Life Connected.

NOTICE OF
CELINA ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS
REGULAR MEETING
302 W. WALNUT STREET
Tuesday, January 5, 2021 at 12:00 PM

AGENDA

I. Roll Call and Call to Order and identify a quorum present

II. Citizens Forum

III. Discussion and Action to approve Minutes

A. Celina Economic Development Corporation - Regular Meeting - Dec 1, 2020 12:00 PM

IV. Discussion and Action

A. Project Valley Vines
B. Project Servpro
C. Resolution 2021-0105 - Public Funds Investment Act Policy
D. Resolution 2021-0106 - Check Signing Authority

V. Executive Closed Session of the Board of Directors The Celina EDC will now hold a Closed Executive Session meeting pursuant to the provisions of Chapter 551 of the Texas Local Government Code in accordance with the authority contained in the Chapter.

A. Section 551.072 of Texas Government Code to discuss or deliberate the purchase, exchange, lease or value of real property.

B. Section 551.074 of Texas Government Code to discuss or deliberate personal matters to evaluate performance and duties, of a public officer or employee.

C. Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the CEDC has received from a business prospect, and or to deliberate the offer of a financial or other incentive with a business prospect.

1. Project Valley Vines
2. Project Servpro

D. Reconvene into Open Session The Celina EDC will now reconvene into Regular Session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any action necessary regarding the items discussed in executive session.

VI. Discussion and Review of monthly Activities

A. Economic Development Action Plan

VII. Discussion of future EDC agenda items and meetings

VIII. Adjournment

Posted in accordance with the Texas Government Code, Chapter 551, on the ____ day of _______, ____ at ______ p.m.

_________________________ _________________________

Staff Date Notice Removed

CEDC

Pursuant to the Texas Open Meeting Act (Chapter 551, Texas Government Code), one or more of the above items may be considered in executive closed session, closed to the public. Any decision on any item will be taken or conducted in an open session following the conclusion of the executive closed session.

302 W. Walnut St. is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons Celina Economic Development Corporation’s office at 972-382-8949, at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

Life Connected.

NOTICE OF
CELINA ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS
REGULAR MEETING
302 W. WALNUT STREET
Tuesday, December 1, 2020 at 12:00 PM

MINUTES

I. Roll Call and Call to Order and identify a quorum present

Attendee Name	Organization	Title	Status	Arrived
Carmen Roberts	City of Celina	Board Member	Present	
Mindy Koehne	City of Celina	Vice President	Present	
Kyle Rose	City of Celina	President	Present	
Jay Pierce	City of Celina	Board Member	Present	
Clint Bissett	City of Celina	Board Member	Present	
Alexis Jackson	City of Celina	Director of Economic Development	Present	
Corbett Howard	City of Celina	Director of Business and Government Affairs	Present	

President, Kyle Rose, called the meeting to order at 12:00 PM.

II. Citizens Forum

No citizen comments.

III. Discussion and Action to approve Minutes

A. Celina Economic Development Corporation - Regular Meeting - Nov 3, 2020 12:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Carmen Roberts, Board Member
SECONDER:	Jay Pierce, Board Member
AYES:	Roberts, Koehne, Rose, Pierce, Bissett

IV. Discussion and Action

A. Fiscal Year Review - Jason Barth
B. Project Summer Moon
C. Project Dry Fly

V. Executive Closed Session of the Board of Directors The Celina EDC will now hold a Closed Executive Session meeting pursuant to the provisions of Chapter 551 of the Texas Local Government Code in accordance with the authority contained in the Chapter.

The Board convened into closed session at 12:23 PM

A. Section 551.072 of Texas Government Code to discuss or deliberate the purchase, exchange, lease or value of real property.

B. Section 551.074 of Texas Government Code to discuss or deliberate personal matters to evaluate performance and duties, of a public officer or employee.

C. Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the CEDC has received from a business prospect, and or to deliberate the offer of a financial or other incentive with a business prospect.

1. Project Doe Branch
2. Project Summer Moon

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mindy Koehne, Vice President
SECONDER:	Carmen Roberts, Board Member
AYES:	Roberts, Koehne, Rose, Pierce, Bissett

3. Project Dry Fly

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Clint Bissett, Board Member
SECONDER:	Carmen Roberts, Board Member
AYES:	Roberts, Koehne, Rose, Pierce, Bissett

D. Reconvene into Open Session The Celina EDC will now reconvene into Regular Session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any action necessary regarding the items discussed in executive session.

The Board reconvened into open session at 12:52 PM

VI. Discussion and Review of monthly Activities

A. Director Update - Alexis Jackson
B. Business Retention Update - Corbett Howard

VII. Discussion of future EDC agenda items and meetings

VIII. Adjournment

____
Chairman

__________________________ __________________________

Secretary Date Minutes Approved

Celina Economic Development Corporation
City of Celina, Texas

Memorandum

To:	**Celina Economic Development Corporation Board Members**
From:	Alexis Jackson, Director of Economic Development
Date:	January 5, 2021
Re:	

Action Requested:
Resolution 2021-0105 - Public Funds Investment Act Policy

Background Information:
Section 2256.003 of the Texas Government Code provides that governmental bodies subject to the Public Funds Investment Act "may purchase, sell, and invest its funds and funds under its control in investments authorized under this subchapter in compliance with investment policies approved by the governing body and according to the standard of care prescribed by Section 2256.006 of the Texas Government Code". The Board of Directors of the CEDC find and determine it is in the best interest of the CEDC to adopt the Public Funds Investment Act Policy.

Legal Review:
Prepared by Jeff Moore, Attorney

Staff Recommendation:
Staff recommends approval

RESOLUTION NO. 2021-0105

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CELINA ECONOMIC DEVELOPMENT CORPORATION, A TYPE A ECONOMIC DEVELOPMENT CORPORATION, APPROVING A PUBLIC FUNDS INVESTMENT ACT POLICY, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; DESIGNATING AN INVESTMENT OFFICER; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Celina Economic Development Corporation (hereinafter referred to as the "CEDC"), is an economic development corporation operating pursuant to Chapter 504 of the Texas Local Government Code, as amended, and the Texas Non-Profit Corporation Act, as codified in the Texas Business Organizations Code, as amended; and

WHEREAS, Section 2256.003 of the Texas Government Code provides that governmental bodies subject to the Public Funds Investment Act "may purchase, sell, and invest its funds and funds under its control in investments authorized under this subchapter in compliance with investment policies approved by the governing body and according to the standard of care prescribed by Section 2256.006 of the Texas Government Code"; and

WHEREAS, the Board of Directors of the CEDC find and determine it is in the best interest of the CEDC to adopt the Public Funds Investment Act Policy, a copy of which is attached hereto as ***Exhibit A***, and is incorporated herein for all purposes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CELINA ECONOMIC DEVELOPMENT CORPORATION, AS FOLLOWS:

Section 1. That the findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

Section 2. That the Board of Directors of the Celina Economic Development Corporation does hereby approve the Public Funds Investment Act Policy, a copy of which is attached hereto as ***Exhibit A***, and is incorporated herein for all purposes.

Section 3. That the Board of Directors of the Celina Economic Development Corporation does hereby designate Jason Barth as an Investment Officer for the Celina Economic Development Corporation, as authorized by Section 2256.005(f) of the Texas Government Code, as amended.

Section 4. This Resolution shall become effective from and after its passage.

DULY RESOLVED by the Board of Directors of the Celina Economic Development Corporation on this the ___________ day of ________________________ , 2021.

____

Kyle Rose, President
Celina Economic Development Corporation

Exhibit A

[Public Funds Investment Act Policy]

PUBLIC FUNDS INVESTMENT ACT POLICY

I. GENERAL

The purpose of this document is to set forth specific investment policy and strategy guidelines for the Celina Economic Development Corporation, a Texas non-profit corporation (hereinafter referred to as the "CEDC"), in order to achieve the goals of safety, liquidity, yield, and public trust for all investment activity. This policy serves to satisfy the statutory requirements of the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, as amended.

II. OBJECTIVES OF INVESTMENT POLICIES

The primary objectives of the CEDC's investment program in order of priority shall be preservation and safety of principal, liquidity, and yield. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local law.

(a) Safety of Principal. The foremost and primary objective of the CEDC's investment program is the preservation and safety of capital of the overall portfolio. Each investment transaction will seek first to ensure that capital losses are avoided, whether the loss occurs from the default of a security or from erosion of market value. The objectives will be to mitigate credit risk and interest rate risk. To control credit risk, investments should be limited to the safest types of securities. Financial institutions, broker/dealers and advisers who serve as intermediaries, shall be pre-qualified by the CEDC. The credit ratings of investment pools and individual securities will be monitored to assure compliance with this policy and state law.

To control interest rate risk, the CEDC will structure the investment portfolio so that securities mature to meet cash requirements for ongoing operations and will monitor marketable securities daily. Should an issuer experience a single step downgrade of its credit rating by a nationally recognized credit rating agency within 90 days of the position's maturity, the Investment Officer may approve the holding of the security to maturity.

(b) Liquidity. The CEDC's investment portfolio will remain sufficiently liquid to enable the CEDC to meet operating requirements that might be reasonably anticipated. Liquidity will be achieved by matching investment maturities with forecasted cash flow funding requirements, by investing in securities with active secondary markets and by diversification of maturities and call dates. Furthermore, since all possible cash demands cannot be anticipated, the portfolio, or portions thereof may be placed in money market mutual funds or local government investment pools, which offer same day liquidity for short-term funds.

(c) Yield. The CEDC's investment portfolio will be designed with the objective of regularly meeting or exceeding the average rate of return on three (3) month U.S. Treasury Bills. The investment program will seek to augment returns above this threshold consistent with risk constraints identified herein, cash flow characteristics of the portfolio and prudent investment principles. Investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Marketable securities shall not be sold prior to maturity with the following exceptions:

(1) A security with declining credit may be sold early to minimize loss of principal.

(2) A security swap that would improve the quality, yield or target duration in the portfolio.

(3) Liquidity needs of the portfolio require that the security be sold.

(4) If market conditions present an opportunity for the CEDC to benefit from the sale.

Funds held for future capital projects will be invested in such a way as to try to produce enough income to offset inflationary construction cost increases. However, such funds will never be unduly exposed to market price risks that would jeopardize the assets available to accomplish their stated objective, or be invested in a manner inconsistent with applicable federal and state regulations. Yields on debt proceeds that are not exempt from federal arbitrage regulations are limited to the arbitrage yield of the debt obligation. Investment officials will seek to preserve principal and maximize the yield of these funds in the same manner as all other CEDC funds. However, it is understood that if the yield achieved by the CEDC is higher than the arbitrage yield, positive arbitrage income will be averaged over a five (5) year period and netted against any negative arbitrage Income and the net amount shall be rebated to the federal government as required by current federal regulations.

(d) Public Trust. All participants in the investment process will seek to act responsibly as custodians of the public trust. Investment officials will avoid any transactions that might impair public confidence in the CEDC's ability to govern effectively. The governing body recognizes that in a diversified portfolio, occasional measured losses due to market volatility are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

III. PRUDENT INVESTOR RULE

(a) The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule as provided in section 2256.006 of the Texas Government Code, as amended. This section states, "[i]nvestments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." Investment officers acting in accordance with written procedures and exercising due diligence, shall not be held personally liable for a specific security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. The CEDC will perform a compliance audit of management controls on investments and adherence to investment policies annually. Pursuant to section 2256.006(b) of the Texas Government Code, as amended, in determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration: (1) the investment of all funds, or funds under the CEDC's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and (2) whether the investment decision was consistent with the written investment policy of the CEDC.

(b) In accordance with section 2256.008 of the Texas Government Code, as amended, the Investment Officers shall attend ten (10) hours of investment training within twelve (12) months of assuming duties and ten (10) hours within every succeeding two (2) years. The investment training session shall be provided by an independent source approved by the Investment Review Committee. Training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Act.

IV. INVESTMENT PORTFOLIO

The CEDC shall invest in such investments as are lawful as enumerated in Texas Government Code, Chapter 2256, Public Funds Investment Act, sections 2256.009 through 2256.016. The CEDC reserves the right to further restrict the types of investments which can be made. No investment shall be made until it shall have a full and detailed explanation to the Council and approval given therefore by a majority vote of the Council then present. Assets of the CEDC may be invested in the following instruments if deemed an authorized investment pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code, and includes the following:

(a) obligations of the United States of America, its agencies and instrumentalities;

(b) direct obligations of the State of Texas or its agencies and instrumentalities;

(c) collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

(d) other obligations, the principal and interest of which are unconditional guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or the respective agencies and instrumentalities;

(e) obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;

(f) certificates of deposits issued by a state or national bank domiciled in the state or a savings and loan association domiciled in this state and is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Insurance Fund or its successor secured by obligations that are described in A through E above;

(g) a fully collateralized repurchase agreement provided the repurchase agreement: has a defined termination date; is secured by obligations described in A above; requires the securities being purchased by the CEDC to be pledged to the CEDC, held in the CEDC's name, and deposited at the time the investment is made with the CEDC or with a third party selected and approved by the entity; and is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state;

(h) an authorized securities lending program;

(i) an authorized banker's acceptance;

(j) commercial paper which has a stated maturity of 270 days or fewer from the date of its issuance; is rated not less than A-1 or P-1 or an equivalent rating by at least: two (2) nationally recognized credit rating agencies; or one (1) nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state;

(k) an authorized no-load money market mutual fund which is registered with and regulated by the Securities and Exchange Commission; provides the investing entity with a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.); has a dollar-weighted average stated maturity of 90 days or fewer; and includes in its investment objectives the maintenance of a stable net asset value of $1 for each share;

(l) guaranteed investment contract is an authorized investment for bond proceeds if the guaranteed investment contract: has a defined termination date; is secured by obligations described in A above, and is pledged to the CEDC and deposited with the CEDC or with a third party selected and approved by the CEDC; and

(m) an eligible investment pool if the Board of Directors of the CEDC by resolution authorizes investment in the particular pool.

V. TERM OF INVESTMENTS

The maximum maturity of any individual security the CEDC may invest in shall be five (5) years.

VI. MONITORING OF THE MARKET VALUE OF INVESTMENTS

The Investment Officer(s), with the help of Board of Directors of the CEDC, as needed, shall determine the market value of each investment and of all collateral pledged to secure deposits of CEDC funds at least quarterly and at a time as close as practicable to the closing of the reporting period for the investments. Such values shall be included on the investment report. The following methods shall be used:

(a) Certificates of deposit shall be valued at their face value plus any accrued but unpaid interest;

(b) Shares in money market mutual funds and investment pools shall be valued at par plus any accrued but unpaid interest;

(c) Other investment securities with a remaining maturity of one (1) year or less may be valued in any of the following ways:

(1) the lower of two (2) bids obtained from securities broker/dealers for such security;

(2) the average of the bid and asked prices for such investment security as published in *The Wall Street Journal* or *The New York Times*;

(3) the bid price published by any nationally recognized security pricing service; or

(4) the market value quoted by the seller of the security or the owner of such collateral.

(d) Other investment securities with a remaining maturity of greater than one (1) year shall be valued at the lower of two (2) bids obtained from securities broker/dealers for such security, unless two (2) bids are not available, in which case the securities may be valued in any manner provided in this section.

VII. MISCELLANEOUS PROVISIONS

For funds invested in a pooled fund group, the maximum dollar-weighted average maturity allowance is two (2) years. This average is subject to change as necessary to maintain the maximum rate of return. Any such change must be approved by a majority vote of the Board of Directors of the CEDC then present prior to being made effective.

All transactions, excepting those for mutual funds or investment pool funds, shall be settled on a delivery versus payment basis.

Celina Economic Development Corporation
City of Celina, Texas

Memorandum

To:	**Celina Economic Development Corporation Board Members**
From:	Alexis Jackson, Director of Economic Development
Date:	January 5, 2021
Re:	

Action Requested:
Resolution 2021-0106 - Check Signing Authority

Background Information:
Authorizing certain officers of the Corporation to sign and endorse checks and drafts on the Celina Economic Development Corporation bank accounts.

Legal Review:
Prepared by Jeff Moore, Attorney

Staff Recommendation:
Staff recommends approval

RESOLUTION NO. 2021-0106

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CELINA ECONOMIC DEVELOPMENT CORPORATION, A TYPE A ECONOMIC DEVELOPMENT CORPORATION, AUTHORIZING CERTAIN OFFICERS OF THE CORPORATION TO SIGN AND ENDORSE CHECKS AND DRAFTS ON THE CELINA ECONOMIC DEVELOPMENT CORPORATION BANK ACCOUNTS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Celina Economic Development Corporation (hereinafter referred to as the "CEDC"), is an economic development corporation operating pursuant to Chapter 504 of the Texas Local Government Code, as amended (also referred to as the "Act"), and the Texas Non-Profit Corporation Act, as codified in the Texas Business Organizations Code, as amended; and

WHEREAS, the 504.052 of the Act provides that officers of a Type A economic development corporation shall consist of a president, secretary, and other officers the City Council for the City of Celina consider necessary; and

WHEREAS, Article V, Section 2(f) and 3 of the CEDC's bylaws provides that certain officers are authorized to sign contracts and other instruments on behalf of the CEDC.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CELINA ECONOMIC DEVELOPMENT CORPORATION, AS FOLLOWS:

Section 1. That any two (2) or more of the following officers from the CEDC shall be authorized to endorse and cash checks, drafts and similar documents on behalf of the CEDC. The authorized signatories are:

TITLE OF SIGNING OFFICER
President of the CEDC, Kyle Rose;
Vice President of the CEDC, Mindy Koehne;
Accountant of the CEDC, Jason Barth

Section 2. That any two (2) or more of the signing officers referenced in Section 1 hereof are authorized to receive statements and canceled vouchers of the CEDC and to appoint an agent or agents to do the same; furthermore, such officers are authorized to stop payment of checks of the CEDC, to revoke stop payment orders, and to open or close banking accounts.

Section 3. That the bank which is now depository for the CEDC funds is hereby authorized to honor or accept all drafts, checks and similar documents executed or endorsed on behalf of the CEDC in the manner provided in Section 1 hereof for the credit of or in payment of any obligations of or by the payee or any other holder.

Section 4. That a certified copy of this Resolution shall be completed and full evidence of the enactment of this Resolution and of the authority of the respective officers herein named, and said authority shall remain in full force until written notice of revocation thereof shall be received by the bank or a certified copy of a Resolution designating different officers is received by the bank.

<u>Section 5.</u> That any and all resolutions, ordinances or other orders of the CEDC which may be in conflict herewith or any provisions thereof are hereby repealed to the extent of such inconsistency.

<u>Section 6.</u> This Resolution shall become effective from and after its passage.

DULY RESOLVED by the Board of Directors of the Celina Economic Development Corporation on this the ___________ day of ________________________ , 2021.

____
Kyle Rose, President
Celina Economic Development Corporation