

FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION
AGENDA

February 16th, 2017; 6:30 p.m.

City Hall Council Chambers

- I. Call to Order**
- II. Recognition of Citizens and Visitors**
- III. Public Comment**

Anyone wanting to speak is asked to speak at this time, with an individual time limit of three (3) minutes. This forum is limited to a total of thirty (30) minutes. If a speaker inquires about an item, the EDC 4A Board or City staff may only respond with (1) a statement of specific factual information; (2) a recitation of existing policy; or (3) a proposal that the item be placed on the agenda of a future meeting.

IV. Workshop

A. Review Key Initiative Area Goals (KIA's)

Broker Targets – Ben White

Brochure and Letter – Ben White

Drone pricing/incorporate into website pricing – Ben White

V. Business Items for Discussion and Possible Action

- A. Receive, consider and discuss Open Meeting Act Law.**
- B. Receive, consider and discuss marketing tool to promote business in Farmersville.**
- C. Receive, consider and discuss report regarding Camden Park Development**
- D. Consider, discuss and act upon financial statements for January 2017, and required budget amendments.**
- E. Consider, discuss and act upon meeting minutes for January 19th, 2017**

VI. Adjournment

- No action may be taken on comments received under "Recognition of Visitors".
- The Board may vote and/or act upon each of the items listed in the Agenda.

The Farmersville Economic Development Board (4A) reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues,) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information)

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972- 782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said

notice was posted February 13th, 2017 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.


Daphne Hamlin/EDC Liaison



TO: Economic Development Corporation
FROM: Daphne Hamlin, Finance Director
DATE: February 16th, 2017
SUBJECT: Key Initiative Area Goals/Workshop

Review Key Initiative Area Goals (KIA'S)

Broker Targets – Ben White

Brochure and Letter – Ben White

Drone pricing/incorporate into website pricing – Ben White



TO: Economic Development Corporation
FROM: Daphne Hamlin, Finance Director
DATE: February 16th, 2017
SUBJECT: Open Meeting Act

Receive, consider and discuss open meeting act law.

ACTION: No action informational purpose only

VIII. Open Sessions

A. Convening the Meeting

A meeting may not be convened unless a quorum of the governmental body is present in the meeting room.²³⁷ This requirement applies even if the governmental body plans to go into an executive session immediately after convening.²³⁸ The public is entitled to know which members are present for the executive session and whether there is a quorum.²³⁹

B. Location of the Meeting

The Act requires a meeting of a governmental body to be held in a location accessible to the public.²⁴⁰ It thus precludes a governmental body from meeting in an inaccessible location. The Board of Regents of a state university system could not meet in Mexico, regardless of whether the board broadcast the meeting by videoconferencing technology to areas in Texas where component institutions were located.²⁴¹ Nor could an entity subject to the Act meet in an underwriter's office in another state.²⁴² In addition, pursuant to the Americans with Disabilities Act, a meeting room in which a public meeting is held must be physically accessible to individuals with disabilities. See *infra* Part XII.C of this *Handbook*.

C. Rights of the Public

A meeting that is “open to the public” under the Act is one that the public is permitted to attend.²⁴³ The Act does not entitle the public to choose the items to be discussed or to speak about items on the agenda.²⁴⁴ A governmental body may, however, give members of the public an opportunity to speak at a public meeting.²⁴⁵ If it does so, it may set reasonable limits on the number, frequency and length of presentations before it, but it may not unfairly discriminate among speakers for or against a particular point of view.²⁴⁶

Many governmental bodies conduct “public comment,” “public forum” or “open mike” sessions at which members of the public may address comments on any subject to the governmental body.²⁴⁷ A public comment session is a meeting as defined by section 551.001(4)(B) of the Government Code,

²³⁷ TEX. GOV'T CODE ANN. § 551.001(2), (4) (defining “deliberation” and “meeting”); *Cox Enters., Inc. v. Bd. of Trs.*, 706 S.W.2d 956, 959 (Tex. 1986).

²³⁸ TEX. GOV'T CODE ANN. § 551.101; see *Martinez v. State*, 879 S.W.2d 54, 56 (Tex. Crim. App. 1994); *Cox Enters., Inc.*, 706 S.W.2d at 959.

²³⁹ *Martinez*, 879 S.W.2d at 56; *Cox Enters., Inc.*, 706 S.W.2d at 959.

²⁴⁰ Other statutes may specify the location of a governmental body's meeting. See TEX. LOC. GOV'T CODE ANN. §§ 504.054, .055. (specifying alternative meeting locations for a board of an economic development corporation organized under the Development Corporation Act, Title 12, subtitle C1, Local Government Code).

²⁴¹ Tex. Att'y Gen. Op. No. JC-0487 (2002) at 7.

²⁴² Tex. Att'y Gen. Op. No. JC-0053 (1999) at 5–6 (concluding that state agency committee that is subject to Act may not meet in an inaccessible location such as an underwriter's office in another state).

²⁴³ Tex. Att'y Gen. Op. No. M-220 (1968) at 5.

²⁴⁴ See *Charlestown Homeowners Ass'n, Inc. v. LaCoke*, 507 S.W.2d 876, 883 (Tex. Civ. App.—Dallas 1974, writ ref'd n.r.e.); Tex. Att'y Gen. Op. Nos. JC-0169 (2000) at 1, H-188 (1973) at 2.

²⁴⁵ Tex. Att'y Gen. Op. Nos. JC-0169 (2000) at 1, H-188 (1973) at 2.

²⁴⁶ Tex. Att'y Gen. LO-96-111, at 1.

²⁴⁷ Tex. Att'y Gen. Op. No. JC-0169 (2000) at 4.

Notice Requirements

- (b) A county clerk shall post the notice provided under Subsection (a)(2) on a bulletin board at a place convenient to the public in the county courthouse.

§ 551.055. Institution of Higher Education

In addition to providing any other notice required by this subchapter, the governing board of a single institution of higher education:

- (1) shall post notice of each meeting at the county courthouse of the county in which the meeting will be held;
- (2) shall publish notice of a meeting in a student newspaper of the institution if an issue of the newspaper is published between the time of the posting and the time of the meeting; and
- (3) may post notice of a meeting at another place convenient to the public.

Posting notice is mandatory, and actions taken at a meeting for which notice was posted incorrectly will be voidable.²¹⁸ In *Sierra Club v. Austin Transportation Study Policy Advisory Committee*, the court held that the committee was a special district covering four or more counties for purposes of the Act and, as such, was required to submit notice to the secretary of state pursuant to the statutory predecessor to section 551.053.²¹⁹ Thus, a governmental body that does not clearly fall within one of the categories covered by sections 551.048 through 551.055 should consider satisfying all potentially applicable posting requirements.²²⁰

§ 551.056. Additional Posting Requirements for Certain Municipalities, Counties, School Districts, Junior College Districts, and Development Corporations

Section 551.056 requires certain governmental bodies and economic development corporations to post notice on their Internet websites, in addition to other postings required by the Act. This provision applies to the following entities, if the entity maintains an Internet website or has a website maintained for it:

- (1) a municipality;
- (2) a county;
- (3) a school district;
- (4) the governing body of a junior college or junior college district, including a college or district that has changed its name in accordance with Chapter 130, Education Code; and
- (5) a development corporation organized under the Development Corporation Act (Subtitle C1, Title 12, Local Government Code).

²¹⁸ TEX. GOV'T CODE ANN. § 551.141; see *Smith Cnty. v. Thornton*, 726 S.W.2d 2, 3 (Tex. 1986).

²¹⁹ *Sierra Club v. Austin Transp. Policy Advisory Comm.*, 746 S.W.2d 298, 301 (Tex. App.—Austin 1988, writ denied).

²²⁰ See Tex. Att'y Gen. Op. No. JM-120 (1983) at 3 (concluding that industrial development corporation must post notice in same manner and location as political subdivision on whose behalf it was created).



TO: Economic Development Corporation
FROM: Daphne Hamlin, Finance Director
DATE: February 16th, 2017
SUBJECT: Marketing Tool

Receive, consider and discuss marketing tool to promote business in Farmersville

Action: Approve or Deny



TO: Economic Development Corporation
FROM: Daphne Hamlin, Finance Director
DATE: February 16th, 2017
SUBJECT: Camden Park Update

Receive, consider and discuss report regarding Camden Park Development

Action: Informational only



TO: Economic Development Corporation
FROM: Daphne Hamlin, Finance Director
DATE: February 16th, 2017
SUBJECT: Consider, discuss and act upon financial statement for January 2017, and required budget amendments.

ACTION: Approve or Deny 4A EDC Financial Statements for December 2016 as presented

**Farmersville Economic Development Corp 4A
Investment and Budget Report**

January 2017

Prepared by: Daphne Hamlin

Farmersville Economic Development Corp 4A

January 2017

Statement Balance 1-1-2017	\$230,622.32
Deposits:	
Sales Tax:	\$17,726.04
Cking Int .05%	\$9.84
CD Interest	\$74.31
Wire Fee Refund	
Cleared Checks	
Statement balance 1-31-2017	\$248,432.51

Outstanding Transactions

Sales Tax
Transfer to Texpool
CD Interest

Balance 2-8-2017	\$248,432.51
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TO: Economic Development Corporation
FROM: Daphne Hamlin, Finance Director
DATE: February 16th 2017
SUBJECT: Consider, discuss and act upon meeting minutes for January 19th, 2017

ACTION: Approve or Deny January 19th, 2017 meeting minutes

FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION
MEETING MINUTES
January 19th, 2017

The Farmersville EDC met in regular session on January 19th, 2017 at 6:30 p.m. in the Best Center with the following members present: Kevin Meguire, Robbie Tedford, Randy Smith, and Jason Lane. Absent was George Crump. Staff members present were City Accountant Daphne Hamlin. Special guest recognized, City Council Liaison Mike Hurst, and Donna Williams

CALL TO ORDER

Chairman Meguire convened the meeting at 6:30 p.m. and announced a quorum was present.

RECOGNITION OF CITIZENS AND VISITORS

Special guest recognized, City Councilman Mike Hurst, and Donna Williams

UPDATE REGARDING COLLIN COLLEGE CAMPUS

No update to report.

REVIEW, CONSIDER AND DISCUSS FAÇADE GRANT APPLICATION

Guillermo Alvarez presented to the EDC 4A Board a Façade Grant application for property located on the corner of Main Street and Highway 380. Chairman Meguire stated in the guidelines the EDC 4A Board requires (3) three bids, but in the application none were presented. Mr. Tedford pointed out that Mr. Alvarez is a contractor and would perform the work himself and felt it would be a waste of time for anyone to submit a bid. Mr. Tedford said that Mr. Alvarez has performed work on prior façade grant applicants and feels that this project meets the EDC 4A Board objectives. Chairman Meguire made a suggestion to the EDC 4A Board to have Mr. Alvarez present a more detailed drawing of plans and detail cost of materials. Item was tabled.

RECEIVE UPDATE REGARDING CAMDEN PARK DEVELOPMENT

Mr. White was unable to attend the meeting but asked Ms. Hamlin to update the EDC 4A Board regarding the Camden Park Development. Camden Park wants to enter into a developer's agreement with the City to assure wastewater treatment plant coordination and street development on county road 611. Meeting between the developer and the City is schedule next Tuesday.

REVIEW TAX ABATEMENT DOCUMENTS

Board did not review due to time restraints.

REVIEW WITH POSSIBLE ACTION REGARDING CITY PLANNING ENGINEER SELECTION

Chairman Meguire updated the EDC 4A Board regarding the selection process used to appoint a planning engineer. Mr. White was unable to attend the meeting but did provide the matrix used by the selection committee to evaluate the planning engineer candidates. Attached as (EXHIBIT "A") is the matrix used. Chairman Meguire explained how the selection committee evaluated the candidates, and the matrix will go before City Council for review and consideration.

REVIEW KEY INITIATIVE ARE GOALS (KIA'S)

Chairman Meguire opened up for discussion the progress regarding business retention goal. Chairman Meguire stated himself, Randy Smith, Councilman Hurst, and Mayor Piwko have reached out to several business owners to show community support and develop a relationship between the city and business owners. Chairman Meguire discovered during those meetings that this kind of support from the City has never been done before and very well received by all business owners.

Regarding the Collin College Bond goal, there is not much to report now, waiting on the bond election process to begin.

Chairman Meguire stated now that we have the property inventory compiled by Mr. Crump, Mr. Tedford and Mr. Lane the next step is to get this information out to brokers. Chairman Meguire said this could be developed as a solid piece of marketing material, possibly placing this information in a digital format and hand deliver to some of the largest brokers in the Dallas area.

Chairman Meguire mentioned possibly investing in a head hunter working on straight commission to bring reputable businesses into Farmersville. Mr. Smith suggested targeting specific industries. Mr. Lane feels this is something we can do but in interim steps. EDC 4A Board discussed the possibility of purchasing 10-15 acres for development as a starting point, Mr. Smith said the railroad system is something we could offer as well. Chairman Meguire asked to have another workshop surround the marketing part of this on the next regular scheduled meeting.

CONSIDERATION AND POSSIBLE ACTION REGARDING FINANCIAL STATEMENTS FOR DECEMBER 2016

On a motion from Mr. Tedford to approve December 2016 financials as presented, second by Mr. Lane, motioned carried all in favor

CONSIDERATION AND POSSIBLE ACTION REGARDING MEETING MINUTES FROM DECEMBER 15TH, 2016

On a motion from Mr. Lane to approve meeting minutes from December 15th, 2016 as presented, second by Mr. Smith, motion carried all in favor.

DISCUSSION IN CONTEMPLATION OF PLACING ITEMS ON FUTURE AGENDA

Façade Grant

Camden Park

Workshop next step KIA

ADJOURNMENT:

Meeting adjourned at 7:22pm.

Kevin Meguire, President

ATTEST:

George Crump, Secretary