



**AGENDA
REGULAR MEETING OF THE
CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION
WEDNESDAY, SEPTEMBER 21, 2016 AT 7:00 P.M.**

The City of Helotes Economic Development Corporation (EDC) Board of Directors will meet for a Regular Meeting on Wednesday, September 21, 2016 at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023. This is an open meeting, subject to the open meeting laws of the State of Texas.

1. Call to Order.

OPEN SESSION:

2. Public Hearing.

To give all interested persons the right to appear and be heard on the adoption of operating and capital budgets for the Fiscal Year Ending (FYE) 2017. The proposed EDC FYE 2017 budgets include economic development "Projects," as defined by Chapters 501-502 and Chapter 505 of the Texas Local Government Code. The proposed budgets are posted on the front page of the EDC website, www.helotesedc.com, and on the City's public notice board.

3. Citizens to be Heard.

The EDC cannot discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). The EDC will accept comments from citizens of the City of Helotes only. Comments are limited to three (3) minutes, and this time is not transferable. Discussion by the EDC of any item not on the Agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to any inquiry, and / or a proposal to place the item on a future EDC Agenda.

CONSENT AGENDA (ITEM NOS. 4 – 5):

All Consent Agenda items listed below are considered routine by EDC Staff and are intended to be enacted by one motion. There will be no separate discussion of these items, unless a Director requests it, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

4. Approval of the Regular and Special Meeting Minutes dated August 17, 2016 and September 8, 2016. (Staff)

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Helotes City Hall is wheelchair accessible, and accessible parking spaces are available. In compliance with the Americans with Disabilities Act, the City of Helotes will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received forty-eight (48) hours prior to the meeting. Please contact the City Secretary's Office at 210.695.5911 or by facsimile at 210.695.2123.

CONSENT AGENDA CONT.:

5. Approval of the monthly Revenue and Expenditure Report dated September 14, 2016. (Staff)
6. Approval of a contract for Management Services between the City of Helotes and EDC. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION:

7. Presentation by EDC Staff and discussion of and action on a Resolution by the Board of Directors of the City of Helotes Economic Development Corporation approving appropriations for EDC's Fiscal Year Ending (FYE) 2017 Operating and Capital Budgets beginning October 1, 2016 and ending September 30, 2017 to support the EDC's programs, "Projects," as defined by Chapters 501-502 and Chapter 505 of the Texas Local Government Code, and cooperatives; authorizing the EDC Executive Director to take all necessary steps to implement the provisions of this Resolution; incorporating recitals; providing for severability; and adopting and Effective Date.

Adjournment

The EDC Board of Directors reserves the right to adjourn into Closed Session at any time during the course of this meeting to discuss any of the abovementioned or following matters, as authorized by the Texas Local Government Code:

Sections 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

No action may be taken in Closed Session. A quorum of the City Council and/or other City Boards, Committees, or Commissions may be present at this meeting. The City Council and/or other City Boards, Committees, or Commissions may not take action regarding public business or policy.

I certify that this Agenda was posted on September 16, 2016 at 4:00 p.m.



Rick A. Schroder
Executive Director

Attest:



Glenn Goolsby
EDC Specialist



#4

**CITY OF HELOTES
ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING MINUTES**

The City of Helotes Economic Development Corporation (EDC) Board of Directors met for a Regular Meeting on Thursday, August 17, 2016 at 7:00 p.m., in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present:

Board Members: Pat Wootton, President
Keith Muhlestein, Vice President
Diane Anderson, Secretary
Kathryn Mitchell
Carl Hale
Joel Lutz

Staff: Rick Schroder, Executive Director
Glenn Goolsby, EDC Specialist

Absent:

Board Members: Drue Helms

1. Call to Order.

President Wootton called the meeting to order at 7:00 p.m.

OPEN SESSION:

2. Public Hearing.

To give all interested persons the right to appear and be heard on the adoption of operating and capital budgets for the Fiscal Year Ending (FYE) 2017. The proposed EDC FYE 2017 budgets include economic development "Projects," as defined by Art. 5190.6 Development Corporation Act of 1979, Secs. 2 and 4(B) of Vernon's Texas Civil Statutes. The proposed budgets are posted on the front page of the EDC website, www.helotesedc.com, and on the City's public notice board.

No public comment.

3. Citizens to be Heard.

The EDC cannot discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). The EDC will accept comments from citizens of the City of Helotes only. Comments are limited to three (3) minutes, and this time is not transferable. Discussion by the EDC of any item not on the Agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to any inquiry, and / or a proposal to place the item on a future EDC Agenda.

No public comment.

CONSENT AGENDA (ITEM NOS. 4 – 6):

President Wootton pulled the consent items for discussion.

4. ***Approval of the Special and Joint Meeting Minutes dated July 14, 2016. (Staff)**

Director Muhlestein requested a summary of where the EDC stands regarding the Helotes Creek Linear Park Project.

Discussion included the estimated cost of the project and the Board decision to rescind the grant. Director Muhlestein requested the EDC consider filing suit against Terra Design for non-compliance.

5. ***Approval of the monthly Revenue and Expenditure Report dated August 11, 2016. (Staff)**

6. ***Approval of Quarterly Investment Report dated June 30, 2016. (Staff)**

All items marked with an asterisk (*) on the consent agenda were voted on as a group after discussion. Motion was made by Keith Muhlestein, second by Dian Anderson to approve Items 4 thru 6 as amended. Motion carried unanimously.

ITEMS FOR INDIVIDUAL CONSIDERATION:

7. **Presentation by EDC Staff and discussion of and action on the EDC Fiscal Year Ending (FYE) 2017 Operating and Capital Budgets.**

Glenn Goolsby presented the proposed FYE 2017 Budget to the Board and stated another presentation will be held on September 21, 2016.

8. **Discussion of and action on the creation of a marketing program providing Google 360 Virtual Tours to businesses located within the corporate City limits. (Staff)**

Joel Lutz filed a conflict of interest affidavit and refrained from discussion and voting on this item. Joel Lutz operates a business in the Old Town Helotes District.

Glenn Goolsby introduced the item and discussed how the program could be structured to benefit Helotes businesses.

Motion was made by Keith Muhlestein, second by Kathryn Mitchell to approve the program with an amount not to exceed \$8,000.00 beginning October 1, 2016. Motion carried; 5 – Ayes, 0 – Nays, 1 – Abstain: Joel Lutz.

9. **Discussion of and action on the Helotes Area Chamber of Commerce Awards Dinner, including a table sponsorship, for the Board of Directors and Staff. (Staff)**

Glenn Goolsby introduced the item. Discussion included how the EDC could support the Chamber.

Motion was made by Keith Muhlestein, second by Carl Hale to sponsor the event at \$750.00 level. Motion carried unanimously.

10. Staff Report:
- a. Commercial development update; and
 - b. Hotel Feasibility Study.

Glenn Goolsby informed the Board of new businesses opening and potential prospects. He also stated staff was in the process of securing a contract from Spurrier Consulting to perform a hotel feasibility study.

Adjourn the regular meeting of the EDC Board of Directors.

President Wootton adjourned the meeting at 8:08 p.m.

Rick A. Schroder
Executive Director



#4

CITY OF HELOTES
ECONOMIC DEVELOPMENT CORPORATION
JOINT AND SPECIAL MEETING MINUTES

The City of Helotes Economic Development Corporation (EDC) Board of Directors met for Joint and Special Meetings on Thursday, September 8, 2016 at 7:00 p.m. in the City Hall Council Chamber and Executive Conference Room, respectively, at 12951 Bandera Road, Helotes, Texas 78023. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present:

Board Members: Pat Wootton, President
Diane Anderson, Secretary
Drue Helms
Kathryn Mitchell
Carl Hale
Joel Lutz

Staff: Rick Schroder, Executive Director

Absent:

Board Members: Keith Muhlestein, Vice President

JOINT MEETING:

1. Call to Order.

President Wootton called the meeting to order at 7:12 p.m. in the Council Chambers. President Wootton adjourned the meeting into closed session at 7:12 p.m. after reading the caption below.

CLOSED SESSION:

2. Closed Session in accordance with Texas Government Code §551.087 *Deliberation Regarding Economic Development Negotiations*. In addition to the matters listed below, any matter scheduled for Open Session may be discussed in Closed Session, as appropriate and authorized by law:

- a) **§551.087 *Deliberation Regarding Economic Development Negotiations* on a proposed Chapter 380 Economic Development Agreement between the City of Helotes, the EDC, and Texas Developers, LLC, who represents a publicly-traded company located within the corporate City limits and desiring to amend its operating structure and consolidate operations within the City of Helotes;**

Following Item No. 2(a), the EDC will adjourn the Closed Session and reconvene into a Special Meeting in the City Hall Executive Conference Room for a Public Hearing and further deliberation / action. The City Council will remain in Closed Session following Item No. 2(a) for deliberation on other items.

President Wootton reconvened the meeting into open session at 8:28 p.m. in the City Hall Executive Conference Room and announced that no action had been taken in closed session.

3. **Public hearing to give all interested persons the right to appear and be heard on a Resolution by the Board of Directors of the City of Helotes Economic Development Corporation ("EDC") approving a Chapter 380 Economic Development Agreement between the City of Helotes, Texas ("City"), EDC, and Texas Developers, LLC for the provision of sales tax grants for a publicly-traded company located within the corporate City limits and desiring to amend its operating structure and consolidate operations within the City of Helotes; incorporating recitals; declaring a public purpose; authorizing the EDC Executive Director to take all necessary steps to implement the provisions of this Resolution; providing for severability; repealing any other provision in conflict herewith; and setting an effective date.**

President Wootton opened the public hearing at 8:28 p.m. No one signed up to speak on this item. President Wootton closed the public hearing at 8:30 p.m.

OPEN SESSION:

4. **Citizens to be heard.**

No one signed up to speak on this item.

ITEMS FOR INDIVIDUAL CONSIDERATION:

5. **Discussion of and action on a Resolution by the Board of Directors of the City of Helotes Economic Development Corporation ("EDC") approving a Chapter 380 Economic Development Agreement between the City of Helotes, Texas ("City"), EDC, and Texas Developers, LLC for the provision of sales tax grants for a publicly-traded company located within the corporate City limits and desiring to amend its operating structure and consolidate operations within the City of Helotes; incorporating recitals; declaring a public purpose; authorizing the EDC Executive Director to negotiate, executed, and take all necessary steps to implement the provisions of this Resolution; providing for severability; repealing any other provision in conflict herewith; and setting an effective date.**

Motion was made by Director Helms, second by Director Hale, to discuss and act on this item as written.

Discussion included results of previous 380 agreements, impact to the EDC budget, and start date for this proposed 380 agreement.

Motion to amend was made by Director Hale, second by Director Mitchell, to approve the resolution for the proposed agreement and authorize Mayor Tom Schoolcraft to negotiate and finalize the 380 Economic Development Agreement.

Motion to approve as amended carried unanimously.

President Wootton announced that the EDC Board will approve the Budget at their regular meeting on September 21, 2016.

Adjourn.

With no more business to come before the Board, President Wootton adjourned the meeting at 8:35 p.m.

Rick A. Schroder
Executive Director

Monthly EDC Sales Tax

	Actual 2015	Mixed Beverage	Projected 2016	Actual 2016	Mixed Beverage
Oct	\$47,087.63 *	\$1,710.20	\$51,596.00 *	\$50,063.59	1927.06
Nov	\$47,082.51 *		\$50,803.00 *	\$52,682.75	
Dec	\$45,161.11 *		\$47,507.00 *	\$50,790.49	
Jan	\$47,046.93 *	\$2,249.60	\$51,315.00 *	\$52,297.50	1977.53
Feb	\$62,323.65 *		\$63,107.00 *	\$68,829.10	
Mar	\$42,533.02 *		\$44,378.00 *	\$49,209.70	
Apr	\$39,692.59 *	\$1,292.36	\$45,313.00 *	\$45,468.74	1476.72
May	\$51,720.37 *		\$53,587.00 *	\$60,046.66	
Jun	\$50,580.96 *		\$54,096.00 *	\$46,174.22	
Jul	\$50,228.37 *	\$2,430.50	\$54,932.00 *	\$54,035.70	2044.84
Aug	\$53,388.29 *		\$55,401.00 *	\$62,269.25	
Sep	\$55,031.92		\$54,997.00	\$55,412.14	
*Total	\$544,528.09		\$572,035.00	\$654,705.99	\$7,426.15
Budget	\$558,863.00	97.43%	\$627,032.00	91%	\$627,032.00
Actual	\$599,560.01	\$40,697.01			104.41%

*Based on same period calculations

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: SEPTEMBER 14TH, 2016

03 -CAPITAL REPLACEMENT
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>					
MISCELLANEOUS REVENUE	48,630.00	0.00	29,008.77	19,621.23	59.65
TOTAL REVENUES	48,630.00	0.00	29,008.77	19,621.23	59.65
	=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>					
ADMINISTRATION	1,254.56	0.00	1,244.58	9.98	99.20
BUILDING & GROUNDS	4,305,297.74	0.00	1,006,443.05	3,298,854.69	23.38
TOTAL EXPENDITURES	4,306,552.30	0.00	1,007,687.63	3,298,864.67	23.40
	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	(4,257,922.30)	0.00	(978,678.86)	(3,279,243.44)	22.98

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: SEPTEMBER 14TH, 2016

03 -CAPITAL REPLACEMENT
 REVENUES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>MISCELLANEOUS REVENUE</u>					
406-1010 INTEREST EARNED	230.00	0.00	4,500.52 (4,270.52)	1,956.75
406-1016 EDC CAPITAL - TRANSFER IN	0.00	0.00	0.00	0.00	0.00
406-1017 ADMIN MISC REVENUES	5,175.00	0.00	0.00	5,175.00	0.00
406-1018 PD MISC REVENUES	1,225.00	0.00	1,500.00 (275.00)	122.45
406-1019 FD MISC REVENUES	42,000.00	0.00	23,008.25	18,991.75	54.78
406-1021 TRANSFERS IN/OUT- OTHER FUND	0.00	0.00	0.00	0.00	0.00
406-1022 DISPATCH MISC REVENUES	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS REVENUE	48,630.00	0.00	29,008.77	19,621.23	59.65
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TOTAL REVENUES	48,630.00	0.00	29,008.77	19,621.23	59.65
	=====	=====	=====	=====	=====

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: SEPTEMBER 14TH, 2016

03 -CAPITAL REPLACEMENT
 ADMINISTRATION
 EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
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<u>CONTRACTUAL SERVICES</u>					
510-5200 BANK CHARGES	1,254.56	0.00	1,244.58	9.98	99.20
TOTAL CONTRACTUAL SERVICES	1,254.56	0.00	1,244.58	9.98	99.20
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TOTAL ADMINISTRATION	1,254.56	0.00	1,244.58	9.98	99.20

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: SEPTEMBER 14TH, 2016

03 -CAPITAL REPLACEMENT
 BUILDING & GROUNDS
 EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CAPITAL OUTLAY</u>					
550-5501 FIRE DEPT PURCHASES	21,006.28	0.00	21,006.28	0.00	100.00
550-5509 EDC 2015 Cofo EXPENDITURES	559,232.40	0.00	559,232.40	0.00	100.00
550-5510 POLICE DEPT PURCHASES	0.00	0.00	0.00	0.00	0.00
550-5511 ADMINISTRATION PURCHASES	0.00	0.00	0.00	0.00	0.00
550-5512 CITY 2015 Cofo EXPENDITURES	<u>3,725,059.06</u>	<u>0.00</u>	<u>426,204.37</u>	<u>3,298,854.69</u>	<u>11.44</u>
TOTAL CAPITAL OUTLAY	4,305,297.74	0.00	1,006,443.05	3,298,854.69	23.38
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TOTAL BUILDING & GROUNDS	4,305,297.74	0.00	1,006,443.05	3,298,854.69	23.38
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TOTAL EXPENDITURES	4,306,552.30	0.00	1,007,687.63	3,298,864.67	23.40
	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	(4,257,922.30)	0.00	(978,678.86)	(3,279,243.44)	22.98
	=====	=====	=====	=====	=====

*** END OF REPORT ***

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: SEPTEMBER 14TH, 2016

05 -ECONOMIC DEVELOPMENT CORP
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>					
NON-PROPERTY TAXES	627,032.00	0.00	574,082.16	52,949.84	91.56
MISCELLANEOUS REVENUE	<u>2,091.00</u>	<u>0.00</u>	<u>1,561.17</u>	<u>529.83</u>	<u>74.66</u>
TOTAL REVENUES	629,123.00	0.00	575,643.33	53,479.67	91.50
	=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>					
ADMINISTRATION	<u>667,792.70</u>	<u>8,627.48</u>	<u>662,827.93</u>	<u>4,964.77</u>	<u>99.26</u>
TOTAL EXPENDITURES	667,792.70	8,627.48	662,827.93	4,964.77	99.26
	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	(38,669.70)	(8,627.48)	(87,184.60)	48,514.90	225.46

CITY OF HELOTES
REVENUE & EXPENSE REPORT - UNAUDITED
AS OF: SEPTEMBER 14TH, 2016

05 -ECONOMIC DEVELOPMENT CORP
REVENUES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>NON-PROPERTY TAXES</u>					
401-3140 SALES TAX REVENUE	627,032.00	0.00	566,322.99	60,709.01	90.32
401-3150 MIXED BEVERAGES	0.00	0.00	7,759.17	(7,759.17)	0.00
TOTAL NON-PROPERTY TAXES	627,032.00	0.00	574,082.16	52,949.84	91.56
<u>MISCELLANEOUS REVENUE</u>					
406-1010 INTEREST EARNED	2,091.00	0.00	1,561.17	529.83	74.66
406-1011 MISCELLANEOUS/GRANT/TRANSFERS	0.00	0.00	0.00	0.00	0.00
406-1060 TRANSFERS IN/OUT	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS REVENUE	2,091.00	0.00	1,561.17	529.83	74.66
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TOTAL REVENUES	629,123.00	0.00	575,643.33	53,479.67	91.50
	=====	=====	=====	=====	=====

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: SEPTEMBER 14TH, 2016

05 -ECONOMIC DEVELOPMENT CORP
 ADMINISTRATION
 EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CONTRACTUAL SERVICES</u>					
510-5201 MEMBERSHIP, DUES & LICENSES	6,029.03	59.00	5,501.77	527.26	91.25
510-5202 AUDIT FEES	2,900.00	0.00	2,900.00	0.00	100.00
510-5203 SCHOOLS, SEMINARS, CONFERENCES	1,763.35	0.00	1,741.50	21.85	98.76
510-5204 ICSC CONF TEXAS & RECON LV	5,874.18	0.00	5,639.96	234.22	96.01
510-5205 BANK FEES	245.13	0.00	245.13	0.00	100.00
510-5206 LEGAL FEES	1,415.00	0.00	1,365.00	50.00	96.47
510-5207 FACADE/TENANT IMPROVEMENT	0.00	0.00	0.00	0.00	0.00
510-5208 CONCEPTUAL DESIGN/USE	4,700.00	2,700.00	2,700.00	2,000.00	57.45
510-5209 380 AGREEMENT REIMBURSEMENT	454.99	0.00	0.00	454.99	0.00
510-5210 WORKSHOPS & PROMOTION	900.00	0.00	300.00	600.00	33.33
510-5211 MARKETING	18,533.69	3,542.82	18,533.69	0.00	100.00
510-5212 WEBSITE DEV. & MAINTENANCE	72.58	0.00	0.00	72.58	0.00
510-5213 ETJ DEVELOPMENT PLAN	42,031.91	0.00	42,031.91	0.00	100.00
510-5214 REIMBURSE CITY - OPERATING EXP	15,000.00	0.00	15,000.00	0.00	100.00
510-5215 REIMBURSE CITY -DEBT PRINCIPAL	335,000.00	0.00	335,000.00	0.00	100.00
510-5216 REIMBURSE CITY -DEBT INTEREST	107,780.00	0.00	107,780.00	0.00	100.00
510-5219 REIMBURSE CITY-SALARY	48,600.00	1,944.00	48,600.00	0.00	100.00
510-5220 REIMBURSE CITY - BENEFITS	13,341.97	268.33	12,672.01	669.96	94.98
510-5221 RETAIL RECRUITMENT	35,000.00	0.00	35,000.00	0.00	100.00
510-5222 REIMBURSE CITY - 2015 P&I	25,015.00	0.00	25,015.00	0.00	100.00
TOTAL CONTRACTUAL SERVICES	664,656.83	8,514.15	660,025.97	4,630.86	99.30
<u>COMMODITIES</u>					
510-5301 OFFICE SUPPLIES	704.87	0.00	642.99	61.88	91.22
510-5302 OPERATIONAL EXPENSES	650.00	0.00	641.40	8.60	98.68
510-5304 WEBSITE - BUSINESS DIRECTORY	0.00	0.00	0.00	0.00	0.00
510-5305 COMMUNICATION EQUIP ALLOWANCE	1,431.00	113.33	1,416.31	14.69	98.97
510-5326 EXPENSE REIMBURSEMENT -MILEAGE	145.00	0.00	101.26	43.74	69.83
TOTAL COMMODITIES	2,930.87	113.33	2,801.96	128.91	95.60
<u>CAPITAL OUTLAY</u>					
510-5503 TRANSFER TO CAPITAL	205.00	0.00	0.00	205.00	0.00
TOTAL CAPITAL OUTLAY	205.00	0.00	0.00	205.00	0.00
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TOTAL ADMINISTRATION	667,792.70	8,627.48	662,827.93	4,964.77	99.26
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TOTAL EXPENDITURES	667,792.70	8,627.48	662,827.93	4,964.77	99.26
	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	(38,669.70)	(8,627.48)	(87,184.60)	48,514.90	225.46
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*** END OF REPORT ***

**AGREEMENT FOR MANAGEMENT SERVICES
BETWEEN THE CITY OF HELOTES AND
THE CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION**

THIS AGREEMENT, approved as of the 22ND day of September, 2016, by and between the City of Helotes (the "City"), acting by and through its Mayor Thomas A. Schoolcraft, and the City of Helotes Economic Development Corporation (the "EDC"), acting by and through its Executive Director, is as follows:

WITNESSETH:

I

That the City agrees to provide management, administrative, and financial services to the EDC according to the terms of this Agreement. For purposes of this Agreement, the Executive Director shall serve as the designated employee described in Section 3.6 of the EDC Bylaws who shall oversee EDC Staff and its completion of the following activities:

- a) Development of an annual Economic Development Plan, as required by Section 4.1 of the EDC Bylaws. The Economic Development Plan shall be reviewed and approved by the EDC Board of Directors and the City Council.
- b) Reviewing projects and materials and advising the EDC Board of Directors of the tasks and responsibilities of the EDC and its Board of Directors, pursuant to law and the EDC Articles of Incorporation and Bylaws, to ensure that the EDC carries out its duties and requirements imposed on it by law and the EDC Articles of Incorporation and Bylaws.
- c) Preparing all reports and keeping all books and records required by the EDC Articles of Incorporation and Bylaws, unless otherwise stipulated within the EDC Articles of Incorporation and Bylaws.
- d) Administering and monitoring, on the Board of Directors' behalf, all agreements authorized by Article 4 *Functional Corporate Duties and Requirements* of the EDC Bylaws, and monitoring the progress of and reporting to the EDC and the City Council concerning economic development programs the EDC has expended sales tax monies on, as permitted by the provisions of Texas Revised Civil Statutes Annotated, Article 5190.6, as amended (the "Act"), unless otherwise stipulated within the EDC Articles of Incorporation and Bylaws.
- e) Preparing a budget for the forthcoming year for review and approval by the EDC Board of Directors and the City Council. The budget shall be prepared in accordance with Article 4 *Functional Corporate Duties and Requirements* of the EDC Bylaws.
- f) Providing all necessary accounting and financial management services through the City Treasurer and the City's Administrative Department. Services shall be provided in accordance with Article 4 *Functional Corporate Duties and Requirements* and Section 3.4 *Treasurer* of the EDC Bylaws.

- g) EDC personnel shall be personnel of the EDC, not the City; however, EDC personnel shall be subject to the City's Personnel Policies and Procedures Manual, except where said Policies and Procedures conflict with the authority conferred by the EDC Articles of Incorporation and Bylaws onto the Executive Director. EDC personnel salaries and benefits shall be paid by the EDC through accounting and financial management services provided by the City Treasurer and the City's Administrative Department.
- h) Providing all necessary secretarial support, minutes, repository of records, office and conference space, printing, copying, postage, and routine office supplies necessary to fulfill the EDC's programs, policies, mission, and/or contractual arrangements, unless otherwise stipulated within the EDC Articles of Incorporation and Bylaws.
- i) Ensuring that the appropriate insurance coverages indemnifying the EDC, EDC Board of Directors and Officers and Officials, EDC personnel, City Officials and Officers, and City personnel, individually and in their capacity as Officers, Officials, Directors and staff, are current and fully paid. These coverages shall be for, at a minimum, \$1 million per claim, and the cost of said coverages shall be at the Corporation's expense.

II

The EDC reserves the right to hire an attorney of its own or utilize the City Attorney at its own expense. Such legal services shall include representation in litigation, legal proceedings, review of documents, contracts, and other legal instruments as to form and legality.

III

The EDC shall pay a fixed fee for management services provided the EDC by the City, pursuant to this Agreement.

Subject to the City establishing this Agreement with the EDC for management services, the EDC shall pay to the City for management services included within this Agreement the annual sum of \$15,000.00.

In the event of the termination of this Agreement, the EDC will be responsible for paying the City only the portion of the cost allocated to periods prior to the effective date of the termination of the Agreement and any and all continuing costs incurred by the City after Agreement termination associated with City oversight of the EDC, as prescribed by the EDC Articles of Incorporation and Bylaws.

IV

Nothing in this Agreement shall be construed to divest the EDC Board of Directors of its discretion and policy making functions. As provided by the Act, all of the EDC's "programs and expenditures" must be approved by the City Council.

In accordance with the EDC Articles of Incorporation and Bylaws, the appropriate individuals are hereby given the authority to execute checks in conformity with its rules governing bank signatories, withdrawals, and transfer of funds, provided these funds have been

authorized by the EDC and the City and comply with the provisions of the Act. It is understood and agreed that the requirement that City officials and personnel sign checks drawn on the EDC's account(s) is administrative only to assure against misappropriation and improper use of funds, except that the EDC has to obtain prior approval of the City Council before authorizing disbursement of funds. Authorization of expenditures by the EDC Board of Directors shall be deemed binding upon City signatories, unless otherwise restrained by judicial order.

V

Subject to early termination, as provided in Article VI below, this Agreement shall be in effect for a period of one year, commencing October 1, 2016 and ending September 30, 2017, unless otherwise renewed or extended at the discretion of both parties.

VI

TERMINATION

- a) This Agreement may be terminated by the City or EDC, in whole, or from time to time, in part, upon thirty (30) days notice from the terminating party to the other party; however, any and all continuing costs incurred by the City after Agreement termination associated with City oversight of the EDC, as prescribed by the EDC Articles of Incorporation and Bylaws, shall continue to be compensable by the EDC to the City. Termination shall be effective thirty (30) days after delivery of Notice of Termination specifying to what extent performance or work under the Agreement shall be terminated thirty (30) days after receipt by the notified party.
- b) After receipt of a Notice of Termination the City and the EDC shall:
 - i. Stop work on the date, as specified, in the thirty (30) day Notice of Termination to the extent possible.
 - ii. Place no further orders or subcontracts, except as may be necessary for the completion of work not terminated.
 - iii. Subject to Texas law, terminate all orders and subcontracts to the extent that they relate to the performance of work terminated by the Notice of Termination in so far as possible.
 - iv. The EDC shall pay all lawfully incurred expenses incurred through the date of termination.

VII

OFFICIALS NOT TO BENEFIT

No public official of the EDC Board of Directors and/or the City Council who exercises any functions or responsibilities in the review or the approval of the undertaking or carrying out of any project or program hereunder, shall participate in any decision relating to the Agreement

RESOLUTION NO. 55

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION (EDC) APPROVING APPROPRIATIONS FOR EDC'S FISCAL YEAR ENDING (FYE) 2017 OPERATING AND CAPITAL BUDGETS BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 TO SUPPORT THE EDC'S PROGRAMS, "PROJECTS," AS DEFINED BY CHAPTERS 501-502 AND CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE; AUTHORIZING THE EDC EXECUTIVE DIRECTOR TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND ADOPTING AN EFFECTIVE DATE.

WHEREAS, the mission of the EDC is to promote, encourage, and enhance the creation of jobs and the expansion of the local sales and property tax base through economic development projects that assist in the retention and expansion of existing employers and which attract new employers and aid in their development, growth, and investment of human and capital resources within the City of Helotes; and

WHEREAS, the vision of the EDC includes a balance of sales and property taxes that takes into account our town's historic roots and unique environment, resulting in an improved quality-of-life for all Helotes citizens; and

WHEREAS, proposed FYE 2017 Operating and Capital Budgets were duly presented to the EDC Board of Directors by the EDC Executive Director and two public hearings were held thereon on August 17, 2016 and September 21, 2016, notice of said hearings having first been duly published in a newspaper of general circulation, on the EDC website, and on the City of Helotes agenda bulletin board; and

WHEREAS, the EDC Board of Directors officially finds that all line items outlined within the attached FYE 2017 Operating and Capital Budgets comply with the requirements and purposes of the election authorizing the use of additional sales and use tax monies for economic development purposes and constitute qualified "Projects," as defined by Chapters 501-502 and Chapter 505 of the Texas Local Government Code; and

WHEREAS, pursuant to Sec. 505.158 of the Texas Local Government Code, the City Council of the City of Helotes shall adopt a Resolution approving the EDC's appropriations, operating and capital budgets, programs, "Projects," and cooperatives for FYE 2017 beginning October 1, 2016 and ending September 30, 2017 after giving the Resolution at least two separate readings. The EDC held two public hearings on this Resolution on August 17, 2016 and September 21, 2016 and the City Council held two public hearings on this Resolution on August 25, 2016 and September 8, 2016. The City Council will approve the EDC Budgets on September 22, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION:

SECTION ONE: That appropriations for the EDC's FYE 2017 Operating and Capital Budgets, beginning October 1, 2016 and ending September 30, 2017, to support the EDC's programs, "Projects," as defined by Chapters 501-502 and Chapter 505 of the Texas Local Government Code, and cooperatives be fixed and determined for said terms in accordance with the expenditures shown in the EDC's FYE 2017 Operating and Capital Budgets, a copy of which is appended hereto as Exhibit A.

SECTION TWO: That said appropriations supporting EDC programs, "Projects," and cooperatives are hereby approved in all respects by the Board of Directors of the EDC and adopted as the EDC Operating and Capital Budgets for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

SECTION THREE: That the Executive Director is hereby authorized to take all necessary steps to implement the provisions of this Resolution and is given the authority to sign documents authorizing the payment of funds and to expend public monies that have been approved and appropriated within said Budgets.

SECTION FOUR: That this Resolution takes effect immediately.

SECTION FIVE: That the Board of Directors finds all of the above recitals to be true and correct and incorporates the same in this Resolution as findings of fact.

SECTION SIX: That if any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Resolution. The Board of Directors hereby declares that it would have passed this Resolution, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

PASSED AND APPROVED THIS 21st DAY OF SEPTEMBER 2016.

Rick A. Schroder
Executive Director

ATTEST:

Glenn Goolsby
EDC Specialist

**CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION
PROPOSED FYE 2017 OPERATING BUDGET SUMMARY**

	AUDITED BUDGET FYE 2014	AUDITED BUDGET FYE 2015	ADJUSTED BUDGET FYE 2016	ESTIMATED YEAR END BUDGET FYE 2016	PROPOSED FYE 2017
BEGINNING FUND BALANCE	563,556	684,811	747,282	747,282	730,388
REVENUE					
Sales Tax	537,011	610,861	627,032	654,706	670,086
Interest	2,184	2,382	2,091	1,454	2,200
TOTAL REVENUE	539,195	613,243	629,123	656,160	672,286
FUND BALANCE AVAILABLE	1,102,751	1,298,054	1,376,405	1,403,442	1,402,674
Transfer out to Capital/City Debt Service	(35,763)	113,079	150,205	150,000	150,000
CONTRACTUAL SERVICES					
Memberships, Dues, & Licenses	5,678	6,535	6,029	6,000	7,000
Audit Fees	2,700	2,800	2,900	2,900	2,900
Schools, Seminars, & Conferences	1,940	2,732	1,763	1,742	2,500
ICSC Conference Texas and ReCon Las Vegas	6,127	7,238	5,874	5,640	9,000
Bank Fees			245	245	500
Legal Fees	4,150	4,972	1,415	1,365	2,000
Business Retention & Expansion	-	-	-	-	-
Workshops & Promotion	292	175	900	300	1,000
Chapter 380 Agreement Reimbursement	3,589	3,324	455	0	3,800
Market Analysis & Retail Recruitment	-	-	35,000	35,000	30,000
Parking Lease Agreement in OTH	-	-	-	-	6,000
Conceptual Design / Land Use Plan		0	4,700	2,700	15,000
ETJ Development Plan	-	-	42,032	42,032	-
Marketing	61,555	31,443	18,534	25,068	30,000
Website Development/Maintenance	1,030	-	73	0	1,000
Website - Business Directory	2,500	176	0	0	1,000
Reimburse City - Operating Expenses	8,000	12,000	15,000	15,000	15,000
Reimburse City - Personnel Salary & Benefits	49,211	50,687	48,600	50,951	69,387
Reimburse City - Benefits	13,154	10,852	13,341	13,341	-
TOTAL CONTRACTUAL SERVICES	159,927	140,878	196,861	202,283	196,087
COMMODITIES EXPENDITURE					
Office Supplies & Equipment	1,946	307	705	643	1,000
Operational Expenses / Postage	-	629	650	641	1,200
Communication Equipment Allowance	0	926	1,431	1,563	1,600
Mileage Reimbursement	0	0	145	129	250
TOTAL COMMODITIES	1,946	1,862	2,931	2,976	4,050
DEBT SERVICE					
2007 Series CofO Principle	170,000	180,000	185,000	185,000	195,000
2007 Series CofO Interest	121,830	114,953	107,780	107,780	100,313
2015 Series CofO Principle & Interest	-	-	25,015	25,015	25,706
TOTAL DEBT SERVICE	291,830	294,953	317,795	317,795	321,019
TOTAL EXPENDITURES	417,940	550,772	667,792	673,055	671,156
EXCESS OF CURRENT REVENUES OVER/(UNDER) EXPENDITURES	121,255	62,471	(38,669)	(16,895)	1,130
ENDING FUND BALANCE	684,811	747,282	708,613	730,388	731,518

**CITY OF HELOTES
ECONOMIC DEVELOPMENT CORPORATION
PROPOSED CAPITAL BUDGET SUMMARY
FISCAL YEAR 2016 - 2017**

	ACTUAL YEAR END BUDGET FY 2012-13	ACTUAL YEAR END BUDGET FY 2013-14	ACTUAL YEAR END BUDGET FY 2014-15	ESTIMATED YEAR END BUDGET FY 2015-16	PROPOSED BUDGET FY 2016-17
BEGINNING FUND BALANCE	162,429	185,593	195,906	65,684	241,183
REVENUE					
Interest	344	250	25	0	0
Transfer in from CofO 2015				493,545	0
Transfer in from General Fund	35,000	163,849	55,000		
TOTAL REVENUE	<u>35,344</u>	<u>164,099</u>	<u>55,025</u>	<u>493,545</u>	<u>0</u>
FUND BALANCE AVAILABLE	197,773	349,692	250,931	559,229	241,183
EXPENDITURES					
OTHSD Improvements	220				
OTH Pedistrian Bridge					241,183
Water & Sewer Line Extension - Hwy 16	11,960	145,286	185,247	10,426	0
Old Town Helotes - TEP Grant Project	0	8,500		307,620	0
TOTAL EXPENDITURES	<u>12,180</u>	<u>153,786</u>	<u>185,247</u>	<u>318,046</u>	<u>241,183</u>
ENDING FUND BALANCE	<u>185,593</u>	<u>195,906</u>	<u>65,684</u>	<u>241,183</u>	<u>(0)</u>