

PUBLIC NOTICE

DEVELOPMENT CORPORATION OF ABILENE, INC.

A regular meeting of the Development Corporation of Abilene, Inc. will be held on Tuesday, February 26, 2013, in the Abilene Life Sciences Accelerator, 1325 Pine St., Abilene, Texas, commencing at 1:30 p.m. to consider the following agenda:

SIGNED:


Richard Burdine, Asst. City Manager for Economic Development

AGENDA

February 26, 2013
1:30 p.m.

Abilene Life Sciences Accelerator
1325 Pine St.

1. Call the meeting to order.
2. Approval of minutes from the January 30, 2013, board meeting.
3. February 2013 sales tax report and preliminary status of funds report for January 2013.
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 an agreement with Abilene Aero to provide aircraft de-fueling services to Eagle Aviation Services, Inc.
6. Discussion and possible approval of a resolution authorizing a contract and funding to clear approximately 25 acres of land in the Five Points Business Park.

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 _____, 2013, 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
JANUARY 30, 2013**

MEMBERS PRESENT: Paul Cannon Scott Senter
 Dani Ramsay Marelyn Shedd
 Dave Copeland

STAFF PRESENT: Richard Burdine Kim Tarrant
 Mindy Patterson

GUESTS PRESENT: Bill Ehrie, Abilene Industrial Foundation

1. **CALL THE MEETING TO ORDER.** President Paul Cannon called the meeting to order at 1:33 p.m. in the conference room of the Abilene Life Sciences Accelerator, 1325 Pine Street, Abilene, Texas.
2. **WELCOME TO NEW BOARD MEMBER, DAVE COPELAND.** President Paul Cannon welcomed new board member, Dave Copeland. Mr. Copeland replaces Mike Schweikhard whose term had expired.
3. **APPROVAL OF MINUTES FROM THE JANUARY 22, 2013, BOARD MEETING.** Scott Senter moved to approve the minutes from the January 22, 2013 board meeting. Marelyn Shedd seconded and the motion carried.
4. **PRELIMINARY STATUS OF FUNDS REPORT FOR DECEMBER 2012.** Mindy Patterson, Director of Finance reviewed this report. Total revenues were \$895,679 with \$768,043 being from sales tax. Some of the major expenses include \$42,417 as job creation and capital improvement incentives payment for Nationwide Products; \$34,749 for the fire suppression system at the airport; \$42,632 for the 4th Fast Track Welder training program; and \$41,560 for the Devron water line extension in Five Points Business Park.
5. **OFFICER ELECTIONS: PRESIDENT, VICE PRESIDENT AND SECRETARY/TREASURER.** Dani Ramsay nominated Scott Senter for Vice President and also moved to keep Paul Cannon as President and Marelyn Shedd as Secretary/Treasurer. Dave Copeland seconded and the motion passed by unanimous consent.
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 Paul Cannon announced the date is January 30, 2013, and the time is 1:40 p.m. Later, President Paul Cannon announced the date is still January 30, 2013, and the time is 2:41 p.m. No vote or action was taken in Executive Session.

7. **DISCUSSION AND POSSIBLE APPROVAL OF A RESOLUTION AUTHORIZING FINANCIAL ASSISTANCE TO FEHR FOODS, INC. FOR 2013 CAPITAL INVESTMENT IN BUILDING IMPROVEMENTS AND EQUIPMENT UPGRADES.** President Cannon summarized staff's recommendations as follows: 1) that the board authorize funding of \$240,000 for Fehr Foods, Inc. to be paid over three years at 10% of actual cost to assist with 2013 capital investment in various projects and 2) that the board approve an amendment to the 2012 approval to allow the combination of those projects into one, payable at 10% up to \$510,000. No additional funds are being requested.

Dani Ramsay moved to approve Resolution No. DCOA-2013.14 as presented. Scott Senter seconded and the motion carried.

8. **DISCUSSION AND POSSIBLE APPROVAL OF A RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR RENOVATION OF 4109 VINE STREET.** There was no discussion on this agenda item.

Scott Senter moved to approve Resolution No. DCOA-2013.15 as presented. Marelyn Shedd seconded and the motion carried.

9. **ADJOURNMENT.** The next DCOA Board meeting will be February 26th.

Paul Cannon, President

MEMORANDUM

February 6, 2013

TO: Larry D. Gilley, City Manager
FROM: Mindy Patterson, Director of Finance
SUBJECT: February Sales Tax

The sales tax rebate for February is \$4,050,740.05 which represents December sales. This is 13.88% below last year and 1.68% below the projected FY 13 budget amount. The breakdown of the February rebate is \$3,038,055.04 to the General Fund and \$1,012,685.01 for economic development. Of this rebate, \$40,684 is from prior periods, audit payments, future payments, and unidentified payments. For the period of October through February, sales tax is 9.26% below last year and 1.89% above the projected FY 13 budget amount. 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, Deputy City Manager

**CITY OF ABILENE
SALES TAX COMPARISON**

Accounting Period Month	GENERAL FUND	ECONOMIC DEVELOPMENT	TOTAL	GENERAL FUND	ECONOMIC DEVELOPMENT	TOTAL
	Actual 2011-12	Actual 2011-12		Actual 2012-13	Actual 2012-13	
October	\$2,671,157.84	\$890,385.94	\$3,561,543.78	\$2,567,604.30	\$855,868.10	\$3,423,472.40
November	2,894,423.44	964,807.81	3,859,231.25	2,675,867.12	891,955.71	3,567,822.83
December	2,175,827.99	725,276.00	2,901,103.99	2,319,312.29	773,104.09	3,092,416.38
January	2,823,199.08	941,066.36	3,764,265.44	2,186,131.29	728,710.43	2,914,841.72
February	3,527,637.94	1,175,879.31	4,703,517.25	3,038,055.04	1,012,685.01	4,050,740.05
YTD	<u>\$14,092,246.29</u>	<u>\$4,697,415.42</u>	<u>\$18,789,661.71</u>	<u>\$12,786,970.04</u>	<u>\$4,262,323.34</u>	<u>\$17,049,293.38</u>
March	2,196,565.64	732,188.54	2,928,754.18			
April	2,307,190.75	769,063.58	3,076,254.33			
May	2,932,384.19	977,461.40	3,909,845.59			
June	2,300,833.44	766,944.48	3,067,777.92			
July	2,270,657.66	756,885.89	3,027,543.55			
August	2,760,289.25	920,096.42	3,680,385.67			
September	2,400,600.79	800,200.26	3,200,801.05			
FY TOTAL	<u>\$31,260,768.01</u>	<u>\$10,420,255.99</u>	<u>\$41,681,024.00</u>			

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

The Comprehensive Annual Financial Report (CAFR) will reflect revenue based upon the month the sales tax is paid by the vendor in accordance with GASB 33 requirements.

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

Accounting Period Month	Actual 2011-12	Actual 2012-13	% Change
October	\$890,386	\$855,868	-3.88%
November	964,808	891,956	-7.55%
December	725,276	773,104	6.59%
January	941,066	728,710	-22.57%
February	1,175,879	1,012,685	-13.88%
YTD	\$4,697,415	\$4,262,323	-9.26%
March	732,189		
April	769,064		
May	977,461		
June	766,944		
July	756,886		
August	920,096		
September	800,200		
FY TOTAL	<u>\$10,420,256</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 revenue based upon the month the sales tax is paid by the vendor in accordance with GASB 33 requirements.

Revenue for February '13 represents December '12 sales. Approximately \$10,171 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.

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DEVELOPMENT CORPORATION OF ABILENE, INC.
1/2 CENT SALES TAX REVENUE
Five Year Comparison

Accounting Period Month	Actual 2008-09	Actual 2009-10	Actual 2010-11	Actual 2011-12	Actual 2012-13
October	\$703,442	\$671,904	\$661,859	\$890,386	\$855,868
November	893,442	758,231	774,838	964,808	891,956
December	707,339	602,230	647,119	725,276	773,104
January	660,623	594,761	693,114	941,066	728,710
February	955,889	898,241	978,890	1,175,879	1,012,685
March	602,464	618,659	646,308	732,189	
April	616,560	601,410	641,310	769,064	
May	793,424	814,964	948,413	977,461	
June	653,711	612,963	741,634	766,944	
July	598,036	660,806	749,767	756,886	
August	799,090	829,188	1,013,393	920,096	
September	653,828	649,391	799,173	800,200	
FY TOTAL	<u><u>\$8,637,848</u></u>	<u><u>\$8,312,748</u></u>	<u><u>\$9,295,819</u></u>	<u><u>\$10,420,256</u></u>	<u><u>\$4,262,323</u></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
revenue based upon the month the sales tax is paid by the vendor
in accordance with GASB 33 requirements.

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CITY OF ABILENE, TEXAS

DEVELOPMENT CORPORATION OF ABILENE, INC.

Balance Sheet
January 31, 2013

ASSETS:

Cash and Investments	\$16,685,256
Notes receivable	16,241,598
Accounts receivable	35,293
Due from other governments	1,738,931
Prepaid Expense	130
Total Current Assets	<u>\$34,701,208</u>

OTHER ASSETS:

Fixed assets	
Land	\$1,529,724
Construction in Progress	\$2,610,279
Buildings & Improvements	\$27,479,023
Improvements other than Buildings	\$9,965,830
Leasehold improvements	\$1,366,201
Machinery & Equipment	\$310,099
Vehicles	\$18,011
Accumulated depreciation	<u>(6,814,309)</u>
Total Other Assets	<u>36,464,858</u>
TOTAL ASSETS	<u><u>\$71,166,066</u></u>

LIABILITIES:

Accounts payable	<u>\$49,802</u>
Total Liabilities	<u>\$49,802</u>

FUND BALANCES:

Investment in general fixed assets	\$36,464,858
Reserved for contractual obligations(external)	11,601,274
Reserved for obligated programs(internal)	2,545,315
Undesignated Balance	<u>20,504,817</u>
Total Fund Balance	<u>\$71,116,264</u>
TOTAL LIABILITIES AND FUND BALANCES	<u><u>\$71,166,066</u></u>

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**DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ JANUARY 31, 2013**

	Object	(MARCH, 1990)			
		Beginning I-T-D Revenues	Current Month Revenues	Current FY Revenues	Ending I-T-D Revenues
REVENUE TO DATE					
City Sales Tax	40201	\$ 147,668,569.04	\$ 724,582.49	\$ 3,231,914.37	\$ 150,900,483.41
Sales Tax Retained	40202	506,821.56	4,127.94	17,723.96	524,545.52
Princ. - Loans & Assess	40902	3,268,528.27	-	-	3,268,528.27
Int. - Loans & Assess	46003	2,314,633.98	-	15.65	2,314,649.63
Interest on Investments	46004	7,020,340.95	3,050.09	14,310.21	7,034,651.16
Land Lease	47201	17,296.11	-	-	17,296.11
Building/Space Rent	47203	7,347,601.67	46,131.36	314,637.40	7,662,239.07
Miscellaneous Federal	41490	1,322,526.00	-	-	1,322,526.00
Miscellaneous State Grants	41690	26,500.00	-	-	26,500.00
Other Contributions	47105	140,712.60	-	-	140,712.60
Interfund Recovery	47217	1,534,976.08	-	-	1,534,976.08
Miscellaneous Recovery	47219	2,186,438.50	-	-	2,186,438.50
Miscellaneous Prior Year	47241	61,292.02	-	-	61,292.02
Miscellaneous Revenue	47244	1,019,770.10	-	13,220.30	1,032,990.40
Sale of Land	48201	475,593.50	-	-	475,593.50
Sale of Buildings & Equipment	48203	3,976,326.19	-	-	3,976,326.19
Gain (loss) Sale of Asset	48204	600,000.00	-	-	600,000.00
GASB 22 Restatement		355,634.89	-	-	355,634.89
GASB 34 Adjustment		2,403,949.11	-	-	2,403,949.11
		\$ 182,247,510.57	\$ 777,891.88	\$ 3,591,821.89	\$ 185,839,332.46

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**DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ JANUARY 31, 2013**

CONTRACTS ENCUMBERED/ EXPENDITURES-TO-DATE	Project	Beginning I-T-D Expenditures	Current Month Expenditures	Current FY Expenditures	Ending I-T-D Expenditures	Outstanding Contracts
Prior Years Programs		\$ 90,691,899.08	\$ -	\$ -	\$ 90,691,899.08	
Business Services Division	Div 2760	9,067,992.94	56,541.49	225,319.15	9,293,312.09	25,000.00
Life Sciences Property - Pine	Div 2765	1,867,386.28	46,107.19	247,280.47	2,114,666.75	-
DCOA Annual Contracts	Div 2775	2,823,494.98	8,159.57	151,280.11	2,974,775.09	-
Abilene Industrial Foundation	2775-62571	13,888,018.57	57,715.99	163,987.31	14,052,005.88	536,498.64
TTU Small Business Dev Cntr	2775-62572	3,055,608.55	11,512.50	36,693.75	3,092,302.30	195,118.75
Chamber Military Affairs	2775-62573	1,326,511.16	-	-	1,326,511.16	100,000.00
Airport Business Dev Mgr	2775-62574	897,833.70	10,055.86	25,333.31	923,167.01	-
Murf Systems	4998	199,665.00	-	-	199,665.00	-
EASI 04	5213	2,131,546.52	-	-	2,131,546.52	345,391.14
Fehr Food	5220	3,712,530.00	-	-	3,712,530.00	-
CBER Website	5240	7,067.07	-	-	7,067.07	1,249.93
TTU Pharmacy School	5242	658,436.00	-	265,823.00	924,259.00	-
Pactiv (formerly PWP)	5251	2,507,898.97	-	-	2,507,898.97	426,000.00
SBIR/STTR	5263	86,200.16	-	-	86,200.16	184,991.87
TTU HSC Research	5273	2,187,988.66	30,000.00	133,000.00	2,320,988.66	679,011.34
Energy Maintenance Serv (Broadwind Serv)	5282	248,270.07	-	-	248,270.07	621,623.53
Genesis Network Phase II	5284	22,924.00	-	-	22,924.00	1,269,000.00
Tower Tech (Broadwind Towers)	5285	3,596,278.51	-	120,000.00	3,716,278.51	1,585,237.09
Coca Cola Abilene	5296	-	-	-	-	2,020,000.00
ETI Contract	5304	1,236,265.25	-	(3,504.48)	1,232,760.77	-
TTU 842 Pine	5308	233,155.10	-	22,000.00	255,155.10	-
AIC Eq Lease	5312	164,128.01	-	-	164,128.01	-
Nation Wide Prod	5313	62,366.67	-	42,416.67	104,783.34	466.66
Enavail, LLC	5316	379,990.57	-	-	379,990.57	31,765.15
Texas Metals '10	5317	14,683.33	14,683.33	14,683.33	29,366.66	-
Cisco College Biotech Training	5318	45,701.55	-	18,884.00	64,585.55	3,064.45
Energy Maintenance Serv-Gearbox	5319	289,660.00	-	-	289,660.00	192,840.00
EASI Hangar 4 Design	5320.1	339,901.07	-	-	339,901.07	-
EASI Hangar 4 Construction	5320.2	4,473,442.44	-	-	4,473,442.44	-
EASI Hangar Fire Safety	5320.3	1,712,275.34	60,219.45	101,602.59	1,813,877.93	5,000.00
Pepsi Beverage Co.	T5321	70,000.00	-	-	70,000.00	280,000.00
Cooperative Response Center	5324	71,748.18	-	-	71,748.18	224,751.82
Land 922 N 13th Street	5325	35,735.00	-	-	35,735.00	500.00
Teleperformance USA	5326	92,550.00	-	-	92,550.00	191,900.00
Docket Navigator	5327	-	-	-	-	159,000.00
West Texas Innovation Network	5328	-	-	-	-	-
Smith Pipe Ph 1, 2, 3 & 4	5330	75,500.00	-	-	75,500.00	344,389.50
TTUHSC School of Nursing	5331	-	-	-	-	7,315.00
TMAC FY12	5333	33,000.00	-	-	33,000.00	-
Vine St. Lighting Upgrades	5335.1	55,457.00	-	-	55,457.00	-
Vine St. Fire Safety	5335.2	228,367.17	848.52	42,519.36	270,886.53	15,138.76
Vine St. Parking Lot	5335.3	158,850.00	-	-	158,850.00	-
Vine St. Construction	5335.4	32,610.00	4,497.13	4,497.13	37,107.13	253,090.18
Vine St. Interior Demo	5335.5	121,698.03	1,332.94	1,332.94	123,030.97	3,547.06
Vine St. Other Impr	5335.6	-	12,772.00	12,772.00	12,772.00	-
Vine Street Gotta Go Trailways	5335.7	-	-	-	-	4,000.00
Welder Training	5339	146,766.19	-	42,632.09	189,398.28	228,039.72
Fehr Foods '12	5340	-	-	-	-	510,000.00
Prospect Development	5341	1,216.00	-	-	1,216.00	-
Pactiv Compressor A/E	5344.1	10,500.00	-	14,295.69	24,795.69	7,500.31
Pactiv Compressor Construction	5344.2	-	-	-	-	197,053.40
Owens Machine & Tool	5345	-	-	-	-	351,000.00
Biotech Marketing and PR Plan	5346	-	13,195.81	19,957.25	19,957.25	49,592.75
TMAC FY13	5347	-	-	11,000.00	11,000.00	99,000.00
Hangar Doghouses	5348.1	-	5,953.50	5,953.50	5,953.50	412,646.50
Devron Water Line Extension	5349	-	-	41,560.00	41,560.00	-
2013 Springboard Sponsorship	5350	-	5,000.00	5,000.00	5,000.00	-
Ads 4 Next Youth Program Sponsor	5351	-	2,500.00	2,500.00	2,500.00	-
Enterprise Dr. Extension A/E	5352	-	-	-	-	30,800.00
BCBS Bldg Cooling Tower Demo	5353	-	1,800.00	1,800.00	1,800.00	9,750.00
Miscellaneous Activities	2785	354,189.86	-	-	354,189.86	-
TOTAL ENCUMB. / EXPENDITURES		\$ 149,417,306.98	\$ 342,895.28	\$ 1,770,619.17	\$ 151,187,926.15	\$ 11,601,273.55
TOTAL FUND BALANCE					\$ 34,651,406.31	
UNENCUMBERED FUND BALANCE						\$ 23,050,132.76

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**DEVELOPMENT CORPORATION OF ABILENE
STATUS OF FUNDS @ JANUARY 31, 2013**

Project	Amount Obligated	Prior Years Disbursed	Current Month Disbursed	Current Year Disbursed	Amount Encumbered	Balance Reserved for Obligated Programs	
BALANCE OF OBLIGATED PROGRAMS							
Business Services Division	Div 2760	\$ 641,360.00	\$ -	\$ 56,541.49	\$ 225,319.15	\$ 25,000.00	\$ 391,040.85
Life Sciences Property -Pine	Div 2765	635,963.85	-	46,107.19	247,280.47	-	388,683.38
DCOA Annual Contracts	Div 2775	308,810.00	-	8,159.57	151,280.11	-	157,529.89
Abilene Industrial Foundation	2775-4950	746,850.00	-	57,715.99	163,987.31	536,498.64	46,364.05
TTU Small Business Dev Cntr	2775-4951	250,000.00	-	11,512.50	36,693.75	195,118.75	18,187.50
Chamber Military Affairs	2775-4952	100,000.00	-	-	-	100,000.00	-
Airport Business Dev Mgr	2775-4953	181,630.00	-	10,055.86	25,333.31	-	156,296.69
Murf Systems	4998	199,665.00	199,665.00	-	-	-	-
EASI 04	5213	2,476,938.00	2,131,546.52	-	-	345,391.14	0.34
Fehr Food	5220	3,712,530.00	3,712,530.00	-	-	-	-
CBER Website	5240	8,317.00	7,067.07	-	-	1,249.93	-
TTU Pharmacy School	5242	924,259.00	658,436.00	-	265,823.00	-	-
Pacliv (formerly PWP)	5251	2,933,899.00	2,507,898.97	-	-	426,000.00	0.03
SBIR/STTR	5263	271,400.00	86,200.16	-	-	184,991.87	207.97
TTU HSC Research	5273	3,000,000.00	2,187,988.66	30,000.00	133,000.00	679,011.34	-
Energy Maintenance Serv (Broadwind Serv)	5282	869,894.00	248,270.07	-	-	621,623.53	0.40
Genesis Network Phase II	5284	1,291,924.00	22,924.00	-	-	1,269,000.00	-
Tower Tech (Broadwind Towers)	5285	5,302,716.00	3,596,278.51	-	120,000.00	1,585,237.09	1,200.40
Coca Cola Abilene	5296	2,020,000.00	-	-	-	2,020,000.00	-
ETI Contract	5304	1,232,761.00	1,236,265.25	-	(3,504.48)	-	0.23
TTU 842 Pine	5308	255,156.00	233,155.10	-	22,000.00	-	0.90
AIC Equipment Lease/Purchase	5312	164,128.00	164,128.01	-	-	-	(0.01)
Nation Wide Products	5313	105,250.00	62,366.67	-	42,416.67	466.66	0.00
Enavaii, LLC	5316	411,756.00	379,990.57	-	-	31,765.15	0.28
Texas Metals '10	5317	29,368.00	14,683.33	14,683.33	14,683.33	-	1.34
Cisco College Biotech Training	5318	67,650.00	45,701.55	-	18,884.00	3,064.45	(0.00)
Energy Maintenance Serv-Gearbox	5319	482,500.00	289,660.00	-	-	192,840.00	-
EASI Hangar 4 Design	5320.1	339,902.00	339,901.07	-	-	-	0.93
EASI Hangar 4 Construction	5320.2	4,473,443.00	4,473,442.44	-	-	-	0.56
EASI Hangar Fire Safety	5320.3	2,592,097.00	1,712,275.34	60,219.45	101,602.59	5,000.00	773,219.07
Pepsi Beverage Co.	5321	350,000.00	70,000.00	-	-	280,000.00	-
Cooperative Response Center	5324	296,500.00	71,748.18	-	-	224,751.82	-
Land 922 N 13th Street	5325	50,000.00	35,735.00	-	-	500.00	13,765.00
Teleperformance USA	5326	375,000.00	92,550.00	-	-	191,900.00	90,550.00
Docket Navigator	5327	159,000.00	-	-	-	159,000.00	-
West Texas Innovation Network	5328	15,000.00	-	-	-	-	15,000.00
Smith Pipe Ph 1, 2, 3 & 4	5330	419,990.00	75,500.00	-	-	344,389.50	100.50
TTUHSC School of Nursing	5331	7,315.00	-	-	-	7,315.00	-
TMAC FY12	5333	33,000.00	33,000.00	-	-	-	-
Vine St. Warehouse	5335.1	55,457.00	55,457.00	-	-	-	-
Vine St. Fire Safety	5335.2	291,216.00	228,367.17	848.52	42,519.36	15,138.76	5,190.71
Vine St. Parking Lot	5335.3	158,850.00	158,850.00	-	-	-	-
Vine St. Construction	5335.4	569,064.00	32,610.00	4,497.13	4,497.13	253,090.18	278,866.69
Vine St. Interior Demo	5335.5	130,489.00	121,698.03	1,332.94	1,332.94	3,547.06	3,910.97
Vine St. Other Impr	5335.6	12,772.00	-	12,772.00	12,772.00	-	-
Vine Street Gotta Go Trailways	5335.7	19,500.00	-	-	-	4,000.00	15,500.00
Welder Training	5339	417,438.00	146,766.19	-	42,632.09	228,039.72	-
Fehr Foods '12	5340	510,000.00	-	-	-	510,000.00	-
Prospect Development	5341	1,216.00	1,216.00	-	-	-	-
Pactiv Compressor A/E	5344.1	32,296.00	10,500.00	-	14,295.69	7,500.31	-
Pactiv Compressor Construction	5344.2	335,500.00	-	-	-	197,053.40	138,446.60
Owens Machine & Tool	5345	351,000.00	-	-	-	351,000.00	-
Biotech Marketing and PR Plan	5346	116,400.00	-	13,195.81	19,957.25	49,592.75	46,850.00
TMAC FY13	5347	110,000.00	-	-	11,000.00	99,000.00	-
Hangar Doghouses	5348.1	423,000.00	-	5,953.50	5,953.50	412,646.50	4,400.00
Devron Water Line Extension	5349	41,560.00	-	-	41,560.00	-	-
2013 Springboard Sponsorship	5350	5,000.00	-	5,000.00	5,000.00	-	-
Ads 4 Next Youth Program Sponsor	5351	2,500.00	-	2,500.00	2,500.00	-	-
Enterprise Dr. Extension A/E	5352	30,800.00	-	-	-	30,800.00	-
BCBS Bldg Cooling Tower Demo	5353	11,550.00	-	1,800.00	1,800.00	9,750.00	-
Miscellaneous Activities	2785	354,189.86	354,189.86	-	-	-	-
BALANCE OF OBLIGATED PROGRAMS		\$ 41,715,769.71	\$ 25,798,561.72	\$ 342,895.28	\$ 1,770,619.17	\$ 11,601,273.55	\$ 2,545,315.27

UNDESIGNATED FUND BALANCE

(unencumbered balance less obligated programs and contingent liabilities)

\$ 20,504,817.49

DCOA Board approved projects waiting for signed contracts			Expiration Date
Marketing for 2nd Airline	5334	200,000	3/31/2013
Bridgestone Bandag		315,300	3/31/2013
Smith Pipe Ph 4		400,000	1/24/2013
TTUHSSU SOP for ALSA Services		450,330	6/11/2013
Fehr Foods 2013 Capital Investment		240,000	7/30/2013
		<u>1,605,630</u>	

3.8

DEVELOPMENT CORPORATION OF ABILENE, INC.
BOARD AGENDA
MEETING DATE: February 26, 2013

PROJECT: Abilene Aero Agreement for De-Fueling Services to Eagle Aviation Services

STAFF: Richard Burdine, CEO

BACKGROUND INFORMATION:

The DCOA began its relationship with Eagle Aviation Services, Inc. (EASI) in June 1994 when the DCOA purchased Hangars 2 and 3 at the Abilene Regional Airport and began leasing space to EASI for its aircraft maintenance operation, providing maintenance checks service for American Eagle Airline's ATR fleet. EASI committed to 100 aircraft maintenance jobs. Since then, the relationship has grown so that now EASI occupies 5 hangars for maintenance checks and a separate building for records and parts storage, all within close proximity of each other. EASI operates 5 dock lines and employs about 450 maintenance and support personnel. Also, the DCOA's assistance to EASI has benefited the Abilene community and surrounding region by the addition of regional jet service to and from D/FW Airport.

In the wake of American Airlines' bankruptcy, American Eagle and EASI will likely be spun-off as independent entities, allowing EASI to pursue maintenance work with other regional airlines. We are in a good position for potential new growth. EASI can soon begin contracting for work with other airlines and can accommodate most regional jets right now with the hangar layout and ceiling heights we have.

On November 13, 2012, the DCOA approved resolution DCOA-2013.05 authorizing a contract with Tittle Luther Partnership/Parkhill Smith Cooper for design services for modifications to Hangars 0, 1 and 3 to accommodate larger regional jets with taller tail sections and funding of \$400,000, plus an additional service fee for a feasibility study to allow the removal of the structural column in Hangar 1 (another \$10,000). Also approved was funding for surveying and soils testing (\$8,000) and reimbursable expenses (\$5,000).

After discussions with the engineers, construction contractor and EASI, it was decided our focus should be on expanding Hangar 1 now, rather than Hangar 0. Hangar 1 is currently not usable by EASI for dock line maintenance so construction will make the hangar usable, and the existing dock lines in Hangar 0 won't be disrupted for construction in Hangar 0. Once construction is complete in Hangar 1, the Hangar 0 dock lines can be easily re-located to Hangar 1 while modifications are underway in Hangar 0, assuming the DCOA approves funding for construction in both hangars. Additionally, the revised planned modifications to Hangar 1 eliminate the need to remove the structural column, thus eliminating the need for a feasibility study as approved in November.

SPECIAL CONSIDERATIONS:

Federal regulations require that EASI de-fuel each aircraft before performing maintenance, and the fuel is then placed back into that aircraft or one owned by the same carrier. Abilene Aero currently performs the de-fueling services for EASI for \$50/aircraft on average of 15 times per month, using a

truck on-loan to them from AvFuel. This arrangement is temporary in that AvFuel desires to sell the truck unless a permanent agreement with compensation is put in place. EASI is not in a position to purchase a truck and desires to continue its current arrangement with Abilene Aero for de-fueling services; however, the added cost to continue the arrangement is prohibitive because Abilene Aero will have to pass on its cost to lease and maintain the truck. Abilene Aero will continue to perform the services for EASI at \$50/de-fueling event for labor only while under an agreement with AvFuel to lease the truck with a 30-day cancellation provision.

The monthly cost for Abilene Aero's truck lease payment plus the cost of maintenance, insurance and other miscellaneous costs is \$1,750. I propose the board authorize an agreement with Abilene Aero whereby the DCOA pays \$1,750/month for de-fueling services provided to EASI to cover Abilene Aero's de-fueling truck expenses. Meanwhile, Abilene Aero will continue to bill EASI at \$50/de-fueling event for the labor. The agreement will be for 12 months beginning March 1, 2013 with an option to extend for another 2 years. If Abilene Aero agrees to extend at the same payment amount or an increased amount not to exceed 103% of the \$1,750/month rate, the lease will be extended. However, if Abilene Aero proposes to increase the payment amount by more than 3% after 12 months, I will return to the board for approval.

FISCAL IMPACT:

Monthly payments to Abilene Aero of \$1,750 for up to 3 years	\$63,000
Optional 2-year extension at no more than 3% increase	<u>\$ 1,260</u>
TOTAL	\$64,260

STAFF RECOMMENDATION:

Staff recommends approval of resolution DCOA-2013.16 authorizing an agreement with Abilene Aero to cover its truck lease and maintenance costs while providing de-fueling services to Eagle Aviation Services, Inc. The agreement will be for 12 months beginning 3-1-13 at \$1,750/month, with an option to extend for another 2 years at no more than 103% of the original payment amount.

ATTACHMENT:

Resolution DCOA-2013.16

RESOLUTION NO. DCOA-2013.16

A RESOLUTION OF THE DEVELOPMENT CORPORATION OF ABILENE, INC. (DCOA), ABILENE, TEXAS AUTHORIZING AN AGREEMENT WITH ABILENE AERO FOR DE-FUELING SERVICES PROVIDED TO EAGLE AVIATION SERVICES, INC. (EASI).

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

WHEREAS, the DCOA began its relationship with Eagle Aviation Services, Inc. (EASI) in June 1994 when the DCOA purchased Hangars 2 and 3 at the Abilene Regional Airport and began leasing space to EASI for its aircraft maintenance operation, providing maintenance checks service for American Eagle Airline's ATR fleet. EASI committed to 100 aircraft maintenance jobs; and,

WHEREAS, the relationship has grown so that now EASI occupies 5 hangars for maintenance checks and a separate building for records and parts storage, all within close proximity of each other, and operates 5 dock lines employing about 450 maintenance and support personnel; and,

WHEREAS, the DCOA's assistance to EASI has benefited the Abilene community and surrounding region by the addition of regional jet service to and from D/FW Airport; and,

WHEREAS, in the wake of American Airlines' bankruptcy, American Eagle and EASI will likely be spun-off as independent entities, allowing EASI to pursue maintenance work with other regional airlines. EASI can accommodate most regional jets right now with the existing hangar layout and ceiling heights; and,

WHEREAS, federal regulations require that EASI de-fuel each aircraft before performing maintenance, and the fuel is then placed back into that aircraft or one owned by the same carrier; and,

WHEREAS, Abilene Aero currently performs the de-fueling services for EASI for \$50/de-fueling event on average of 15 times per month, using a truck on-loan to them from AvFuel. This arrangement is temporary in that AvFuel desires to sell the truck unless a permanent agreement with compensation is put in place; and,

WHEREAS, Abilene Aero will continue to perform the de-fueling services for EASI while under an agreement with AvFuel to lease the truck with a 30-day cancellation provision, and EASI will continue to pay \$50/defueling event for the labor cost; and,

WHEREAS, staff requests the DCOA consider authorizing an agreement with Abilene Aero to cover its truck lease and maintenance costs while providing de-fueling services to EASI with the DCOA paying \$1,750/month for 12 months with an option to extend an additional 2 years.

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

PART 1. DCOA hereby authorizes an agreement with Abilene Aero to cover its truck lease and maintenance costs while providing de-fueling services to Eagle Aviation Services, Inc. The

agreement will be for 12 months beginning 3-1-13 at \$1,750/month, with an option to extend for another 2 years at no more than 103% of the original payment amount. The total amount of funding approved is as follows:

Monthly payments to Abilene Aero of \$1,750 for up to 3 years	\$63,000
Optional 2-year extension at no more than 3% increase	<u>\$ 1,260</u>
TOTAL	\$64,260

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 contract and all other related documents on behalf of the DCOA.

ADOPTED this the 26th day of February, 2013.

ATTEST:

Marelyn Shedd
Secretary/Treasurer

Paul Cannon
President

APPROVED:

T. Daniel Santee, City Attorney

5.4

DEVELOPMENT CORPORATION OF ABILENE, INC.

BOARD AGENDA

MEETING DATE: February 26, 2013

PROJECT: Five Points Land Clearing - 25 Acres

STAFF: Richard Burdine, CEO

GENERAL INFORMATION:

The Five Points Business Park located in far west Abilene is well on the way to becoming an important asset for Abilene's industrial development and a useful tool in the DCOA's arsenal for recruitment of new and expansion of existing industry.

Recent development includes the construction in 2011 of the Texas Healthcare Linen laundry facility and construction in 2012 of the FedEx Ground distribution center, both on Arnold Blvd. With the recent increase in oil & gas activity in the area due to the Cline Shale formation potential, Abilene is in a good position to capitalize on the growing lack of existing industrial space and developable area west of us to accommodate the oil & gas industry. The Park's location on I-20 with rail service available could potentially become very desirable.

THE REQUEST:

On the east side of the Park, at the corner of Marigold and Wall St., are about 25 acres of developable land. The land is currently covered with trees and brush, and we recently discovered the land was once used heavily for illegal dumping of everything from old appliances and mattresses to blocks of concrete and roofing materials. We also recently discovered some foundation piers for a construction project that apparently was never completed.

I propose we clear the land now, preparing it for quick turnaround for future development. Most prospects are on a short-time fuse for purchase and development of land, and many are not able to wait for land that must first be cleared before development can occur. Staff gathered bids from 3 companies for land clearing services, including grubbing roots and hauling away the debris. The end product will be land free of organic material, ready for development. Our current agricultural lessee will till the land, keeping it clear of new growth, until development occurs. Below is a summary of bids received:

Contractor	Base Bid Amount
Best Tree Service, LLC	\$35,160
Troy Penney	\$42,500
Epic Construction Co.	\$70,000

I propose the board approve a contract and funding with Best Tree Service, LLC in the amount of \$35,160 for removal of the debris from illegal dumping and clearing the land for future development. Also requested is a small contingency of \$2,000 to address any unknowns that may be encountered.

6.1

FUNDING/FISCAL IMPACT:

Best Tree Service	\$35,160
Contingency	<u>\$ 2,000</u>
TOTAL	\$37,160

STAFF RECOMMENDATION:

Staff recommends approval of Resolution DCOA-2013.17 authorizing a contract with Best Tree Service, LLC and funding of \$35,160 to clear 25 acres of land in the Five Points Business Park. Also recommended is a contingency of \$2,000.

ATTACHMENT:

Map of Five Points Business Park showing the subject acreage as Lot 10.
Resolution DCOA-2013.17

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Five Points Business Park

Develop Abilene



FIVE POINTS BUSINESS PARK

1. 19.78 ACRES
2. 23.34 ACRES
3. 5.68 ACRES
4. 8.81 ACRES
5. 18.032 ACRES
6. 30.40 ACRES
7. 12.304 ACRES
8. 19.736 ACRES
9. 12.064 ACRES
10. 25.70 ACRES
11. 36.75 ACRES
12. 19.78 ACRES
13. 36.63 ACRES

Lot # • Acreage

- 1 Block A, Lot 1 • 9.80 acres
- 2 Block A, Lot 2 • 23.34 acres
- 3 Block A, Lot 3 • 5.68 acres
- 4 Block A, Lot 4 • 8.81 acres
- 5 Block A, Lot 5 • 18.032 acres
- 6 Block A, Lot 6 • 30.40 acres
- 7 Block D, Lot 302 • 12.304 acres
- 8 Block D, Lot 3 • 19.736 Acres
- 9 Block D, Lot 5 • 12.064 Acres
- 10 Not Platted • 25.70 acres
- 11 Not Platted • 36.75 acres
- 12 Lot 1, Block A Continuation 3 • 19.78 acres
- 13 Not Platted • 36.63 acres

■ Lot Available



6.3

RESOLUTION NO. DCOA-2013.17

A RESOLUTION OF THE DEVELOPMENT CORPORATION OF ABILENE, INC. (DCOA), ABILENE, TEXAS AUTHORIZING A CONTRACT WITH BEST TREE SERVICE, LLC AND FUNDING TO CLEAR APPROXIMATELY 25 ACRES OF LAND IN THE FIVE POINTS BUSINESS PARK (“PARK”) FOR FUTURE DEVELOPMENT.

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

WHEREAS, the Five Points Business Park located in far west Abilene is well on the way to becoming an important asset for Abilene’s industrial development and a useful tool in the DCOA’s arsenal for recruitment of new and expansion of existing industry; and,

WHEREAS, recent development includes the construction in 2011 of the Texas Healthcare Linen laundry facility and construction in 2012 of the FedEx Ground distribution center, both on Arnold Blvd; and,

WHEREAS, with the recent increase in oil & gas activity in the area due to the Cline Shale formation potential, Abilene is in a good position to capitalize on the growing lack of existing industrial space and developable area west of us to accommodate the oil & gas industry; and,

WHEREAS, on the east side of the Park, at the corner of Marigold and Wall St., are about 25 acres of developable land, which is currently covered with trees and brush, and illegal dumping debris of everything from old appliances and mattresses to blocks of concrete and roofing materials; and,

WHEREAS, most prospects are on a short-time fuse for purchase and development of land, and many are not able to wait for land that must first be cleared before development can occur; and,

WHEREAS, staff gathered 3 bids for clearing the land including grubbing roots and hauling away the debris; and,

WHEREAS, staff requests the DCOA consider authorizing a contract and funding to clear approximately 25 acres of land in the Five Points Business Park for future development.

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

PART 1. DCOA hereby authorizes a contract with Best Tree Service, LLC and funding of Thirty-Five Thousand One Hundred Sixty and no/100’s Dollars (\$35,160.00) to perform the following services at an approximately 25-acre site in the Five Points Business Park, east side at the intersection of Marigold St. and Wall St.; 1) cut down trees and shrubs, 2) grub-out stumps, roots and embedded rocks, 3) clean out undergrowth and deadwood, and 4) remove and dispose of all debris and garbage.

Also authorized is a contingency of Two Thousand and no/100’s Dollars (\$2,000.00) to address any unknowns that may be encountered.

Total funding approved is \$37,160.00.

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 contract and all other related documents on behalf of the DCOA.

ADOPTED this the 26th day of February, 2013.

ATTEST:

Marelyn Shedd
Secretary/Treasurer

Paul Cannon
President

APPROVED:

T. Daniel Santee, City Attorney

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