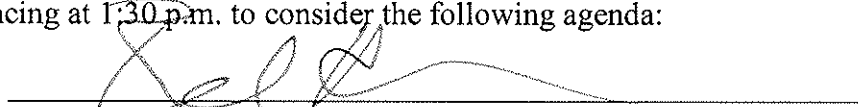


PUBLIC NOTICE

DEVELOPMENT CORPORATION OF ABILENE, INC.

A regular meeting of the Development Corporation of Abilene, Inc. will be held on Tuesday, August 4, 2009, in the Develop Abilene conference room, 174 Cypress St., Abilene, Texas, 3rd floor, commencing at 1:30 p.m. to consider the following agenda:

SIGNED:


Richard Burdine, Asst. City Manager for Economic Development

AGENDA

August 4, 2009
1:30 p.m.

Develop Abilene Conference Room
174 Cypress St., 3rd floor

1. Call the meeting to order.
2. Approval of minutes from July 14, 2009 meeting.
3. Sales Tax report for July 2009 and Status of Funds reports for May and June 2009.
4. Executive Session: Pursuant to Tex. Gov't Code Sec. 551.087, an executive session may be held (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). After discussion in executive session, any action or vote will be taken in public.

Pursuant to Tex. Gov't Code Sec. 551.072, an executive session may be held to discuss the possible exchange, lease, or value of real property associated with a project to be funded by the DCOA since deliberation in open session would have a detrimental effect on the DCOA's negotiations with a third party. After discussion in executive session, any action or vote will be taken in public.

Pursuant to Tex. Gov't Code Sec. 551.071, an executive session may be held to consult with the DCOA attorney regarding pending or contemplated litigation or a settlement offer regarding DCOA funded projects or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code. After discussion of the contemplated legal matters in executive session, any action or vote will be taken in public.

5. Discussion and possible approval of a resolution authorizing development of plans to build out shell space for laboratory, office and meeting rooms in the Abilene Life Sciences Accelerator. *(TABLED ON JULY 14, 2009)*
6. Discussion and possible approval of an oral resolution authorizing the CEO to negotiate a contract with Emergent Technologies, Inc. for personnel, business recruitment, business acceleration and strategic planning services for the Abilene Life Sciences Accelerator.
7. Adjournment

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of Abilene, Texas, on the _____ day of _____, 2009, at _____.

City Secretary

NOTICE

Persons with disabilities who would like special assistance or need special accommodations to participate in this meeting should contact Department of Economic Development, (325) 676-6390, at least forty-eight (48) hours in advance of this meeting. Telecommunication device for the deaf is (325) 676-6360.

DEVELOPMENT CORPORATION OF ABILENE, INC.
BOARD MEETING MINUTES
JULY 14, 2009

MEMBERS PRESENT:	Joe Crawford Marelyn Shedd Scott Senter	Mike Schweikhard Paul Cannon
STAFF PRESENT:	Richard Burdine Dan Santee	Kim Tarrant
GUESTS PRESENT:	Jack Harkins Gary Robinett Bill Burke Dale Gannaway Jaime Adame	Tittle Luther Partnership Abilene Industrial Foundation Emergent Technologies, Inc. “ “ “ Abilene Reporter-News

- 1. CALL TO ORDER.** Joe Crawford called the meeting to order at 1:30 p.m. in the Develop Abilene conference room located at 174 Cypress, 3rd floor, Abilene, TX.
- 2. APPROVAL OF MINUTES FROM JUNE 23, 2009 MEETING.** Scott Senter made a motion to approve the minutes from the June 23, 2009, meeting. Paul Cannon seconded and the motion carried.
- 3. DISCUSSION AND POSSIBLE APPROVAL OF A RESOLUTION AUTHORIZING DEVELOPMENT OF PLANS TO BUILD OUT SHELL SPACE FOR LABORATORY, OFFICE AND MEETING ROOMS IN THE ABILENE LIFE SCIENCES ACCELERATOR.** Richard Burdine pointed out that the build-out of currently proposed shell space in the Abilene Life Sciences Accelerator would be primarily on the north end of the building. Receptor Logic (Receptor) will be the first tenant of the building and will occupy space on the south side of the building. One of the reasons for suggesting the build-out now versus after Receptor moves in, is to minimize work disruption and potential power outages for Receptor that could happen during construction.

Jack Harkins with Tittle Luther Partnership (TLP) presented a drawing of the proposed build-out to include wet lab, dry lab and complete lab space. He mentioned that TLP worked with consultant Mark Long, who has worked on several life sciences incubator/accelerator projects. One suggestion is to also finish-out a second conference room and three additional offices. Further explained were the differences between wet labs, dry labs and complete labs, and where these could be located in the Accelerator building. The build-out design would allow for significant flexibility to accommodate future tenants. For the cost of the proposed build-out of about 7,450 sq ft, it was suggested to budget an average of \$162.50 per square foot for an estimated construction cost of \$1,210,625. The proposed architectural/engineering fee is 9% of the estimated construction cost, which is \$108,956, to be adjusted to actual construction cost when completed.

Also mentioned was the importance of having space ready to offer prospective tenants. Concerning biotech lab space, Abilene is in competition with cities not only statewide but

also nationwide. However, some concern was expressed on prematurely building out the Accelerator building and then having to change the space later to accommodate tenants. Additional discussion ensued weighing the pros and cons of doing the build-out now, costs of using the current contractor (Jeff Luther Construction) versus going out for bids, plus the conflicts of having two separate general contractors and two sets of sub-contractors working in the same building.

Staff recommends the DCOA authorize additional funding of up to \$108,956 for A/E fees for build-out of approximately 7,450 sq ft as presented in resolution DCOA-2009.17; however, action on this item was tabled until the next board meeting.

4. **REPORT AND DISCUSSION ON DEVELOPMENT OF THE ABILENE BIOTECHNOLOGY SECTOR.** The Abilene biotechnology sector began with the establishment of the Texas Tech University School of Pharmacy (SOP) on Pine St. In about the next six weeks or so, there will be approximately 120 doctoral students of Pharmacology learning at the SOP. Then came Integrated Clinical Research which runs clinical trials for itself, but has the potential to run clinical trials for other companies. The following year the Center for Immunotherapeutic Research (CIR) was created, which is housed inside the SOP. The CIR is staffed by Jon Weidanz. Along with Jon moving to Abilene, we were able to recruit Receptor Logic. Last year the Board authorized construction of the Abilene Life Sciences Accelerator with a current projected completion date of December 1, 2009. Finally, the New Markets Tax Credit transaction gives us resources to do additional things with the Accelerator.
5. **BRIEFING ON A PROPOSAL BY EMERGENT TECHNOLOGIES, INC. (ETI) FOR PERSONNEL, BUSINESS RECRUITMENT, BUSINESS ACCELERATION AND STRATEGIC PLANNING SERVICES FOR THE ABILENE LIFE SCIENCES ACCELERATOR.** Bill Burke, ETI President and Dale Gannaway, ETI V.P.-Corporate Development, presented their very comprehensive and highly detailed proposal on what their team can offer the DCOA to help recruit and accelerate early-stage biotech companies while running and managing the Abilene Life Sciences Accelerator. Their objective is to link their knowledge, skills set and experience with the challenges and issues the DCOA faces, and the opportunity for Abilene.
6. **EXECUTIVE SESSION.** I hereby announce we are going into Executive Session pursuant to Texas Government Code Sections 551.071, .072, and .087 to consult with our legal counsel, discuss real property transactions, and discuss economic development negotiations involving a business prospect, as set forth on the agenda. Any vote or action will be taken in open session.

President Joe Crawford announced the date is July 14, 2009, and the time is 3:07 p.m. Mr. Crawford then announced the date is still July 14, 2009, and the time is 4:47 p.m. No vote or action was taken in Executive Session.

7. **ADJOURNMENT.** The next DCOA board meetings will be August 4, 2009, and August 18, 2009. There being no further business, the meeting was adjourned.

Joe Crawford, President

S:\DCOAMinutes\FY 2009\2009-07-14.doc

MEMORANDUM

July 8, 2009

TO: Larry D. Gilley, City Manager
Evalin E. McClain, Assistant City Manager

FROM: Mindy Patterson, Director of Finance

SUBJECT: July Sales Tax

The sales tax rebate for July is \$2,392,145.64, which represents May sales. This is 12.66% below last year. The breakdown of the July rebate is \$1,794,109.23 to the General Fund and \$598,036.41 for economic development. Of this rebate, \$13,374 is from prior periods, audit payments, future payments, and unidentified payments. Based on this rebate, sales tax is 1.87% above last year for the period of October through July. I have requested the detail from the state.

Should you have any questions, please contact me.

MP:ls

cc: Richard Burdine, Assistant City Manager
David Vela, Assistant City Manager

**CITY OF ABILENE
SALES TAX COMPARISON**

Accounting Period Month	GENERAL FUND	ECONOMIC DEVELOPMENT	TOTAL	GENERAL FUND	ECONOMIC DEVELOPMENT	TOTAL
	Actual 2007-08	Actual 2007-08		Actual 2008-09	Actual 2008-09	
October	\$2,029,217.53	\$676,405.84	\$2,705,623.37	\$2,110,326.56	\$703,442.19	\$2,813,768.75
November	2,293,733.19	764,577.73	3,058,310.92	2,680,326.85	893,442.28	3,573,769.13
December	1,934,180.44	644,726.81	2,578,907.25	2,122,016.60	707,338.86	2,829,355.46
January	1,880,105.59	626,701.86	2,506,807.45	1,981,869.70	660,623.23	2,642,492.93
February	2,932,831.13	977,610.37	3,910,441.50	2,867,665.67	955,888.56	3,823,554.23
March	1,798,311.71	599,437.23	2,397,748.94	1,807,393.10	602,464.36	2,409,857.46
April	1,794,413.90	598,137.96	2,392,551.86	1,849,680.13	616,560.04	2,466,240.17
May	2,472,581.86	824,193.95	3,296,775.81	2,380,270.93	793,423.64	3,173,694.57
June	1,970,650.71	656,883.57	2,627,534.28	1,961,132.05	653,710.68	2,614,842.73
July	2,054,110.32	684,703.44	2,738,813.76	1,794,109.23	598,036.41	2,392,145.64
YTD	<u>\$21,160,136.38</u>	<u>\$7,053,378.76</u>	<u>\$28,213,515.14</u>	<u>\$21,554,790.82</u>	<u>\$7,184,930.25</u>	<u>\$28,739,721.07</u>
August	2,592,932.85	864,310.95	3,457,243.80			
September	<u>2,171,258.39</u>	<u>723,752.80</u>	<u>2,895,011.19</u>			
FY TOTAL	<u>\$25,924,327.62</u>	<u>\$8,641,442.51</u>	<u>\$34,565,770.13</u>			

NOTE: REPORT REFLECTS THE MONTH SALES TAX IS RECEIVED FROM AUSTIN. REVENUE IS RECORDED ON THIS BASIS FOR BUDGETARY PURPOSES.

THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) WILL REFLECT GASB 33 REQUIREMENT IN ADDITION TO THE BUDGET BASIS.

DEVELOPMENT CORPORATION OF ABILENE, INC.
1/2 CENT SALES TAX REVENUE
FY 2008: Monthly and Year-to-Year Comparisons

Accounting Period Month	Actual 2007-08	Actual 2008-09	% Change
October	\$676,406	\$703,442	4.00%
November	764,578	893,442	16.85%
December	644,727	707,339	9.71%
January	626,702	660,623	5.41%
February	977,610	955,889	-2.22%
March	599,437	602,464	0.50%
April	598,138	616,560	3.08%
May	824,194	793,424	-3.73%
June	656,884	653,711	-0.48%
July	684,703	598,036	-12.66%
YTD	\$7,053,379	\$7,184,930	1.87%
August	864,311		
September	723,753		
FY TOTAL	\$8,641,443		

Note: Report reflects the month sales tax is received from Austin.
Revenue is recorded on this basis for budgetary purposes.

The Comprehensive Annual Financial Report (CAFR) will reflect
GASB 33 requirement in addition to the budget basis.

Revenue for July '09 represents May '09 sales. Approximately
\$3,343 of the rebate is from prior periods, audit, and future payments.

Audit Payments: Larger businesses submit sales tax collections to the State
Comptroller every month and smaller ones either quarterly or annually. The
Comptroller audits the books of these businesses on a four year cycle to
determine if sales tax was collected on all taxable sales. Audit collections
represent the sales tax revenue from prior sales and submitted or refunded
subsequent to the audit.

CITY OF ABILENE, TEXAS

DEVELOPMENT CORPORATION OF ABILENE, INC.

Balance Sheet
June 30, 2009

ASSETS:

Cash and Investments	\$9,812,016
Notes receivable	19,015,053
Accounts receivable	9,000
Due from other governments	1,588,750
Prepaid Expense	0
Total Current Assets	<u>\$30,424,819</u>

OTHER ASSETS:

Fixed assets	\$31,493,049
Accumulated depreciation	(3,813,001)
Total Other Assets	<u>27,680,048</u>

TOTAL ASSETS

\$58,104,867

LIABILITIES:

Vouchers payable	\$655,371
Deferred revenues	185,031
Total Liabilities	<u>\$840,402</u>

FUND BALANCES:

Investment in general fixed assets	\$29,160,330
Reserved for contractual obligations(external)	17,372,983
Reserved for obligated programs(internal)	4,258,483
Undesignated Balance	6,472,669
Total Fund Balance	<u>\$57,264,465</u>

TOTAL LIABILITIES AND FUND BALANCES

\$58,104,867

FIXED ASSETS:

	<u>Original Cost</u>	<u>Improvements</u>	<u>Depreciation</u>	<u>Total</u>
Land:				
473.405 acres - Five Pts Bus Park	\$507,681			\$507,681
303.53 acres Hwy 36 & FM 18	449,238			449,238
Construction-in-Progress	3,680,913			3,680,913
Buildings and Improvements:				0
2601 Airport Blvd.	1,563,210	540,633	324,585	1,779,258
2809 Airport Blvd.	396,519	444,583	310,280	530,822
2841 Airport Blvd.	456,736	62,923	272,654	247,005
4002 Loop 322	1,290,916	2,384,891	1,279,036	2,396,771
Five Pts Bus Park	0	2,435,431	292,252	2,143,179
6450 Five Points Parkway	5,809,354	7,016,797	761,876	12,064,275
Grant Bldg 341 Pine	147,194	405,726	195,882	357,038
2742 Lance Dr. (EASI Storage)	2,527,408	9,987	202,426	2,334,969
4109 Vine St	583,524	168,600	49,492	702,632
4009 Vine St	583,524	0	46,682	536,842
Equipment	9,250		67,030	-57,780
Vehicle: 2005 Dodge Caravan	18,011	0	10,806	7,205
TOTAL FIXED ASSETS	<u>\$18,023,478</u>	<u>\$13,469,571</u>	<u>\$3,813,001</u>	<u>\$27,680,048</u>

DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ JUNE 30, 2009

	Object	Beginning I-T-D Revenues	Current Month Revenues	Current FY Revenues	(MARCH, 1990) Ending I-T-D Revenues
REVENUE-TO-DATE					
City Sales Tax	3131	\$ 111,480,065.98	649,034.07	\$ 6,547,105.56	\$ 118,027,171.54
Sales Tax Retained	3132	292,521.01	4,676.61	39,788.28	332,309.29
Other Services Charges	3731	25.00	-	-	25.00
Princ. - Loans & Assess	3775	3,070,417.00	8,747.28	13,080.13	3,083,497.13
Int. - Loans & Assess	3802	2,085,473.13	709.89	7,025.04	2,092,498.17
Interest	3803	6,517,778.51	5,401.93	126,024.55	6,643,803.06
Land Lease	3810	13,835.41	-	-	13,835.41
Building/Space Rent	3816	3,433,860.16	64,644.50	748,885.11	4,182,745.27
City Pay Phones	3890	9,170.58	-	-	9,170.58
Miscellaneous Revenue	3892	30,238.49	-	-	30,238.49
EDA Grant	3305	242,100.00	-	-	242,100.00
Miscellaneous State Grants	3359	6,500.00	-	-	6,500.00
Miscellaneous Federal	3379	937,926.00	-	-	937,926.00
Interest on Investments	3800	176,263.67	-	-	176,263.67
Other Interest	3809	32,252.85	-	-	32,252.85
Interfund Recovery	3828	1,534,976.08	-	-	1,534,976.08
Miscellaneous Recovery	3839	1,896,652.91	-	20,000.00	1,916,652.91
Miscellaneous Prior Year	3840	16,464.88	-	-	16,464.88
DCOA Admin	3847	7,070.55	-	-	7,070.55
Other Contributions	3860	96,866.60	-	-	96,866.60
Donation	3869	-	-	43,846.00	43,846.00
Sale of Land	3870	273,554.84	-	-	273,554.84
Sale of Buildings	3871	981,647.87	-	2,385,795.44	3,367,443.31
Sale of Equipment	3872	-	-	608,882.88	608,882.88
Gain (loss) Sale of Asset	3873	555,393.43	-	-	555,393.43
Miscellaneous Damage Claims	3889	1,173.04	-	-	1,173.04
Miscellaneous Revenue	3892	-	-	767,389.00	767,389.00
GASB 22 Restatement		355,634.89	-	-	355,634.89
GASB 34 FY 03 Adjustment		523,718.93	-	-	523,718.93
GASB 34 FY 08 Adjustment		44,606.57	-	-	44,606.57
		<u>\$ 134,616,188.38</u>	<u>\$ 733,214.28</u>	<u>\$ 11,307,821.99</u>	<u>\$ 145,924,010.37</u>

DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ JUNE 30, 2009

Project	Beginning I-T-D Expenditures	Current Month Expenditures	Current FY Expenditures	Ending I-T-D Expenditures	Outstanding Contracts
CONTRACTS ENCUMBERED/ EXPENDITURES-TO-DATE					
Prior Years Programs	\$ 61,769,775.97	\$ -	\$ -	\$ 61,769,775.97	
Business Services Division	Div 2760 6,756,496.24	50,514.50	417,201.25	7,173,697.49	7,875.00
Life Sciences Property - Pine	Div 2765 -	7,578.00	23,918.75	23,918.75	
DCOA Annual Contracts	Div 2775 1,891,328.02	1,070.01	142,748.93	2,034,076.95	13,635.00
Abilene Industrial Foundation	2775-4950 11,208,898.09	62,966.11	462,103.64	11,671,001.73	308,305.36
TTU Small Business Dev Cntr	2775-4951 2,240,621.05	44,231.25	164,175.00	2,404,796.05	30,825.00
Chamber Military Affairs	2775-4952 1,081,976.83	-	-	1,081,976.83	70,000.00
Airport Business Dev Mgr	2775-4953 416,681.40	4,269.21	67,439.54	484,120.94	103,330.18
Murf Systems	4998 151,665.00	-	-	151,665.00	-
Bandag Training	5203 545,470.20	-	179,195.15	724,665.35	117,734.80
Rentech 04	5207 367,680.00	-	-	367,680.00	-
Sunoco Logistics	5208 193,024.00	-	33,976.00	227,000.00	-
EASI 04	5213 1,345,237.66	-	247,251.57	1,592,489.23	884,448.43
Glazer Phase II	5215 182,000.00	-	80,000.00	262,000.00	-
EHT	5216 98,300.00	-	32,600.00	130,900.00	-
Fehr Food	5220 1,045,020.00	-	518,790.00	1,563,810.00	-
Transcend Services	5227 348,621.66	-	101,378.34	450,000.00	-
Bandag Building Improv	5228 -	-	-	-	44,259.24
Glazers Ph III	5229 44,340.00	-	21,280.00	65,620.00	25,380.00
Highland Campus Health	5231 253,865.00	-	75,668.34	329,533.34	15,000.00
Rentech	5232 48,800.00	-	-	48,800.00	-
Robinson Fan	5237 229,406.00	-	123,002.98	352,408.98	311,800.00
Spec II / R/E	5239 75,787.50	-	176,700.00	252,487.50	-
CBER Website	5240 4,317.07	-	2,750.00	7,067.07	1,249.93
TTU Pharmacy School	5242 149,232.00	-	-	149,232.00	-
Teleperformance USA	5247 190,270.00	-	-	190,270.00	566,730.00
Sheller Distribution	5250 67,434.29	23,042.67	23,042.67	90,476.96	-
PWP (Project LF)	5251 1,058,761.13	-	498,081.57	1,556,842.70	2,010,620.30
Integrated Clinic Research	5253 7,440.00	-	-	7,440.00	688,062.00
Genesis Network	5258 399,133.33	-	427,609.49	826,742.82	15,055.81
Carter Burgess	5260 310,362.48	-	12,792.52	323,155.00	26,165.00
Fehr Foods	5261 118,091.53	-	-	118,091.53	-
TMAC	5262 52,500.00	-	7,500.00	60,000.00	-
SBIR/STTR	5263 66,880.65	10,095.00	59,860.55	126,741.20	144,659.15
EASI 7th Doc	5265 123,256.24	-	115,918.90	239,175.14	35,824.86
BMWT Leasing	5266 25,000.00	-	25,000.00	50,000.00	-
ABTEX Beverage	5267 -	-	634,339.80	634,339.80	964,700.20
MSSC Training	5269 71,762.03	-	-	71,762.03	74,353.05
Receptor Log	5270 1,043,534.87	-	460,322.25	1,503,857.12	-
Sr. Safe at Home	5271 -	-	-	-	-
WTCIC	5272 16,582.00	-	-	16,582.00	16,582.00
TTU HSC Research	5273 490,000.00	-	-	490,000.00	2,510,000.00
Accelerator A/E	5274 304,899.78	-	160,672.46	465,572.24	-
Spec 2 Expansion A/E	5275 6,978,018.64	-	92,030.93	7,070,049.57	-
Spec 3 Construction	5276 3,600,681.31	370,893.92	1,812,224.59	5,412,905.90	28,988.30
Prospect Development 08	5278 5,600.00	-	-	5,600.00	-
Accelerator Land	5280 327,160.42	-	97.77	327,258.19	-
Energy Maintenance Service	5282 -	-	-	-	1,418,000.00
Vine Street Repair	5283 168,600.00	-	12,255.00	180,855.00	-
Genesis Network Phase II	5284 -	-	-	-	2,103,694.90
Tower Tech	5285 9,906.40	530,093.60	836,569.20	846,475.60	3,981,024.40
Receptor Lab - 842 Pine	5287 320.00	-	1,532,967.31	1,533,287.31	-
Texas Metal 08	5288 -	-	-	-	35,114.00
TMAC 09	5289 -	-	7,500.00	7,500.00	52,500.00
Five Points Water Pump	5290 -	-	50,000.00	50,000.00	-
Accelerator Construction	5291 -	-	1,476,392.60	1,476,392.60	-
Global Energy	5292 -	10,150.00	10,150.00	10,150.00	-
Five Points Electric	5293 -	-	115,000.00	115,000.00	-
Prospect Development 09	5294 -	59,594.98	70,004.98	70,004.98	-
Project BG	5295 -	-	-	-	748,000.00
ACU 09 Springboard	5297 -	-	5,000.00	5,000.00	-
EASI 09 Project	5299 -	197,822.74	255,812.48	255,812.48	19,065.52
Land UPS 5.6 acres	5300 -	-	9,622.50	9,622.50	-
Miscellaneous Activities	2785 354,189.86	-	-	354,189.86	-
TOTAL ENCUMB. / EXPENDITURES	\$ 106,238,928.65	\$ 1,372,321.99	\$ 11,580,947.06	\$ 117,819,875.71	\$ 17,372,982.43
TOTAL FUND BALANCE				\$ 28,104,134.66	
UNENCUMBERED FUND BALANCE					\$ 10,731,152.23

3.6

**DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ JUNE 30, 2009**

Project	Amount Obligated	Prior Years Disbursed	Current Month Disbursed	Current Year Disbursed	Amount Encumbered	Balance
BALANCE OF OBLIGATED PROGRAMS						
Business Services Division	Div 2760	\$ 620,340.00	\$ -	\$ 50,514.50	\$ 417,201.25	\$ 195,263.75
Life Sciences Property -Pine	Div 2765	10,000.00	-	7,578.00	23,918.75	(13,918.75)
DCOA Annual Contracts	Div 2775	183,000.00	-	1,070.01	142,748.93	26,616.07
Abilene Industrial Foundation	2775-4950	770,410.00	-	62,966.11	462,103.64	308,305.36
TTU Small Business Dev Cntr	2775-4951	195,000.00	-	44,231.25	164,175.00	30,825.00
Chamber Military Affairs	2775-4952	70,000.00	-	-	-	70,000.00
Airport Business Dev Mgr	2775-4953	170,770.00	-	4,269.21	67,439.54	103,330.18
Murf Systems	4998	151,665.00	151,665.00	-	-	-
Bandag Training	5203	842,220.00	545,470.20	-	179,195.15	117,734.80
Rentech 04	5207	367,680.00	367,680.00	-	-	-
Sunoco Logistics	5208	227,000.00	193,024.00	-	33,976.00	-
EASI 04	5213	2,476,938.00	1,345,237.66	-	247,251.57	884,448.43
Glazer Phase II	5215	262,000.00	182,000.00	-	80,000.00	-
EHT	5216	130,900.00	98,300.00	-	32,600.00	-
Fehr Food	5220	1,563,810.00	1,045,020.00	-	518,790.00	-
Transcend Services	5227	450,002.00	348,621.66	-	101,378.34	-
Bandag Building Improv	5228	44,260.00	-	-	-	44,259.24
Glazers Ph III	5229	91,000.00	44,340.00	-	21,280.00	25,380.00
Highland Campus Health	5231	350,368.00	253,865.00	-	75,668.34	15,000.00
Rentech	5232	48,800.00	48,800.00	-	-	-
Robinson Fan	5237	664,209.00	229,406.00	-	123,002.98	311,800.00
Spec II Hart Agreement	5239	252,488.00	75,787.50	-	176,700.00	-
CBER Website	5240	8,317.00	4,317.00	-	2,750.00	1,249.93
TTU Pharmacy School	5242	149,232.00	149,232.00	-	-	-
Teleperformance USA	5247	757,000.00	190,270.00	-	-	566,730.00
Shelter Distribution	5250	90,477.00	67,434.29	23,042.67	23,042.67	-
PWP (Project LF)	5251	3,567,463.00	1,058,761.13	-	498,081.57	2,010,620.30
Integrated Clinic Research	5253	695,502.00	7,440.00	-	-	688,062.00
Genesis Network	5258	841,800.00	399,133.33	-	427,609.49	15,055.81
Carter Burgess	5260	349,320.00	310,362.48	-	12,792.52	26,165.00
Fehr Foods	5261	118,092.00	118,091.53	-	-	-
TMAC	5262	60,000.00	52,500.00	-	7,500.00	-
SBIR/STTR	5263	271,400.00	66,880.65	10,095.00	59,860.55	144,659.15
EASI 7th Doc	5265	275,000.00	123,256.24	-	115,918.90	35,824.86
BMWV Leasing	5266	50,000.00	25,000.00	-	25,000.00	-
ABTEX Beverage	5267	1,599,040.00	-	-	634,339.80	964,700.20
MSSC Training	5269	146,115.00	71,762.03	-	-	74,353.05
Receptor Log	5270	1,725,000.00	1,043,534.87	-	460,322.25	-
Sr. Safe at Home	5271	-	-	-	-	-
WTCIC	5272	33,164.00	16,582.00	-	-	16,582.00
TTU HSC Research	5273	3,000,000.00	490,000.00	-	-	2,510,000.00
Accelerator A/E	5274	471,800.00	304,899.78	-	160,672.46	-
Spec 2 Expansion A/E	5275	7,075,850.00	6,978,018.64	-	92,030.93	-
Spec 3 Construction	5276	5,736,500.00	3,600,681.31	370,893.92	1,812,224.59	28,988.30
Prospect Development 08	5278	5,600.00	5,600.00	-	-	-
Accelerator Land	5280	327,258.00	327,160.42	-	97.77	-
Energy Maintenance Service	5282	1,418,000.00	-	-	-	1,418,000.00
Vine Street Repair	5283	180,855.00	168,600.00	-	12,255.00	-
Genesis Network Phase II	5284	2,103,695.00	-	-	-	2,103,694.90
Tower Tech	5285	4,827,500.00	9,906.40	530,093.60	836,569.20	3,981,024.40
Receptor Lab - 842 Pine	5287	1,567,750.00	320.00	-	1,532,967.31	-
Texas Metal 08	5288	35,114.00	-	-	-	35,114.00
TMAC 09	5289	60,000.00	-	-	7,500.00	52,500.00
Five Points Water Pump	5290	50,000.00	-	-	50,000.00	-
Accelerator Construction	5291	4,892,740.00	-	-	1,476,392.60	-
Global Energy	5292	10,150.00	-	10,150.00	10,150.00	-
Five Points Electric	5293	115,000.00	-	-	115,000.00	-
Prospect Development 09	5294	70,000.00	-	59,594.98	70,004.98	-
Run Energy	5295	748,000.00	-	-	-	748,000.00
ACU 09 Springboard	5297	5,000.00	-	-	5,000.00	-
EASI 09 Project	5299	274,878.00	-	197,822.74	255,812.48	19,065.52
Land UPS 5.6 acres	5300	75,902.00	-	-	9,622.50	-
Miscellaneous Activities	2785	354,189.86	354,189.86	-	-	-

BALANCE OF OBLIGATED PROGRAMS \$ 54,085,563.86 \$ 20,873,151.05 \$ 1,372,321.99 \$ 11,580,947.06 \$ 17,372,982.43 \$ 4,258,483.32

UNDESIGNATED FUND BALANCE (unencumbered balance less obligated programs and contingent liabilities) \$ 6,472,668.91

DCOA Board approved projects waiting for signed contracts	Expiration Date
Project DC	06/24/2009
Coca Cola	10/13/2009
Stimulus Grant Writer	09/30/2009
EASI Lighting Upgrades	10/13/2009
Land Harris 122 acres	12/23/2009
Project LW	10/13/2009
Total	2,989,551.50

3.7

CITY OF ABILENE, TEXAS

DEVELOPMENT CORPORATION OF ABILENE, INC.

Balance Sheet

May 31, 2009

ASSETS:

Cash and Investments	\$9,803,498
Notes receivable	19,045,291
Accounts receivable	9,000
Due from other governments	1,588,750
Prepaid Expense	0
Total Current Assets	<u>\$30,446,539</u>

OTHER ASSETS:

Fixed assets	\$31,493,049
Accumulated depreciation	(3,813,001)
Total Other Assets	<u>27,680,048</u>

TOTAL ASSETS

\$58,126,587

LIABILITIES:

Vouchers payable	\$29,236
Deferred revenues	193,778
Total Liabilities	<u>\$223,014</u>

FUND BALANCES:

Investment in general fixed assets	\$29,160,330
Reserved for contractual obligations(external)	19,197,365
Reserved for obligated programs(internal)	4,057,335
Undesignated Balance	5,488,543
Total Fund Balance	<u>\$57,903,573</u>

TOTAL LIABILITIES AND FUND BALANCES

\$58,126,587

FIXED ASSETS:

	<u>Original Cost</u>	<u>Improvements</u>	<u>Depreciation</u>	<u>Total</u>
Land:				
473.405 acres - Five Pts Bus Park	\$507,681			\$507,681
303.53 acres Hwy 36 & FM 18	449,238			449,238
Construction-in-Progress	3,680,913			3,680,913
Buildings and Improvements:				0
2601 Airport Blvd.	1,563,210	540,633	324,585	1,779,258
2809 Airport Blvd.	396,519	444,583	310,280	530,822
2841 Airport Blvd.	456,736	62,923	272,654	247,005
4002 Loop 322	1,290,916	2,384,891	1,279,036	2,396,771
Five Pts Bus Park	0	2,435,431	292,252	2,143,179
6450 Five Points Parkway	5,809,354	7,016,797	761,876	12,064,275
Grant Bldg 341 Pine	147,194	405,726	195,882	357,038
2742 Lance Dr. (EASI Storage)	2,527,408	9,987	202,426	2,334,969
4109 Vine St	583,524	168,600	49,492	702,632
4009 Vine St	583,524	0	46,682	536,842
Equipment	9,250		67,030	-57,780
Vehicle: 2005 Dodge Caravan	18,011	0	10,806	7,205
TOTAL FIXED ASSETS	<u>\$18,023,478</u>	<u>\$13,469,571</u>	<u>\$3,813,001</u>	<u>\$27,680,048</u>

DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ MAY 31, 2009

					(MARCH, 1990)
	Object	Beginning I-T-D Revenues	Current Month Revenues	Current FY Revenues	Ending I-T-D Revenues
REVENUE-TO-DATE					
City Sales Tax	3131	\$ 111,480,065.98	788,882.85	\$ 5,898,071.49	\$ 117,378,137.47
Sales Tax Retained	3132	292,521.01	4,540.79	35,111.67	327,632.68
Other Services Charges	3731	25.00	-	-	25.00
Princ. - Loans & Assess	3775	3,070,417.00	-	4,332.85	3,074,749.85
Int. - Loans & Assess	3802	2,085,473.13	720.22	6,315.15	2,091,788.28
Interest	3803	6,517,778.51	3,416.70	120,622.62	6,638,401.13
Land Lease	3810	13,835.41	-	-	13,835.41
Building/Space Rent	3816	3,433,860.16	72,394.50	684,240.61	4,118,100.77
City Pay Phones	3890	9,170.58	-	-	9,170.58
Miscellaneous Revenue	3892	30,238.49	-	-	30,238.49
EDA Grant	3305	242,100.00	-	-	242,100.00
Miscellaneous State Grants	3359	6,500.00	-	-	6,500.00
Miscellaneous Federal	3379	937,926.00	-	-	937,926.00
Interest on Investments	3800	176,263.67	-	-	176,263.67
Other Interest	3809	32,252.85	-	-	32,252.85
Interfund Recovery	3828	1,534,976.08	-	-	1,534,976.08
Miscellaneous Recovery	3839	1,896,652.91	-	20,000.00	1,916,652.91
Miscellaneous Prior Year	3840	16,464.88	-	-	16,464.88
DCOA Admin	3847	7,070.55	-	-	7,070.55
Other Contributions	3860	96,866.60	-	-	96,866.60
Donation	3869	-	-	43,846.00	43,846.00
Sale of Land	3870	273,554.84	-	-	273,554.84
Sale of Buildings	3871	981,647.87	-	2,385,795.44	3,367,443.31
Sale of Equipment	3872	-	-	608,882.88	608,882.88
Gain (loss) Sale of Asset	3873	555,393.43	-	-	555,393.43
Miscellaneous Damage Claims	3889	1,173.04	-	-	1,173.04
Miscellaneous Revenue	3892	-	-	767,389.00	767,389.00
GASB 22 Restatement		355,634.89	-	-	355,634.89
GASB 34 FY 03 Adjustment		523,718.93	-	-	523,718.93
GASB 34 FY 08 Adjustment		44,606.57	-	-	44,606.57
		\$ 134,616,188.38	\$ 869,955.06	\$ 10,574,607.71	\$ 145,190,796.09

DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ MAY 31, 2009

Project	Beginning I-T-D Expenditures	Current Month Expenditures	Current FY Expenditures	Ending I-T-D Expenditures	Outstanding Contracts
CONTRACTS ENCUMBERED/ EXPENDITURES-TO-DATE					
Prior Years Programs	\$ 61,769,775.97	\$ -	\$ -	\$ 61,769,775.97	
Business Services Division	Div 2760 6,756,496.24	41,067.44	366,686.75	7,123,182.99	19,000.00
Life Sciences Property - Pine	Div 2765 -	5,493.34	16,340.75	16,340.75	
DCOA Annual Contracts	Div 2775 1,891,328.02	431.46	141,678.92	2,033,006.94	13,635.00
Abilene Industrial Foundation	2775-4950 11,208,898.09	16,900.80	399,137.53	11,608,035.62	371,271.47
TTU Small Business Dev Cntr	2775-4951 2,240,621.05	-	119,943.75	2,360,564.80	75,056.25
Chamber Military Affairs	2775-4952 1,081,976.83	-	-	1,081,976.83	70,000.00
Airport Business Dev Mgr	2775-4953 416,681.40	5,367.61	63,170.33	479,851.73	107,599.39
Murf Systems	4998 151,665.00	-	-	151,665.00	-
Bandag Training	5203 545,470.20	180.15	179,195.15	724,665.35	117,734.80
Rentech 04	5207 367,680.00	-	-	367,680.00	-
Sunoco Logistics	5208 193,024.00	33,976.00	33,976.00	227,000.00	-
EASI 04	5213 1,345,237.66	-	247,251.57	1,592,489.23	884,448.43
Glazer Phase II	5215 182,000.00	-	80,000.00	262,000.00	-
EHT	5216 98,300.00	-	32,600.00	130,900.00	-
Fehr Food	5220 1,045,020.00	-	518,790.00	1,563,810.00	-
Transcend Services	5227 348,621.66	-	101,378.34	450,000.00	-
Bandag Building Improv	5228 -	-	-	-	44,259.24
Glazers Ph III	5229 44,340.00	-	21,280.00	65,620.00	25,380.00
Highland Campus Health	5231 253,865.00	69,668.34	75,668.34	329,533.34	22,000.00
Rentech	5232 48,800.00	-	-	48,800.00	-
Robinson Fan	5237 229,406.00	46,600.00	123,002.98	352,408.98	311,800.00
Spec II / R/E	5239 75,787.50	-	176,700.00	252,487.50	-
CBER Website	5240 4,317.07	2,750.00	2,750.00	7,067.07	1,249.93
TTU Pharmacy School	5242 149,232.00	-	-	149,232.00	-
Teleperformance USA	5247 190,270.00	-	-	190,270.00	566,730.00
Shelter Distribution	5250 67,434.29	-	-	67,434.29	25,407.71
PWP (Project LF)	5251 1,058,761.13	138,081.57	498,081.57	1,556,842.70	2,010,620.30
Integrated Clinic Research	5253 7,440.00	-	-	7,440.00	688,062.00
Genesis Network	5258 399,133.33	-	427,609.49	826,742.82	15,055.81
Carter Burgess	5260 310,362.48	1,130.89	12,792.52	323,155.00	26,165.00
Fehr Foods	5261 118,091.53	-	-	118,091.53	-
TMAC	5262 52,500.00	-	7,500.00	60,000.00	-
SBIR/STTR	5263 66,880.65	75.00	49,765.55	116,646.20	154,754.15
EASI 7th Doc	5265 123,256.24	-	115,918.90	239,175.14	35,824.86
BMWT Leasing	5266 25,000.00	-	25,000.00	50,000.00	-
ABTEX Beverage	5267 -	-	634,339.80	634,339.80	964,700.20
MSSC Training	5269 71,762.03	-	-	71,762.03	74,353.05
Receptor Log	5270 1,043,534.87	(8.27)	460,322.25	1,503,857.12	-
Sr. Safe at Home	5271 -	-	-	-	402,455.00
WTCIC	5272 16,582.00	-	-	16,582.00	16,582.00
TTU HSC Research	5273 490,000.00	-	-	490,000.00	2,510,000.00
Accelerator A/E	5274 304,899.78	-	160,672.46	465,572.24	-
Spec 2 Expansion A/E	5275 6,978,018.64	-	92,030.93	7,070,049.57	-
Spec 3 Construction	5276 3,600,681.31	-	1,441,330.67	5,042,011.98	694,488.02
Prospect Development 08	5278 5,600.00	-	-	5,600.00	-
Accelerator Land	5280 327,160.42	-	97.77	327,258.19	-
Energy Maintenance Service	5282 -	-	-	-	1,418,000.00
Vine Street Repair	5283 168,600.00	-	12,255.00	180,855.00	-
Genesis Network Phase II	5284 -	-	-	-	2,103,694.90
Tower Tech	5285 9,906.40	-	306,475.60	316,382.00	4,511,118.00
Receptor Lab - 842 Pine	5287 320.00	-	1,532,967.31	1,533,287.31	-
Texas Metal 08	5288 -	-	-	-	35,114.00
TMAC 09	5289 -	-	7,500.00	7,500.00	52,500.00
Five Points Water Pump	5290 -	-	50,000.00	50,000.00	-
Accelerator Construction	5291 -	767,389.00	1,476,392.60	1,476,392.60	-
Five Points Electric	5293 -	-	115,000.00	115,000.00	-
Prospect Development 09	5294 -	-	10,410.00	10,410.00	-
Project BG	5295 -	-	-	-	748,000.00
ACU 09 Springboard	5297 -	5,000.00	5,000.00	5,000.00	-
EASI 09 Project	5299 -	28,994.87	57,989.74	57,989.74	80,305.26
Land UPS 5.6 acres	5300 -	692.50	9,622.50	9,622.50	-
Miscellaneous Activities	2785 354,189.86	-	-	354,189.86	-
TOTAL ENCUMB. / EXPENDITURES	\$ 106,238,928.65	\$ 1,163,790.70	\$ 10,208,625.07	\$ 116,447,553.72	\$ 19,197,364.77
TOTAL FUND BALANCE				\$ 28,743,242.37	
UNENCUMBERED FUND BALANCE					\$ 9,545,877.60

3.10

**DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ MAY 31, 2009**

Project	Amount Obligated	Prior Years Disbursed	Current Month Disbursed	Current Year Disbursed	Amount Encumbered	Balance	
BALANCE OF OBLIGATED PROGRAMS							
Business Services Division	Div 2760	\$ 620,340.00	\$ -	\$ 41,067.44	\$ 366,686.75	\$ 19,000.00	\$ 234,653.25
Life Sciences Property -Pine	Div 2765	10,000.00	-	5,493.34	16,340.75	-	(6,340.75)
DCOA Annual Contracts	Div 2775	183,000.00	-	431.46	141,678.92	13,635.00	27,686.08
Abilene Industrial Foundation	2775-4950	770,410.00	-	16,900.80	399,137.53	371,271.47	1.00
TTU Small Business Dev Cntr	2775-4951	195,000.00	-	-	119,943.75	75,056.25	-
Chamber Military Affairs	2775-4952	70,000.00	-	-	-	70,000.00	-
Airport Business Dev Mgr	2775-4953	170,770.00	-	5,367.61	63,170.33	107,599.39	0.28
Murf Systems	4998	151,665.00	151,665.00	-	-	-	-
Bandag Training	5203	842,220.00	545,470.20	180.15	179,195.15	117,734.80	(180.15)
Rentech 04	5207	367,680.00	367,680.00	-	-	-	-
Sunoco Logistics	5208	227,000.00	193,024.00	33,976.00	33,976.00	-	-
EASI 04	5213	2,476,938.00	1,345,237.66	-	247,251.57	884,448.43	0.34
Glazer Phase II	5215	262,000.00	182,000.00	-	80,000.00	-	-
EHT	5216	130,900.00	98,300.00	-	32,600.00	-	-
Fehr Food	5220	1,563,810.00	1,045,020.00	-	518,790.00	-	-
Transcend Services	5227	450,002.00	348,621.66	-	101,378.34	-	2.00
Bandag Building Improv	5228	44,260.00	-	-	-	44,259.24	0.76
Glazers Ph III	5229	91,000.00	44,340.00	-	21,280.00	25,380.00	-
Highland Campus Health	5231	350,368.00	253,865.00	69,668.34	75,668.34	22,000.00	(1,165.34)
Rentech	5232	48,800.00	48,800.00	-	-	-	-
Robinson Fan	5237	664,209.00	229,406.00	46,600.00	123,002.98	311,800.00	0.02
Spec II Hart Agreement	5239	252,488.00	75,787.50	-	176,700.00	-	0.50
CBER Website	5240	8,317.00	4,317.07	2,750.00	2,750.00	1,249.93	-
TTU Pharmacy School	5242	149,232.00	149,232.00	-	-	-	-
Teleperformance USA	5247	757,000.00	190,270.00	-	-	566,730.00	-
Shelter Distribution	5250	92,842.00	67,434.29	-	-	25,407.71	-
PWP (Project LF)	5251	3,567,463.00	1,058,761.13	138,081.57	498,081.57	2,010,620.30	-
Integrated Clinic Research	5253	695,502.00	7,440.00	-	-	688,062.00	-
Genesis Network	5258	841,800.00	399,133.33	-	427,609.49	15,055.81	1.37
Carter Burgess	5260	349,320.00	310,362.48	1,130.89	12,792.52	26,165.00	-
Fehr Foods	5261	118,092.00	118,091.53	-	-	-	0.47
TMAC	5262	60,000.00	52,500.00	-	7,500.00	-	-
SBIR/STTR	5263	271,400.00	66,880.65	75.00	49,765.55	154,754.15	(0.35)
EASI 7th Doc	5265	275,000.00	123,256.24	-	115,918.90	35,824.86	-
BMWV Leasing	5266	50,000.00	25,000.00	-	25,000.00	-	-
ABTEX Beverage	5267	1,599,040.00	-	-	634,339.80	964,700.20	-
MSSC Training	5269	146,115.00	71,762.03	-	-	74,353.05	(0.08)
Receptor Log	5270	1,725,000.00	1,043,534.87	(8.27)	460,322.25	-	221,142.88
Sr. Safe at Home	5271	402,455.00	-	-	-	402,455.00	-
WTCIC	5272	33,164.00	16,582.00	-	-	16,582.00	-
TTU HSC Research	5273	3,000,000.00	490,000.00	-	-	2,510,000.00	-
Accelerator A/E	5274	471,800.00	304,899.78	-	160,672.46	-	6,227.76
Spec 2 Expansion A/E	5275	7,075,850.00	6,978,018.64	-	92,030.93	-	5,800.43
Spec 3 Construction	5276	5,736,500.00	3,600,681.31	-	1,441,330.67	694,488.02	-
Prospect Development 08	5278	5,600.00	5,600.00	-	-	-	-
Accelerator Land	5280	327,258.00	327,160.42	-	97.77	-	(0.19)
Energy Maintenance Service	5282	1,418,000.00	-	-	-	1,418,000.00	-
Vine Street Repair	5283	180,855.00	168,600.00	-	12,255.00	-	-
Genesis Network Phase II	5284	2,103,695.00	-	-	-	2,103,694.90	0.10
Tower Tech	5285	4,827,500.00	9,906.40	-	306,475.60	4,511,118.00	-
Receptor Lab - 842 Pine	5287	1,567,750.00	320.00	-	1,532,967.31	-	34,462.69
Texas Metal 08	5288	35,114.00	-	-	-	35,114.00	-
TMAC 09	5289	60,000.00	-	-	7,500.00	52,500.00	-
Five Points Water Pump	5290	50,000.00	-	-	50,000.00	-	-
Accelerator Construction	5291	4,892,740.00	-	767,389.00	1,476,392.60	-	3,416,347.40
Five Points Electric	5293	115,000.00	-	-	115,000.00	-	-
Prospect Development 09	5294	70,000.00	-	-	10,410.00	-	59,590.00
Project BG	5295	748,000.00	-	-	-	748,000.00	-
ACU 09 Springboard	5297	5,000.00	-	5,000.00	5,000.00	-	-
EASI 09 Project	5299	138,295.00	-	28,994.87	57,989.74	80,305.26	-
Land UPS 5.6 acres	5300	68,727.00	-	692.50	9,622.50	-	59,104.50
Miscellaneous Activities	2785	354,189.86	354,189.86	-	-	-	-

BALANCE OF OBLIGATED PROGRAMS \$ 54,336,475.86 \$ 20,873,151.05 \$ 1,163,790.70 \$ 10,208,625.07 \$ 19,197,364.77 \$ 4,057,334.97

UNDESIGNATED FUND BALANCE (unencumbered balance less obligated programs and contingent liabilities) \$ 5,488,542.63

DCOA Board approved projects waiting for signed contracts	Expiration Date
Project DC 5286	06/24/2009
Global Energy Services 5292	05/11/2009
Coca Cola 5296	07/24/2009
Stimulus Grant Writer 5298	09/30/2009
EASI Lighting Upgrades 5299	10/13/2009
	<u>2,459,583.00</u>

3.11

DEVELOPMENT CORPORATION OF ABILENE, INC.

BOARD AGENDA

MEETING DATE: August 4, 2009

PROJECT: Development of Plans to Build-Out Shell Space for Laboratory, Office and Meeting Rooms in the Abilene Life Sciences Accelerator

STAFF: Richard Burdine, CEO

THE PROJECT

The \$2,000,000 that came to the Abilene Life Sciences Accelerator (ALSA) project through the New Markets Tax Credit transaction provides funding to build out shell space, purchase additional equipment and make other capital improvements as necessary. With the help of Mark Long, former CEO of the Indiana University Research and Technology Corporation (IURTC) and biotech business incubator specialist, Tittle-Luther Partnership (TLP) developed a workable plan for building out the shell space on the north end of the ALSA. Jack Harkins, AIA, of TLP presented the result of the planning effort to the Board during the July 14, 2009 meeting, which includes approximately 7,450 sq ft to be built out to wet lab, dry lab, complete lab, offices and meeting areas. At the July 14, 2009 DCOA board meeting, the board voted to table this item in favor of time to consider other options.

Since then we have determined that building out shell space on a tenant-by-tenant basis:

1. Could be disruptive to existing clients who depend on the ALSA to provide a very stable environment without dust, noise, vibration and power disruptions;
2. Would likely increase the cost per square foot for build out. An alternative to a different contract for build out is to have Jeff Luther Construction get new proposals from subcontractors for build out work under the current cost plus contract;
3. Would be impractical if the current contractor and another contractor tried to work in the building simultaneously, as mentioned at the last board meeting by Jack Harkins. We would have to wait for Jeff Luther Construction to finish their work before bringing in another contractor. Therefore build out work couldn't begin until January 2010 at the earliest; and,
4. Would confuse warranty responsibilities of the original contractor with those of the build out contractor, especially because critical mechanical systems will have to be added to in the build out; and,
5. Would put the ALSA at a competitive disadvantage in recruiting clients. When asked about a 3- to 5-month lag in providing space to prospective ALSA clients, Dale Gannaway with Emergent Technologies Inc. stated, "As is the case in any sales effort, as you know, the more advantages that one can have over another market the better. As we saw on Tuesday night in Frisco at the North Texas Enterprise Center for Medical Technology (NTEC) reception, the NTEC space is all finished out and market ready. Our attempts to market Abilene and the ALSA would be put at a disadvantage when compared to facilities that are "tenant ready" such as NTEC."

Taking all of the above into consideration, staff requests authorization for TLP to proceed with the plans and specifications for the build out and funding up to \$108,956 for the A/E fees. The proposed amount is 9% of estimated construction cost of \$1,210,625, based on a per square foot cost of \$162.50 for 7,450 square feet. The final A&E fees will be adjusted to 9% of actual costs.

FISCAL IMPACT

\$108,956

STAFF RECOMMENDATION

Staff recommends approval of resolution DCOA-2009.17 authorizing additional funding of up to \$108,956 for development of plans and specifications to build out ALSA shell space.

ATTACHMENTS

Resolution DCOA-2009.17

S:\DCOAMeeting Memos\FY 2009\Plans to Build Out ALSA Shell Space 080409.DOC

RESOLUTION NO. DCOA-2009.17

A RESOLUTION OF THE DEVELOPMENT CORPORATION OF ABILENE, INC. (DCOA), ABILENE, TEXAS AUTHORIZING DEVELOPMENT OF PLANS AND SPECIFICATIONS TO BUILD-OUT SHELL SPACE FOR LABORATORY, OFFICE AND MEETING ROOMS IN THE ABILENE LIFE SCIENCES ACCELERATOR AT 1325 PINE ST., ABILENE, TEXAS.

WHEREAS, the purpose of the DCOA is to expand employment opportunities for the citizens of Abilene; and,

WHEREAS, in July 2007, the DCOA authorized by oral resolution the CEO to hire an architect to study the options of leasing/renovating or constructing/purchasing property for RLI, and Tittle Luther Partnership was hired; and,

WHEREAS, in September 2007, after hearing from Tittle Luther that new construction was the most cost-effective approach for creation of the Accelerator, the DCOA approved resolution DCOA-2007.23 authorizing a contract with Tittle Luther Partnership and funding of \$335,000 to design the Life Sciences Accelerator to be leased in part to RLI and other biotech companies; and,

WHEREAS, in February 2008, the DCOA approved resolution DCOA-2008.07 authorizing funding of \$325,000 toward the purchase of 4 properties on Pine St. between N. 13th and N. 15th Streets from the Abilene Improvement Corp. for construction of the Life Sciences Accelerator. The funding also provided for the purchase of 2 lots on Walnut St. backing up to the Pine St. properties to be used as a parking lot the Life Sciences Accelerator; and,

WHEREAS, in November 2008, the DCOA approved resolution DCOA-2009.07 authorizing \$5,345,000, including contingency, for construction of the Life Sciences Accelerator, and a contract with Jeff Luther Construction was executed by the CEO. Construction is projected to be completed by December 1, 2009; and,

WHEREAS, the original plan for build-out of the Life Sciences Accelerator included shell space to be finished-out to suit tenants as needed; and,

WHEREAS, staff requests the DCOA authorize the development of plans and specifications by Tittle Luther Partnership to finish-out 7,450 sq ft of the shell space to accommodate labs, offices and meeting rooms.

NOW THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT CORPORATION OF ABILENE, INC., ABILENE, TEXAS, THAT:

PART 1. DCOA authorizes the development by Tittle Luther Partnership of plans and specifications to build-out 7,450 sq ft of formerly-allowed shell space in the Abilene Life Sciences Accelerator at 1325 Pine St., and funding of One Hundred Eight Thousand Nine Hundred Fifty-Six and no/100's Dollars (\$108,956). The 7,450 sq ft will be finished-out now to accommodate labs, offices and meeting rooms, which will minimize disruption to existing tenants and reduce the cost of build-out for

future tenants, yet remain flexible to accommodate future tenant needs. The proposed amount is 9% of estimated construction cost of \$1,210,625, based on a per square foot cost of \$162.50 for 7,450 square feet. The final A&E fees will be adjusted to 9% of actual build-out construction cost, plus reimbursables and additional services.

PART 2. Funding under this resolution is contingent upon execution of all necessary agreements. The funding commitment authorized under this resolution shall expire without notice 180 days from the date of adoption of same unless all required documents and agreements are executed prior to that expiration date or the commitment herein is extended in writing by the DCOA.

PART 3. The Chief Executive Officer of the Development Corporation of Abilene, Inc. is hereby authorized to negotiate, enter into and execute a final construction contract and all other related documents on behalf of the DCOA.

ADOPTED this the 4th day of August, 2009.

ATTEST:

Marelyn Shedd
Secretary/Treasurer

Joe Crawford
President

APPROVED:

T. Daniel Santee, City Attorney

DEVELOPMENT CORPORATION OF ABILENE, INC.

BOARD AGENDA

MEETING DATE: August 4, 2009

PROJECT: Contract with Emergent Technologies, Inc. for Personnel, Business Recruitment, Business Acceleration and Strategic Planning Services for the Abilene Life Sciences Accelerator (ALSA)

STAFF: Richard Burdine, CEO

THE PROJECT

As we have learned more about working with early-stage biotech companies, it has become apparent that recruiting them and accelerating their growth requires highly specialized knowledge and skills. Furthermore, no one has all the skills our clients will need; a team effort will be essential to success of the Abilene Life Sciences Accelerator.

Bill Burke, ETI President, and Dale Gannaway, ETI V.P.- Business Development, presented to the board during the July 14, 2009 meeting a description of the services their team can offer to help ensure the success of the ALSA. With ETI's knowledge and experience in technology innovation, they believe they can help Abilene create a sustainable, growing life sciences industry presence.

Because Receptor Logic is one of ETI's four West Texas portfolio companies, ETI already has connections to Abilene and is enthusiastic about the prospect of providing its services to other Abilene biotech companies. They propose a 3-year collaborative management agreement with the DCOA, whereby they will provide personnel, business recruitment and business acceleration and development services for ALSA clients and assist the DCOA with ALSA strategic planning and operations.

FISCAL IMPACT

Yet to be determined.

STAFF RECOMMENDATION

Staff recommends approval of an oral resolution authorizing the CEO to negotiate a 3-year contract with Emergent Technologies, Inc. consistent with terms and conditions discussed by the Board. Assuming successful negotiations with ETI, the contract will come back to the Board at a future meeting for final approval.

ATTACHMENTS

None.