



AGENDA
WATAUGA ECONOMIC DEVELOPMENT CORPORATION
MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
TUESDAY, MARCH 16, 2021
6:00 PM

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **Watauga Economic Development Corporation Meeting** of the City of Watauga, Texas will be held at which time the following subjects will be discussed and may be acted upon.

COVID-19 PRECAUTIONS

Although the Statewide mask order will no longer be effective on March 10, 2021, The City of Watauga believes it is important that masks are worn in public spaces until more Texans have access to the COVID-19 vaccine. Therefore, the following social distancing rules apply to the public attending this meeting:

1. Any member of the public attending the meeting shall maintain a six-foot distance from others (except for those you live in the same household). City Staff and City Officials shall practice social distancing to the extent able without interfering in the ability to carry out the essential governmental functions to be conducted at this meeting.
2. To enter City Hall to attend this meeting all persons must wear a face covering (i.e. a cloth mask that effectively covers the mouth and nose with more than one layer of fabric) or equivalent device.
3. Attendance in the Council Chamber will be limited to allow for the public in attendance to practice social distancing. Seating may be assigned.
4. Coughs and sneezes must be covered with a cloth or tissue, which should then be properly disposed of or washed, and shall not be exposed to others.
5. Public courtesies such as handshakes or other greetings shall be respectfully avoided.
6. Any member of the public approaching city representatives, whether they be city staff or elected or appointed officials must maintain six-foot social distancing.

Any person who fails to comply with the COVID-19 Precautions may be removed from the meeting.

EXPANDED OPPORTUNITY FOR PUBLIC COMMENT OR PUBLIC TESTIMONY:

The City shall continue to allow expanded opportunities for members of the public who do not attend to participate in Public Comment and Public Testimony. Such participation will be allowed when recognized upon the Mayor's announcement.

ANYONE WHO DOES NOT ATTEND BUT DESIRES TO COMMENT ON A MATTER NOT ON THE AGENDA OR TESTIFY ON A MATTER ON THE AGENDA AT THIS MEETING MUST SEND THEIR COMMENT IN WRITING USING THE FORM AT

<https://www.cowtx.org/WEDCcomments> NO LATER THAN ONE (1) HOUR PRIOR TO THE MEETING.

All written comments must comply with applicable decorum rules for comments made during a public meeting of the Watauga City Council to be read into the record. Up to three minutes shall be allotted for each written or oral comment to be read/spoken into the record of the meeting. All timely written comments will be read into the record of the meeting at the appropriate time during the meeting. While reasonable efforts will be taken to gather comments received within the hour prior to the meeting or received during the meeting, all such comments are considered untimely and may not be recognized and read during the meeting.

CALL TO ORDER

ROLL CALL

INVOCATION

REPORTS FROM STAFF

1. Monthly Financial Report for the period ending January 31, 2021
Sandra Gibson, Director of Finance
2. Report on operational costs associated with the Branding Signs and Digital Poster Sign for the purposes in establishing advertising fees and discounts to local Watauga businesses
Andrea Gardner, City Manager

PUBLIC COMMENT If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Comment (for matters not posted on that particular meeting's agenda), members of the Board and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen and report back to the Board as soon as practicable. Such report to the Board shall not constitute a meeting called by the WEDC Board nor shall it constitute deliberation or formal action. Individual citizens addressing the Board during Public Comment shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Comment is not established to engage in a conversation with the Board and no formal Board action will be taken.

PUBLIC TESTIMONY FOR ACTION ITEMS Only those persons who submit a completed Request to Speak form prior to the agenda item being introduced by the Chair will be allowed to speak on agenda items set for action (this doesn't include presentations or reports). The Chair shall ask each person requesting to speak to approach the podium when called to speak. Speakers time shall generally not exceed three (3) minutes in their comments and all

comments must be germane to the specific agenda item being discussed; however, the Chair may extend or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. Members of the Board may ask questions or discuss the item directly with the citizen during the citizen's testimony if necessary. Any discussion between a Board member and the citizen will not count toward the time limit and Board Members are encouraged not to speak until the citizen has first utilized their allocated time.

ACTION ITEMS

1. Discuss and consider action to appoint officers to serve the Watauga Economic Development Corporation
Andrea Gardner, City Manager
2. Discuss and consider action authorizing the City Manager/City Secretary to submit Form 802 to the Secretary of State's Office on behalf of the Watauga Economic Development Corporation
Andrea Gardner, City Manager
3. Discuss and consider action to approve the meeting minutes for the WEDC Regular Meeting held February 25, 2021
Raquel Guajardo, Deputy City Secretary
Andrea Gardner, City Manager
4. Discuss and consider action to approve the hiring of a Media Specialist position
Marcia Reyna, Human Resources and Civil Service Director
Andrea Gardner, City Manager
5. Discuss and provide direction to the Executive Director regarding the trademark application for the WEDC logo
Andrea Gardner, City Manager
6. Discuss and consider action to amend the Administrative Services Agreement between the WEDC and the City of Watauga
Andrea Gardner, City Manager

ADJOURNMENT

Meeting Notices and Reservation of Rights

The Watauga Economic Development Corporation Board of Directors may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise

posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the to address a subject matter on the agenda.

Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625.

I, Andrea Gardner, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Friday, March 12, 2021 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Andrea Gardner, City Secretary





AGENDA MEMORANDUM

DATE: March 9, 2021
TO: Watauga Economic Development Corporation Directors
FROM: Sandra Gibson, Director of Finance
SUBJECT: Monthly Financial Report for the period ending January 31, 2021

BACKGROUND/INFORMATION:

Monthly Financial Report for the period ending December 31, 2021

FINANCIAL IMPLICATIONS:

This item does not require a recommendation as it is a presentation/report.

RECOMMENDATION/ACTION DESIRED:

The Monthly Financial Report for period ending January 31, 2021 is attached for the Board's review.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. EDC Monthly Financial Report - January 2021

REVIEWED BY:

Andrea Gardner, City Manager

Karrie Marling, Legal

George Hyde, Legal

Andrea Gardner, City Manager

Approved - 3/12/2021

Approved - 3/12/2021

Approved - 3/12/2021

Final Approval - 3/12/2021

Approved as to form for inclusion on Agenda



AGENDA MEMORANDUM

DATE: March 10, 2021

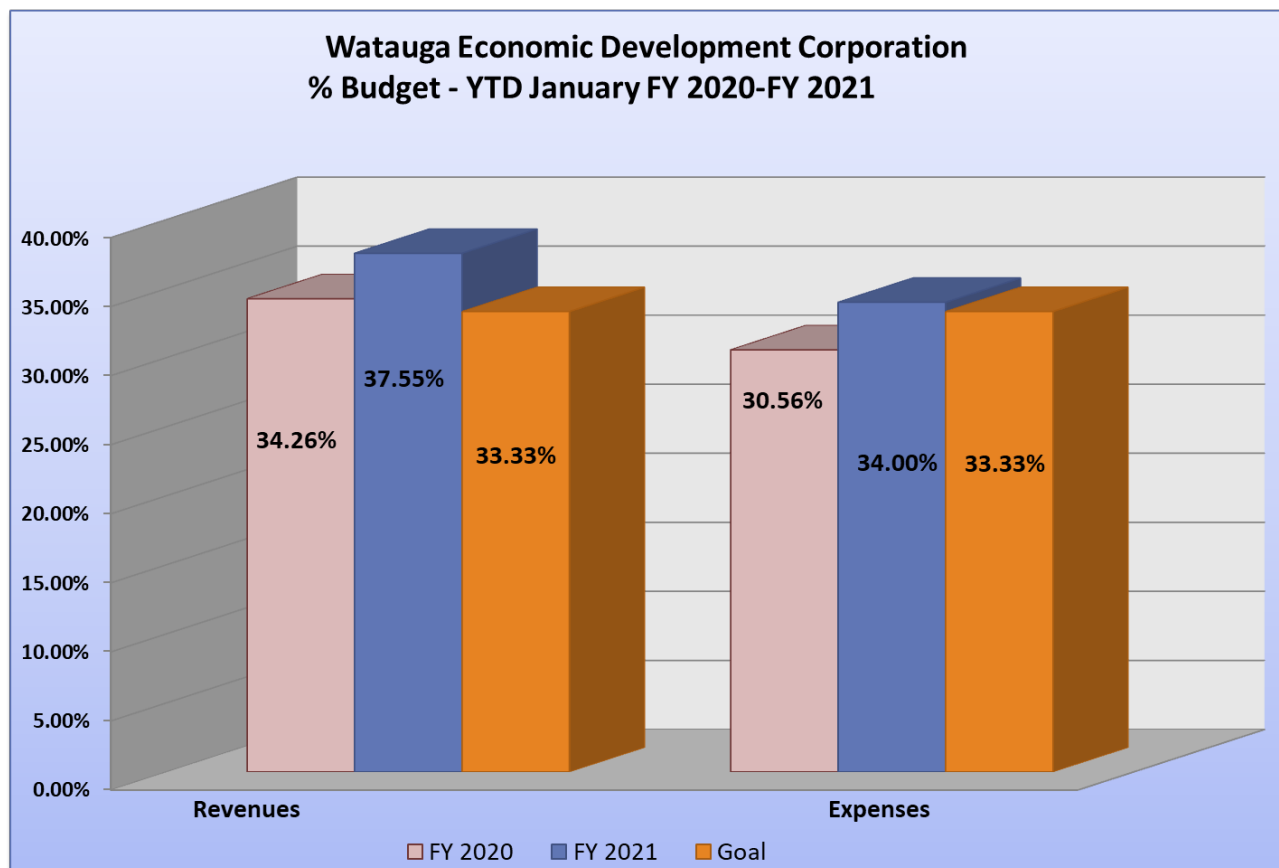
TO: Watauga Economic Development Board

FROM: Sandra Gibson, Director of Finance

SUBJECT: Financial Report for the Month of January, 2021

The attached report and below graph represent the results of transactions through January, 2021 which is the 4th month of the fiscal year and is 33% through the FY2020-FY2021 budget.

The EDC sales tax distribution for the month of January, 2021 will be received on Friday, March 12th in the amount of \$59,076. This is \$2,287, or 4% higher than prior year at this time. Year-to-date sales tax revenues are estimated to be at 39.7% of budget collected through January, 2021. Total year-to-date expenditures are \$170,437 which is 34% of the budget expended for the year.





CITY OF WATAUGA BUDGET TO ACTUAL COMPARISON FISCAL YEAR 2021 For the period ending January 31, 2021 (2nd FY Qtr.)							
WATAUGA ECONOMIC DEVELOPMENT CORP - 04							
REVENUE:	CURRENT BUDGET	1/31/2021 YTD ACTUAL	% USED	% REMAINING	1/31/2020 YTD ACTUAL	\$ CHG 21 vs 20	% CHG 21 vs 20
SALES TAX	705,000	279,683	39.67%	60.33%	263,461	16,222	6.16%
INTEREST EARNINGS	5,000	369	7.38%	92.62%	1,713	(1,343)	-78.44%
INTEREST/ESCROW	-	-	-	-	-	0	-
CONTRIBUTIONS/OTHER	35,800	-	-	-	-	0	-
TOTAL REVENUE	\$745,800	\$280,052	37.55%	62.45%	\$265,174	14,878	5.61%
PERSONNEL SERVICES	-	-	0.00%	0.00%	-	-	#DIV/0!
NON-DEPARTMENTAL	-	-	0.00%	0.00%	-	-	0.00%
SUPPLIES	1,085	608	56.05%	43.95%	793	(185)	-23.28%
MAINTENANCE	-	-	0.00%	0.00%	-	-	0.00%
CONTRACTUAL & SUNDRY	117,875	40,067	33.99%	66.01%	40,681	(614)	-1.51%
TRANSFERS	379,784	129,761	34.17%	65.83%	98,057	31,705	32.33%
CAPITAL OUTLAY	2,500	-	0.00%	100.00%	-	-	0.00%
TOTAL EXPENDITURES	501,244	170,437	34.00%	66.00%	\$ 139,531	30,906	22.15%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$244,556	\$109,615			\$125,643	(\$16,028)	



AGENDA MEMORANDUM

DATE: March 10, 2021

TO: Watauga Economic Development Corporation Directors

FROM: Andrea Gardner, City Manager

SUBJECT: Report on operational costs associated with the Branding Signs and Digital Poster Sign for the purposes in establishing advertising fees and discounts to local Watauga businesses

BACKGROUND/INFORMATION:

During the February 16, 2021 Board Meeting, City staff requested direction from the WEDC Board regarding a business retention program that will provide low cost advertising options to the local businesses of Watauga. The Board requested further information to aide in the decision/direction process.

FINANCIAL IMPLICATIONS:

Sign Costs

Digital Poster Sign - Cost \$13,502

Electronic LED Monument Sign - Cost \$58,143.03 (Watauga Road location 1 is single sided sign)

Electronic LED Monument Sign - Cost \$81,457.26 (Watauga Road location 2 is double sided sign)

Electrical Costs

A similar sign (Community Center) - 4,900 Kwh with total charges of \$650 since January 2020

Additional information related to intervals/rotations for advertisements on the sign and equipment repairs/replacements is forthcoming for the signs from the vendor.

Personnel Costs

The duties of scheduling advertisements and invoicing businesses will be performed by the Media Specialists. Projected time to be spent on business retention advertisement is 520 hours/annually that equates to \$27,695.20 for the program that should be allocated per business advertisement.

RECOMMENDATION/ACTION DESIRED:

City staff respectfully requests further direction from the WEDC Board to assist staff and legal in the preparation of a business retention program.



AGENDA MEMORANDUM

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Karrie Marling, Legal

George Hyde, Legal

Andrea Gardner, City Manager

Approved as to form for inclusion on Agenda

Approved - 3/12/2021

Approved - 3/12/2021

Final Approval - 3/12/2021



AGENDA MEMORANDUM

DATE: January 21, 2021
TO: Watauga Economic Development Corporation Directors
FROM: Andrea Gardner, City Manager
SUBJECT: Discuss and consider action to appoint officers to serve the Watauga Economic Development Corporation

BACKGROUND/INFORMATION:

Section 2.10 of the WEDC Bylaws requires the WEDC Board to hold an annual meeting and appoint officers each March. The current officers include:

Arthur L. Miner, President
Cheneya Cruze, Vice-President
Amirali Fazalbhay, Secretary

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the Board appoint officers (President, Vice-President and Secretary) for the WEDC Board.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. WEDC Bylaws Amended July FINAL

REVIEWED BY:

Karrie Marling, Legal
George Hyde, Legal
Andrea Gardner, City Manager

Approved - 1/21/2021
Approved - 3/12/2021
Final Approval - 3/12/2021

Approved as to form for inclusion on Agenda

WATAUGA ECONOMIC DEVELOPMENT CORPORATION
BYLAWS AMENDED JULY 2020

ARTICLE ONE: POWERS & PURPOSES

1.01 In order to implement the purposes for which the Corporation was formed as set forth in the Articles of Incorporation, the Corporation is organized exclusively for the purposes of benefitting and accomplishing public purposes of, and to act on behalf of the City of Watauga, Texas and the specific purposes for which the Corporation is organized and may issue bonds on behalf of the City of Watauga, Texas for the promotion and development of commercial, industrial and manufacturing enterprises to promote and encourage employment and public welfare, pursuant Chapter 501-505 of the Local Government Code, as now or hereafter amended.

1.02 The Corporation is not a political subdivision or political corporation of the State of Texas within the meaning of its constitution, and no agreements, bonds, debts, or obligations or the lending of credit, or grant of public money or anything of value, of or by the City of Watauga, Texas or any other political corporation, subdivision, or agency of the State of Texas, or a pledge of faith and credit of any of them.

1.03 The registered office of the corporation is located at 7105 Whitley Road, Watauga, Texas 76148, and the name of the registered agent of the corporation at such address is Andrea Gardner, City Manager. The principal office for the transaction of the business of the corporation is located at 7105 Whitley Road, Watauga, Texas 76148.

ARTICLE TWO: DIRECTORS

Powers

2.01 The Directors shall act only as a board, and an individual Director shall have no power to act for the corporation. All corporate powers of the corporation shall be exercised by the Board of Directors or under its authority. The business and affairs of the corporation shall be controlled by the Board of Directors, subject, however, to such limitations as are imposed by law, the Articles of Incorporation or these Bylaws. The Board of Directors may, by contract or otherwise, give general or limited or special power and authority to the officers and employees of the corporation to transact the general business or any special business of the corporation and may give powers of attorney to agents of the corporation to transact any special business requiring such authorization.

2.02 The Directors shall appoint and consent to the City Attorney for the City of Watauga to also serve as the General Counsel for the Corporation.

Qualification and Number of Directors

2.03 Each Director must be a resident of the City of Watauga at the time of appointment and maintain that residency during entire tenure on the Board. The authorized number of Directors of this corporation shall be seven (7). The place numbers for the seven (7)

Directors shall be known as Place 1, Place 2, Place 3, Place 4, Place 5, Place 6 and Place 7.

Appointment and Term

2.04 The Directors shall be appointed by the Watauga City Council and serve at the pleasure of the Watauga City Council. A director is appointed to hold a position for two (2) year terms. The terms of Director Position 1, Director Position 3, Director Position 5 and Director Position 7 directors shall expire in August of each odd-numbered. The terms of Director Position 2, Director Position 4 and Director Position 6 shall expire in August of each even-numbered year.

2.05 Board Membership shall comply with Texas Local Government Code Subchapter B Sections 501.051, 505.052 and 505.053, with the exception that the number of members from the City's governing body serving as a Director/Board of the WEDC shall be limited to three.

2.06 Board members, who also serve on the governing body of the City, shall cease to serve on Board of Directors at the time they cease to serve on the City Council; likewise any board member who is also an employee of the City of Watauga shall cease to serve on the Board of Directors at the conclusion of their employment.

Vacancies

2.07 Vacancies on the Board of Directors may be filled by a majority vote of the Watauga City Council at a regular meeting or special meeting called for that purpose. A vacancy occurring on the Board of Directors may be filled by the City Council at any time. Any Director appointed by the City Council shall serve the remainder of the term of appointment of their predecessor. Nothing in this provision should be construed to prevent such a successor from being appointed and serving one or more subsequent terms.

Removal of Directors

2.08 The entire Board of Directors or any individual Director may be removed from their Director position with or without cause by majority vote of the Watauga City Council, and a successor may then and there be elected to fill the vacancy thus created.

Place of Meetings

2.09 All meetings of the Board of Directors shall be held at the principal offices of the Corporation or at such other location as the Board of Directors may designate, within the City limits of Watauga.

Annual Meetings

2.10 The annual meeting of the corporation shall be held in the month of March each year. At such meetings, officers shall be appointed, reports of the corporation's affairs shall be considered, and any other business may be transacted which falls within the power of the Directors. All provisions herein pertaining to the Board of Directors meetings shall also

apply to the annual meeting.

Regular Meetings

2.11 Regular meetings of the Board of Directors shall be held on the third Tuesday of each month between annual meetings of the corporation, and at such dates and times as the Directors may determine. Meetings shall be held no less than quarterly.

Roberts Rules of Order shall be used to conduct and govern meetings. The City of Watauga Council Rules of Procedure apply to the Board. Any action taken by the board which evidences the desired intent to approve, disapprove, or table an agenda item shall not be subject to challenge on the basis of an alleged procedural violation regarding the manner in which the meeting was conducted. All meetings shall be conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

Special Meetings - Call and Notices

2.10 Special meetings of the Board of Directors for any purpose shall be called at any time by the President or, if the President is absent or unable or refuses to act, by any two Directors. Written notices of the special meetings, stating the time and place and in general terms the purpose or purposes thereof, shall be mailed, electronically mailed or personally delivered to each Director not later than the day before the day appointed for the meeting. All meetings shall be conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

Attendance

2.11 Attendance at the Board meetings is required of each Director and the attendance record of each Director shall be submitted to the Council prior to any reappointment to the Board. Absences which are considered by Council to indicate the inability or unwillingness to fulfill the duties of the Director may result in the removal and the replacement of the Director as provided in section 2.08 of these bylaws.

Quorum

2.12 A majority of the authorized number of Directors shall be necessary to constitute a quorum for the transaction of business, except to adjourn or recess a meeting. Every act or decision done or made by a majority of the Directors present shall be regarded as the act of the Board of Directors, unless a greater number is required by law or by the Articles of Incorporation. Each Director who is present at a meeting will be deemed to have assented to any action taken at the meeting unless the Director's dissent to the action is entered in the minutes of the meeting.

Board Action

2.13 Any action required or permitted to be taken by the Board of Directors must be taken pursuant to a lawfully convened meeting.

Adjournment - Notice

2.14 A quorum of the Directors may adjourn or recess any Directors' meeting to meet again at a stated hour on a stated day. In the absence of a quorum, a majority of the Directors present at any Directors' meeting, either regular or special, may adjourn or recess from time to time until the time fixed for the next regular meeting of the Board. All meetings of the Board of Directors shall be conducted in accordance with the Texas Open Meetings Act, Government Code Chapter 551, as now or hereafter amended.

Conduct of Meetings

2.15 The President or, in the President's absence, the Vice President, or in the absence of both, any Director selected by the Directors present, shall preside at the meeting of the Board of Directors. The President, or presiding officer in the absence of the President, shall not make motions and shall vote only in case of a tie. The Secretary of the corporation or, in the Secretary's absence, any person appointed by the presiding officer, shall act as Secretary of the Board of Directors' meetings.

Power of Eminent Domain

2.16 The corporation may exercise the power of eminent domain only on approval of the action by the Watauga City Council. The power must be exercised with and subject to the laws applicable to the City of Watauga.

Liability

2.17 The corporation, individual Directors, the City of Watauga, the individual Watauga City Council Members, employees of the City of Watauga or of the Corporation are not liable for damages arising from governmental function of the corporation or the City of Watauga.

Indemnification of Directors and Officers

2.18 The Board of Directors may authorize the corporation to indemnify and/or pay expenses incurred by, or to satisfy a judgment or settle a claim or pay a fine rendered or levied against present or former Directors, officers, employees or agents of this corporation based upon his or her action as a director, officer, employee or agent of the corporation as authorized by State law.

ARTICLE THREE: OFFICERS

Title and Appointment

301 The officers of the corporation shall be a President, one or more Vice Presidents, Secretary, and such assistants and other officers as the Watauga City Council deems necessary to carry out the business and purposes of the corporation. All officers shall be appointed by and hold office at the pleasure of the Board of Directors.

Powers and Duties of Officers

3.02 The officers of the corporation shall have the powers and duties generally ascribed to the respective offices and such additional authority or duty as may from time to time be established by the Board of Directors. The Secretary is encouraged to furnish to new members the telephone numbers of other WEDC board members and staff, the governing regulations, and any other pertinent information concerning the WEDC to the new board member within seven (7) days of the new director's appointment.

ARTICLE FOUR: FISCAL PROVISIONS

4.01 The Corporation shall review and upon approval by the Board submit monthly financial reporting in a format utilized by the City of Watauga. All books and records of the Corporation shall be maintained by the City's Finance Department in accordance with Section 501.073 of the Texas Local Government Code. The Watauga City Council and the Corporation acknowledge and agree that the management of the Corporation's financial records shall be administered by the City pursuant to the terms of the Financial Services Agreement.

4.02 All expenditures of the Corporation shall be preapproved by the City Council in accordance with Texas Local Government Code Chapter 501, Subchapter A. The Corporation shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. The audit shall be completed by the same independent auditor selected by the City Council of Watauga who is selected to conduct the City of Watauga's annual fiscal audit.

4.03 The corporate fiscal year shall begin October 1st and end September 30th of each year. The Executive Director shall annually prepare each year an itemized budget to cover the proposed expenditures of the Corporation for the upcoming fiscal year. The proposed itemized budget shall be submitted to the Board the 60th day prior to the budget being considered by the Board. Once approved by the Board, the board shall submit the its proposed Corporate itemized budget to the City Secretary, for record and placement on the Council agenda, for consideration and approval by the City of Watauga City Council. All expenditures shall be identified as either routine or contingent, and all routine expenditures shall be considered approved in accordance with Section 501.073 without further action by the City Counsel. All contingent expenditures must be preapproved by the City Council before any funds are disbursed. The itemized budget shall also provide as clear a comparison as practicable between expenditures included in the proposed budget and actual expenditures for the same or similar purposes made for the preceding year. The budget must show as definitively as possible each of the projects for which expenditures are set up in the budget and the estimated amount of money carried in the budget for each project. The budget must contain a complete financial statement of the Corporation that shows (1) the outstanding obligations of the Corporation; (2) the cash on hand to the credit of each fund; (3) the funds received from all sources during the preceding year; and (5) the estimated revenue available to cover the Corporate itemized budget. The Corporation shall provide notice of the date, time and location of the City Council's consideration of the Corporate itemized budget on the Corporation's website.

4.04 Temporary or idle funds of the Watauga Economic Development Corporation which are undesignated, may be invested in any legal manner authorized by the Public Funds Investment Act and authorized by the Corporation's approved Investment Policy. The Corporation's Investment Policy must be reviewed and approved annually by the Board of Directors.

ARTICLE FIVE: EXECUTION OF INSTRUMENTS

5.01 The Board of Directors may, in its discretion, authorize an officer or officers, or other person or persons, to execute any corporate instrument or document, or to sign the corporate name without limitation, except where otherwise provided by law and such execution or signature shall be binding on the corporation.

ARTICLE SIX: RECORDS AND REPORTS

Inspection of Books and Records

6.01 The corporation shall keep at the principal place of business a book of minutes of all meetings, adequate business records and notices of all its transactions.

6.02 All books and records of the corporation shall be open to inspection to the extent expressly provided by the Texas Open Records Act, Chapter 551 of the Government Code, as now or hereafter amended, and not otherwise. All books and records may be examined by Directors and Watauga City Council members at reasonable times.

ARTICLE SEVEN: AMENDMENT OF BYLAWS

Amendment of Bylaws

7.01 The power to alter, amend, or repeal these bylaws is vested in the Directors, subject to the approval of the City Council or changes in State law.

ARTICLE EIGHT: MISCELLANEOUS PROVISIONS

Legal Authorities Governing Construction of Bylaws

8.01 The Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the Bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. It is expressly provided that the provisions of Chapter 501-505 of the Local Government Code, as now or hereafter amended, are incorporated within these Bylaws by reference. In the event of any conflict between the applicable provisions of such Act and these Bylaws, then the applicable provisions of such Act shall control.

Legal Construction

8.02 If any Bylaw provision is held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not affect any other provision and the Bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the Bylaws.

Effective Date

These Bylaws, and any subsequent amendments hereto, shall be effective as of and from the date on which approval has been given by both the Board of Directors and the City Council of the City of Watauga, Texas.

CERTIFICATE OF SECRETARY

I, the undersigned, certify that I am the elected and acting secretary of the Watauga Economic Development Corporation, a Texas corporation; and the preceding bylaws, comprising 7 pages, constitute a true and complete copy of the bylaws of the corporation as amended at a meeting of the board of directors of the corporation held on the 21st day of July 2020.

I have subscribed my name and affixed the seal of the corporation on this the 18 day of August 2020.

WATAUGA ECONOMIC DEVELOPMENT CORPORATION

By: 
Secretary

[Seal]

Approved by City Council on 13TH day of July, 2020.



AGENDA MEMORANDUM

DATE: February 11, 2021

TO: Watauga Economic Development Corporation Directors

FROM: Andrea Gardner, City Manager

SUBJECT: Discuss and consider action authorizing the City Manager/City Secretary to submit Form 802 to the Secretary of State's Office on behalf of the Watauga Economic Development Corporation

BACKGROUND/INFORMATION:

A nonprofit corporation is required by Section 22.357 of the Texas Business Organizations Code (BOC) to file periodic report that lists the names and addresses of all directors and officers of the corporation. The Office of the Secretary of State may require a domestic nonprofit corporation or a foreign nonprofit corporation registered to transact business in this state to file a report not more than once every four years. The failure to file the report when due will result, after notice, in the involuntary termination of the domestic corporation or the revocation of the registration of the foreign corporation.

If there are changes to the Corporation Officers as a result of the appointments earlier in this meeting, Form 802 will require revisions.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the WEDC Board authorize the City Manager to submit Form 802 to the Secretary of State's Office on behalf of the Watauga Economic Development Corporation that reflects earlier Board action regarding appointment of officers.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. WEDC Form 802 Current

REVIEWED BY:

Karrie Marling, Legal

George Hyde, Legal

Andrea Gardner, City Manager

Approved as to form for inclusion on Agenda

Approved - 3/12/2021

Approved - 3/12/2021

Final Approval - 3/12/2021



AGENDA MEMORANDUM



AGENDA MEMORANDUM

DATE: March 3, 2021

TO: Watauga Economic Development Corporation Directors

FROM: Raquel Guajardo, Deputy City Secretary

SUBJECT: Discuss and consider action to approve the meeting minutes for the WEDC Regular Meeting held February 25, 2021

BACKGROUND/INFORMATION:

Meeting minutes are attached for consideration.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the WEDC Board approve the meeting minutes of the February 25, 2021 WEDC Regular Meeting.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 02252021 WEDC Regular Meeting Minutes DRAFT with Edits

REVIEWED BY:

Andrea Gardner, City Manager

Final Approval - 3/12/2021

Approved as to form for inclusion on Agenda

**MINUTES
WATAUGA ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING BY VIDEOCONFERENCE
THURSDAY, FEBRUARY 25, 2021
6:00 PM**

CALL TO ORDER

President Miner called the meeting to order at 6:00 p.m.

ROLL CALL

Place 1, Arthur L. Miner, President
Place 2, Amirali Fazalbhai, Secretary
Place 3, Jan Hill, Director
Place 4, Melissa Minucci, Director
Place 5, Mike Alexander, Director
Place 6, Cheneya Cruze, Vice-President (Absent without notice)
Place 7, Lissa Sieja, Director

City Staff Present:

Andrea Gardner, Executive Director
Deby Woodard, Assistant Finance Director
George Hyde, Board Attorney
Lovie Downey, Council Liaison

ANNOUNCEMENTS

President Miner offered a friendly reminder to members to check city emails on a regular basis and to respond to meeting requests.

REPORTS FROM STAFF

1. Monthly Financial Report for the period ending December 31, 2020

Ms. Woodard presented the report to the board that included updates regarding the sales tax, splash pad and the branding signs. There were no questions or comments provided by the board.

PUBLIC COMMENT

No public comment was provided or submitted.

PUBLIC TESTIMONY FOR ACTION ITEMS

No public testimony was provided or submitted.

ACTION ITEMS

1. Discuss and consider action to approve the meeting minutes for the WEDC Regular Meeting held January 19, 2021

Director Hill made a motion to approve the minutes as presented. Secretary Fazalbhai seconded the motion. Hearing no discussion, President Miner called

for the Board to vote by a show of right hand. Motion carried 5-0-1-0.

Ayes: Hill, Alexander, Fazalbhahi, Sieja, Minucci

Nays: None

Absent: Cruze

Abstain: None

2. Discuss and provide direction on a economic development business promotion program (sign advertising)

Ms. Gardner provided information to the board that included updates on the Branding Signs project and Digital Poster Sign project and stated that both are awaiting electrical connection. Ms. Gardner went into further detail on the type of feedback needed from the board regarding the business promotion program involving the branding signs.

The consensus of the board was to have Ms. Gardner gather information on the cost, electrical use, and how many ad spots are available, along with recommended prices to be presented during the next regularly scheduled meeting.

Secretary Fazalbahhi suggested discounts for first time users and a free random drawing to provide advertising for those in the Watauga business registry program.

Director Hill stated that the vendor's price is too high and recommended a shorter contract be provided for this service.

3. Discuss and consider action to authorize the President, the Executive Director and the General Counsel of the WEDC to execute a Mutual Confidentiality Agreement with Smiley Transportation

Director Minucci inquired regarding the building facility in which Ms. Gardner addressed.

Director Hill made a motion to approve the item as presented. Secretary Fazalbhahi seconded the motion. Hearing no discussion, President Miner called for the Board to vote by a show of right hand. Motion carried 4-0-1-1.

Ayes: Hill, Fazalbhahi, Sieja, Minucci

Nays: None

Absent: Cruze

Abstain: Alexander

EXECUTIVE SESSION

President Miner recessed the regular meeting at 6:33 p.m., to enter into Executive Session to discuss the following:

- 1. Deliberate upon, seek legal advice from General Counsel and direct the Executive Director and General Counsel on economic development negotiations regarding the property located at 6200 Watauga Rd, pursuant to Sections 551.071 and 551.087 of the Texas Local Government Code**

RECONVENE

President Miner reconvened into regular session at 6:54 p.m.

Director Minucci made a motion to postpone the item until notification of grant status is known. Director Hill seconded the motion. Hearing no discussion, President Miner called for the Board to vote by a show of right hand. Motion carried 4-0-1-1.

Ms. Gardner stated for the record that Secretary Fazalbai had completed and filed the appropriate conflict of interest documents to the City Secretary's Office.

Ayes: Hill, Alexander, Sieja, Minucci

Nays: None

Absent: Cruze

Abstain: Fazalbhai

ADJOURNMENT

President Miner adjourned the meeting at 6:57 p.m.

APPROVED: _____ this _____ day of _____, 2021

SIGNED: _____ this _____ day of _____, 2021

APPROVED:

Arthur L. Miner, President

ATTEST:

Amirali (A.J.) Fazalbhai, Secretary

NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office



AGENDA MEMORANDUM

DATE: March 3, 2021
TO: Watauga Economic Development Corporation Directors
FROM: Marcia Reyna, Human Resources and Civil Service Director
SUBJECT: Discuss and consider action to approve the hiring of a Media Specialist position

BACKGROUND/INFORMATION:

The Watauga Economic Development Corporation (WEDC) funded a Public Information Officer position in the FY2020-21 budget. Some of the funds for this position were used to pay for the WEDC's website development, through Lift Creations, which temporarily delayed its hiring. During the February 16, 2021 WEDC Meeting, the Board provided direction to re-evaluate the role of this position and expressed an interest in hiring a Media Specialist position in place of the Public Information Officer. An Administrative Assistant position was also partially funded by the WEDC. This position has not been filled as of yet. A financial analysis (attached) of the total cost of Lift Creations and the two vacant positions recommends that the Media Specialist position be filled in mid-April 2021 and the Administrative Assistant position in June 2021 so as not to exceed budget appropriations. A draft of the Media Specialist's job description is presented for the WEDC's review.

FINANCIAL IMPLICATIONS:

As included in the Fiscal Year 2020-21 budget for the Watauga Economic Development Corporation.

RECOMMENDATION/ACTION DESIRED:

It is respectfully requested that the Watauga Economic Development Corporation approve the attached job description for the position of Media Specialist and authorize the Executive Director to complete the hiring process for the Media Specialist position.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Funding for Media Specialist Position
2. Media Specialist Job Description

REVIEWED BY:

Karrie Marling, Legal

George Hyde, Legal

Andrea Gardner, City Manager

Approved as to form for inclusion on Agenda

Approved - 3/12/2021

Approved - 3/12/2021

Final Approval - 3/12/2021

FUNDING OPTIONS FOR MEDIA SPECIALIST POSITION

Funding	FY 2021		Public Information Officer (Media Specialist)	Administrative Assistant - Financial Services
	WEDC	Montly Cost		
Public Information Officer (Media Specialist)	\$ 25,568	\$ 4,261	Apr-21 \$ 2,131	
Administrative Assistant - Financial Services	\$ 24,024	\$ 4,004	May-21 \$ 4,261	
			Jun-21 \$ 4,261	\$ 4,004
			Jul-21 \$ 4,261	\$ 4,004
Total WEDC Funding for FY 2021	\$ 49,592		Aug-21 \$ 4,261	\$ 4,004
Cost for Lift Creations (Web Design Company)	\$ 9,500		Sep-21 \$ 4,261	\$ 4,004
			Subtotal \$ 23,437	\$ 16,016.00
Remaining Amount	\$ 40,092		Total \$ 39,453	



**City of Watauga
Job Description**

Job Title: Media Specialist	Job Code: ADM 00-113
Reports to: City Manager	FLSA Status: Non-Exempt
Department: Administration	Prepared by: Human Resources
Division: Economic Development	Approved Date: 03/16/2021

Summary of Position

This position provides a wide variety of administrative support functions within the City Manager's office. Under general direction from the City Manager, the incumbent performs a variety of administrative duties including grant writing, communications, marketing, correspondence preparation, assistance with economic development, complaint tracking and resolution, special event planning, and public relations interaction with community residents and business owners. The incumbent maintains interaction with persons at all levels within the organization including department directors, has access to confidential and sensitive information, and engages in frequent communication with citizens and Board Members by phone and office visits.

Essential Duties and Responsibilities

- Develops communications designed to keep the general public, media, neighborhood groups, and employees informed of city and Watauga Economic Development Corporation (WEDC) programs, accomplishments, and projects.
- Arranges for public relations efforts in order to meet the needs, objectives and policies of the city and WEDC; writes press releases, speeches, brochures, fact sheets, and reports; serves as point-of-contact to neighborhood and community groups for general information, status reports, speaker requests, and other related requests.
- Maintains content of Digital Sign Program.
- Administers Digital Sign Program through marketing, customer service and billing.
- Updates content of WEDC website through third party vendor website management company.
- Performs special projects and researches various management related issues; compiles, analyzes, and summarizes information to prepare reports which present and interpret data and identify alternatives; presents and justifies recommendations.
- Promotes good will through public efforts, such as speeches and exhibits; markets the city and Watauga Economic Development Corporation programs and services to various special interest groups.
- Develops economic business plans for public improvement and redevelopment projects.
- Solicits economic development proposals from private companies.
- Performs economic leadership duties with private developers on behalf of the City and Corporation.
- Supports and advises the Economic Development Director in identifying, preparing, and implementing economic development initiatives and strategies that benefit the citizens of Watauga and achieve the City's and WEDC's vision and goals enumerated in the Strategic Plans. This includes updating the Comprehensive plan and managing studies related to economic development.
- Makes and implements recommendations for economic development, small business assistance, incentive programs, and permitting policies.
- Works with City staff to balance the needs of economic development, permitting processes, and City standards.
- May provide management of enterprise activities in support of the City's economic development mission for such endeavors as business incubator/start up accelerator programs.
- Provides assistance to all small business development initiatives; and other economic development; redevelopment or capital improvement projects.
- Manages the development and distribution of the Corporation monthly newsletter.
- Updates economic development information located on the City website and social media.
- Researches, writes, and submits grant proposals for economic development purposes.

- Advises, assists, and coordinates with other departments for planning, promotion, and implementation of special events.
- Communicates with departments to successfully resolve citizen, council and Board Member inquiries. Prepares documents and correspondence in response to staff, citizen, corporate, and intergovernmental inquiries, complaints, and requests; reviews with City Manager/Executive Director as appropriate.
- Attends various functions, meetings, and events as a representative of the Corporation.
- Attends City Council meetings and various Board and Commission meetings as may be required.
- Maintains and updates a wide variety of routine and non-routine records, files, and reports applicable to the economic development function.
- Participates in the Emergency Operations Center during an event and assists with operations.
- May perform other assignments and handle special projects as required.

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Scope of Supervision

None.

Knowledge of:

- City organization, operations, policies and procedures.
- Texas Public Information and Open Meeting law.
- Principles and practices of effective customer service.
- Principles and practices of conflict management and resolution.
- Principles and practices of project management.
- Applicable local, state and federal laws, regulations and guidelines.
- Texas Constitution.
- Texas Local Government Codes.
- Applicable policies, procedures and regulations covering specific areas of assignment.
- Business and personal computers, and spreadsheet software applications.

Skilled in:

- Handling situations requiring diplomacy, fairness and firmness.
- Understanding, and applying relevant policies and procedures.
- Multi-tasking and working effectively under stressful or high-pressure work environments.
- Establishing and maintaining effective working relationships with City executive staff, City Council, City Manager/City Secretary, other support staff, other City staff, external government agencies, vendors and the general public.
- Operating a personal computer and various software programs.
- Maintaining confidentiality.
- Effective oral and written communication.
- Collaboration and problem solving.
- Multiple tasks, prioritizing, and meeting deadlines.
- Exercising sound judgment and effective decision-making.
- Managing multiple projects or tasks.

Ability to:

- Receive and respond positively to constructive feedback.
- Work cooperatively with others in a professional office environment.
- Provide excellent customer service.
- Travel (including overnight travel).
- Work more than 40 hours as needed and in compliance with the FLSA.



Any work related experience resulting in acceptable proficiency levels in the above Minimum Qualifications is an acceptable substitute for the above specified education and experience requirements.

Minimum Qualifications

High School diploma or equivalent; AND two (2) years progressively responsible work, in municipal government administrative support; OR an equivalent combination of education, training and experience. Associates degree in Public Administration, Business Administration or a related field preferred. Bi-lingual preferred. Must have excellent public relations, communication, and writing skills. Script writing experience desirable. Television programming, video production, cable television or audio/visual experience preferred. Must have professional demeanor and be able to respond tactfully, clearly, concisely, and appropriately to inquiries from the public.

Any work-related experience resulting in acceptable proficiency levels in the above Minimum Qualifications is an acceptable substitute for the above specified education and experience requirements.

Work Environment

Office in a climate controlled environment with minimal exposure to inclement weather. Exposure to computer screens, sitting for prolonged periods of time, walking, standing, stooping, bending, kneeling, and lifting up to 35 pounds. Need manual dexterity and visual acuity. Must be able to operate assigned equipment and vehicle and to adhere to all safety guidelines. Possible exposure to irate citizens.

Disclaimer

The above statements describe the general nature and level of work being performed as of the date of preparation and approval. They are not to be construed as an exhaustive list of all responsibilities, duties, and skills required of the position. Employees holding this position will be required to perform any other job-related duties as requested by management. The City of Watauga reserves the right to change or revise this job description as the need arises. The job description does not constitute an employment agreement between the employer and employee, and all requirements are subject to possible modification to reasonably accommodate individuals with disabilities.

Employee Signature

Date



AGENDA MEMORANDUM

DATE: March 10, 2021

TO: Watauga Economic Development Corporation Directors

FROM: Andrea Gardner, City Manager

SUBJECT: Discuss and provide direction to the Executive Director regarding the trademark application for the WEDC logo

BACKGROUND/INFORMATION:

During the July 13, 2020 Regular Meeting of the City Council, the City Attorney was directed to seek legal protections for the City and WEDC logos.

During the October 20, 2020 WEDC Meeting the Board provided direction to the Corporation Counsel to seek both a color and standard application for the WEDC logo.

Since that date, the City Attorney/Corporation Counsel worked with the City staff and the Texas Secretary of State's office to secure the protection desired by the Board.

The SOS concluded that the WEDC cannot register the logo which contains the State of Texas outline and that the WEDC mark was likely to cause confusion with the registered name "Watauga Group" which is a company out of Florida that provides marketing services. Board Counsel is confident that an explanation as to the different services and different target audiences of the two entities, would provide a valid objection that can overcome the concern.

Board options include: (1) develop a new logo to trademark before the current logo becomes widely recognizable and associable by the public and seek a new application to trademark the new logo; (2) trademark only the acronym for the name, WEDC, and authorize the Board Counsel to pursue the objection to the SOS regarding the names repetitive use to the Watauga Group.

Staff has been working with Mackay Advertising on logo options and have attached a new logo idea for Board review.

FINANCIAL IMPLICATIONS:

Standard legal rates are applicable to the completion of the existing application or a new application.

RECOMMENDATION/ACTION DESIRED:



AGENDA MEMORANDUM

City staff respectfully recommends the WEDC Board consider the feedback from the SOS and Board Counsel regarding the trademark application. Sufficient funds exist in the FY 2021 Budget to cover the legal fees associated with the trademark matter.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Texas Outline Removed Mar 2021

REVIEWED BY:

Karrie Marling, Legal

Approved - 3/12/2021

George Hyde, Legal

Approved - 3/12/2021

Andrea Gardner, City Manager

Final Approval - 3/12/2021

Approved as to form for inclusion on Agenda





AGENDA MEMORANDUM

DATE: March 12, 2021
TO: Watauga Economic Development Corporation Directors
FROM: Andrea Gardner, City Manager
SUBJECT: Discuss and consider action to amend the Administrative Services Agreement between the WEDC and the City of Watauga

BACKGROUND/INFORMATION:

As of May 2020, the Police Chief and Fire Chief have assisted the Economic Development Director with the implementation of a Business Retention Program that is comprised of monthly retention visits to the businesses celebrating a business anniversary during the given month. Additionally, the IT Director time requires amendment as he has provided video production services for the creation of event videos not originally included in the agreement approved with the Adopted Budget and later amended.

Since Sec. 501.007. LENDING CREDIT OR GRANTING PUBLIC MONEY. (a) Except as provided by Subsection (b), a unit may not lend its credit or grant public money or another thing of value in aid of a corporation, the City is required to charge the WEDC for those services provided on behalf of the Corporation.

FINANCIAL IMPLICATIONS:

The total increase to the agreement equals \$8,848.00 (includes salary for 36 hours/annually plus benefits at a rate of 1.4%).

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the WEDC Board approve the amended Administrative Services Agreement.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. SCHEDULE A

REVIEWED BY:

George Hyde, Legal
Sandra Gibson, Director of Finance
Andrea Gardner, City Manager
Deby Woodard, Assistant Director of Finance

Approved - 3/12/2021
Approved - 3/12/2021
Approved - 3/12/2021
Final Approval - 3/12/2021



AGENDA MEMORANDUM

Approved as to form for inclusion on Agenda