

CITY OF HELOTES

CHAPTER 380 PROGRAM FOR ECONOMIC DEVELOPMENT INCENTIVES POLICIES AND PROCEDURES



ADMINISTERED BY:
The City of Helotes
Economic Development Corporation
12951 Bandera Road
Helotes, Texas 78023
(210) 695-5910 (direct)
(210) 695-2123 (fax)

CITY OF HELOTES

CHAPTER 380 PROGRAM FOR ECONOMIC DEVELOPMENT INCENTIVES POLICIES AND PROCEDURES

I. General Purpose and Objectives

The City of Helotes and the Helotes Economic Development Corporation (HEDC) are committed to the promotion and retention of high-quality development in all parts of the City and to an ongoing improvement in the quality-of-life for its citizens. Insofar as the enhancement and expansion of the local economy generally serve these objectives, the City of Helotes and HEDC have established these Policies and Procedures known as Chapter 380 Program for Economic Development Incentives, as authorized by Chapter 380 of the Texas Local Government Code and amended from time to time.

These Policies and Procedures are established in an effort to develop and expand the local economy by promoting and encouraging development and redevelopment projects that enhance the City's economic base. Moreover, the City and HEDC endeavor to diversify and/or expand job opportunities and promote and encourage projects that create additional revenue for the City without substantially increasing the demand on City services or infrastructure. The ultimate goal and public purpose of programs established hereunder is to protect and enhance the City's fiscal ability to provide high-quality municipal services for the safety, comfort, and enjoyment of Helotes residents.

In furtherance of these objectives, the City of Helotes and HEDC will, on a case-by-case basis, consider providing economic development incentives to applicants in accordance with these Policies and Procedures.

Nothing in this document is intended to imply or suggest that the City of Helotes or HEDC are under any obligation to provide economic development incentives to any applicant. The decision to approve or deny economic incentives shall be at the discretion of the City Council and HEDC Board of Directors. Each applicant granted economic development incentives as a part of a Chapter 380 Economic Development Program (also referred to as "Program") must enter into an agreement with the City of Helotes and HEDC containing all terms required by these Policies and Procedures and State Law to protect the public interest of receiving a public benefit in exchange for public funds.

II. Criteria

All incentives provided by the City of Helotes and HEDC must, as their underlying goal, further economic development within Helotes. The goals to be achieved by the granting of the incentive should be measurable and be binding upon the recipient of the incentive, as set forth in an agreement between the City, EDC and recipient.

III. Value of Incentives

Following an assessment of the narrative response, the City Administrator shall determine whether it is in the best interest of the City to recommend that an incentive be offered to the applicant. Consideration of the request will include such items as the degree to which the applicant's request furthers the goals and objectives of the community or meets or compliments a special need identified by the community.

Incentives may be in the form of tax reimbursements, grants, loans, use of City and HEDC personnel or services, or a combination thereof.

IV. Application

- A. Applicants shall complete the attached "Application for Chapter 380 Economic Development Incentives."
- B. Applicants shall prepare a metes and bounds description or plat showing the location of the property to which the incentive(s) applies, all roadways within 500 feet of the site, all existing land uses and zoning within 500 feet of the site, and the address of the property.
- C. Applicants shall submit Items A and B above to:

City Administrator
City of Helotes
12951 Bandera Rd. (physical)
P. O. Box 507 (mailing)
Helotes, Texas 78023
(210) 695-5913 (direct)
(210) 695-2123 (Fax)
E-mail: rschroder@helotes-tx.gov

Economic Development Specialist
City of Helotes
12951 Bandera Rd. (physical)
P. O. Box 507 (mailing)
Helotes, Texas 78023
(210) 695-5910 (direct)
(210)695-2123 (fax)
E-mail: ggoolsby@helotes-tx.gov

- D. Information provided by applicants on the Application may be subject to public release, pursuant to the Texas Public Information Act. However, certain information provided to the City in connection with an Application may be confidential and not subject to public disclosure until the agreement is executed. The City of Helotes and HEDC will respond to requests for disclosure, as required by law, and will assert exceptions to disclosure as it deems relevant. The City will make reasonable attempts to notify applicants of requests so that they may assert their own objections to the Attorney General.

V. Application Review Process

- A. All information in the application package detailed above will be reviewed for completeness and accuracy. Additional information may be requested, as needed.
- B. The City Administrator may use City and HEDC personnel and third parties, as required, to assist in the application review process.

- C. Upon review, the City Administrator will determine whether he/she will recommend a proposed incentive to the applicant, subject to final City Council and HEDC Board of Directors approval. The proposed incentive recommendation by the City Administrator is not binding upon the City Council or HEDC Board of Directors. Rather, it is a conditional offer, subject to the approval of, the City Council and HEDC Board of Directors.
- D. Upon receipt of the City Administrator's approval, applicants shall have ninety (90) days to accept, decline, or request an extension of the proposed offer. All official responses and requests shall be made in writing to the City Administrator. In certain circumstances, the City Administrator may alter the time frame.
- E. Upon written acceptance by the applicant of the offer, the recommendation of the City Administrator with all relevant materials will be forwarded to the City Council and HEDC Board of Directors for review and approval at the next regularly scheduled meeting.

VI. Economic Incentive Agreement Terms

At a minimum, any agreement providing for an economic development incentive under this Program shall include the following provisions:

1. Recapture of all incentives provided in the Agreement in the event of default by the party;
2. No assignment of the Agreement, in whole or in part, by the Applicant without prior approval of the City Council;
3. Written certification by the Chief Financial and/or Executive Officer of the Applicant that it has complied with the terms and conditions of the Agreement;
4. City's right of inspection to the property to ensure compliance with the Agreement; and
5. If the creation of a minimum number of jobs is a part of the consideration provided by the City and HEDC, such jobs must be maintained for a period established in the Agreement.

CITY OF HELOTES

APPLICATION FOR CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVES

NOTE: CLEARLY IDENTIFY ANY INFORMATION YOU DEEM TO BE CONFIDENTIAL OR PROPRIETARY. THE CITY AND HEDC WILL ATTEMPT TO PROTECT ANY INFORMATION MARKED CONFIDENTIAL OR PROPRIETARY AND WILL NOTIFY THE APPLICANT OF ANY REQUESTS FOR DISCLOSURE.

1. Applicant Name:
Company Representative:
Title:
Mailing Address:
Telephone Number:
Email Address:
Website Address:
2. Tenant Representative:
Title:
Company:
Mailing Address:
Telephone Number:
Email Address:
Website Address:
3. Property Owner:
Property Owner Representative:
Title:
Company:
Mailing Address:
Telephone Number:
Email Address:
Website Address:
4. Proposed property address(es) and/or location description(s):
5. Property legal description (attach metes and bounds, if required by the City):
6. Located within:
Corporate city limits
City of Helotes ETJ

7. Company description and overview (including headquarters' location, year founded, products and services, annual revenue, and growth, et cetera):

8. Applicant business is:

Public

Private

9. State of incorporation:

10. Is a recent annual audit available?: Yes No

If yes, please submit a copy with application.

11. Applicant's four digit NAICS industry code (if known):

12. Description of project:

(attach additional sheets, if necessary)

13. Will any zoning changes be necessary to accommodate the project?: Yes No

If yes, please provide additional information:

14. Does the applicant plan to utilize Helotes-based companies in the design, construction, and on-going maintenance of the facility?: Yes No

15. Projected date for occupancy of project/initiation of operations:

16. Applicant will occupy:

Existing space: Yes No Square footage: _____

New facility: Yes No Square footage: _____

17. Acreage of site (for new construction):

18. Proposed type of occupancy:

Owner Occupied

Landlord/Tenant

If leasing, what is length of lease?

19. Applicant business is (check all that apply):

Existing Helotes company

New Helotes company

Relocating from another city in Texas

Relocating from out-of-state or country

20. If applicant is currently located in Helotes, when does their current lease expire?

21. Specify economic assistance requested:

Employment Impact

1. Number of Full-Time Equivalents (FTE)* employed by applicant at occupancy and to be maintained throughout the term of the Agreement:

*FTE means one or more employee positions located at the property which, individually or when combined, total 2080 hours (inclusive of holidays, vacation, and sick leave) annually.

2. Future FTE employment (if applicable):

Projected FTE employment (milestone) by (indicate date):

3. If this is an existing business in Helotes, what is the FTE employment that will be retained in Helotes by this project?

4. Does the applicant company anticipate hiring contract employees? Yes No

If yes, what is the number of FTE contract employees?

What is the median annual salary of the FTE contract employees?

5. If applicable, what is the number of FTE positions that will be relocated to Helotes from applicant's other locations?

Provide the location(s) the positions are being relocated from:

6. Indicate the applicant's FTE employment in each category as applicable:

Executive _____
Professional _____
Managerial _____
Technical _____
General Staff _____
Production Workers _____
Total _____

7. What will be the median annual salary of applicant's FTEs in each category?

8. Projected annual payroll (at occupancy):

Fiscal Impact

	Initial Year	5 Year	10 Year
1. What is the estimated fair market value of the Real Property improvements (exclusive of land) that will be added to the tax base?			
2. What is the estimated fair market value of the Business Personal Property improvements that will be added to the tax base, exclusive of inventory and property currently located in Helotes?			
TOTAL IMPROVEMENTS	\$	\$	\$

Community Impact

1. Please summarize the expected overall economic impact on the City of Helotes.

3. Please describe the reason for requesting an incentive. Describe competitive, financial, or other issues necessitating this application.

Certification of No Undocumented Workers

Chapter 2264 of the Texas Government Code requires that each entity that submits an application to receive a public subsidy include in the application a statement certifying that the entity or a branch, division, or department of the entity does not and will not knowingly employ an undocumented worker. An undocumented worker means an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under the Law to be employed in that manner in the United States. If, after receiving a public subsidy, the entity or a branch, division, or department of the entity, is convicted of a violation under 8 U.S.C. Section 1324a(f), the entity shall repay the amount of the public subsidy with interest, at the rate and according to the other terms provided by an agreement under Section 2264.053, not later than the 120th day after the date the public agency, state, local taxing jurisdiction, or economic development corporation notifies the entity of the violation.

I hereby certify that _____ is in compliance with Chapter 2264 of the Texas Government Code.

Signature:
Name:
Title:

I hereby certify that the information provided in this Application is, to the best of my knowledge and belief, true and correct.

Date:

Signature:

Name:

Title:

Company: