

**NOTICE OF MEETING OF BOARD OF DIRECTORS OF  
 BASTROP ECONOMIC DEVELOPMENT CORPORATION (BEDC)  
 Monday, February 28, 2022 – 5:00 P.M.  
 Bastrop City Hall, 1311 Chestnut Street, Bastrop, Texas**

**1. CALL TO ORDER**

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 The Bastrop EDC Board reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item in compliance with the Texas Open Meetings Act, Chapter 551 Government Code.  
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**2. PUBLIC COMMENT(S)**

**3. REGULAR BUSINESS & PRESENTATIONS**

- 3.1. Consideration, discussion and possible action on election of BEDC Officers: Chair, Vice Chair, Secretary and Treasurer. **(page 3)**
- 3.2. Approval of Resolution R-2022-0003 authorizing severance payment to former executive director pursuant to employment agreement. **(page 4)**
- 3.3. Approval of meeting minutes from the Regular BEDC Board Meeting of January 24, 2022, and the Special BEDC Board Meeting of February 7, 2022. **(page 7)**
- 3.4. Acceptance of financial report provided by City of Bastrop’s Chief Financial Officer for the period ending January 2022. **(page 11)**
- 3.5. Presentation by City Manager Paul Hofmann regarding the Bastrop City Council’s policy regarding the Bastrop Economic Development Corporation. **(page 20)**
- 3.6. Presentation by City Manager Paul Hofmann regarding proposed support services agreement between the Bastrop Economic Development Corporation and the City of Bastrop, Texas. **(page 28)**
- 3.7. Presentation, discussion, and possible action on Resolution R-2022-0004 of the Bastrop Economic Development Corporation authorizing the renewal of agreement with The Retail Coach. **(page 36)**
- 3.8. Presentation, discussion, and possible action on Resolution R-2022-0005 of the Bastrop Economic Development Corporation authorizing the renewal of an agreement with FiberLight, LLC, to maintain fiber in the Bastrop Business and Industrial Park. **(page 45)**
- 3.9. Receive updates from BEDC staff – Moca Project; sale of 921 Main Street building; Industrial Park infrastructure; workforce training and education; and Interim Executive Director’s contract update. **(page 53)**

**4. EXECUTIVE SESSION**

- 4.1. The Bastrop EDC Board of Directors will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

(1) **Section 551.074** Personnel Matters – Discussion on Chief Executive Officer Position.

4.2. The Bastrop EDC Board of Directors will reconvene into open session to discuss, consider, and take any action necessary related to the executive sessions noted herein.

**5. ADJOURNMENT**

**CERTIFICATE**

I, Angela Ryan, Operations Manager of the Bastrop Economic Development Corporation (Bastrop EDC), certify that this Notice of Meeting was posted at Bastrop City Hall, 1311 Chestnut Street, and on the Bastrop EDC’s website on this the 25th of February 2022 at 5:00 p.m. Copies of this agenda have been provided to those members of the media requesting such information.

*Angela Ryan*

Angela Ryan, BEDC Operations Manager

THE BASTROP ECONOMIC DEVELOPMENT CORPORATION IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS WILL BE PROVIDED UPON REQUEST. PLEASE CALL 512-303-9700.



Agenda Item: 3.1

AGENDA MEMORANDUM

Meeting Date: February 28, 2022

Agenda Item: Consideration, discussion and possible action on election of BEDC Officers: Chair, Vice Chair, Secretary and Treasurer.

Prepared by: BEDC Staff

With the departure of Kathryn Nash from the Board and the election of Kevin Plunkett to City Council, a new election of board officers needs to be held for the remainder of the fiscal year.

Per Article III Section 1 of the BEDC’s Bylaws:

- (a) The officers of the Corporation shall be a Chair, Vice Chair, Secretary, and Treasurer. Any two (2) offices may be held by the same person, except the office of Chair of the Board. Terms of office shall be one (1) year with the right of an officer to be reelected.
(b) All officers shall be subject to removal from office at any time by a vote of the majority of the Board.
(c) A vacancy in the office of any officer shall be filled by a vote of the majority of the Board.
(d) Neither the office of Chair or Vice Chair may be held by a member of the City Council.

Typically, BEDC officers have consisted of a Chair, Vice Chair, and Secretary/Treasurer.

Since October 2021, BEDC’s officers have been Kathryn Nash, Chair; Kevin Plunkett, Vice Chair; and Bill Gossett, Secretary/Treasurer.

Recommendation – A nomination and vote will need to take place for the positions of Chair, Vice Chair, and potentially Secretary/Treasurer.

[RECOMMENDED MOTIONS] –

- I make the motion that \_\_\_\_\_ be appointed as Board Chair.
I make the motion that \_\_\_\_\_ be appointed as Board Vice Chair.
I make the motion that \_\_\_\_\_ be appointed as Board Secretary/Treasurer.



**Agenda Item: 3.2**

**AGENDA MEMORANDUM**

Meeting Date: February 28, 2022

Agenda Item: Approval Resolution R-2022-0003 authorizing severance payment to former executive director pursuant to employment agreement.

Prepared by: BEDC Legal Counsel

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BEDC’s legal counsel, Charles Zech, requested that this item be included on the agenda.

Attachment:  
Draft resolution

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**Recommendation** – None.

[RECOMMENDED MOTIONS] – Staff has no recommendation.



**RESOLUTION NO. R-2022-0003****A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING SEVERANCE PAYMENT FOR THE TERMINATION WITHOUT CAUSE OF CAMERON COX; AUTHORIZING ALL NECESSARY ACTIONS, INCLUDING EXECUTION OF NECESSARY DOCUMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Bastrop Economic Development Corporation (“BEDC”) is a public instrumentality and non-profit industrial development corporation duly established and operating under Local Government Code, Chapters 501 and 505, et seq., as amended, known as the Development Corporation Act of 1979 (the “Act”), and is acting with the approval of the governing body of the City of Bastrop, Texas (the “City”); and

**WHEREAS**, Cameron Cox (“Cox”) and the BEDC entered into an employment agreement (the “Agreement”) on or about November 4<sup>th</sup>, 2019; and

**WHEREAS**, the Agreement contained a clause for termination of Cox’s employment without cause; and

**WHEREAS**, the no-cause termination clause requires, as severance, a payment to Cox in an amount equal to six months of Cox’s then current gross annual salary and six months insurance premiums less deductions, withholding and taxes (the “Severance Payment”); and

**WHEREAS**, the Severance Payment is specifically conditioned on:

(1) Cox providing the BEDC a detailed written report setting forth up-to-date details concerning the business of the BEDC, specifically including information on any existing prospects, projects, and proposal contracts (the “Final Report”); and

(2) Cox not directly or indirectly contacting any economic development prospect or project contact identified in the Final Report for a period of one year from the date of termination (collectively the “Severance Conditions”); and

**WHEREAS**, at a Special Meeting of the BEDC March 11, 2021, the BEDC voted to terminate Mr. Cox without cause; and

**WHEREAS**, the Agreement clearly articulates that the Severance Conditions are a condition precedent to Cox receiving the Severance Payment; and

**WHEREAS**, Cox has previously provided the required Final Report to the BEDC; and

**WHEREAS**, as of the date of this Resolution it has been determined, to the best of the BEDC’s knowledge, that Cox has refrained from, and has not, directly, or indirectly contacted any economic development prospect or project contact identified in the Final Report.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:**

**RESOLUTION NO. R-2022-0003**

**SECTION 1.** The findings set out above are hereby found to be true and correct and are incorporated herein for all purposes.

**SECTION 2.** The Board hereby authorizes the Severance Payment as set forth above.

**SECTION 3.** This Resolution is effective upon passage.

**DULY RESOLVED AND ADOPTED** by the Board of Directors of the Bastrop Economic Development Corporation, this \_\_\_\_ day of \_\_\_\_\_ 2022.

BASTROP ECONOMIC  
DEVELOPMENT CORPORATION

\_\_\_\_\_  
\_\_\_\_\_, Board Chair

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, Board Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Denton, Navarro, Rocha, Bernal & Zech, P.C.

## **AGENDA MEMORANDUM**

Meeting Date: February 28, 2022

Agenda Item: Approval of meeting minutes from the Regular BEDC Board Meeting of January 24, 2022, and the Special BEDC Board Meeting of February 7, 2022.

Prepared by: BEDC Staff

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Attached for the Board’s review are the meeting minutes from:

- Regular Board Meeting January 24, 2022
- Special Board Meeting February 7, 2022

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**Recommendation** – Approve both sets of meeting minutes as submitted.

**[RECOMMENDED MOTION]** – I move to approve the meeting minutes as submitted.



**BASTROP ECONOMIC DEVELOPMENT CORPORATION (BEDC)**  
**BOARD OF DIRECTORS**  
**Minutes of Monthly Meeting, January 24, 2022**  
**Bastrop City Hall, 1311 Chestnut Street, Bastrop, Texas**

The Bastrop Economic Development Corporation (BEDC) met on Monday, January 24, 2022, at 5:00 p.m. for a Regular Board Meeting at Bastrop City Hall, 1311 Chestnut Street. Board members present: Kathryn Nash, Kevin Plunkett, Bill Gossett, Connie Schroeder, Jenn Wahl, and Jeff Haladyna. Board member Ron Spencer was absent. Staff members present: Genora Young, Angela Ryan and Jean Riemenschneider. BEDC Attorney Dan Santee was also present.

**1. CALL TO ORDER** – Board Chair Kathryn Nash called the meeting to order at 5:00 p.m.

**2. PUBLIC COMMENT(S)** – There were no public comments.

**3. REGULAR BUSINESS & PRESENTATIONS**

3.1. Approval of meeting minutes from the Special BEDC Board Meeting of November 5, 2021, and the Regular BEDC Board Meetings of November 15, 2021, and December 20, 2021. Mr. Plunkett made the motion to approve the three sets of minutes as submitted, Mr. Haladyna seconded, and the motion passed.

3.2. Acceptance of financial reports provided by City of Bastrop's Chief Financial Officer for periods ending September 2021, November 2021, and December 2021. Mr. Gossett made the motion to accept the three sets of financial reports as submitted, Mr. Haladyna seconded, and the motion passed.

3.3. Presentation on draft City Council Economic Development Policy Direction (as requested by City Manager Paul Hofmann). Joe Esch made a presentation to the Board.

3.4. Discussion and possible action on amended performance agreement with Moca Ventures Nebraska, LLC. The amendments included specific language regarding Moca's pro rata share of the infrastructure and an estimated timeframe for completion, along with other various minor edits. Mr. Plunkett made the motion to approve the first amended and restated agreement with Moca Ventures, Mr. Gossett seconded, and the motion passed.

3.5. Discussion and possible action on project management, engineering, and construction for the expansion of infrastructure in the Bastrop Business and Industrial Park. Ms. Young explained that since the staff had been working closely with Doucet & Associates for the re-zoning of the Business Park, staff's recommendation would be to contract with Doucet for this project. Mr. Gossett made the motion to authorize the Interim Executive Director to proceed with the process of selecting an engineering firm and include project management. Mr. Haladyna seconded, and the motion passed.

3.6. Receive updates from BEDC staff – BEDC Staff gave an update about the BEDC website; bi-weekly meetings with City; DRC meetings; Industrial Park re-zoning; Moca Project; Coltzin Project; TA Bastrop Project; and workforce training.

**4. EXECUTIVE SESSION**

4.1. At 6:10 p.m., the BEDC Board of Directors met in a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:



(1) **Section 551.072** Deliberation regarding the purchase, exchange, lease, or value of real property – 921 Main Street.

(2) **Section 551.074** Personnel Matters – Discussion on Chief Executive Officer Position.

4.2. At 7:20 p.m., the BEDC Board of Directors reconvened into open session to discuss, consider, and take any action necessary related to the executive sessions noted herein. There was no action taken.

5. **ADJOURNMENT** – Mr. Plunkett made the motion to adjourn the meeting and Mr. Gossett seconded. The board meeting was adjourned at 7:21 p.m.

APPROVED: \_\_\_\_\_  
\_\_\_\_\_, Board Chair

ATTEST: \_\_\_\_\_  
Angela Ryan, Operations Manager

**BASTROP ECONOMIC DEVELOPMENT CORPORATION (BEDC)  
 BOARD OF DIRECTORS  
 Minutes Of Special Meeting of February 7, 2022  
 Bastrop City Hall, 1311 Chestnut Street, Bastrop, Texas**

The Bastrop Economic Development Corporation (BEDC) met on Monday, February 7, 2022, at 3:00 p.m. for a Special Workshop Meeting at Bastrop City Hall, 1311 Chestnut Street. Board members present: Kathryn Nash, Kevin Plunkett, Bill Gossett, Connie Schroeder, Jeff Haladyna, Ron Spencer, and Jenn Wahl. Staff members present: Genora Young, Angela Ryan and Jean Riemenschneider.

**1. CALL TO ORDER** – Board Chair Kathryn Nash called the meeting to order at 3:00 p.m.

**2. PUBLIC COMMENT(S)** – There were no public comments.

**3. REGULAR BUSINESS & PRESENTATIONS**

3.1. Discussion and possible action on Resolution R-2022-0002 approving a Professional Services Agreement with Doucet & Associates engineering firm for an infrastructure project in the Bastrop Business and Industrial Park. David Speicher with Doucet & Associates gave a brief presentation about the project and answered any questions the Board had. There were a few items that Mr. Speicher will detail further. Mr. Spencer made the motion to approve the resolution with the requested changes. Mr. Gossett seconded, and the motion passed unanimously.

**4. EXECUTIVE SESSION**

4.1. At 3:08 p.m., the Bastrop EDC Board of Directors convened into a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

(1) **Section 551.074 Personnel Matters** – Discussion on Chief Executive Officer Position.

4.2. At 5:24 p.m., the Bastrop EDC Board of Directors reconvened into open session to discuss, consider, and take any action necessary related to the executive sessions noted herein.

**5. ADJOURNMENT** – Mr. Plunkett made the motion to adjourn the meeting and Mr. Spencer seconded. The meeting was adjourned at 5:25 p.m.

APPROVED: \_\_\_\_\_  
 \_\_\_\_\_, Board Chair

ATTEST: \_\_\_\_\_  
 Angela Ryan, Operations Manager



**Agenda Item: 3.4**

**AGENDA MEMORANDUM**

Meeting Date: February 28, 2022

Agenda Item: Acceptance of financial report provided by City of Bastrop’s Chief Financial Officer for the period ending January 2022.

Prepared by: Tracy Waldron, City of Bastrop CFO

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Attached for the Board’s review and consideration is the BEDC financial summary report for the period ending January 2022.

Attachment:  
January 2022 Financial Report

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**Recommendation** – Accept the financial summary report as submitted.

**[RECOMMENDED MOTION]** – I move to accept the BEDC financial report as submitted.



# Bastrop Economic Development Corporation

Financial Summary  
For Period Ending  
January 2022

**bastrop**

**E D C**

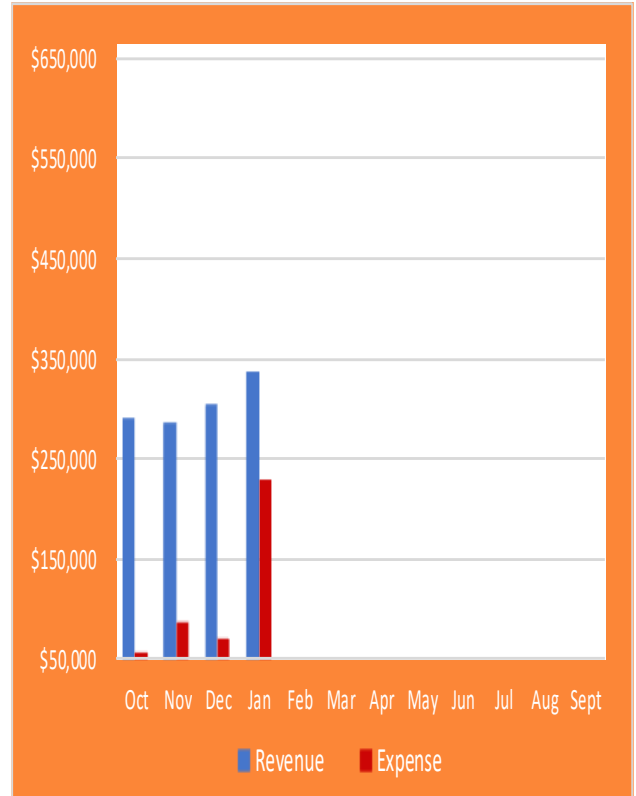




# Summary of Revenues and Expenditures

## As of Jan. 31, 2022

<u>Month</u>	<u>FY2022 Revenue</u>	<u>FY2022 Expense</u>	<u>Monthly Variance</u>
Oct	\$ 287,152	\$ 55,493	\$ 231,659
Nov	283,075	86,631	\$ 196,444
Dec	302,264	71,240	\$ 231,024
Jan	333,467	225,472	\$ 107,995
Feb			\$ -
Mar			\$ -
Apr			\$ -
May			\$ -
Jun			\$ -
Jul			\$ -
Aug			\$ -
Sept			\$ -
<b>Total</b>	<b>\$ 1,205,958</b>	<b>\$ 438,836</b>	<b>\$ 767,122</b>



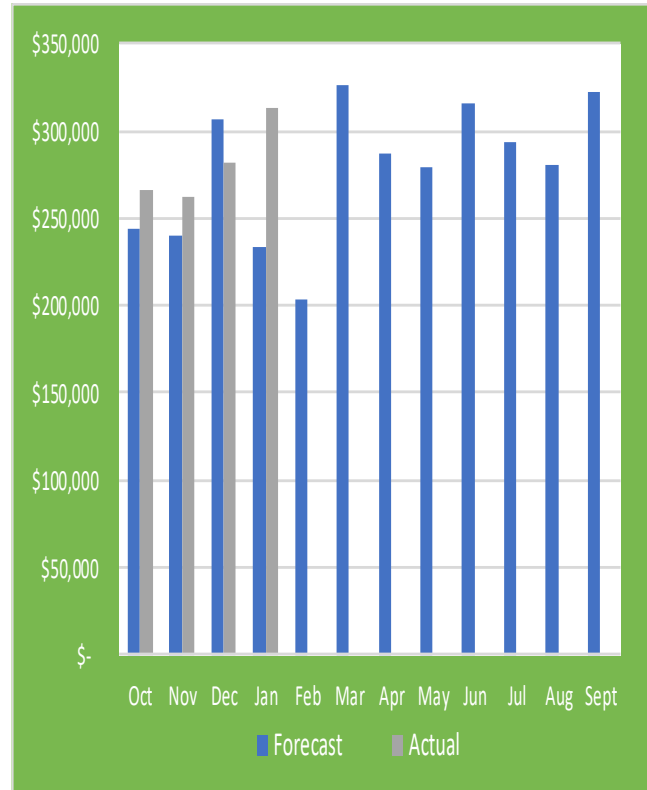
Positive

The variance can be explained partially from unfilled budgeted positions, unexpensed capital projects, and timing on expenditures.

# Summary of Sales Tax Revenue

## As of Jan. 31, 2022

<u>Month</u>	<u>FY2022 Forecast</u>	<u>FY2022 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 243,391	\$ 266,592	\$ 23,201
Nov	240,299	262,912	\$ 22,613
Dec	306,301	281,987	\$ (24,314)
Jan	233,218	312,872	\$ 79,654
Feb	203,063		
Mar	326,569		
Apr	286,918		
May	279,115		
Jun	315,873		
Jul	293,686		
Aug	280,434		
Sept	322,633		
<b>Total</b>	<b>\$ 3,331,500</b>	<b>\$ 1,124,363</b>	<b>\$ 101,154</b>
Forecast YTD	\$ 1,023,209		
Actual to Forecast	\$ 101,154	9.9%	



Positive

Sales Tax revenue is 94% of total revenue (excluding land sale proceeds). The amount in Oct. and Nov. are estimated due to the timing of receiving the payments. The State Comptroller has a two month lag between month earned and month distributed. The Actual to forecast year to date is a positive 10%. This budget was a 10% increase over FY2021 projected but is still conservative based on the YOY increases that are being reported.

# Expenditures Budget to Actual Comparison

## As of Jan. 31, 2022

### OPERATING EXPENDITURES COMPARISON

<u>Category</u>	<u>FY2022 Forecast</u>	<u>FY2022 Actual</u>	<u>Monthly Variance</u>
Personnel	\$ 190,349	\$ 63,244	\$ 127,105
Supplies & Material	3,747	723	\$ 3,024
Maintenance & Repairs	5,440	4,101	\$ 1,339
Occupancy	21,000	17,262	\$ 3,738
Contractual Service	164,956	96,520	\$ 68,436
Marketing/Advertising	181,858	156,270	\$ 25,588
Contingency	-	-	\$ -
Debt Service	83,230	91,794	\$ (8,564)
<b>Total</b>	<b>\$ 650,580</b>	<b>\$ 429,914</b>	<b>\$ 220,666</b>

Forecast to Actual % 33.92%

Positive

The forecast to actual comparison is a positive 34% year-to-date. The debt service reflects the Feb. Roscoe loan payment posted at the end of January.

# Expenditures Budget to Actual Comparison

## As of Jan. 31, 2021

### CAPITAL OUTLAY PROJECTS

<u>Project</u>	<u>FY2022 Budget</u>	<u>FY2022 Actual</u>	<u>Budget Balance</u>
<b>Business Industrial Park Improv*</b> (added with last Budget Amendment)	\$ 715,500	\$ -	\$ 715,500
<b>Trail System Downtown loop</b> (only engineering and permitting expenses so far)	\$ 13,000	\$ 8,920	\$ 4,080
<b>Bus. Ind. Park-Tech/MLK Infra</b> (only engineering expenses so far)	1,537,000	-	\$ 1,537,000
<b>Total</b>	<b>\$ 2,265,500</b>	<b>\$ 8,920</b>	<b>\$ 2,256,580</b>

CO, Series 2013

<b>Business Industrial Park Improv*</b>	\$ 277,026 **	\$ -	\$ 277,026
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\* This project funded by bond funds budgeted from the 2013 CO.

\*\*This is the available balance in this bond fund



## Expenditures Budget to Actual Comparison As of Jan. 31, 2022

### 380 DEVELOPMENT AGREEMENT

	FY2022 <u>Budget</u>	FY2022 <u>Actual</u>	Budget <u>Balance</u>
<b>380 Agreement</b>	\$ 285,000	\$ 100,923	\$ 184,077
<b>Total</b>	<b>\$ 285,000</b>	<b>\$ 100,923</b>	<b>\$ 184,077</b>

*The only 380 Agreement still active is Burleson Crossing. This agreement states that 50% of the \$1.5 cent sales tax collected (which includes EDC's \$0.5) will be rebated back to the developer until the maximum reimbursement amount is met or 15 years (which would also be FY2023).*

*The payoff amount wasn't specific to EDC it was a combined rebate amount with the City.*

*The current remaining reimbursement (as of 3/9/2021 developer provided Actual cost of funds ie. interest) and rebate payments through 1/31/2022, is \$950K. The estimation is that this agreement will be fully rebated by the end of FY2022 budget year due to the increase we have seen in sales tax revenue.*

Due to this increase in sales tax revenue it is likely that EDC will need a budget amendment to increase the budgeted revenue and the associated rebate 380 expense.

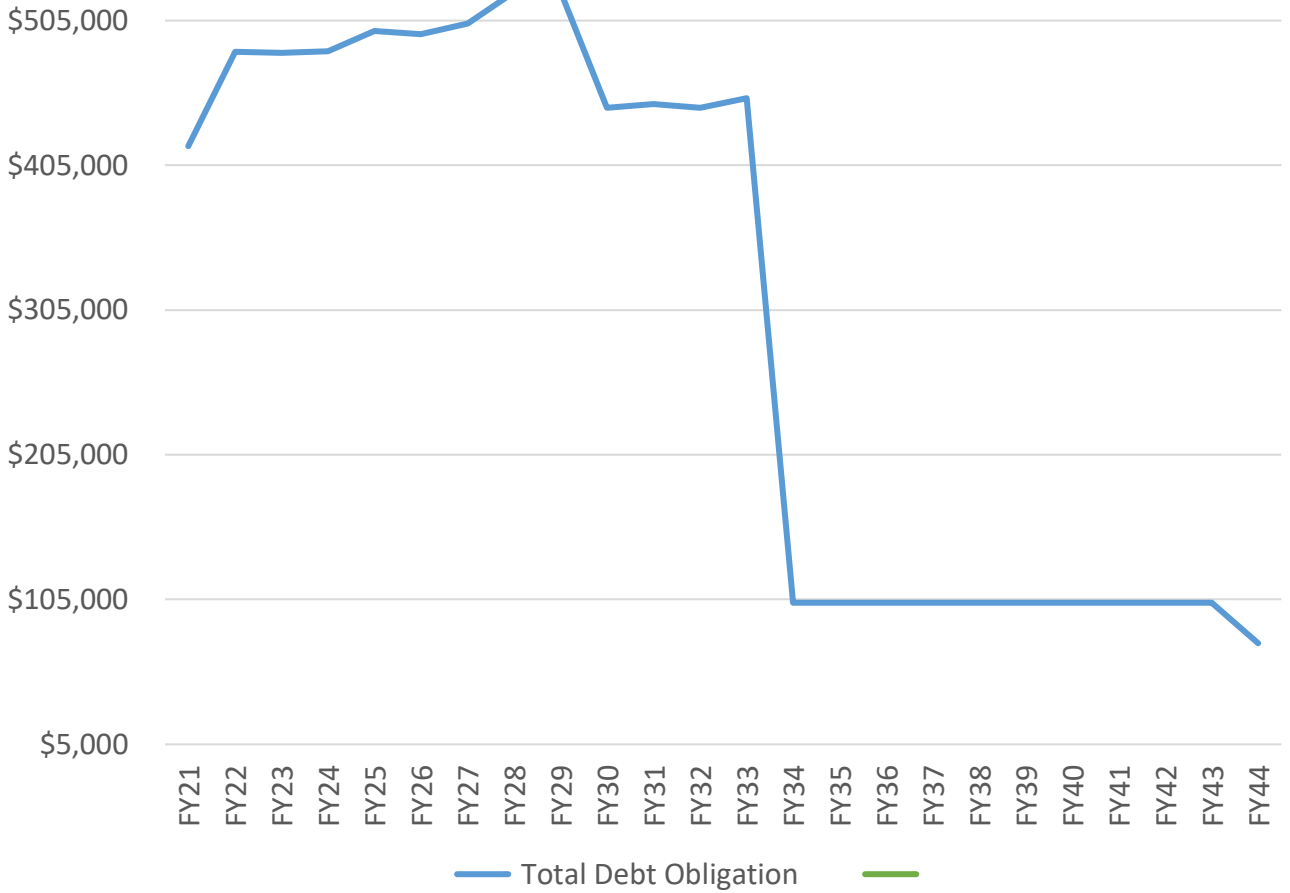
**BASTROP ECONOMIC DEVELOPMENT CORPORATION FUND  
FY 2021-2022 BUDGET**

Working Capital 9-30-2021 Unaudited	\$	5,249,159
 <b>FY 2021-2022</b>		
Budgeted		
Revenues	\$	<u>5,074,414</u>
Total FY 2022 Resources	\$	10,323,573
 Budgeted Expenditures:		
Operating Expenses	\$	(3,262,922)
Capital Expenses	\$	(1,550,000)
Debt Service	\$	<u>(483,456)</u>
	\$	(5,296,378)
 Projected Working Capital Balance 09-30-2022	 \$	 5,027,195
 Reserve 25% of Operating Expense	 \$	 815,730

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# Debt Obligation As of 6/30/2021



## Agenda Item: 3.5

# AGENDA MEMORANDUM

Meeting Date: February 28, 2022

Agenda Item: Presentation by City Manager Paul Hofmann regarding the Bastrop City Council's policy regarding the Bastrop Economic Development Corporation.

Prepared by: BEDC Staff

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Interim BEDC Executive Director Genora Young received an email from the Bastrop City Secretary requesting that this item be included for presentation by City Manager Paul Hofmann.

Attachments:

Email from City Secretary Ann Franklin  
Resolution No. 2022-26

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**Recommendation** – None.

**[RECOMMENDED MOTIONS]** – None.



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**Subject:** FW: Presentation to BEDC  
**Attachments:** RESOLUTION NO. R-2022-26 POLICY REGARDING BASTROP EDC.pdf; RESOLUTION NO. R-2022-27 SUPPORT SERVICE AGREEMENT BETWEEN BASTROP AND BEDC.pdf

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**From:** Ann Franklin <[afranklin@cityofbastrop.org](mailto:afranklin@cityofbastrop.org)>  
**Sent:** Friday, February 11, 2022 8:04 AM  
**To:** Genora Young <[gyoung@bastropedc.org](mailto:gyoung@bastropedc.org)>  
**Cc:** Paul Hofmann <[phofmann@cityofbastrop.org](mailto:phofmann@cityofbastrop.org)>  
**Subject:** Presentation to BEDC

Genora,

Attached is an executed copy of Resolutions No. R-2022-26-Policy Regarding BEDC and No. R-2022-27-Service Agreement Between City of Bastrop and BEDC. Per Paul, these documents need to be scheduled for presentation to the BEDC board. Paul will be happy to present. Let me know if you have any questions.

Thanks,



**Ann Franklin, TRMC**  
City Secretary  
Administration  
City of Bastrop, TX

Main 512-332-8800 | Fax 512-332-8819  
[afranklin@cityofbastrop.org](mailto:afranklin@cityofbastrop.org) | [www.cityofbastrop.org](http://www.cityofbastrop.org)  
P.O. Box 427 – 1311 Chestnut Street, Bastrop, Texas 78602

**RESOLUTION NO. R-2022-26****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, ENACTING A POLICY REGARDING THE BASTROP ECONOMIC DEVELOPMENT CORPORATION.**

**WHEREAS**, the City Council of the City of Bastrop, Texas (City Council) finds that Economic Development is a valid, legitimate governmental function that is in the best interest of the community, its citizenry, and visitors; and

**WHEREAS**, the City Council seeks to encourage and promote reasonable, responsible Economic Development activities designed to support existing businesses, and recruit businesses that are consistent with the goals and values of the Bastrop community as well as the City's Strategic Plan, Focus Areas, and Comprehensive Land Use Plan, as well as zoning, development regulations and other elements of the Development Code as these documents are adopted and updated from time to time; and

**WHEREAS**, the City Council has identified that a critical component of their overall economic development effort is to promote and support the health, vitality as well as the growth of businesses in historic downtown Bastrop through the City's Main Street Program; and

**WHEREAS**, the City Council embraces the full range of Economic Development tools and their application ranging from public financial assistance to land use permitting and utilities in addition to the resources available through the Bastrop Economic Development Corporation (BEDC); and

**WHEREAS**, the City Council is assured that City officials and BEDC personnel are united in seeking the best outcomes for the community; and

**WHEREAS**, the City Council determines that the attached policy is reasonable and necessary to provide guidance to the BEDC in an effort to enhance cooperation, improve clarity of purpose, facilitate a shared vision, prioritize projects worthy of public incentives, encourage a process for shared information and decision-making, and achieve general alignment.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**


**SECTION 1.** The City Council hereby deems the recitals above to be true and accurate legislative findings.

**SECTION 2.** The City Council hereby approves the attached Policy.

**SECTION 3.** This resolution shall take effect immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop  
this 8<sup>th</sup> day of February 2022.


**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney

**City of Bastrop  
Policy Regarding the  
Bastrop Economic Development Corporation**

**WHEREAS**, the City of Bastrop (City) is a municipal corporation that is a political subdivision of the State of Texas, and the Bastrop Economic Development Corporation (BEDC) is a nonprofit corporation created by the City; and

**WHEREAS**, Economic Development is the allocation of public resources in partnership with private parties in a cooperative effort to produce public benefits such as enhanced property values, increased sales taxes, improved job opportunities, and vital commercial and industrial services that complement the community; and

**WHEREAS**, the BEDC was created through municipal action and voter approval to utilize its full range of resources to assist and support the City in accomplishing the City's Economic Development objectives; and

**WHEREAS**, the City Council appoints the BEDC Board of Directors to establish and oversee an economic development program that enhances the economy of Bastrop through specific list of activities including recruiting and supporting business ventures in a manner that is consistent with the policies provided by City Council to ensure the City of Bastrop's goals for Economic Development and overall vision for the community; and

**WHEREAS**, the City Council has statutory oversight and approval authority over BEDC's budget and projects; and

**WHEREAS**, the City Council acknowledges the BEDC as integral component of the City's overall, diverse economic development efforts and recognizes the unique tools and incentives that the BEDC contributes to the process of recruiting, retaining, and assisting industrial and commercial ventures in the community; and

**WHEREAS**, the keys to successful economic development policy formation for the City and BEDC include consistency with established managed growth principles regarding public infrastructure, economic vitality, multi-modal connectivity, fiscal and environmental sustainability, and authentic Bastrop; and

**WHEREAS**, the keys to successful economic development policy formation for the City and BEDC also include alignment amongst the parties in terms of vision, personnel, measurements for success, implementation processes and systems, accountability; and

**NOW, THEREFORE, SHALL IT BE RESOLVED as follows by the Bastrop City Council.**

- 1. Purpose.** The purpose of this Policy is to support successful economic development efforts in Bastrop by aligning the BEDC Board of Directors with the City Council's expectations through the creation of clear and concise policy direction. Through enactment of this Policy the City Council seeks to clarify the respective roles of City officials and BEDC personnel in furtherance of a positive, productive relationship.



**2. Priorities.** The Bastrop of 2030 is anticipated to have:

- (a) A growing economy attracting capital investment and creating new jobs which offer employment opportunities to residents of the city and surrounding area;
- (b) a fully built-out and-occupied Business and Industrial Park;
- (c) a comfortable and thriving historic downtown;
- (d) a thriving commercial corridor along Highway 71; and
- (e) connected and diverse neighborhoods that include quality housing.

**3. BEDC Performance.**

(a) Leadership Roles: The City will rely upon the BEDC to exhibit leadership in:

- (1) Business Recruitment focused on the sectors as recommended by the Board and approved by City Council
- (2) Maximization of the Business and Industrial Park
- (3) Business Retention and Expansion
- (4) Promotion of the Film, Media, and Entertainment industries
- (5) Workforce Development

(b) Funding Roles: The City will turn to BEDC to demonstrate priority in funding:

- (1) The Main Street Program in the funding amount as established by the annual budget process. Funding of the Program is in support of strengthening economic development in the District through increased visitation, increased consumer spending in the District, retention of current residents and attraction of new residents through adding to the quality of life, small business support and expansion, and the connection of people to economic opportunities. Funding amounts will be within the parameters established by Texas Local Government Code for Promotional Purposes.
- (2) Infrastructure that facilitates or enhances Economic Development.
- (3) Identified quality of life projects found in the City of Bastrop Capital Improvement Plan.

**4. Strategic Planning.** BEDC shall formulate for City review and approval a series of roadmaps that identify long-term and short-term goals. These plans shall establish Benchmarks by which proposed projects can be compared and evaluated. Components of BEDC's strategic planning process will include:

- (a) a multi-year strategic plan that is to be reviewed annually and updated every 5-7 years
- (b) an annual business plan
- (c) a *proforma* for the Business and Industrial Park based on financial assumptions or projections for which decisions on which opportunities to pursue will be made
- (d) Business Incentive Program and underwriting strategy with approval process

**5. Metrics.** The BEDC shall evaluate projects to measure the consistent assessment of Return on Investment (ROI) received by the community as a result of the projects and from any incentives provided. The evaluation will consider the totality of public BEDC and City financial expense and investment in comparison to the benefits received from the project. The analysis will recognize the different certainty of commitments between projected and

guaranteed benefits from a project (i.e., the timing of incentive payment vs received benefit, contractual obligations, and claw backs). The BEDC shall establish a means of measuring the benefits (direct and indirect; tangible and intangible) of BEDC projects (quantitatively and qualitatively).

- 6. Coordination.** The BEDC Board will require the Executive Director coordinate with the City through the City Manager's Office regarding:

  - (a) Ensuring the inclusion of the City of Bastrop in all Non- Disclosure Agreements related to economic development prospects and projects the BEDC seeks to attract, expand, locate, or otherwise assist.
  - (b) Regular Bi-monthly staff meetings with the City Manager to:
    - (1) Share information and status updates on economic development prospects and projects the BEDC seeks to attract, expand, locate, or otherwise assist.
    - (2) Proactively discuss projects to identify any required governmental approvals, requirements, or restrictions including land use, utility, traffic, and other infrastructure requirements that would impact the prospect/project.
    - (3) Receive information on city projects and initiatives that impact economic development efforts.
  - (c) Any and all public relations efforts in the form of press releases to ensure accurate representation of City goals and priorities as well as to ensure leverage of messaging across City platforms.
- 7. Accountability.** The BEDC shall routinely articulate specific goals, project assessments, and reporting as a means of determining the benefit to the community of the proposed incentives for a project. Individual project reports shall be compiled into an overall annual report that is presented to the City Council, in writing and as a presentation at four City Council meetings. The Board shall task the Executive Director with the development of an agenda format and cover letter for all incentive projects that the Board considers. The agenda format will include the sign off from the city planning, engineering, public works, and City Manager to demonstrate that the project is without critical flaws that are not consistent with existing city development regulations and requirements. (i.e., zoning conformance, available utility capacity, etc.).
- 8. Administration.**

  - (a) **Systems and Processes.** BEDC will create standard applications, performance measures, and processes for the identification, review, underwriting, and report of incentive programs. This undertaking will include forms for underwriting worksheets and applications for incentives to be recommended by the Board and approved by City Council.
  - (b) **Point of Contact.** BEDC Board of Directors, individually or acting through BEDC's Director, are to coordinate with the City through the Office of the City Manager.
  - (c) **Budgeting.** BEDC will ensure its budget forecasting, creation, and adoption is coordinated with the City's Strategic Calendar.
  - (d) **Joint Meetings.** BEDC will schedule with the City Manager periodic meetings to be held jointly with the City Council.

(e) Information Sharing. BEDC shall provide standard procedures for the thorough and timely dissemination of data regarding BEDC projects to the City Manager for provision to the City Council.

**9. Administrative Support Services.** The City has significant capability, resources, and capacity for which the BEDC and their efforts may materially benefit. To this end, the City will continue to provide, for a fee, administrative support services through an annual agreement with BEDC. The agreement will include all relevant activities including, but not limited to, the following elements: general administrative services, payroll, finance administration, information technology, human resource services, capital project management, contract administration of all Capital Projects approved by the BEDC, and any other ancillary services provided to all city departments.

## Agenda Item: 3.6

# AGENDA MEMORANDUM

Meeting Date: February 28, 2022

Agenda Item: Presentation by City Manager Paul Hofmann regarding proposed support services agreement between the Bastrop Economic Development Corporation and the City of Bastrop, Texas.

Prepared by: BEDC Staff

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Interim BEDC Executive Director Genora Young received an email from the Bastrop City Secretary requesting that this item be included for presentation by City Manager Paul Hofmann.

This item is currently under review by BEDC's legal counsel.

Attachment:  
Resolution No. 2022-27

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**Recommendation** – None.

**[RECOMMENDED MOTIONS]** – None.



**RESOLUTION NO. R-2022-27**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING A SUPPORT SERVICE AGREEMENT BETWEEN THE CITY OF BASTROP AND THE BASTROP ECONOMIC DEVELOPMENT CORPORATION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Bastrop Economic Development Corporation ("BEDC") is a public instrumentality and non-profit industrial development corporation duly established and operating under Texas Local Government Code, Chapters 501 and 505, et seq., as amended, known as the Development Corporation Act of 1979 (the "Act"); and

**WHEREAS**, in order to fulfill its public purpose in advancing qualifying projects under Texas Local Government Code, Chapters 501 and 505, et seq., as amended, the BEDC requires certain administrative services and support, including without limitation, financial, bookkeeping, records management, information technology, and employee benefit services and support; and

**WHEREAS**, the BEDC had found that administrative expenses are included within the term "cost" with respect to qualifying projects and are, therefore, authorized expenditures, as provided by Texas Local Government Code§ 501.152; and

**WHEREAS**, after careful evaluation and consideration by the City Council, it has determined that these services and support can be provided most beneficially, efficiently and economically by the City of Bastrop, BEDC's authorizing unit, under a service agreement by and between the parties as attached hereto as Exhibit "A" (the "Agreement"); and

**WHEREAS**, the City is prohibited under Texas Local Government Code§ 501.007 from granting public money or another thing of value (i.e., services) in aid of the BEDC, unless such value is provided under a contract authorized by Texas Local Government Code§ 380.002; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**SECTION 1.** That the City Council hereby approves the Agreement attached hereto and incorporated herein as Exhibit "A" and, further, authorizes the City Manager to execute the same and take all other actions necessary to implement said Agreement.

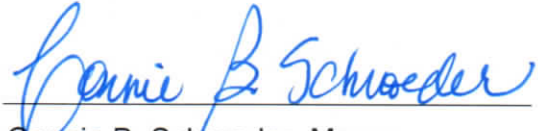
**SECTION 2.** Any prior resolution of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

**SECTION 3.** Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

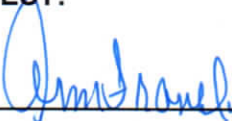
**SECTION 4.** This resolution shall take effect immediately from and after its passage, and it is duly resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop  
this 8<sup>th</sup> day of February 2022.

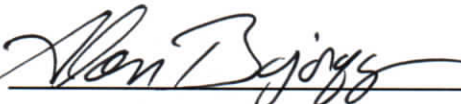
**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney

**SUPPORT SERVICES AGREEMENT BETWEEN  
THE CITY OF BASTROP, TEXAS,  
AND THE BASTROP ECONOMIC DEVELOPMENT CORPORATION**

This Agreement is made between the City of Bastrop, Texas, (City), a home-rule municipality and the Bastrop Economic Development Corporation (Corporation), a non-profit Texas corporation created under the authority of section 4B of the Development Corporation Act of 1979, as amended. The parties agree as follows:

**1. Supplies and Facilities.** The City will endeavor to provide meeting rooms, telephone, and communications equipment, as requested, or needed by the Corporation in its day- to-day activities. Scheduling meeting space will be done, as possible, and consistent with the City's available resources.

**2. Support Personnel and Services.** The City will provide the personnel and services necessary to support the operations of the Corporation, including the following:

- (a) **Financial Services.** The City will maintain the financial books, accounts, and records of the Corporation, invest the Corporation's funds according to the City's adopted investment policy, assist in the preparation of the Corporation's proposed annual budget, and provide similar routine financial services to the Corporation. The City will provide for the annual audit of the Corporation's accounts and its financial condition by contracting with the same auditing firm that audits the City's accounts, the cost of which will be paid by the Corporation.
- (b) **Administration of Contracts and Projects.** The City will administer contracts and projects funded by the Corporation for capital improvements for public facilities or infrastructure to be dedicated to and maintained by the City unless administration is specifically delegated to another person or entity by the contract.
- (c) **Main Street Program.** The Main Street Program will support the strengthening economic development in the District through supporting business expansion and retention in the Main Street District, support the Corporation and community in its entrepreneurial and small business programs, assist with business recruitment in the Main Street District, collaborate to provide training and small business resources, collaborate to market the Main Street District and its assets, inclusive of branding for sponsored events.
- (c) **Shared Services.** The City will coordinate with the Corporation and provide identified personnel resource assistance and technology services. The scope of the human resource service will include common and typical human resource services of staffing support, job posting, applicant screening and processing. Additionally, the Corporation personnel will be extended all the same payroll and insurance benefits available to City of Bastrop employees. The City will also provide technology services including hardware and software acquisition, software licenses, internet access,

technology maintenance and other services that may be requested or required by the Corporation.

- (d) **Miscellaneous Services.** The Corporation may request, and the City may choose to provide, any other support services of a type that are generally provided by the City in its day-to-day operations. If services are requested by the Corporation from the City but are outside the scope of those listed in this Agreement, the City will notify the Corporation of the anticipated costs to be reimbursed.

**3. Support Services Expenditures.** By approval of this Agreement, the Corporation's Board of Directors authorizes the following expenditures to be made to the City for the materials, facilities, and services provided under this Agreement:

- (a) **Costs of Materials, Supplies, and Services.** The Corporation will reimburse the City's actual costs of providing services, supplies, and materials authorized to be provided to the Corporation under this Agreement.
- (b) **City Support Service Fees.** For the City services provided by City staff, including the general administrative services, financial services, and legal services, the Corporation will pay the City the fees established by Exhibit A, attached to, and incorporated into this Agreement by reference.
- (c) **CIP Project Management Fee.** For projects funded by the Corporation in accordance with the Funding Agreement approved between the City and the Corporation, the Corporation will pay to the City the CIP Management Fees for managing the authorized projects as provided for in Exhibit A.
- (d) **Main Street Program.** The funding amount is currently \$50,000 annually, future amounts will be established by the annual budget process. Funding amounts will be within the parameters established by Texas Local Government Code for Promotional Purposes and shall not be spent on Personnel.
- (e) **Shared Services.** The Corporation will reimburse the City for the cost of the benefits provided to Corporation staff members. The City will also provide technology services including hardware and software acquisition, software licenses, internet access, technology maintenance and other services which may be requested or required by the Corporation. The Corporation will reimburse the City for the actual cost of employee benefits as well as directly associated hardware and software costs. The fee for City personnel support in human resources and technology maintenance and support service will be included in the City Support Services Fee.

**4. General Administrative Authority.** In providing services to the Corporation under this Agreement, including the purchase of supplies or equipment, the acquisition of services, the payment of contracts, bills, and debts of the Corporation, the City Manager and employees of the City responsible for providing those services have the same authority to take the administrative action necessary on behalf of the Corporation to provide the services under this Agreement as they




have in providing the same services to the City, as of the date of this Agreement, except as specifically provided otherwise in the Corporation’s articles of incorporations or bylaws.

**5. Term and Termination.** This Agreement is effective from the date approved by both parties and continues in effect for consecutive one-year terms until terminated by either party giving the other thirty days prior written notice of termination.

**6. Prior Agreement.** This Agreement supersedes and replaces any prior agreements between the parties, including the agreement made between the City and the Corporation, dated September 12, 2017.

**CITY OF BASTROP:**


**BASTROP ECONOMIC DEVELOPMENT CORPORATION:**

  
Paul A. Hofmann, City Manager  
Date: 2/10/22

\_\_\_\_\_  
Chair  
Date: \_\_\_\_\_

**ATTEST:**

**ATTEST:**

  
Ann Franklin, City Secretary

\_\_\_\_\_  
Secretary

**APPROVED AS TO FORM:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney

\_\_\_\_\_  
Charles Zech, General Counsel

Attachment: Exhibit A: Contract Service Fees

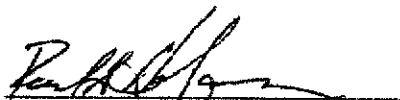
have in providing the same services to the City, as of the date of this Agreement, except as specifically provided otherwise in the Corporation's articles of incorporations or bylaws.

**5. Term and Termination.** This Agreement is effective from the date approved by both parties and continues in effect for consecutive one-year terms until terminated by either party giving the other thirty days prior written notice of termination.

**6. Prior Agreement.** This Agreement supersedes and replaces any prior agreements between the parties, including the agreement made between the City and the Corporation, dated September 12, 2017.

**CITY OF BASTROP:**

**BASTROP ECONOMIC DEVELOPMENT CORPORATION:**

  
Paul A. Hofmann, City Manager  
Date: 2/10/22

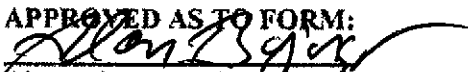
\_\_\_\_\_  
Chair  
Date: \_\_\_\_\_

**ATTEST:**

**ATTEST:**

  
Ann Franklin, City Secretary

\_\_\_\_\_  
Secretary

**APPROVED AS TO FORM:**  
  
Alan Bojorquez, City Attorney

**APPROVED AS TO FORM:**  
\_\_\_\_\_  
Charles Zech, General Counsel

Attachment: Exhibit A: Contract Service Fees

### EXHIBIT A - CONTRACT SERVICE FEES

#### City Support Service Fees:

Costs of Materials, Technology Expenses,  
Supplies & Services:

Reimbursement of actual costs

City Support Service Fees:

\$25,000 per year (invoiced in monthly installments)

Main Street Program

\$50,000 per year, or as established in the adopted Budget (invoiced in monthly installments)

CIP Project Management Fee:

5% of Amount of Project Cost (invoiced as incurred)

Shared Services

Reimbursement of actual cost of the or a set allocation of shared costs for employment benefits received by Corporation employees (posted directly to the Corporation's accounts as processed and paid)

10% of the cost of the Audit (invoiced as incurred)

**Agenda Item: 3.7****AGENDA MEMORANDUM**

Meeting Date: February 28, 2022

Agenda Item: Presentation, discussion, and possible action on Resolution R-2022-0004 of the Bastrop Economic Development Corporation authorizing the renewal of agreement with The Retail Coach.

Prepared by: BEDC Staff

---

Since 2012, the BEDC has partnered with The Retail Coach to provide the most up-to-date and effective data to retailers. The service they provide is extremely valuable in attracting not only those stores and restaurants that have an interest in locating in Bastrop, but also those that have never heard about our charming town.

The Retail Coach is responsible for helping with Burluson Crossing and attracting a number of important retail companies to Bastrop. Those include James Avery, Academy Sports, HomeGoods, and other stores and restaurants. This partnership and the contract should continue to attract desirable companies and retailers to the City of Bastrop.

Attachments:  
Draft Resolution  
The Retail Coach Renewal Agreement

---

**Recommendation** – Approve the Resolution as presented.

**[RECOMMENDED MOTION]** – I move to approve Resolution R-2022-0004.



**RESOLUTION NO. R-2022-0004****A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE EXECUTIVE DIRECTOR OR BOARD CHAIR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH A RETAIL RECRUITMENT FIRM.**

**WHEREAS**, the Bastrop Economic Development Corporation (“BEDC”) is a public instrumentality and non-profit industrial development corporation duly established and operating under Texas Local Government Code, Chapters 501 and 505 *et seq.*, as amended, known as the Development Corporation Act of 1979 (the “Act”); and

**WHEREAS**, to fulfill its public purpose in attracting qualifying projects under Texas Local Government Code, Chapters 501 and 505, *et seq.*, as amended, the BEDC requires certain professional services, including without limitation, the contracting with and hiring of a retail recruitment firm to assist the BEDC in attracting businesses to Bastrop; and

**WHEREAS**, the BEDC has maintained a professional relationship with the Retail Coach for ten years with a long history of providing retail leads and statistics leading to several successful retail projects within the City of Bastrop, including those in Burleson Crossing; and

**WHEREAS**, after careful evaluation and consideration by the Board, it has determined that these services and this support can be provided most beneficially, efficiently and economically under a third-party professional services agreement with The Retail Coach, in an amount not to exceed \$14,500.00, to be executed by the Executive Director or Board Chair on behalf of the BEDC.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:**

**SECTION 1.** The Board hereby finds that all of the recitals above are true and correct and are incorporated herein as if restated in full.

**SECTION 2.** The Board hereby finds that the provision of certain professional marketing services is necessary for the BEDC’s proper attraction and advancement of qualifying projects under Texas Local Government Code, Chapters 501 and 505 *et seq.*, as amended, and hereby authorizes the Executive Director or Board Chair to enter into a professional services agreement attached hereto as Exhibit “A”.

**SECTION 3.** This Resolution is effective upon passage.

**PASSED AND APPROVED** on the \_\_\_\_\_ day of \_\_\_\_\_ 2022, by the Board of Directors of the Bastrop Economic Development Corporation.

**[SIGNATURE PAGE FOLLOWS]**

BASTROP ECONOMIC  
DEVELOPMENT CORPORATION

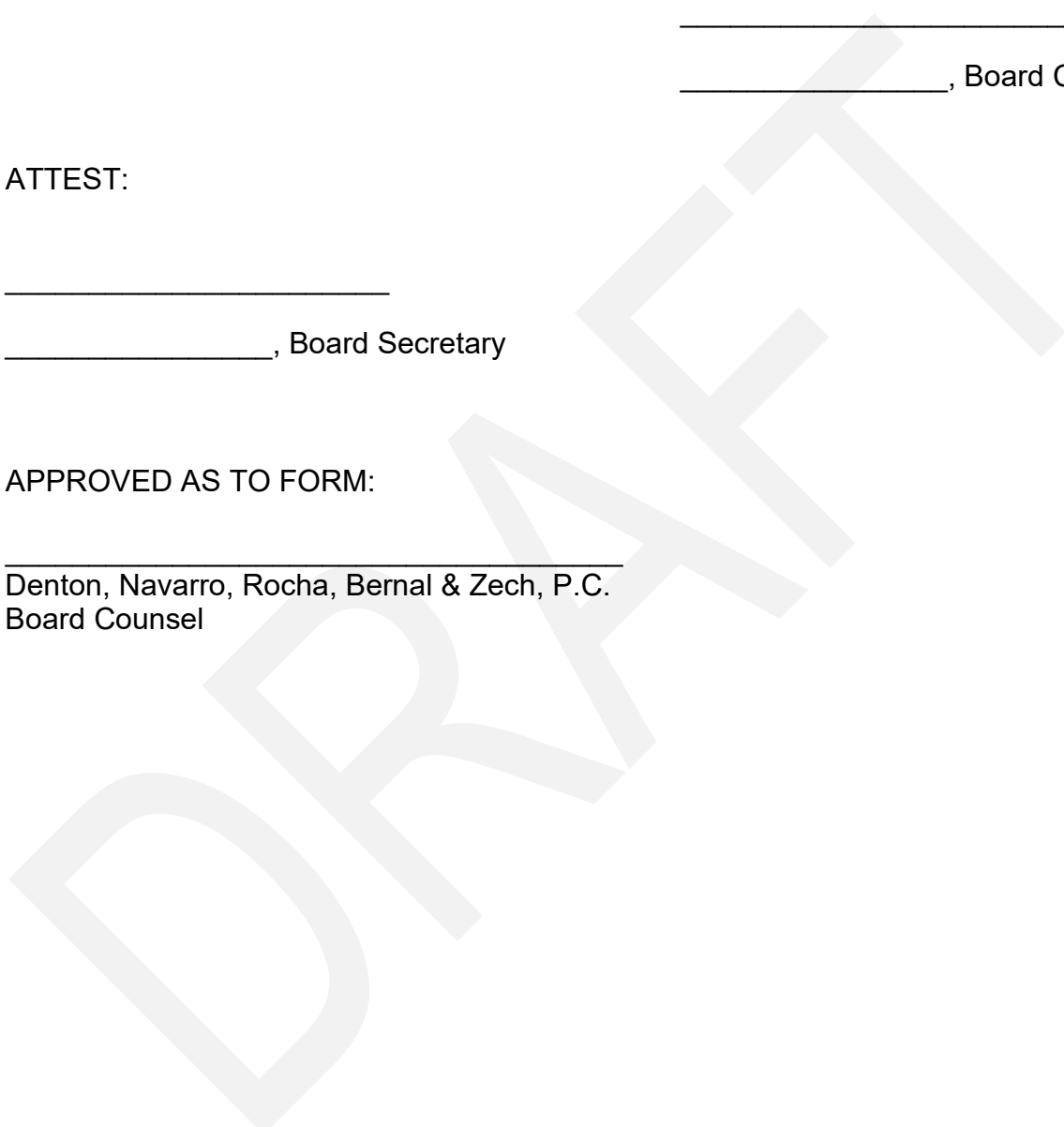
\_\_\_\_\_  
\_\_\_\_\_, Board Chair

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, Board Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Denton, Navarro, Rocha, Bernal & Zech, P.C.  
Board Counsel



**Exhibit "A"**  
Agreement between The Retail Coach and BEDC

DRAFT





Proposal For

February 1, 2022

# Retail Recruitment & Development Strategy

## Contents

Scope of Services	2
Project Timeline & Pricing	4

**Prepared for:** Bastrop  
Economic Development  
Corporation

**Prepared by:**  
**Aaron Farmer** | President



## PROJECT OVERVIEW

## Scope of Services

## Phase 1

### Analyzing the Market

We identify your development's **Retail Trade Area** and other important information that retailers consider when analyzing developments. We utilize **mobile location technology** (cellphone density) that analyzes behavioral data collected from mobile devices to determine consumer visits to a development and its immediate surrounding areas.

**DELIVERABLES:**

- Retail Trade Area Map (RTA) (2022)
- Mobile Location Technology (Cellphone Density)
- Demographic Profiles (2022)
  - Includes historical, current, and projected demographics for the custom-defined Retail Trade Area, Community, and County
- Psychographic Profiles (2022)
  - Retail trade area psychographic profile
- Daytime Population Summary (2022)
- Retail Market Profile Marketing Piece (2022)

## Phase 2

### Determining Retail Opportunities

We identify the best retail opportunities for your development by analyzing demographics, psychographics, and by looking at existing retail gaps. Our team will perform a **Retail Demand Outlook Analysis** to help determine what retail opportunities exist .

**DELIVERABLES:**

- Retail Demand Outlook Analysis, including a summary table showing retail opportunity

## PROJECT OVERVIEW

## Scope of Services

### Phase 3: Identifying Retailers & Developers for Recruitment

The Retail Coach has been successful in recruiting leading retail brands to our client communities for more than 17 years. From Chick-fil-A and In-N-Out Burger to Academy Sports and Costco, our process is driven by providing accurate and current data sets and site-specific information to retailers, brokers, and developers. **We target national and regional retail brands that are a good fit for the community.**

**DELIVERABLES:**

- Target list of retailers and developers utilizing our **NEW Retail Matching Technology**

### Phase 4: Marketing & Branding

Our team creates marketing materials to use at conferences or send to retailers, developers, and brokers that may be interested in your community. Customized marketing pieces include a **Retail Market Flyer, Retailer & Developer Feasibility Packages, Online Data Dashboard & Interactive Map**, and other materials to ensure you have all the information needed to bring retailers and developers to the community.

**DELIVERABLES:**

- Retailer-Specific Feasibility Studies
- Developer Opportunity Package
- Broker Opportunity Package
- Access to industry-leading data and concise, easy-to-access site profiles through the ESRI platform

### Phase 5: Recruiting Retailers & Developers

While current, accurate data is essential, one of the most important components of a retail strategy is proactive recruitment. Since recruitment is a process, not an event, **The Retail Coach is actively engaged in retailer and developer recruitment efforts starting day-one and continuing over a 12-month period** to ensure success. A recruitment status report is provided with retailer and developer responses resulting from our continued recruitment activities.

**DELIVERABLES:**

- Proactive Recruitment of Retailers and Developers, including phone calls, emails, and site visits
- **Recruitment Tracking through our AirTable Project Management System**
- Monthly Communication
- Retail Conference Representation

PROJECT EXPECTATIONS

# Timeline & Pricing



### PROJECT TIMELINE

The Retail Coach is available to begin work immediately upon agreement of terms with a project duration of 12 months.

## Project Pricing

### Work Fees

The total fee for completion of this work is **\$14,500** payable in two installments:

- a) **\$7,250** upon execution.
- b) **\$7,250** upon completion of all 2022 reports and marketing materials

\*Work fees are payable within 30 days of receiving invoice.

## Signatures

The Retail Coach

 \_\_\_\_\_ Date \_\_\_\_\_  
 Aaron Farmer, President

Bastrop Economic Development Corporation

\_\_\_\_\_ Date \_\_\_\_\_



**PLEASE CONTACT:**

**Aaron Farmer**  
**Senior Vice President**  
The Retail Coach  
Ph. 662.231.0608  
Fx. 662.844.2738

**BETTER RETAIL.  
BETTER COMMUNITIES.**



## Agenda Item: 3.8

# AGENDA MEMORANDUM

Meeting Date: February 28, 2022

Agenda Item: Presentation, discussion, and possible action on Resolution R-2022-0005 of the Bastrop Economic Development Corporation authorizing the renewal of an agreement with FiberLight for fiber in the Bastrop Business and Industrial Park.

Prepared by: BEDC Staff

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Since 2017, the BEDC has funded the cost of 1/10 GB fiber in the Bastrop Business and Industrial Park. The agreement renewed in January 2019 at a cost of \$8,600 a month for 36 months.

The new cost for a 36-month contract will be \$6,880 a month, which will be a difference (a cost savings) of \$20,640 a year.

Interim Director Young will be able to update the Board on her conversations with our FiberLight representative.

Attachments:  
Draft Resolution  
Draft Fiberlight Agreement

---

**Recommendation** – Approve the Resolution as presented.

**[RECOMMENDED MOTION]** – I move to approve Resolution R-2022-0005.



**RESOLUTION NO. R-2022-0005****A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE EXECUTIVE DIRECTOR OR BOARD CHAIR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH FIBERLIGHT LLC.**

**WHEREAS**, the Bastrop Economic Development Corporation (“BEDC”) is a public instrumentality and non-profit industrial development corporation duly established and operating under Texas Local Government Code, Chapters 501 and 505 *et seq.*, as amended, known as the Development Corporation Act of 1979 (the “Act”); and

**WHEREAS**, to fulfill its public purpose in attracting qualifying projects under Texas Local Government Code, Chapters 501 and 505, *et seq.*, as amended, the BEDC requires certain professional services, including without limitation, the contracting with a fiber service provider to assist the BEDC in attracting businesses to the Bastrop Business and Industrial Park; and

**WHEREAS**, the BEDC has maintained a professional relationship with FiberLight, LLC, since 2017 in order to access a dark fiber node near the Business Park to extend service to its existing and future tenants; and

**WHEREAS**, FiberLight has 25 years of experience in navigating the complexities associated with planning, engineering and installing fiber optic networks; and

**WHEREAS**, after careful evaluation and consideration by the Board, it has determined that these services and this support can be provided most beneficially, efficiently and economically under a third-party professional services agreement with FiberLight, LLC, in an amount not to exceed \$82,560 a year for three years to be executed by the Executive Director or Board Chair on behalf of the BEDC.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:**

**SECTION 1.** The Board hereby finds that all of the recitals above are true and correct and are incorporated herein as if restated in full.

**SECTION 2.** The Board hereby finds that the provision of certain professional services is necessary for the BEDC’s proper attraction and advancement of qualifying projects under Texas Local Government Code, Chapters 501 and 505 *et seq.*, as amended, and hereby authorizes the Executive Director or Board Chair to enter into a professional services agreement attached hereto as Exhibit “A”.

**SECTION 3.** This Resolution is effective upon passage.

**PASSED AND APPROVED** on the \_\_\_\_\_ day of \_\_\_\_\_ 2022, by the Board of Directors of the Bastrop Economic Development Corporation.

**[SIGNATURE PAGE FOLLOWS]**

BASTROP ECONOMIC  
DEVELOPMENT CORPORATION

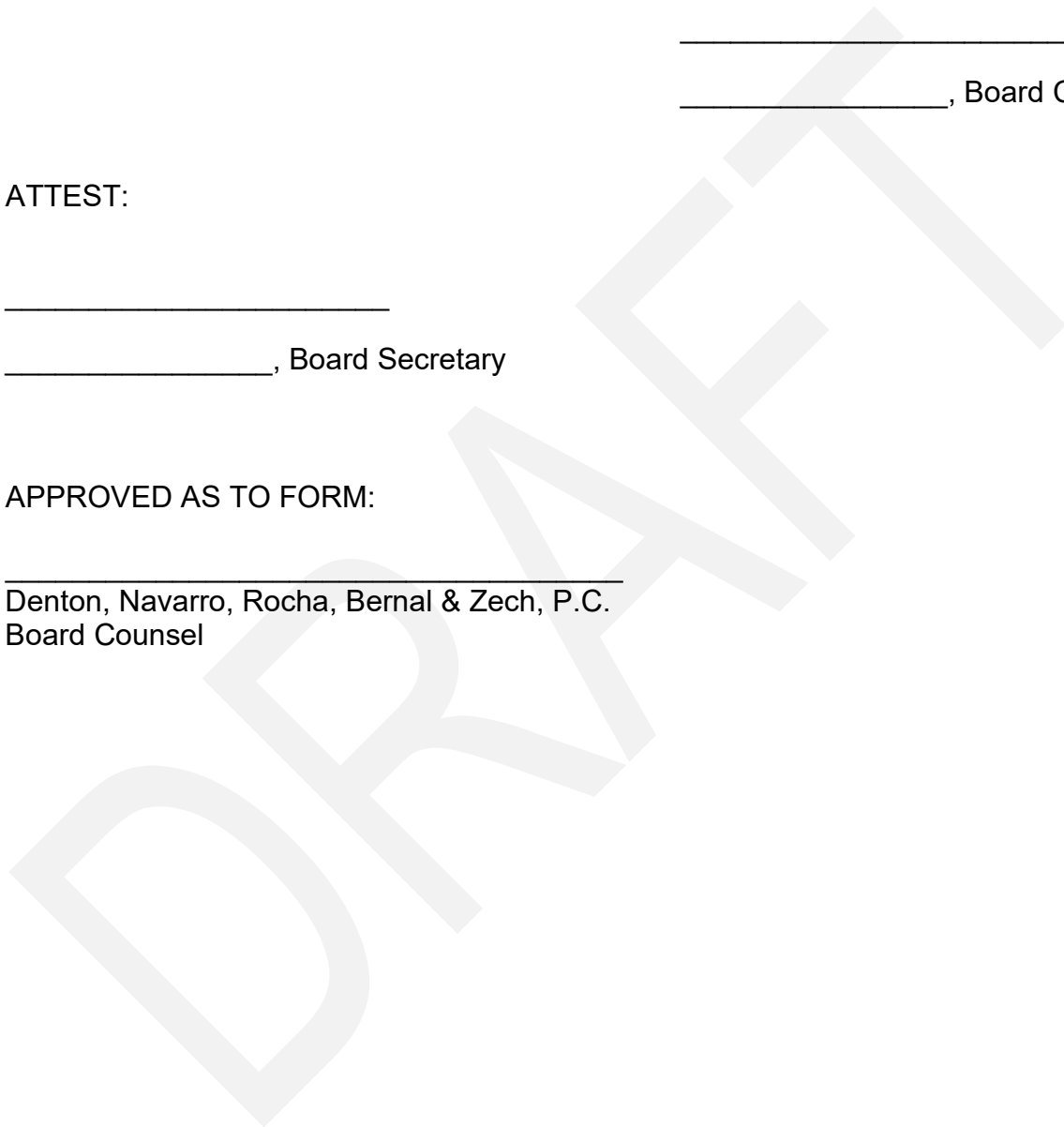
\_\_\_\_\_  
\_\_\_\_\_, Board Chair

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, Board Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Denton, Navarro, Rocha, Bernal & Zech, P.C.  
Board Counsel





**Exhibit "A"**

Agreement between FiberLight, LLC, and Bastrop Economic Development Corporation

DRAFT





3000 Summit Place, Suite 200  
 Alpharetta, GA 30009  
 1.800.672.0181  
**FiberLight.com**

OPP-151507

Order Information	
<b>Account:</b> Bastrop Economic Development Corporation	<b>Order Number:</b> OPP-151507
<b>Sales Rep:</b> Sue Brinson	<b>Order Type:</b> Renewal
<b>MSA Number:</b> 00012457	<b>Market:</b> Austin - AUS
<b>PO Number:</b>	

Charges and Terms							
Product	Product Order No.	Term	Service MRC	Cross Connect Monthly Fee	Total MRC	NRC	Expedite Fee NRC
Dark Fiber Lease	OPP-151507-045979	Term: 36 ___ Month: 1 - 36	___ \$6,880.00	___	___ \$6,880.00		

DRAFT

Product Details	
Product Order #: <b>OPP-151507-045979</b>	Product: <b>Dark Fiber Lease</b>
PO #:	Fiber Count:
Diverse Dark Fiber:	

Location A	
Site Name: <b>CTX-SPL-1495L Corner MLK Dr and Frontage Rd</b>	Entrance:
Street: <b>CTX-SPL-1495L Corner MLK Dr and Frontage Rd</b>	
City, State, Zip: <b>Bastrop, TX, 78602</b>	
Demarc:	
Managed Cross Connect: <b>No</b>	MRC Cross Connect Fee:
Site Contact	
Name:	
Phone:	
Email:	

Location Z	
Site Name: <b>CTX-SPL-1539-L Corner of Business Park Dr and Jackson St</b>	Entrance:
Street: <b>CTX-SPL-1539-L Corner of Business Park Dr and Jackson St</b>	
City, State, Zip: <b>Bastrop, TX, 78602</b>	
Demarc:	
Managed Cross Connect: <b>No</b>	MRC Cross Connect Fee:
Site Contact	
Name:	
Phone:	
Email:	

Unless Customer has a pre-existing Master Services Agreement ("**MSA**") with FiberLight, LLC, by signing below, the Customer accepts the Service and agrees to the FBL Terms & Conditions located at <https://www.fiberlight.com/terms-and-conditions/>. The FBL Terms & Conditions may be amended from time to time at FBL's sole discretion.

FBL will lease to Customer strands of dark fiber ("**Customer Dark Fiber**") in the portions of the FBL System along the leased fiber routes as set forth above and may provide design, engineering, material procurement, construction, splicing, and project management, where necessary. FBL and Customer will develop a mutually agreeable delivery schedule for the Customer Dark Fiber and FBL will notify Customer when the Customer Dark Fiber is ready for acceptance by the issuance of System Acceptance Notice ("**SAN**").

Customer is responsible for all applicable cost, associated with securing building access permissions, including any required rights from building owner and property management access, easements, rights of access agreements to adjacent property, and any other additional required authorizations required for FBL to deliver the Customer Dark Fiber, and Customer accept the delivery of the Customer Dark Fiber ("**Facility Access Permissions**"). Any failure or delay on Customer in providing such Facility Access Permissions which causes a delay in FBL's delivery and/or Customer's acceptance will not subject FBL to any liability whatsoever regarding the delivery of the Customer Dark Fiber, and such delay shall not be grounds for Customer's termination of this Order. Unless otherwise stated herein, the Customer Dark Fiber shall be comprised entirely of single-mode fiber and a .kmz map depiction of the Customer's Dark Fiber is attached below, subject to any changes pending final construction.

Unless specifically detailed below, only cross-connects at the FBL client-side Fiber Distribution Panel ("**FDP**") or DSX will be provided to Customer by FBL. Customer will be responsible for any and all third-party cross-connects. Customer shall be responsible for securing any and all necessary building access permission at no additional costs to FBL. Failure by the Customer to provide the above listed permissions and/or cross-connections may cause a delay in Service delivery.

Customer Contacts				
Role	Name	Phone	Cell Phone	Email
Primary Billing Contact				
Technical Contact				
NOC				

Engineering Notes:

In witness hereof, each party has caused this Order to be executed by its duly authorized representatives as of the dates below.

**Bastrop Economic Development Corporation**

**FiberLight, LLC**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

DRAFT

**Agenda Item: 3.9**

**AGENDA MEMORANDUM**

Meeting Date: February 28, 2022

Agenda Item: Receive updates from BEDC staff – Moca Project; sale of 921 Main Street building; Industrial Park infrastructure; workforce training and education; and Interim Executive Director’s contract update.

Prepared by: BEDC Staff

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**Updates:**

- Moca Project
- Sale of 921 Main Street building
- Industrial Park infrastructure
- Workforce training and education
- Interim Executive Director’s contract update

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**Recommendation** – None.

[RECOMMENDED MOTIONS] – None required; item for informational purposes only.

