 | 10797 | CITIBANK, N.A | 35.43 |
| 1896 | | AP | 11/9/2022 | 10797 | CITIBANK, N.A | 277 |
| **700-0700-800.07-50 PROPERTY / CONTINGENCIES** | | | | | | |
| 2455 | 129830 | AP | 12/30/2022 | 5840 | CTWP | 16.42 |
| 2455 | 129830 | AP | 12/7/2022 | 5840 | CTWP | 184.73 |
| **700-0705-411.04-11 PURCHASED SERVICES / WATER/SEWER UTILITI** | | | | | | |
| 2357 | | CR | 1/24/2023 | 138754 | ECO DEV WATER SEWER UTILI | -561.13 |
| 2041 | | AJ | 1/9/2023 UT | | UB CHARGE UPDATE | 30.69 |
| 1971 | | AJ | 1/6/2023 UT | | UB CHARGE UPDATE | 30.69 |
| **700-0705-411.04-31 PURCHASED SERVICES / BLDG. & GROUNDS MAI** | | | | | | |
| 2078 | 129477 | AP | 1/10/2023 | 2030 | JR SILVA TREE SERV | -396 |
| 2079 | 129477 | AP | 1/10/2023 | 5823 | JR SILVA TREE SERV | 396 |
| 2022 | 129477 | AP | 12/27/2022 | 2030 | JR SILVA TREE SERV | 396 |
| 2290 | 129477 | AP | 12/27/2022 | 5835 | JR SILVA TREE SERV | 663 |
| 2162 | | AJ | 9/30/2022 | 156 | Accrue Expense to | -462 |
| **Fund 711 Ballot** | | | | | | |
| **711-0000-313.00-00 TAX / SALES AND USE TAX** | | | | | | |
| 2590 | | AJ | 1/31/2023 | 187 | COSADC Sales Tax | 697,257.71 |
| **711-0000-361.10-00 INTEREST / INTEREST ON INVESTMENTS** | | | | | | |
| 2617 | | AJ | 1/31/2023 | 197 | MM Interest | 20,198.47 |
| 2617 | | AJ | 1/31/2023 | 197 | Investment Interes | 6,121.25 |
| **711-0700-411.03-11 PROFESSIONAL & TECHNICAL / INDIRECT COST** | | | | | | |
| 2639 | | AJ | 9/30/2022 | 206 | COSADC Accruals | -12,194.75 |
| **711-0700-411.03-13 PROFESSIONAL & TECHNICAL / ADM SVCS-AFFO** | | | | | | |
| 2639 | | AJ | 9/30/2022 | 206 | COSADC Accruals | -7,533.75 |
| **711-0700-411.03-20 PROFESSIONAL & TECHNICAL / PROFESSIONAL** | | | | | | |
| 2440 | | AP | 1/30/2023 | 2034 | PINNACLE BANK | -52,450.00 |
| PROJECT#: DC0200 | | | | | | |
| 2441 | | AP | 1/30/2023 | 2035 | FIRST TITLE CO | 52,450.00 |
| PROJECT#: DC0200 | | | | | | |
| 2390 | | AP | 1/24/2023 | 2034 | PINNACLE BANK | 52,450.00 |
| PROJECT#: DC0200 | | | | | | |
| 1954 | | AP | 1/6/2023 | 2023 | SURETY TITLE COMPA | 70,325.09 |
| PROJECT#: DC0200 | | | | | | |
| **711-1994-901.08-13 TRANSFER / TRANSFER TO WATER CAPITAL** | | | | | | |
| 2538 | | AJ | 1/5/2023 | 162 | WTWP November | 6,697.84 |

# THE CITY OF SAN ANGELO, TEXAS

**Schedule of Revenues and Expenditures**
**Fiscal Year through January 31, 2023**

25% of Year Lapsed

## Hickory Water Supply II - Fund 527

**Debt Payments Through 2045**

| | Dept | Current Budget | Month Actual | YTD W/Enc | Over/(Under) Budget | Previous Years Activity | Inception to Date |
|---|---|---|---|---|---|---|---|
| **Beginning Fund Balance*** | | **(9,372,561)** | | **(9,372,561)** | | | |
| **REVENUES:** | | | | | | | |
| Interest Income | | - | - | - | - | 206,638 | 206,638 |
| C.O. Proceeds | | 49,725,130 | 3,463,590 | 11,205,163 | (38,519,967) | 6,349,871 | 17,555,034 |
| **Total Revenues** | | 49,725,130 | 3,463,590 | 11,205,163 | (38,519,967) | 6,556,509 | 17,761,672 |
| **EXPENDITURES:** | | | | | | | |
| Post Construction | 4150 | 150,000 | - | 150,000 | - | - | 150,000 |
| Design & Inspection | 4157 | 2,400,764 | 66,048 | 2,353,263 | (47,501) | 744,292 | 3,097,555 |
| Construction | 4159 | 37,595,165 | 4,770,972 | 37,508,891 | (86,274) | 11,421,337 | 48,930,228 |
| Issue Costs | 9900 | - | - | - | - | 1,469,664 | 1,469,664 |
| Transfer to Debt Service | 1994 | - | - | - | - | 2,293,777 | 2,293,777 |
| **Total Expenditures** | | 40,145,929 | 4,837,020 | 40,012,154 | (133,775) | 15,929,070 | 55,941,224 |
| **Revenue Over/(Under) Expenditures** | | **9,579,201** | **(1,373,430)** | **(28,806,991)** | | | |
| **Ending Fund Balance** | | **206,640** | | **(38,179,552)** | | | |

*Preliminary

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

| | |
|---|---|
| Requestor: | Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197 |
| Meeting Date: | February 22, 2023 |
| Item type: | Regular Item |

---

**Caption:**

Consider approving 2022 Business Plan Competition winner, Bearded Barista to amend the use of $20,000 towards equipment purchase. (Presentation made by Nora Nevarez, Economic Development Assistant)

**Summary/History:**

On November 16, 2022, the 2022 Business Plan Competition announced The Bearded Barista as the 2nd place winner. The owners are Nat and Kimberly Turney. They were awarded $20,000. Per their business plan, they proposed expanding their business by purchasing a food truck, which would be converted into a mobile coffee shop. Bearded Barista is currently located at 2412 College Hills Boulevard.
Nat and Kimberly are requesting the awarded funds not be used for a food truck but used to purchase equipment for their second location downtown. They will purchase the following:

- Ice machine
- Coffee grinder
- Compact Semi-automatic Espresso machine
- 2 - commercial blenders
- Automatic Coffee Brewer
- Under counter refrigerator
- wide conveyor toaster
- 2 door refrigerated sandwich prep table

**Financial Impact:**

**Other Information/Recommendation:**

Staff recommends approval.

**Attachments:**

**Presentation:**

Nora Nevarez

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Regular Item

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**Caption:**

Discussion and possible action regarding the proposed revisions to the COSADC Bylaws. (Presentation by Brandon Dyson, Deputy City Attorney)

**Summary/History:**

At their meeting on December 19, 2022 the COSADC Board proposed certain changes to the Corporation Bylaws. Those changes were submitted to City Council for ratification and during their meeting on January 17, 2023 Council elected not to ratify the changes subject to certain revisions with a recommendation to make further revisions. At their meeting on January 25, 2023 the Board was briefed by staff on the Council decision and directed the Bylaws Review Committee to meet and address the issues identified.The COSADC Bylaws Committee met on February 15, 2023 and proposed to limit the Bylaws changes to those shown in the attached.

**Financial Impact:**

No fiscal impact.

**Other Information/Recommendation:**

**Attachments:**

| | | |
|---|---|---|
| 1. | 2022 Bylaw Revisions - (Final Redline) 02-16-2023 | 2022 Bylaw Revisions - (Final Redline) 02-16-2023.pdf |

**Presentation:**

Brandon Dyson

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Brandon Dyson | Approved |
| Tina Dierschke | Approved |
| Michael Dane | Final Approval |

# BYLAWS OF
# CITY OF SAN ANGELO DEVELOPMENT CORPORATION

These bylaws restate in their entirety and supersede the bylaws of the City of San Angelo Development Corporation in effect upon their adoption by the Board and approval by City Council.

## ARTICLE I
## PURPOSE AND POWERS

SECTION 1. GOVERNING LAW.

The Corporation shall be governed by the following statutes, ordinances, and rules, as amended and supplemented from time to time and to the extent that such statutes, ordinances, and rules remain in force and effect.

- Articles of Incorporation, as amended.
- Local Government Code, Chapters 380, 501, 502, and 505.
- City of San Angelo Code of Ordinances, Chapter 2 “Administration and Personnel”, Article 2.07 “Boards, Committees and Commissions”, Division 1 “Generally” and Division 6 “Economic Development Corporation”.
- Bylaws

SECTION 2. REGISTERED OFFICE AND REGISTERED AGENT.

(a) Registered Office and Agent. The City of San Angelo Development Corporation (the "Corporation") shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office. The Registered Office for the Corporation shall be the City of San Angelo Business Resource Center, 69 N. Chadbourne, San Angelo, Texas 76903. The Registered Agent for the Corporation is Nora Nevarez, Economic Development Assistant for the City of San Angelo, or such other person employed in the Economic Development office as may be designated by the Board from time to time and registered with the Texas Secretary of State.

(b) Principal Office. The Principal Office of the Corporation shall be the City of San Angelo Business Resource Center, 69 N. Chadbourne Street, San Angelo, Texas, 76903.

SECTION 3. MEETINGS.

A. Notice of Meetings. The Corporation is subject to the Open Meetings Act, Texas Government Code, Sec. 551.001. Notice of each regular or special meeting of a quorum of the board shall be given in accordance with the provisions of the Act.

B. Place. All meetings of the Board of Directors shall be held within the corporate limits of the City of San Angelo, Texas. Regular meetings of the board shall be held at least one time each calendar month, unless there is no business for consideration. The board, by majority vote, shall set the day of each month for regular meetings. Special meetings may be called by the Board President with notice to the Board as required under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

C. Annual Meeting. An annual meeting of the Board of Directors shall be held at a regular board meeting during May of each year, subject to resolution of the Board setting a special meeting for the annual meeting.

D. Regular Meetings. The Board of Directors may provide for regular meetings by resolution stating the day of each month, time and place within the corporate limits of the City of San Angelo for regular meetings. Regular Meetings shall continue to be held on such days and at such time and place, subject to change by Resolution of the Board.

E. Special Meetings.

(1) Special meetings of the Board of Directors may be held at the request of the President, any Vice President, any two Directors of the Corporation, or any two members of the City Council. A person or persons calling the meeting shall fix the date and time of the meeting.

(2) The person or persons calling a special meeting shall notify the Secretary of the Corporation of the information required to be included in the notice of special meeting. In addition to posting public notice of the meeting in accordance with the Texas Open Meetings Act, a written copy of the notice of meeting shall be delivered to each board member not less than seventy-two hours before the time set for the meeting. A meeting notice shall be deemed delivered one day after the notice is deposited in the United States mail or the day sent by email, addressed to the board member at his or her address as it appears on the records of the Corporation. Such notice shall be deemed waived by a board member's attendance at the meeting for purposes other than protesting notice, or in writing delivered to the corporate secretary either before or after the time of the meeting.

F. Agenda. Any director or officer of the corporation may place an issue on the Agenda of a regular or special meeting by notifying the Secretary of the corporation one week prior to the meeting, if possible, but in no event later than necessary for posting public notice in compliance with the Texas Open Meetings Act.

G. Quorum. A quorum for the transaction of business by the Board shall be a majority of the seven (7)

members of the Board. The presence of a director may not be established by proxy.

SECTION 4. CONDUCT OF BUSINESS.

A. Matters pertaining to the business of the Corporation shall be considered by the Board in accordance with the rules of procedure as from time to time prescribed by the Board. Unless otherwise adopted by the Board, the rules of procedure of the City Council then in effect shall be the rules of procedure for the Board.

B. At the meetings of the Board of Directors, the President, or in his or her absence the First or Second Vice President, or in the absence of those Officers, a member of the Board selected by motion adopted by a majority of the members present, shall preside.

C. The Secretary of the Corporation or his or her designee shall act as Secretary of at meetings of the board. The Secretary shall keep minutes of Board and committee meetings and shall cause such approved, official minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

D. Committees. The Board of Directors may by resolution establish one or more special or standing committees. Such committees shall have the powers, duties and responsibilities established by the Board. The committees shall keep regular minutes of their meetings and report the same to the Board of Directors when requested.

E. Compensation of Directors. Board members shall not receive a salary or any compensation for their services. Directors may be reimbursed for actual expenses incurred in the performance of their duties as board members. Travel expenses shall be reimbursed under the City's travel policy.

F. Ex-Officio Members. (1) The City Council may appoint Ex-Officio members to the Board of Directors as it deems appropriate. These representatives shall have the right to take part in any discussion in open meetings but shall not have the power to vote in the meetings. Ex- Officio members shall serve a term of one calendar year but shall be eligible for reappointment for succeeding one-year terms.

(2) The following persons shall be automatically appointed as Ex-Officio directors during their term of service in the designated capacities:

(i) The President of the San Angelo Chamber of Commerce;
(ii) The Chairman of San Angelo Regional Manufacturing Association;
(iii) The Chairman of Cornerstone Investors and
(iv) The Chairman of the Economic Development Advisory Board.

(3) Ex Officio board membership of an individual holding the designated office for such named entity shall automatically be deemed vacated upon termination of the individual's service as an officer of the named entity, and the replacement for such designated officer shall automatically succeed to the vacated Ex-Officio board

member seat.

G. Contracts. Except for contracts or transactions executed by the Executive Director as authorized in Article V, ~~N~~no contract or other transaction between this corporation and any other corporation, person or entity shall be authorized unless approved at a public meeting by a quorum of the Board, on duly adopted motion of members not having a conflict of interest.

H. Authority of the Board. The Board of Directors shall govern the corporation pursuant to applicable law, subject to oversight of the City Council as required. Within the scope of such general authority, the Board of Directors shall have the following authority:

1. To purchase, or otherwise acquire for the corporation, any property, rights, or privileges which the corporation is authorized to acquire, at such price or consideration and generally on such terms and conditions as they think fit; and at their discretion to pay therefore either wholly or partly in money, notes, bonds; debentures, or other securities of contracts of the corporation.

2. To create, make and issue notes, mortgages, bonds, deeds of trust, trust agreements and negotiable or transferable instrument and securities, secured by mortgage or deed of trust on any real property of the corporation or otherwise and to do every other act or thing necessary to effect the same, or to contract with the City of San Angelo to effect the same.

3. To sell or lease the real or personal property of the corporation on such terms as the Board may deem fit and to execute all deeds, leases and other conveyances of corporate property or other contracts that may be necessary or desirable for carrying out the purposes of this corporation.

4. Whether included in the foregoing or not, to have and exercise all powers necessary or appropriate to effect any or all of the purposes for which the corporation is organized which powers shall be subject at all times to the control of the City Council of San Angelo, Texas.

I. Review of proposed Development Projects. In addition to ballot approved projects, the Board is charged with authority pursuant to provisions of the Development Corporation Act to evaluate and fund projects for the promotion and development of new or expanding business enterprises which create or retain primary jobs, including providing for infrastructure to support such enterprises. With regard to economic development projects, the corporation may request review and recommendations from Cornerstone Investors or the San Angelo Chamber of Commerce as provided under contract.

SECTION 5. DUTIES OF DIRECTORS.

A. Performance of Duties. Directors shall exercise ordinary business judgment in managing the affairs of the Corporation. In acting in their official capacity as directors of the Corporation, directors shall act in good faith and take actions they reasonably believe to be in the best interests of the Corporation and which are not unlawful and shall refrain from actions not in the best interest of the Corporation or which would be unlawful. A director shall not be liable if, in the exercise of ordinary

care, the director acts in good faith relying on written financial and legal statements provided by an accountant, attorney, or other professional advisor retained by the Corporation.

B. Conflict of Interest. In the event that a director is aware that he has a conflict of interest or potential conflict of interest, with regard to any particular matter or vote coming before the Board, the director shall bring the same to the attention of the Board and shall abstain from discussion of and voting on that matter.

A director shall bring to the attention of the Board any apparent conflict of interest or potential conflict of interest of any other director, in which case the Board shall determine whether a true conflict of interest exists before any further discussion or vote shall be conducted regarding the matter. The director about whom a conflict-of-interest question has been raised shall refrain from voting with regard to the board's determination.

C. Contracts for Service. ~~(1)~~ The Corporation may, with approval of the City Council unless such approval is not required per Article I, Section 8(2)(i-ii) and/or Article V, Section 2, contract with any qualified and appropriate person, association, corporation, or governmental entity to perform and discharge designated tasks, which will aid or assist the Board in the performance of its duties. However, no such contract shall divest the Board of its discretionary duties or policy-making authority.

SECTION 6. ANNUAL REPORT OF CORPORATE FUNDED PROJECTS. On or before the first regular meeting of the Board in May of each year, the board shall hold a public hearing for review of a summary of corporate funded projects and economic development activities of the Corporation during the previous fiscal year as outlined in a written report prepared by staff and submitted to the board for adoption.

SECTION 7. DEBT, DEPOSIT, AND INVESTMENT OF CORPORATE FUNDS.

A. Bonds and Debt Instruments. All proceeds from the issuance of bonds, notes or other debt instruments (the "Bonds") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to their execution or issuance and handled in accordance with the statute governing this Corporation, but no bonds shall be issued, including refunding bonds, by the Corporation without the approval of the City Council after review and comment by the City's bond counsel.

B. Investment Policy. All monies of the Corporation shall be deposited, secured, and/or invested in compliance with the City of San Angelo Investment Policy, Strategy and Broker/Dealer List of the San Angelo Development Corporation adopted and amended from time to time by the board pursuant to the Texas Public Funds Investment Act and approved by City Council. The Treasurer shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds therefrom for use by and for the purposes of the Corporation upon the signature of the Treasurer and the Secretary. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the Department of Finance of the City.

SECTION 8. EXPENDITURES OF CORPORATE MONEY.

The monies of the Corporation, including sales and use taxes collected pursuant to Chapter 505 "Type B Corporations", of the Development Corporation Act and Article 2.07, Division 6 of the City of San Angelo Code of Ordinances, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, monies derived from the repayment of loans, rents received from the lease or use of property, the proceeds derived from the sale of bonds, and other proceeds may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitations:

1. Expenditures from the proceeds of bonds shall be identified and described in the orders, resolutions, indentures, or related corporate agreements submitted to and approved by the City Council. Expenditures made from a fund established with the proceeds of bonds, and expenditures of proceeds from sources other than bonds, may be used for the purposes of funding or otherwise facilitating one or more authorized economic development projects. Specific proposed expenditures shall be described in an authorizing resolution or order of the Board, subject to approval thereof by the City Council.

2. Other proposed expenditures shall be made in accordance with annual budgeted funds as the budget may be amended from time to time, and ~~,~~with the City of San Angelo *Purchasing Policy and Procedures Manual*, as amended. Additionally, the following limitations shall apply:

   i. The Executive Director may make expenditures up to $25,000 as provided in Article V, Section 2 below.
   ii. Expenditures between $25,001 and $50,000 shall require approval of the Board and the City Manager, or his designee, to satisfy the requirements of Texas Local Government Code Section 501.073.
   iii. Expenditures greater than $50,000 shall require Board and City Council approval but shall not be subject to bidding requirements unless otherwise required by law.
   iv. Separate, sequential, and/or component purchases shall not be made to purposely avoid the purchasing limits set out herein. Such limits apply to items or services that by standard purchasing practices would ordinarily be procured in a single purchase.
   v. Regardless of amount, "project" expenditures and contracts made under the Texas Local Government Code shall require Board and City Council approval.

SECTION 9. REPORT TO COMPTROLLER.

Not later than February 1 of each year, the board of directors of the Corporation shall submit to the Texas Comptroller of Public Accounts the report of corporate revenues and expenditures required under Local Government Code, Title 12, Subtitle C1, Chapter 502.

## ARTICLE II
## OFFICERS

SECTION 1. TITLES AND TERM OF OFFICE.

The officers of the Corporation shall be a president, first and second vice-presidents, a secretary, and a treasurer.

SECTION 2. OFFICERS.

A. President and First and Second Vice-President. The president and first and second vice presidents shall be appointed by and subject to the control of the Board of Directors and shall serve a term of one (1) year or until their successors are appointed.

B. Secretary and Treasurer. The Secretary of the Corporation shall be a City staff member assigned to the Corporation under a contract between the Corporation and the City of San Angelo, as approved by the Board of Directors. The Treasurer of the Corporation shall be the Finance Director of the City of San Angelo and shall serve as long as he/she remains in the position.

C. Any officer of the Corporation may be removed by a majority vote of the Board of Directors without cause.

D. Vacancies. A vacancy in any office of the Corporation may be filled by a majority vote of the Board of Directors for the unexpired portion of the officer's term.

E. Annual Election. The Board of Directors, at each annual meeting of the Board shall appoint the officers of the Corporation who shall have such authority and shall perform such duties as from time to time may be prescribed by the Board of Directors.

F. Compensation of Officers. Officers of the corporation shall not receive a salary or other compensation for their services. Officers may be reimbursed for actual expenses incurred in the performance of their duties. Travel expenses shall be reimbursed under the City's travel policy.

SECTION 3. DUTIES OF OFFICERS.

A. President. The president shall be the chief executive officer of the Corporation and shall preside at all meetings of the Directors. The president shall, subject to the authority of the Board and approval of the City Council, supervise and control all of the business and affairs of the Corporation. When the execution of any contract or instrument shall have been authorized by the Board of Directors, the president shall execute same except where such power is expressly delegated to another officer of the Corporation. The president shall perform other duties prescribed by the Board of Directors and all duties incident to the office of president.

In addition, the president shall:

1. Have the authority to appoint standing or study committees to aid and assist the Board in its business undertaking or other matters incidental to the operation and functions of the Board (this authority is in addition to the authority of the Board to establish committees pursuant to Article I~~I~~, Section ~~3~~4D of these Bylaws);

2. Appear or designate a board or staff member to appear before the City Council on a periodic basis to give a report on the status of activities of the Corporation; and

3. Appear or designate a board or staff member to appear before the City Council, regarding any item being considered by the City Council concerning the Corporation.

B. Vice Presidents. The first vice president shall exercise the powers of the president during that officer's absence or inability to act. The second vice president shall exercise the powers of the president during the absence of the president and the first vice president. The first and second vice presidents shall also perform other duties as from time to time may be assigned by the president or the Board.

C. Secretary. The secretary shall keep the minutes of all meetings of the Board and committees in books provided for that purpose, shall give and serve all notices, shall sign in his/her official capacity with the president in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation and when necessary, shall affix the seal of the Corporation. The secretary shall have charge of the corporate books, records, documents, and instruments except the books of account and financial records and securities, and such other books and papers as the Board may direct. The secretary shall in general perform all duties incident to the office of secretary subject to the control of the Board.

D. Treasurer. The treasurer shall have charge and custody of all funds and securities of the Corporation; shall receive and give receipts for money due and payable to the Corporation from any source; shall endorse on behalf of the Corporation for collection, checks, notes, and other obligations and shall deposit the same to the credit of the Corporation in such bank or depository as the Board of Directors may designate. Whenever required by the Board of Directors, the treasurer shall render a statement of the Corporation's cash account; shall enter regularly in the books of the Corporation, to be kept by the treasurer for that purpose, a full and accurate account of the Corporation and shall assist the board in preparing an annual budget. The Corporation's books and accounts shall at all reasonable times be open to examination by any director of the Corporation or any officer or Councilmember of the City of San Angelo upon application at the office of the Corporation during business hours, and to the public as required under the Texas Open Records Act. The treasurer shall perform all acts incident to the position of treasurer, subject to the control of the Board of Directors. The treasurer shall submit a monthly public financial statement to the City Council of the City of San Angelo.

## ARTICLE III
## REQUIRED BOOKS AND RECORDS

SECTION 1. CORPORATE RECORDS.

The Corporation's books and records shall include a file endorsed copy of all documents filed with the Texas Secretary of State relating to the Corporation, including, but not limited to, the Articles of Incorporation, any articles of amendment, restated articles, articles of merger, articles of consolidation, and statement of change of registered office or agent.

a. Bylaws and any amended or restated bylaws.
b. Minutes of the proceedings of the Board of Directors.
c. A list of names and addresses of the directors and officers of the Corporation.
d. A financial statement showing the assets, liabilities, and net worth of the Corporation at the end of the three most recent fiscal years.
e. A financial statement showing the income and expenses of the Corporation for the three most recent fiscal years.
f. All rulings, letters, and other documents relating to the Corporation's federal, state and local tax status.
g. Annual budget approved by City Council.

SECTION 2. ANNUAL BUDGET.

At least ninety (90) days prior to October 1st, with the assistance of the Treasurer, the Board shall prepare and adopt a proposed budget of expected revenues and proposed expenditures for the next ensuing fiscal year. The fiscal year of the Corporation shall commence on October 1st of each year and end on September 30th of the following year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the City Council of the City of San Angelo. The budget proposed for adoption shall include the projected operating expenses, and such other budgetary information as shall be required by the City Council for its approval and adoption. The budget shall be considered adopted upon formal approval by the City Council.

SECTION 3. FINANCIAL BOOKS, RECORDS, AUDITS.

The Treasurer shall keep and properly maintain, in accordance with generally accepted accounting principles, complete financial books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.

The Corporation's books are required to be audited by the City's independent auditor on an annual basis. Cost of the audit will be paid by the Corporation.

SECTION 4. RECORDS OPEN TO PUBLIC.

The Corporation shall be considered a "governmental body" within the meaning of the Texas Government Code, Sec. 552.003 and all records of the Corporation shall be made available to the public for

inspection or reproduction in accordance with the requirements of the Texas Government Code, Chapter 552 (The Texas Open Records Act).

## ARTICLE IV
## INDEMNIFICATION OF DIRECTORS, OFFICERS, AND EMPLOYEES

SECTION 1. INDEMNIFICATION.

To the extent permitted by law, the Corporation shall indemnify, hold harmless and defend its directors and officers and the City of San Angelo, its Councilmembers, officers, agents, and employees, from and against liability or expense for any and all claims, liens, suits, demands, and/or actions for damages, injuries to persons (including death), property damage (including loss of use), and expenses including court costs and attorneys' fees and other reasonable costs arising out of or resulting from Corporation's functions or activities and from any liability arising out of or resulting from the intentional acts or negligence, including all such causes of action based upon common, constitutional, or statutory law, or based in whole or in part upon the negligent or intentional acts or omissions of the corporation. This indemnity shall apply even if one or more of those to be indemnified was negligent or caused or contributed to cause any loss, claim, action, or suit. Specifically, it is the intent of these Bylaws to require the Corporation to indemnify those named for indemnification, even for the consequences of the negligence of those to be indemnified which caused or contributed to cause any liability.

SECTION 2. INSURANCE.

The Corporation shall purchase or acquire through the City of San Angelo and maintain insurance on behalf of its directors, officers, employees, or agents of the Corporation, against any liability asserted against that person and incurred by that person in any such capacity or arising out of any such status with regard to the Corporation, whether or not the Corporation has the power to indemnify that person against liability for any of those acts.

## ARTICLE V
## EXECUTIVE DIRECTOR

SECTION 1. EXECUTIVE DIRECTOR POSITION

The duly appointed Director of Economic Development for the City of San Angelo shall serve as the Executive Director of the Corporation. The Executive Director shall carry out the day-to-day business of the Corporation and oversee its administrative functions and affairs.

SECTION 2. EXECUTIVE DIRECTOR EXPENDITURES

The Executive Director may make expenditures of corporate funds and enter into contracts for the purchase of goods and services, so long as said expenditures and contracts do not exceed the amounts set forth in the Corporation's approved annual budget, and provided that expenditures greater than $25,000 require Board approval before the expense may be made or obligated under contract. In entering into

contracts and making expenditures under this provision, the Executive Director shall follow the City of San Angelo *Purchasing Policy and Procedures Manual*, as amended. Additionally, the City Manager, or his designee, shall ratify all contracts executed by the Executive Director under this provision to satisfy the requirements of Texas Local Government Code Section 501.073. This provision shall not apply to "project" expenditures and contracts under the Texas Local Government Code, which shall require Board and City Council approval regardless of amount.

## ARTICLE VI
## MISCELLANEOUS

SECTION 1. CONSTRUCTION/AMENDMENT OF BYLAWS.

A. Legal Authorities Governing Construction of Bylaws. In the event of any conflict between the applicable provisions of Texas Development Corporation Act and these bylaws, then the applicable provisions of such Act shall control.

B. Legal Construction. If any bylaw or part of a bylaw is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other bylaw or remaining part(s) of a bylaw, and the bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the bylaws.

C. Headings. The headings used in the bylaws are used for convenience and shall not be considered substantive in construing the terms of the bylaws.

D. Effective Date (Amendment). These bylaws, and any subsequent amendments thereto, shall be effective from and after the date upon which approval has been given by the City Council of the City of San Angelo, Texas, of bylaws or amendments to bylaws duly adopted by the Board.

SECTION 2. NOTICE AND WAIVER.

Whenever under the provisions of these bylaws notice is required to be given to any director or officer, unless otherwise provided such notice may be given personally, or it may be given in writing by depositing the same with the U.S. Postal Service, or by email addressed to such director or officer, at such address as appears on the books of the corporation, and such notice shall be deemed to be given one day after deposit with the Postal Service or on the day sent by email. Whenever any notice is required to be given by statute, code, charter, law, or by 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 to notice.

SECTION 3. NEGOTIABLE INSTRUMENTS.

All checks, drafts, notes, or other obligations of the Corporation shall be signed by such of the officers of the corporation or by such person or persons as may be authorized from time to time by the Board of Directors.

SECTION 4. RESIGNATIONS.

Any director or officer of the corporation may at any time resign. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of receipt of the written notice of resignation by the corporation's President or Secretary. Formal acceptance of a resignation shall not be a condition to make it effective, unless expressly so provided in the written notice of resignation.

SECTION 5. CITY APPROVAL.

To the extent that these bylaws refer to any action, approval, advice, or consent by the City or refer to action, approval, advice or consent by the City Council, such action, approval, advice, or consent shall be evidenced by a motion, resolution or ordinance duly passed by the City Council and reflected in the minutes of the City Council.

SECTION 6. ORGANIZATIONAL CONTROL.

The City Council of the City of San Angelo, at its sole discretion, and at any time, may alter or change the structure, organization or procedures of the Corporation as permitted under the Texas Development Corporation Act, or order an election on termination the corporation, as provided under the Act.

SECTION 7. CORPORATE SEAL.

The Board may obtain a corporate seal which shall bear the words "Corporate Seal of the City of San Angelo Development Corporation" and the Board may thereafter use the corporate seal and corporate name; but these bylaws shall not be constructed to require the use of the corporate seal.

SECTION 8. GIFTS.

The Board may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purpose or for any special purposes of the Corporation so long as such acceptance is not contrary to the provisions of any applicable state law or city policy governing city officers and employees.

## ARTICLE VIII
## DISSOLUTION OF CORPORATION

Upon the dissolution of the Corporation after payment of all obligations of the Corporation, all remaining assets of the Corporation shall be transferred to the City of San Angelo, Texas, as permitted or required under the Texas Development Corporation Act for a section 4B Corporation.

DULY ADOPTED by the Board of the City of San Angelo Development Corporation, SUBJECT TO APPROVAL of the City Council of the City of San Angelo, Texas, this _____ day of _____, 2023.

Max Puello, President

ATTEST:

Nora Nevarez, Secretary

APPROVED AND ADOPTED BY the City Council for the City of San Angelo, Texas, this _____ day of _____, 2023.

Brenda Gunter, Mayor

ATTEST:

Heather Stastny, City Clerk

APPROVED AS TO CONTENT

Michael Dane, Interim Economic Development Director

APPROVED AS TO FORM

Brandon Dyson, Deputy City Attorney

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Regular Item

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**Caption:**

Consider authorizing the Board President to negotiate and execute Amendment 1 to the 2023 COSADC-Chamber of Commerce Professional Services Performance Agreement with ratification by City Council (Presentation made by Michael Dane, Interim Director of Economic Development)

**Summary/History:**

On November 15, 2022, City Council declined to ratify the professional service agreement. City Council requested the agreement's scope of services be reviewed. Currently, the agreement has fourteen tasks. City Council requested the following:

1.Limit the term of the contract to one year

2. Identify COSADC funds separately from other funding sources (No co-mingling of funds)

3. Revise Scope (task list) and limit to about 5 total tasks in coordination with Chamber staff. Council directed that the revised scope be brought back within 90 days.

At their meeting on November 16, 2022 the COSADC Board approved the revised agreement directing COSADC staff to work with Chamber staff to provide a revised scope per Council recommendation.
At their meeting on December 13, 2022 CIty Council ratified the revised contract
The attached Amendment 1 contains the scope changes proposed by both COSADC and Chamber staffs.

**Financial Impact:**

No fiscal impact. Contract previously approved. Scope changes do not result in any change in cost.

**Other Information/Recommendation:**

**Attachments:**

1. Amend 1 to 2023 Chamber Agrmt Amend 1 to 2023 Chamber Agrmt.pdf

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

**AMENDMENT 1 TO THE 2023 COSADC-CHAMBER OF COMMERCE PROFESSIONAL SERVICES PERFORMANCE AGREEMENT**

**RECITALS:**

**WHEREAS**, the City of San Angelo Development Corporation ("COSADC") and the San Angelo Chamber of Commerce ("Chamber") entered into a Professional Services Performance Agreement ("Agreement") on December 15, 2022, to be effective January 1, 2023, under which Provider performs various marketing, recruitment and related services for COSADC; and,

**WHEREAS**, the Parties desire to amend the Agreement by replacing Exhibit "A" – Scope of Services with a new Scope of Services that modifies the required tasks and performance measures related to those tasks; and,

**WHEREAS**, the Parties further desire to delete Exhibit "B" to the Agreement and incorporate some of its provisions into the new Scope of Services.

**NOW, THEREFORE**, the Parties agree as follows:

**PART 1:** That Exhibit "A" - Scope of Services, including Attachments 1 and 2, are deleted in their entirety and replaced with a new Exhibit "A" – Scope of Services attached to this Amendment 1.

**PART 2**: That Exhibit "B" is deleted in its entirety.

**PART 3:** References throughout the Agreement to Exhibits "A" and "B" shall instead refer to Exhibit "A" attached to this Amendment 1.

**PART 4:** All other terms and conditions of the Agreement shall remain in full force and effect unless amended and changed by further amendment.

***Signature page follows.***

**IN WITNESS WHEREOF**, the parties hereto have caused this AMENDMENT 1 to be executed by their respective duly authorized officials on this ____ day of February, 2023.

**CITY OF SAN ANGELO DEVELOPMENT CORPORATION**

By:_____
Max Puello, President

**ATTEST:**

By:_____
Nora Nevarez, Corporate Secretary

**SAN ANGELO CHAMBER OF COMMERCE, INCORPORATED**

By:_____
E. Walter Koenig, President

**APPROVED AS TO CONTENT:**

_____
Michael Dane
Interim Economic Development Director

**APPROVED AS TO FORM:**

_____
Brandon Dyson
Deputy City Attorney

**EXHIBIT "A"**
**SCOPE OF SERVICES**

Chamber will provide such services as are necessary to conduct marketing, recruitment, and development efforts pursuant to Texas Local Government Code, Chapters 501, 502, and 505, known as the Development Corporation Act (the "Act"), as amended. Chamber provided services shall in all respects further COSADC projects and programs authorized under the Act. Specific services and performance measures related to such services shall include the following:

**REQUIRED SERVICES**

1. Maintain a cross-branded website between COSADC and Chamber, with links as deemed appropriate by Chamber, to other local, state, and federal business resources, that will direct traffic to other partner websites including but not limited to: San Angelo Development Corporation, Downtown San Angelo, The Business Factory, Concho Valley Workforce Development, the ASU Small Business Development Center, Howard College/West Texas Training Center, and the San Angelo Chamber of Commerce, and any other economic development partner.

2. Provide professional economic development marketing and recruitment services to develop and implement an economic development marketing and recruitment program consistent with COSADC initiatives under the Act.

3. Chamber will evaluate local business eligibility under the COSADC Business Retention and Expansion Program and coordinate with such businesses where tax revenues may be utilized to assist in retention/expansion efforts.

4. Coordinate responses to all prospect leads, ensuring complete information sharing and involvement of all relevant economic development partners. All contacts and actions on leads, existing and potential companies/employers will be maintained, organized, and reported through Chamber's project management system.

5. Maintain current community information and other relevant information required by business prospects, including information necessary for property site selection. This information is to be updated as soon as relevant new market data is available each year and coordinated with COSADC staff to ensure consistency of data provided by COSADC and Chamber.

6. Provide background information for any projects including, but not limited to, the site requirement form, economic impact analysis (which may be written in cooperation with COSADC on a case-by-case basis), prospect summary reports for use by COSADC staff in their preparation of a formal incentive application, financial due diligence reviews and/or presentations to the COSADC Board of Directors and City Council. Upon award of financial incentives as recommended by COSADC and approved by the City Council, COSADC shall become the primary point of contact for said business.

7. Provide COSADC staff a summary of job creation, taxable value, and other economic indices that demonstrate return on investment (ROI) on all business prospects and coordinate with staff to make recommendations to the COSADC Board.

8. Ensure a Chamber representative attends each regular COSADC meeting. Provide reporting and attend such other meetings as requested by the COSADC Board.

**PERFORMANCE MEASURES**

1. Track website activity and use data to improve web presence; include information on relevant trends in presentations to the Board, as appropriate.

2. Meet with the COSADC Economic Development Director prior to presenting to the Board for consideration and final adoption of the Chamber's program to solicit comments and input on desired outcomes and activities related to COSADC funding. Present, no later than the October meetings of each year, such program for approval at a regular meeting of the COSADC Board. Chamber will include in such presentation, detailed evaluation of prior program years, including completed outcomes and status of any pending objectives.

3. Track response rates, conversion rates, inquiries, leads generated, and leads converted to prospects for each marketing effort, and work with COSADC staff to report to the Board on a quarterly/annual basis; present trend information, as appropriate.

4. Provide monthly written reports related to leads received, including source of leads, number of jobs to be created/retained, capital investment, information provided to leads and outcome of leads; and use such information to refine local economic development programs.

5. Present quarterly oral and written reports on outcomes, activities, and expenditures relating to COSADC contracted services.

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

| | |
|---|---|
| Requestor: | Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197 |
| Meeting Date: | February 22, 2023 |
| Item type: | Regular Item |

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**Caption:**

Discussion regarding the Marketing & Recruitment Professional Services Agreement between COSADC and the San Angelo Chamber of Commerce Agreement for the next fiscal year (Presentation by Nora Nevarez, Economic Development Assistant)

**Summary/History:**

On December 19, 2022, the COSA Development Corporation board members requested this item be presented in a February 2023 meeting.

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

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|---|---|
| Requestor: | Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197 |
| Meeting Date: | February 22, 2023 |
| Item type: | Regular Item |

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**Caption:**

Update regarding Affordable Housing Program (Presentation by Bob Salas, Director of Neighborhood and Family Services)

**Summary/History:**

Staff will provide an update to the Affordable Housing Assistance Program (AHAP) to include a short history, intent and goals, and progress of the program in order to provide the board and citizens with a better understanding of the program. The presentation will also discuss the value of the program and the impact of AHAP on neighborhood indicators such as crime rates and property values.

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

**Presentation:**

Bob Salas

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Executive Session Item

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**Caption:**

Section 551.071 – Consultation with attorney regarding affordable housing borrower delinquencies

**Summary/History:**

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Robert Schneeman, Economic Development Coordinator, COSADC, 325.653.7197

Meeting Date: February 22, 2023

Item type: Executive Session Item

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**Caption:**

Section 551.087 - Business prospect negotiations regarding
a. Project Cienna
b. Project New Wave
c. Skyline Aviation
d. Project Monet
e. Occupational Training Facility at Mathis Field

**Summary/History:**

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Robert Schneeman | Created/Initiated |
| Tina Dierschke | Approved |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |

Report to Board

CITY OF SAN ANGELO TEXAS Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Regular Item

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**Caption:**

Consideration and possible action of items discussed in Closed Session, if needed

**Summary/History:**

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

**Presentation:**

**Approvals/Reviews:**

Nora Nevarez Created/Initiated

Report to Board

CITY OF SAN ANGELO TEXAS Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: February 22, 2023

Item type: Regular Item

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**Caption:**

Announcements and consideration of Future Agenda items

**Summary/History:**

**Financial Impact:**

**Other Information/Recommendation:**

**Attachments:**

**Presentation:**

**Approvals/Reviews:**

| | |
|---|---|
| Nora Nevarez | Created/Initiated |
| Brandon Dyson | Approved |
| Michael Dane | Final Approval |