THE CITY OF Anna CDC GROUNDBREAKING POSSIBILITIES

THE CITY OF Anna EDC GROUNDBREAKING POSSIBILITIES

SPECIAL CALLED MEETING AGENDA
ANNA COMMUNITY DEVELOPMENT CORPORATION
AND
ANNA ECONOMIC DEVELOPMENT CORPORATION

Wednesday, September 7, 2022 @ 6:00 PM

The EDC/CDC of the City of Anna will meet at 6:00 PM, on September 7, 2022, at the Anna Fire Station, located at 305 S. Powell Parkway, Anna, Texas, 75409, to consider the following items below.

1. **Call to Order, Roll Call, and Establishment of Quorum.**
2. **Invocation and Pledge of Allegiance.**
3. **Neighbor Comments.**
   Persons may address the Board of Directors on items not on the agenda; please observe the time limit of three (3) minutes. Members of the Board cannot comment on or deliberate statements of the public except as authorized by Section 551.042 of the Texas Government Code.
4. **Consent Agenda.**
   a. Approve minutes from the July 21, 2022, Joint Community Development Corporation and Economic Development Corporation Meeting. (CDC)
   b. Approve minutes from the July 21, 2022, Joint Community Development Corporation and Economic Development Corporation Meeting. (EDC)
5. **Individual Consideration.**
   a. Retail update from Casey Kidd with Navi Retail.
   b. Consider/Discuss/Act on a resolution approving an agreement with Cooksey Communications for public relations and marketing services. (CDC)
   c. Consider/Discuss/Act on a resolution authorizing the expenditure of funds for engineering services related to 101 S. Powell Pkwy. (EDC)
6. **Director's Report.**
   a. Strategic Plan Update
   b. Financial Report/Sales Tax Update

IMPORTANT LEGAL NOTICE: The Corporation may vote and/or act upon each of the items listed in this agenda. The Corporation reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. Disabled persons who want to attend this meeting and who may need assistance should contact the City Secretary at 972-924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

7. **Closed Session.**

   a. Deliberate regarding the purchase, exchange, lease or value of real property. (Tex. Gov't Code §551.072) possible property acquisition; possible land sale/purchase;

   b. Consult with legal counsel on matters 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 (Tex. Gov't Code §551.071); Grant program; Lease agreement and professional services contract.

   c. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the Board of Directors has received from a business prospect that the Board of Directors seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the Board 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). (Tex. Gov't Code §551.087) Anna Business Park Property; potential retail and medical projects.

8. **Reconvene into open session and take any action on closed session items.**

9. **Receive reports from staff or Board Members about items of community interest.**

10. **Adjourn.**

This is to certify that I, Joey Grisham, Director of Economic Development, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m. on Friday, September 2, 2022.

Joey Grisham, Director of Economic Development

IMPORTANT LEGAL NOTICE: The Corporation may vote and/or act upon each of the items listed in this agenda. The Corporation reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. Disabled persons who want to attend this meeting and who may need assistance should contact the City Secretary at 972-924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

Item No. 3.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:

Neighbor Comments.

Persons may address the Board of Directors on items not on the agenda; please observe the time limit of three (3) minutes. Members of the Board cannot comment on or deliberate statements of the public except as authorized by Section 551.042 of the Texas Government Code.

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:

Item No. 4.a.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Approve minutes from the July 21, 2022, Joint Community Development Corporation and Economic Development Corporation Meeting. (CDC)

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:
1. July 21 2022 CDC EDC Joint Meeting Minutes

Officers:
Bruce Norwood, President
Shane Williams, Vice-President
Rocio Gonzalez, Secretary

Staff:
Joey Grisham, Director of Economic Development
Taylor Lough, Assistant Director of Economic Development
Kimberly Garduno, Economic Development Coordinator

Anna Community Development Corporation and Anna Economic Development Corporation Special-Called Meeting Minutes

Thursday, July 21, 2022, at 6:00 pm
City of Anna Fire Station EOC Conference Room
305 S. Powell Parkway, Anna, Texas 75409

The Anna Community Development Corporation and the Anna Economic Development Corporation conducted a special-called meeting at 6:00 p.m. on Thursday, July 21, 2022, at the Anna Fire Station EOC Conference Room, located at 305 S. Powell Parkway (Highway 5) Anna, Texas 75409.

A video recording of the open session portions of the meeting may be viewed online at the City of Anna's website: https://www.annatexas.gov/962/AgendasMinutes

CDC and EDC Board Members Present: Bruce Norwood, Rocio Gonzalez, Kylee Kelley, Shane Williams, Ronnie Kerr, Gina Maria Ottavio and Michelle Hawkins **CDC and EDC Board Members Absent:** None. **Others Present:** Joey Grisham (Director of Economic Development), Taylor Lough (Assistant Director of Economic Development), Kimberly Garduno (Economic Development Coordinator), Chris Talbot (IT Manager), Lee Miller (Mayor Pro Tem), and Pete Cain (Councilmember).

1. **Call to Order. Roll Call and Establishment of Quorum.**
   The meeting was called to order by Board President Bruce Norwood at 6:03 p.m.

2. **Invocation and Pledge of Allegiance.**
   Invocation and Pledge of Allegiance were led by Bruce Norwood.

3. **Neighbor Comments.**
   None.

4. **Consent Agenda.**
   - **a.** Consider/Discuss/Act on approving minutes from the July 7, 2022, Joint City Council, Community Development Corporation and Economic Development Corporation Special-Called Meeting. (CDC)
   - **b.** Consider/Discuss/Act on approving minutes from the July 7, 2022, Joint City Council, Community Development Corporation and Economic Development Corporation Special-Called Meeting. (EDC)

Rocio Gonzalez made a motion on behalf of the CDC and EDC to approve the consent agenda. Ronald Kerr seconded the motion. All were in favor. Motion passed.

5. **Individual Consideration**

a. Hear a presentation from the City of Anna's Finance Director and:

1. Consider/Discuss/Act on a resolution authorizing the Finance Director to: (a) invest funds for the Anna Community Development Corporation including the opening of accounts per the City of Anna Investment Policy, and (b) update signatories for the Anna CDC. (CDC)
2. Consider/Discuss/Act on a resolution authorizing the Finance Director to: (a) invest funds for the Anna Economic Development Corporation including the opening of accounts per the City of Anna Investment Policy, and (b) update signatories for the Anna CDC. (EDC)

Joey Grisham introduced Finance Director Alan Guard. Per the CDC and EDC bylaws, the Corporations work with the City of Anna's Finance Department related to the investment of funds. Mr. Guard described the City's investment policy and a recommendation for the EDC and CDC to place a portion of the Business Park sales proceeds in 12- and 18-month Certificates of Deposit (CDs) and another portion in the TexPool investment fund. Mr. Guard also explained that the CDC's and EDC's signatories at the bank needed to be updated to reflect current staff and Board leadership.

Bruce Norwood made a motion on behalf of the CDC Board to approve and authorize the City of Anna Finance Director to invest funds per the City of Anna Investment Policy and to update bank signatories for the Community Development Corporation to add Alan Guard, Rocio Gonzalez, and Bruce Norwood. Shane Williams seconded the motion. All were in favor. Motion passed.

Bruce Norwood made a motion on behalf of the EDC Board to approve and authorize the City of Anna Finance Director to invest funds per the City of Anna Investment Policy and to update bank signatories for the Economic Development Corporation to include Alan Guard, Rocio Gonzalez, and Bruce Norwood. Shane Williams seconded the motion. All were in favor. Motion passed.

b. Conduct a Public Hearing and act on a Resolution approving the Anna CDC Fiscal Year 2023 Budget and authorizing publication of the adopted budget. (CDC)

Bruce Norwood opened the public hearing at 6:26 p.m.

Based on discussions last meeting, Joey Grisham explained the CDC budget is a total of $2,922,673. The Fiscal Year 2023 budget will focus heavily on Downtown Master Plan implementation and continue to attract new businesses and development to the City of Anna.

Bruce Norwood closed the public hearing at 6:31 p.m.

Rocio Gonzalez made a motion on behalf of the Community Development Corporation approving a resolution to adopt the fiscal year 2022-2023 budget and authorizing publication of notice of projects. Shane Williams seconded the motion. All were in favor. Motion passed.

c. Consider/Discuss/Act on a resolution approving the EDC Fiscal Year 2022-2023 budget. (EDC)

Joey Grisham explained the total budget for the EDC is $786,350.

Rocio Gonzalez made a motion on behalf of the Economic Development Corporation Board approving a resolution to adopt the Anna Economic Development Corporation 2022-2023 fiscal year budget. Michelle Hawkins seconded the motion. All were in favor. Motion passed.

d. Consider/Discuss/Act on a resolution approving an agreement with Swimming Duck, LLC for digital media services. (CDC)

Joey Grisham reminded the Board that the Marketing Plan done by Cooksey Communications recommended engaging in digital media services. Staff explained that over the past year, digital ads were viewed 3.7 million times and caused 7,637 targeted consumers to click through to the EDC website.

Michelle Hawkins made a motion on behalf of the CDC Board to approve a resolution with Swimming Duck, LLC for digital media services not to exceed $35,000 from the CDC's promotional item. Gina Maria Ottavio seconded the motion. All were in favor. Motion passed.

e. Consider/Discuss/Act on a Resolution amending an Incentive Agreement with Zablink Hospitality. (CDC)

Joey Grisham shared that back in March the Board approved an agreement with Zablink Hospitality for a Holiday Inn Express. Zablink Hospitality has asked for an extension as they were delayed.

Kylee Kelley made a motion on behalf of the Community Development Board to approve a resolution for amending the incentive agreement with Zablink Hospitality for hospitality services. Gina Maria Ottavio seconded the motion. The vote was 6-1 with Shane Williams voting against. Motion passed.

6. **Director's Report**

a. Development Forum Update

Joey Grisham shared the second annual forum was held today, Thursday, July 21 and was very successful. The event was sponsored by Carey Cox Company. At least 90 people were in attendance, including several new developers.

b. **Special Meeting September 8th and Cancel September 1st Meeting**
Staff will send a poll via e-mail to understand Board travel plans and availability for a late August / early September meeting.

7. **CLOSED SESSION (exceptions):**
   a. **Deliberate regarding the purchase, exchange, lease or value of real property.** (Tex. Gov't Code §551.072) possible property acquisition; possible land sale/purchase; Anna Business Park.
   b. **Consult with legal counsel on matters 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** (Tex. Gov't Code §551.071); Grant program; Lease agreement and professional services contract.
   c. **Discuss or deliberate Economic Development Negotiations**:
      (1) To discuss or deliberate regarding commercial or financial information that the Board of Directors has received from a business prospect that the Board of Directors seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the Board 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). (Tex. Gov't Code §551.087) Anna Business Park Property; potential retail and medical projects.

   Kylee Kelley made a motion to enter closed session. Shane Williams seconded the motion. All were in favor. Motion passed. CDC Board entered closed session at 6:55 p.m.

8. **Reconvene into open session and take any action on closed session items.**
   Bruce Norwood made a motion to reconvene into open session. Ronald Kerr seconded the motion. All were in favor. Motion passed. The CDC reconvened into open session at 7:15 p.m.

9. **Receive reports from staff or Board Members about items of community interest.**
   Bruce Norwood shared that Saturday night the Anna Boosters will have a dinner and bingo at the High School at 6:00 p.m.

10. **Adjourn.**
   Gina Maria Ottavio made a motion to adjourn the meeting at 7:15 p.m. Kylee Kelley seconded the motion. All were in favor. Motion passed.

APPROVED:

____

Bruce Norwood
President of CDC/EDC

ATTESTED:

____

Rocio Gonzalez
Secretary of CDC/EDC

Item No. 4.b.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Approve minutes from the July 21, 2022, Joint Community Development Corporation and Economic Development Corporation Meeting. (EDC)

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:
1. July 21 2022 CDC EDC Joint Meeting Minutes

Officers:
Bruce Norwood, President
Shane Williams, Vice-President
Rocio Gonzalez, Secretary

Staff:
Joey Grisham, Director of Economic Development
Taylor Lough, Assistant Director of Economic Development
Kimberly Garduno, Economic Development Coordinator

Anna Community Development Corporation and Anna Economic Development Corporation Special-Called Meeting Minutes

Thursday, July 21, 2022, at 6:00 pm
City of Anna Fire Station EOC Conference Room
305 S. Powell Parkway, Anna, Texas 75409

The Anna Community Development Corporation and the Anna Economic Development Corporation conducted a special-called meeting at 6:00 p.m. on Thursday, July 21, 2022, at the Anna Fire Station EOC Conference Room, located at 305 S. Powell Parkway (Highway 5) Anna, Texas 75409.

A video recording of the open session portions of the meeting may be viewed online at the City of Anna's website: https://www.annatexas.gov/962/AgendasMinutes

CDC and EDC Board Members Present: Bruce Norwood, Rocio Gonzalez, Kylee Kelley, Shane Williams, Ronnie Kerr, Gina Maria Ottavio and Michelle Hawkins **CDC and EDC Board Members Absent:** None. **Others Present:** Joey Grisham (Director of Economic Development), Taylor Lough (Assistant Director of Economic Development), Kimberly Garduno (Economic Development Coordinator), Chris Talbot (IT Manager), Lee Miller (Mayor Pro Tem), and Pete Cain (Councilmember).

1. **Call to Order. Roll Call and Establishment of Quorum.**
   The meeting was called to order by Board President Bruce Norwood at 6:03 p.m.

2. **Invocation and Pledge of Allegiance.**
   Invocation and Pledge of Allegiance were led by Bruce Norwood.

3. **Neighbor Comments.**
   None.

4. **Consent Agenda.**
   - **a.** Consider/Discuss/Act on approving minutes from the July 7, 2022, Joint City Council, Community Development Corporation and Economic Development Corporation Special-Called Meeting. (CDC)
   - **b.** Consider/Discuss/Act on approving minutes from the July 7, 2022, Joint City Council, Community Development Corporation and Economic Development Corporation Special-Called Meeting. (EDC)

Rocio Gonzalez made a motion on behalf of the CDC and EDC to approve the consent agenda. Ronald Kerr seconded the motion. All were in favor. Motion passed.

5. **Individual Consideration**

a. Hear a presentation from the City of Anna's Finance Director and:

1. Consider/Discuss/Act on a resolution authorizing the Finance Director to: (a) invest funds for the Anna Community Development Corporation including the opening of accounts per the City of Anna Investment Policy, and (b) update signatories for the Anna CDC. (CDC)
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Joey Grisham introduced Finance Director Alan Guard. Per the CDC and EDC bylaws, the Corporations work with the City of Anna's Finance Department related to the investment of funds. Mr. Guard described the City's investment policy and a recommendation for the EDC and CDC to place a portion of the Business Park sales proceeds in 12- and 18-month Certificates of Deposit (CDs) and another portion in the TexPool investment fund. Mr. Guard also explained that the CDC's and EDC's signatories at the bank needed to be updated to reflect current staff and Board leadership.

Bruce Norwood made a motion on behalf of the CDC Board to approve and authorize the City of Anna Finance Director to invest funds per the City of Anna Investment Policy and to update bank signatories for the Community Development Corporation to add Alan Guard, Rocio Gonzalez, and Bruce Norwood. Shane Williams seconded the motion. All were in favor. Motion passed.

Bruce Norwood made a motion on behalf of the EDC Board to approve and authorize the City of Anna Finance Director to invest funds per the City of Anna Investment Policy and to update bank signatories for the Economic Development Corporation to include Alan Guard, Rocio Gonzalez, and Bruce Norwood. Shane Williams seconded the motion. All were in favor. Motion passed.

b. Conduct a Public Hearing and act on a Resolution approving the Anna CDC Fiscal Year 2023 Budget and authorizing publication of the adopted budget. (CDC)

Bruce Norwood opened the public hearing at 6:26 p.m.

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c. Consider/Discuss/Act on a resolution approving the EDC Fiscal Year 2022-2023 budget. (EDC)

Joey Grisham explained the total budget for the EDC is $786,350.

Rocio Gonzalez made a motion on behalf of the Economic Development Corporation Board approving a resolution to adopt the Anna Economic Development Corporation 2022-2023 fiscal year budget. Michelle Hawkins seconded the motion. All were in favor. Motion passed.

d. Consider/Discuss/Act on a resolution approving an agreement with Swimming Duck, LLC for digital media services. (CDC)

Joey Grisham reminded the Board that the Marketing Plan done by Cooksey Communications recommended engaging in digital media services. Staff explained that over the past year, digital ads were viewed 3.7 million times and caused 7,637 targeted consumers to click through to the EDC website.

Michelle Hawkins made a motion on behalf of the CDC Board to approve a resolution with Swimming Duck, LLC for digital media services not to exceed $35,000 from the CDC's promotional item. Gina Maria Ottavio seconded the motion. All were in favor. Motion passed.

e. Consider/Discuss/Act on a Resolution amending an Incentive Agreement with Zablink Hospitality. (CDC)

Joey Grisham shared that back in March the Board approved an agreement with Zablink Hospitality for a Holiday Inn Express. Zablink Hospitality has asked for an extension as they were delayed.

Kylee Kelley made a motion on behalf of the Community Development Board to approve a resolution for amending the incentive agreement with Zablink Hospitality for hospitality services. Gina Maria Ottavio seconded the motion. The vote was 6-1 with Shane Williams voting against. Motion passed.

6. **Director's Report**

a. Development Forum Update

Joey Grisham shared the second annual forum was held today, Thursday, July 21 and was very successful. The event was sponsored by Carey Cox Company. At least 90 people were in attendance, including several new developers.

b. Special Meeting September 8th and Cancel September 1st Meeting
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7. **CLOSED SESSION (exceptions):**
   a. Deliberate regarding the purchase, exchange, lease or value of real property. (Tex. Gov't Code §551.072) possible property acquisition; possible land sale/purchase; Anna Business Park.
   b. Consult with legal counsel on matters 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 (Tex. Gov't Code §551.071); Grant program; Lease agreement and professional services contract.
   c. Discuss or deliberate Economic Development Negotiations:
      (1) To discuss or deliberate regarding commercial or financial information that the Board of Directors has received from a business prospect that the Board of Directors seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the Board 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). (Tex. Gov't Code §551.087) Anna Business Park Property; potential retail and medical projects.

   Kylee Kelley made a motion to enter closed session. Shane Williams seconded the motion. All were in favor. Motion passed. CDC Board entered closed session at 6:55 p.m.

8. **Reconvene into open session and take any action on closed session items.**
   Bruce Norwood made a motion to reconvene into open session. Ronald Kerr seconded the motion. All were in favor. Motion passed. The CDC reconvened into open session at 7:15 p.m.

9. **Receive reports from staff or Board Members about items of community interest.**
   Bruce Norwood shared that Saturday night the Anna Boosters will have a dinner and bingo at the High School at 6:00 p.m.

10. **Adjourn.**
   Gina Maria Ottavio made a motion to adjourn the meeting at 7:15 p.m. Kylee Kelley seconded the motion. All were in favor. Motion passed.

APPROVED:	**ATTESTED:**
____________________________	____________________________
Bruce Norwood	Rocio Gonzalez
President of CDC/EDC	Secretary of CDC/EDC

Item No. 5.a.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Retail update from Casey Kidd with Navi Retail.

SUMMARY:
Casey Kidd of Navi Retail will be on hand to provide a retail update. As you are aware, the Board approved a contract with Navi Retail back in December for retail marketing and recruitment services.

STAFF RECOMMENDATION:

ATTACHMENTS:

Item No. 5.b.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Consider/Discuss/Act on a resolution approving an agreement with Cooksey Communications for public relations and marketing services. (CDC)

SUMMARY:
The Anna CDC engaged Cooksey Communications in 2020 for a comprehensive communications audit, which involved interviewing key stakeholders and researching peer community branding programs, before creating a new marketing plan for the CDC and EDC. Cooksey also refreshed the brand for more contemporary appeal, developed key messages conveying the city's pro-business mindset, and crafted the EDC's signature tagline, "Groundbreaking Possibilities."

Cooksey and the EDC staff regularly host key media contacts for city tours, resulting in multi-page features and numerous stories in target media outlets, including the Dallas Business Journal and Bisnow. These visits complement ongoing earned coverage on Anna's business and residential real estate development progress in media outlets including D CEO, The Dallas Morning News, Texas Contractor, CoStar and REDnews. Cooksey also develops engaging ads for placement in business and real estate-related trade media that are often accompanied by advertorials and sponsorship recognition.

Renewing this agreement will continue our working relationship with Cooksey Communications for an average of 28 hours per month. Highlights of the scope of work include: monthly consulting and strategy meetings, creative direction and brand development through website updates, advertisements, imagery, public and media relations through news story pitches, showcasing Anna to targeted audiences, providing award entries, and managing the overall marketing campaign for the CDC and EDC.

STAFF RECOMMENDATION:
Approve.

ATTACHMENTS:

1. Marketing Resolution 09072022
2. Cooksey Communications 2023 Letter of Agreement for Anna CDC 8.26.22

ANNA COMMUNITY DEVELOPMENT CORPORATION

RESOLUTION NO. ________

A RESOLUTION OF THE ANNA COMMUNITY DEVELOPMENT CORPORATION APPROVING AND AUTHORIZING AN AGREEMENT AND THE EXPENDITURE OF FUNDS FOR MARKETING AND PROMOTIONAL PURPOSES

WHEREAS, the Anna Community Development Corporation (the "CDC") wishes to expend funds for marketing and promotional purposes to provide website updates, marketing and public relations consulting services, advertising campaign, development of brochures and other marketing collateral, and digital and social media campaigns.

NOW THEREFORE, BE IT RESOLVED BY THE ANNA COMMUNITY DEVELOPMENT CORPORATION, THAT:

Section 1. **Recitals Incorporated**

The recitals set forth above are incorporated herein for all purposes as if set forth in full.

Section 2. **Approval of Funding**

The CDC hereby authorizes the Board President to execute a contract for marketing, advertising, and promotional services and to charge the CDC's contract services line item in an amount not to exceed $75,000 in the Fiscal Year 2022-2023 for marketing and promotional services for community and economic development purposes.

PASSED AND APPROVED by the Anna Community Development Corporation this 7th day of September 2022.

APPROVED: ATTEST:

______________________________ ______________________________

Bruce Norwood, CDC President Rocio Gonzalez, CDC Secretary

LETTER OF AGREEMENT

THIS AGREEMENT (“Agreement”) is effective as of October 1, 2022 (the “Effective Date”) by and between Cooksey Communications, Inc., a Texas corporation (“Cooksey” or “Contractor”) whose address is 5525 N. MacArthur Blvd., Suite 530, Irving, Texas 75038; and the Anna Community Development Corporation (“Client”), whose office address is 111 N. Powell Parkway, Anna, Texas 75409.

Client desires to retain Cooksey as an independent contractor to provide public relations and strategic communications services.

In consideration therefore, Client agrees to pay Cooksey a monthly retainer of FIVE THOUSAND SIX HUNDRED DOLLARS ($5,600) plus five percent (5%) monthly CSTIM of $280 covering routine expenses for the term of this Agreement, as outlined below, which will allow Cooksey to perform up to 28 hours of service per month, on average, at its current blended hourly rate of $200.

In future years the available monthly service hours shall be calculated based on Cooksey’s then prevailing blended hourly rate, which Cooksey reserves the right to change based on prevailing market rates. Any change in the blended hourly rate shall be communicated in writing, in advance, to the Client.

In so contracting, the parties agree that Cooksey is an independent contractor and is not an employee, partner, or co-venture of the Client. The manner in which Cooksey’s services are rendered shall be within Cooksey’s sole control and discretion. Cooksey is not authorized to sign any sponsorship or other agreement on behalf of the Client without prior review and approval by an authorized party of the Client.

Scope of Work

In consideration for the fees and the mutual covenants contained in this Agreement, the Client and Cooksey agree that Cooksey will provide the public relations and strategic communications services listed below, not to exceed the retainer-covered hours stipulated above:

- Consulting and Strategy
  - Participate in monthly progress calls/meetings with Client and digital media partner to discuss PR/marketing opportunities and needs, Client activities and upcoming initiatives
- Creative Direction and Brand Development
  - Create overall advertising campaign themes, including industry-segmented ads
  - Update, as needed, website logo, tagline, content and imagery
  - Create/update existing marketing collateral pieces
  - Develop three-dimensional direct mail campaign, including industry-segmented focus
- Public/Media Relations
  - Proactive media outreach for potential inclusion in local and trade media news stories
  - Set up in-person meetings with members of the media; showcase projects/tour Anna, etc.

- Month-to-month pitching of evergreen story topics, deal announcements and thought leadership pieces (Cooksey will develop content)
- Recommend key industry and local and trade media awards; develop award entries
- Provide recommendations for sponsored media content, develop content
- Coordinate sponsorship recommendations and selected sponsorship logistics
- Update media kit, complete with important demographic information, business opportunities and community profile
- Manage overall marketing campaign for EDC/CDC

Billing

Invoices for the current monthly retainer and CSTIM fee will be pre-billed at the beginning of each month, with the first invoice submitted to the Client immediately upon execution of this Agreement.

All invoices are due net 15 calendar days from the invoice date. Payments received after 30 calendar days of the invoice date shall be subject to late charges at a rate of one-and-a-half percent (1.5%) per month (18% per annum).

Each invoice will include a brief summary of services and deliverables provided in the previous month, *plus* a listing of any non-routine expenses incurred on the Client's behalf (see **Expenses and Exclusions** section below).

Additional Fees/Hours

It is not typical for Cooksey to bill for a small number of additional hours worked in one month, beyond those covered by the monthly retainer, if this is not a regular, recurring occurrence.

If it becomes apparent that satisfactory performance of any of the Agreement-stipulated services is causing Cooksey to significantly or repeatedly exceed the hours compensated by the monthly retainer, by more than 10 percent (10%) on average, Cooksey will promptly notify the Client, provide a written estimate of the additional hours required and obtain advance written approval from the Client of any additional fees before undertaking and completing extra work. If no further services are desired by the Client, Cooksey shall deliver the work performed within the Agreement-covered hours and will receive the normal fee associated with such deliverables in accordance with this Agreement.

If the Client requests new services or projects not specifically delineated in this Agreement, Cooksey will provide a written estimate of the hours and costs associated with those services or deliverables and will require advance, written approval before undertaking any additional work. Any such incidental work would be estimated and, if approved by the Client, performed at the $200 per hour blended billing rate, or as agreed to in writing.

Expenses and Exclusions

Cooksey, for the benefit of the Client, may incur non-routine, third-party expenses in the course of implementing the requested services, including but not limited to such items as newswire services, clipping services, photography, outsourced printing costs and other expenses charged by third-party vendors. Any such third-party vendor expenses will be billed directly by the vendor to the Client, unless otherwise agreed to mutually by Cooksey and the Client. Expenses handled by Cooksey will incur a 15 percent (15%) markup. Any individual, third-party vendor expenses over $250 must be approved in advance, in writing, by the Client.

Unless the proposed scope of services stipulates otherwise, the monthly retainer outlined above does not include Cooksey's creative design services or creative production costs, or other related expenses. Should the Client require any such creative services or associated production expenses, these services and expenses would be estimated separately by Cooksey for the Client's advance, written approval prior to undertaking the services desired.

Client Services, Technology and Information Management (CSTIM) Fee

Each monthly invoice shall include Cooksey's standard CSTIM fee, calculated at five percent (5%) of the monthly retainer, which covers routine internal expenses regularly incurred on all of its clients' behalf. These expenses include, but are not limited to, mileage incurred for travel to/from meetings and events (up to 100 miles from the Cooksey office); photocopies and in-house printing; courier or delivery charges; subscriptions for online media resources such as Cision (global media database and intelligence service); subscriptions for videoconferencing services (Zoom, WebEx, Microsoft Teams, etc.); maintenance of communications infrastructure for 24/7 client service; and subscriptions to base-level versions of electronic marketing services such as SurveyMonkey (Standard Annual plan only).

For the Anna Community Development Corporation monthly retainer of $6,000, the monthly CSTIM fee will be $300.

If Cooksey expects to incur any extraordinary, non-routine expenses that would exceed the amount covered by the monthly CSTIM fee, Cooksey will notify the Client prior to incurring such charges and seek advance, written approval from the Client to invoice for those extraordinary expenses.

Media Buying and Sequential Liability

If Cooksey is placing or buying media for the Client (paid advertising), then the Client must provide written approval for and sign media plans before insertion orders and purchase orders can be created and submitted to the media organization. Unless expressly agreed otherwise in writing between Cooksey and the Client, purchases made by Cooksey on the Client's behalf shall be subject to a 15 percent (15%) markup, consistent with other external expenses where Cooksey is providing credit to the Client. This markup shall be waived only if the media organization is billing the Client directly for such media purchases.

All Cooksey-submitted insertion orders and purchase orders shall make it clear that responsibility for payment to the media organization lies with the Client, not with Cooksey. Cooksey shall only be responsible for timely payment to media when Cooksey has received timely payment from the Client. In cases where payment is not made in a timely manner to Cooksey, any late charges or other fees consequently assessed by the media organization shall be the sole responsibility of the Client.

Term of Service and Annual Inflationary Adjustment

Services addressed in this Agreement are expected to last from the Effective Date stipulated above through September 30, 2023.

At the expiration of the initial term, the parties may agree to renew the Agreement upon terms mutually agreeable to both parties, as set forth in a separate, written document executed by both parties at such time.

Either party may terminate this Agreement for any reason at any time upon 60 days' prior written notice to the other party.

Unless the Agreement terminates sooner, on an annual basis beginning 12 months from the Effective Date the monthly retainer fee shall increase by 5 percent (5%) to account for typical annual inflation and shall then be rounded to the nearest $100 increment. The new 5% CSTIM fee shall be calculated based on the adjusted monthly retainer.

Confidentiality

All confidential information will be held confidential by Cooksey and will not be discussed with outside parties without the Client's prior consent, unless required by applicable law.

Indemnity

Client agrees to indemnify and save Cooksey harmless from and against all liability, including all actions, claims, damages, costs and attorneys' fees, which Cooksey may incur (or to which Cooksey may be a party), arising out of actions taken or statements made by Cooksey at the Client's direction or based upon information provided by the Client, and any and all losses, claims, damages, expenses or liabilities related to the use of Client's products or services except when such actions, claims, damages, costs and attorneys' fees result from gross negligence or willful misconduct by Cooksey.

Cooksey agrees to indemnify and save Client harmless from and against all liability, including all actions, claims, damages, costs and attorneys' fees, which Client may incur (or to which Client may be a party), arising out of related to Cooksey work product excepting only when such actions, claims, damages, costs and attorneys' fees result from information, graphics or text provided to Cooksey by Client.

Client's Intellectual Property

Cooksey shall not use or be entitled to any Client intellectual property, including but not limited to Client trademarks, trade dress, copyright, trade secrets or proprietary information, without the express written permission of Client or as otherwise expressly stipulated elsewhere in this Agreement. Granting a license to use in any one instance shall not be deemed to be a license in any other instance.

Cooksey's Intellectual Property

Client shall not use or be entitled to any Cooksey intellectual property, including but not limited to media lists, Cooksey trademarks, trade dress, copyright, trade secrets or proprietary information, without the express written permission of Cooksey or as otherwise expressly stipulated elsewhere in this Agreement. Granting a license to use in any one instance shall not be deemed to be a license in any other instance.

Please indicate your acceptance of the terms stated above by signing and returning a copy of this Agreement to Cooksey. Facsimile signatures received by electronic means shall be deemed originals.

Agreed to and Accepted by:

____ _________________________

Bruce Norwood, President Date

Anna Community Development Corporation

Colby Walton

7/15/22

____ ______________________________

Colby Walton, Chairman and CEO Date
Cooksey Communications

APPENDIX A

Scope of Work

The Scope of Work for this engagement incorporates the proposal developed for Cooksey for Client dated [INSERT DATE]. Client has selected the proposal's "Option xx" [INDICATE CHOSEN OPTION] level of services, which includes the services listed below, for which the Client agrees to pay Cooksey a monthly retainer of $x,000, [INSERT AMOUNT] plus 5% CSTIM fee, enabling Cooksey to provide up to [INSERT NUMBER] hours of service per month, on average, at our blended hourly billing rate of $200.

Services To Be Performed by Cooksey for Client: [INSERT LIST BELOW OR INSERT/ATTACH ENTIRE PROPOSAL]

Item No. 5.c.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Consider/Discuss/Act on a resolution authorizing the expenditure of funds for engineering services related to 101 S. Powell Pkwy. (EDC)

SUMMARY:
On June 3, 2021, the EDC Board recommended that the City Council convey 101 S. Powell Parkway to the EDC. The EDC can lease to a private entity, should the City convey the property to the EDC. This item authorizes funds to update the survey and plat for the property as TXDOT has acquired Right of Way since the last survey was completed.

STAFF RECOMMENDATION:
Approve.

ATTACHMENTS:
1. Survey and Plat Resolution 2022

ANNA ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. ________

A RESOLUTION OF THE ANNA ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE EXPENDITURE OF FUNDS FOR ENGINEERING SERVICES RELATED TO 101 S. POWELL PARKWAY.

WHEREAS, the Anna Economic Development Corporation (the "EDC") wishes to expend funds for engineering services to provide surveying and platting for 101 S. Powell Parkway.

NOW THEREFORE, BE IT RESOLVED BY THE ANNA ECONOMIC DEVELOPMENT CORPORATION, THAT:

Section 1. **Recitals Incorporated**

The recitals set forth above are incorporated herein for all purposes as if set forth in full.

Section 2. **Approval of Funding**

The EDC Board of Directors hereby authorizes the Economic Development Director to execute a contract for surveying and platting services and to charge the EDC's contract services line item in an amount not to exceed $9,000 in the Fiscal Year 2021-2022 for surveying and platting services for economic development purposes.

PASSED AND APPROVED by the Anna Economic Development Corporation this 7th day of September 2022.

APPROVED:	ATTEST:
______________________________	______________________________
Bruce Norwood, EDC President	Rocio Gonzalez, EDC Secretary

Item No. 6.a.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Strategic Plan Update

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:
1. August 2022 Strategic Plan Update_Final

Economic Development Strategic Plan Highlights
August 2022

- Economic Development staff joined Public Works Director, Building Inspection, and Oncor to discuss potential plans of burying overhead electrical lines in Downtown Anna
- Provided feedback on draft Zoning District Ordinance Amendments being proposed by Freese & Nichols
- Director and Assistant Director attended Anna Staff Leadership Training
- Director attended the Rosamond-Sherley Elementary Ribbon Cutting
- Director gave a presentation to the Texoma Council of Governments regarding city and economic development funding tools
- Met with Collin College to discuss workforce and partnership opportunities

Measureables

August 2022

- Real Estate Broker / Developer Meetings: 16
- Business Retention / Expansion Visits: 4
- Construction / Architectural Meetings: 3
- New Newsletter Subscribers: 17 (944 total)
- Website Users: 2,108 (2% decrease in new users in 30 days)
- Website Pageviews: 3,416 (7% Increase in 30 days)
- New LinkedIn Followers: 44 (895 total)

Item No. 6.b.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Financial Report/Sales Tax Update

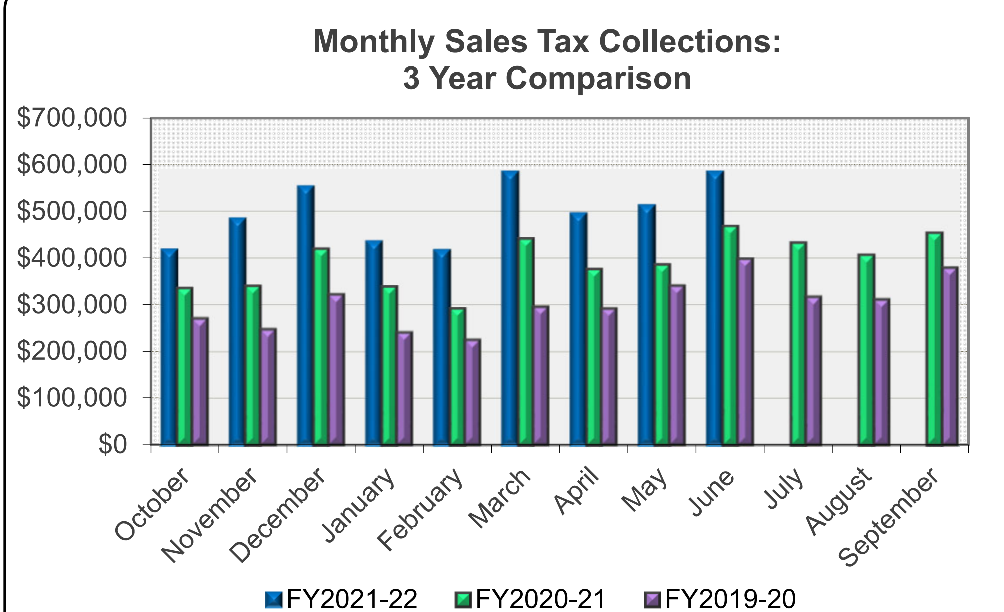
SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:
1. 2022 Monthly Sales Tax Report_June
2. CDC SALES TAX COLLECTIONS FY22_June

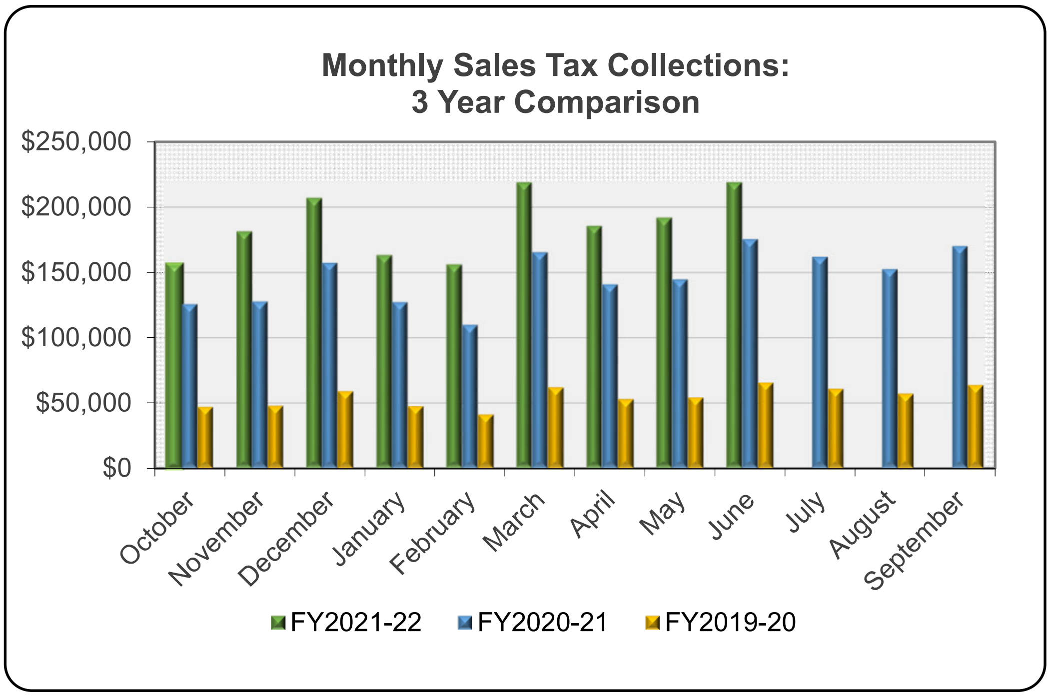
CITY OF ANNA
Schedule of Sales Tax Collections
For the month June 30, 2022

	2021-22 Collections Monthly	% Change from Prior Year	2020-21 Collections Monthly
October	$ 417,343	24.4%	$ 335,454
November	483,556	42.2%	340,156
December	552,138	31.7%	419,319
January	435,037	28.4%	338,879
February	416,044	42.3%	292,405
March	583,700	32.4%	441,021
April	494,472	31.6%	375,823
May	511,309	32.7%	385,457
June	583,874	24.8%	467,686
July			432,097
August			406,214
September			453,292
	$ 4,477,473		**$ 4,687,804**
Budget:	4,926,370	90.9%	4,300,000



CITY OF ANNA
COMMUNITY DEVELOPMENT CORPORATION
Schedule of Sales Tax Collections

		2021-22 Collections Monthly	% Change from Prior Year		2020-21 Collections Monthly
October	$	156,504	24.4%	$	125,795
November	$	181,334	42.2%	$	127,559
December	$	207,052	31.7%	$	157,245
January	$	163,139	28.4%	$	127,080
February	$	156,016	42.3%	$	109,652
March	$	218,887	32.4%	$	165,383
April	$	185,427	31.6%	$	140,934
May	$	191,741	32.7%	$	144,546
June	$	218,953	24.8%	$	175,382
July					162,036
August					152,330
September					169,985
	$	**1,679,053**		**$**	**1,757,926**



Item No. 7.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Closed Session.

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:

Item No. 8.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Reconvene into open session and take any action on closed session items.

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:

Item No. 9.

EDC/CDC Agenda
Staff Report

Meeting Date: 9/7/2022
Staff Contact:

AGENDA ITEM:
Receive reports from staff or Board Members about items of community interest.

SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS: