



HELOTES
TEXAS
ECONOMIC DEVELOPMENT
REGULAR MEETING AGENDA

The City of Helotes Economic Development Corporation (HEDC) Board of Directors will meet for a Regular Meeting on Wednesday, July 21, 2021 at 7:00 p.m. in the City Hall Council Chambers, 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. Citizens to be heard.
The HEDC cannot discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). Comments are limited to three (3) minutes, and this time is not transferable. Discussion by the HEDC 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 HEDC Agenda.

CONSENT AGENDA (ITEM NOS. 3 – 4):

All Consent Agenda items listed below are considered routine by HEDC 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.

3. Approval of the minutes of the Regular Meeting dated June 16, 2021. (Staff)
4. Approval of the EDC Fiscal Year Ending (FYE) 2021 Revenue and Expense Report dated July 15, 2021. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION:

5. Presentation of the Proposed FY 2021 - 2022 EDC Operating Budget and discussion on and action on scheduling a public hearing. – Marian Mendoza, Executive Director
6. Discussion of and action on sponsoring the Helotes Area Chamber of Commerce 0.5K Challenge. (Staff)

STAFF REPORT:

7. Staff update on E-Commerce Accelerator Incentive Program. (Marian Mendoza, Executive Director)

CLOSED SESSION:

8. Closed Session in accordance with Texas Government Code § 551.072 *Deliberation Regarding Real Property*. 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:
- §551.072 *Deliberation Regarding Real Property* – To consider the purchase of a real property interest for future development purposes.

Adjourn.

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 exceptions to the requirement that a meeting be open to the public, in accordance with Texas Government Code, Chapter 551 *Open Meetings*, Subchapter D *Exceptions to Requirement that Meetings be Open*. No action may be taken in Closed Session.

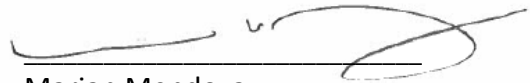
A quorum of the City Council and/or other City Boards, Committees, or Commissions may be present at this meeting. The City Council and/or other City Boards, Committees, or Commissions may not take action regarding public business or policy.

I certify that this Agenda was posted on July 16, 2021 at 5:00 p.m.

Attest:



Glenn Goolsby
Assistant Director



Marian Mendoza
Executive Director



REGULAR MEETING MINUTES

The City of Helotes Economic Development Corporation (EDC) Board of Directors met for a Regular Meeting on Wednesday, June 16, 2021 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: Blaine Lopez, President John Kodosky, Secretary
 Allison Higgins Greg Hayden
 Melody Cooper Melissa Benavides
 Joel Lutz

Staff: *Marian Mendoza, Executive Director*
 Glenn Goolsby, Assistant Director

Absent:

1. Call to Order.

President, Lopez called the meeting to order at 7:01 p.m.

OPEN SESSION:

2. 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 and its Extraterritorial Jurisdiction (ETJ) 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 placethe item on a future EDC Agenda.

No one signed up to speak on this item.

CONSENT AGENDA (ITEM NOS. 3 – 4):

All items marked with an asterisk (*) on the consent agenda were voted on as a group. Motion was made by John Kodosky, second by Greg Hayden to approve Items 3 and 4 as written. Motion carried unanimously.

3. ***Approval of the minutes of the Regular Meeting dated May 19, 2021. (Staff)**
4. ***Approval of the EDC Fiscal Year Ending (FYE) 2021 Revenue and Expense Report dated June 11, 2021. (Staff)**

STAFF REPORT:

5. **Staff update on Small Business Assistance Program and expenditures related to City events. (Marian Mendoza, Executive Director)**

Marian Mendoza updated the board that a total of \$390,000.00 in grants had been distributed to 23 businesses. She also noted the Cornyval Parade had expenditures of roughly \$20,000.00.

President Lopez after reading the following section, adjourned into closed session at 7:08 p.m.

CLOSED SESSION:

6. **Closed Session in accordance with Texas Government Code § 551.072 *Deliberation Regarding Real Property*. 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:**
 - **§551.072 *Deliberation Regarding Real Property* – To consider the purchase of a real property interest for future development purposes.**

President Lopez reconvened the meeting at 8:11 p.m. and announced that no action had been taken during the closed session.

Adjourn the regular meeting of the EDC Board of Directors.

President Lopez adjourned the meeting at 8:11 p.m.

Marian Mendoza Executive Director

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: JULY 15TH, 2021

Item 4

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	1,488,182.00	874.88	1,522,970.07 (	34,788.07)	102.34
MISCELLANEOUS REVENUE	<u>12,000.00</u>	<u>0.00</u>	<u>1,389.61</u>	<u>10,610.39</u>	<u>11.58</u>
TOTAL REVENUES	1,500,182.00	874.88	1,524,359.68 (	24,177.68)	101.61
	=====	=====	=====	=====	=====
<u>EXPENDITURE SUMMARY</u>					
ADMINISTRATION	<u>1,325,262.39</u>	<u>25,314.96</u>	<u>1,531,091.49</u>	<u>(205,829.10)</u>	<u>115.53</u>
TOTAL EXPENDITURES	1,325,262.39	25,314.96	1,531,091.49 (	205,829.10)	115.53
	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	174,919.61 (	24,440.08)	(6,731.81)	181,651.42	3.85-

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: JULY 15TH, 2021

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	1,474,767.00	0.00	1,515,947.54 (	41,180.54)	102.79
401-3150 MIXED BEVERAGE	9,815.00	874.88	3,872.53	5,942.47	39.46
401-3160 SUBLEASE HELOTES CHAMBER	<u>3,600.00</u>	<u>0.00</u>	<u>3,150.00</u>	<u>450.00</u>	<u>87.50</u>
TOTAL NON-PROPERTY TAXES	1,488,182.00	874.88	1,522,970.07 (	34,788.07)	102.34
<u>MISCELLANEOUS REVENUE</u>					
406-1010 INTEREST	<u>12,000.00</u>	<u>0.00</u>	<u>1,389.61</u>	<u>10,610.39</u>	<u>11.58</u>
TOTAL MISCELLANEOUS REVENUE	12,000.00	0.00	1,389.61	10,610.39	11.58
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TOTAL REVENUES	1,500,182.00	874.88	1,524,359.68 (24,177.68)	101.61
	=====	=====	=====	=====	=====

CITY OF HELOTES
 REVENUE & EXPENSE REPORT - UNAUDITED
 AS OF: JULY 15TH, 2021

05 -ECONOMIC DEVELOPMENT CORP
 ADMINISTRATION
 EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>PERSONNEL</u>					
510-5101 SALARIES	74,721.35	2,817.04	59,083.00	15,638.35	79.07
510-5111 LONGEVITY	1,460.00	0.00	1,340.00	120.00	91.78
510-5113 BENEFITS	<u>19,360.04</u>	<u>420.31</u>	<u>14,219.55</u>	<u>5,140.49</u>	<u>73.45</u>
TOTAL PERSONNEL	95,541.39	3,237.35	74,642.55	20,898.84	78.13
<u>CONTRACTUAL SERVICES</u>					
510-5201 MEMBERSHIPS, DUES & LICENSES	15,000.00	0.00	4,990.68	10,009.32	33.27
510-5202 AUDIT FEES	3,400.00	0.00	3,400.00	0.00	100.00
510-5203 SCHOOLS, SEMINARS, CONFERENCES	3,200.00	0.00	355.00	2,845.00	11.09
510-5204 INTL. CONF. SHOPPING CENTERS	3,200.00	0.00	0.00	3,200.00	0.00
510-5205 BANK FEES	750.00	0.00	0.00	750.00	0.00
510-5206 LEGAL FEES / MDD CREATION	3,000.00	0.00	247.00	2,753.00	8.23
510-5208 CONC. DESIGN & LAND USE PLANS	15,000.00	0.00	6,000.00	9,000.00	40.00
510-5210 WORKSHOPS & PROMOTIONS	3,000.00	0.00	0.00	3,000.00	0.00
510-5211 MARKETING / TOURISM	30,000.00	900.00	22,743.59	7,256.41	75.81
510-5212 WEBSITE DEV. & MAINTENANCE	12,000.00	0.00	1,850.00	10,150.00	15.42
510-5214 MANAGED SVCS. AGREEMENT	30,000.00	0.00	30,000.00	0.00	100.00
510-5215 DEBT SERVICE	321,669.00	0.00	321,669.00	0.00	100.00
510-5216 SBLAP GRANTS & ADMINISTRATION	0.00	0.00	420,600.00 (	420,600.00)	0.00
510-5224 OFFICE RENTAL	12,000.00	0.00	8,800.00	3,200.00	73.33
510-5225 OTHSD PARKING LOT LEASE	5,520.00	0.00	3,927.94	1,592.06	71.16
510-5228 VISITOR CENTER	50,000.00	0.00	1,975.00	48,025.00	3.95
510-5230 MARKETING/CITY EVENTS	<u>110,000.00</u>	<u>20,443.50</u>	<u>20,893.50</u>	<u>89,106.50</u>	<u>18.99</u>
TOTAL CONTRACTUAL SERVICES	617,739.00	21,343.50	847,451.71 (	229,712.71)	137.19
<u>COMMODITIES</u>					
510-5301 OFFICE SUPPLIES	2,000.00	0.00	244.62	1,755.38	12.23
510-5302 OPERATIONAL EXPENSES	8,500.00	734.11	10,882.52 (	2,382.52)	128.03
510-5305 COMMUNICATION EQUIPMENT	1,232.00	0.00	767.43	464.57	62.29
510-5326 EXPENSE REIMBURSEMENT	250.00	0.00	0.00	250.00	0.00
510-5333 380 AGREEMENT REIMBURSEMENTS	<u>600,000.00</u>	<u>0.00</u>	<u>597,102.66</u>	<u>2,897.34</u>	<u>99.52</u>
TOTAL COMMODITIES	611,982.00	734.11	608,997.23	2,984.77	99.51
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TOTAL ADMINISTRATION	1,325,262.39	25,314.96	1,531,091.49 (205,829.10)	115.53
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TOTAL EXPENDITURES	1,325,262.39	25,314.96	1,531,091.49 (205,829.10)	115.53
=====					
REVENUES OVER/(UNDER) EXPENDITURES	174,919.61 (24,440.08) (6,731.81)	181,651.42	3.85-
=====					

*** END OF REPORT ***



**City of Helotes EDC
AGENDA ITEM REQUEST FORM
DATE: July 21, 2021**

Agenda Placement: CONSENT
 INDIVIDUAL
 STAFF REPORT
 PRESENTATION
 CLOSED

CAPTION:

Presentation of the Proposed FY 2021 - 2022 Helotes Economic Development Corporation (HEDC) Operating Budget and discussion of and action on scheduling a public hearing. – Marian Mendoza, Executive Director

EXECUTIVE SUMMARY:

A PowerPoint (PPT) summarizing the proposed budget is being presented at the HEDC Meeting on Thursday, July 21, 2021. The presentation will be publicly available for viewing on the EDC website.

Staff recommends the Public Hearing on the Proposed FY 2021 - 2022 HEDC Operating Budget be held on August 18, 2021 and the adoption of said budget will take place on September 15, 2021. The budget will subsequently be approved on September 23, 2021 by City Council.

PREPARED BY: Marian V. Mendoza, Executive Director

DATE SUBMITTED: July 12, 2021

EDC 05

		2016-2017 ACTUAL	2017-2018 ACTUAL	2018-2019 ACTUAL	2019-2020 ACTUAL	2020-2021 BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	PROPOSED 2020-2021
NON-PROPERTY TAX									
401-3140	SALES TAX	\$ 757,921.00	\$ 1,215,880.00	\$ 1,470,234.00	\$ 1,604,285.25	\$ 1,474,767.00	\$ 1,717,288.00	\$ 2,009,226.96	\$ 1,879,650.00
401-3150	MIXED BEVERAGES	\$ 8,733.00	\$ 9,302.00	\$ 9,815.00	\$ 8,945.16	\$ 9,815.00	\$ 2,997.65	\$ 3,996.87	\$ 6,500.00
401-3160	SUBLEASE FROM CHAMBER				\$ -	\$ 3,600.00	\$ 3,150.00	\$ 4,200.00	\$ 4,200.00
TOTAL		\$ 766,654.00	\$ 1,225,182.00	\$ 1,480,049.00	\$ 1,613,230.41	\$ 1,488,182.00	\$ 1,723,435.65	\$ 2,017,423.83	\$ 1,890,350.00
MISCELLANEOUS REVENUE									
406-1010	INTEREST	\$ 3,009.00	\$ 9,534.00	\$ 21,643.00	\$ 14,410.32	\$ 12,000.00	\$ 1,389.61	\$ 1,852.81	\$ 5,000.00
406-1060	TRANSFERS IN/OUT	\$ (2,520.00)	\$ -	\$ (99,293.00)	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL MISC REVENUES		\$ 489.00	\$ 9,534.00	\$ (77,650.00)	\$ 14,410.32	\$ 12,000.00	\$ 1,389.61	\$ 1,852.81	\$ 5,000.00
PERSONNEL									
510-5101	SALARIES	\$ -	\$ -	\$ 67,679.00	\$ 70,922.89	\$ 74,721.35	\$ 56,265.96	\$ 73,145.75	\$ 74,974.39
510-5111	LONGEVITY	\$ 860.00	\$ 980.00	\$ 1,100.00	\$ 1,220.00	\$ 1,460.00	\$ 1,340.00	\$ 1,560.00	\$ 1,460.00
510-5113	BENEFITS	\$ -	\$ -	\$ 15,154.00	\$ 17,287.29	\$ 19,360.04	\$ 13,799.24	\$ 19,360.00	\$ 19,205.22
PERSONNEL	TOTAL	\$ 860.00	\$ 980.00	\$ 83,933.00	\$ 89,430.18	\$ 95,541.39	\$ 71,405.20	\$ 94,065.75	\$ 95,639.61
CONTRACTUAL SERVICES									
510-5201	MEMBERSHIPS, DUES & LICENSES	\$ 5,741.00	\$ 9,419.00	\$ 9,601.00	\$ 19,632.80	\$ 15,000.00	\$ 4,990.68	\$ 6,654.24	\$ 16,000.00
510-5202	AUDIT FEES	\$ 3,000.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,400.00	\$ 3,400.00	\$ 3,500.00
510-5203	SCHOOLS, SEMINARS, CONFERENCES	\$ 1,247.00	\$ 1,784.00	\$ 1,034.00	\$ 79.00	\$ 3,200.00	\$ 355.00	\$ 473.33	\$ 3,200.00
510-5204	INTL. CONF. SHOPPING CENTERS	\$ 7,528.00	\$ 4,664.00	\$ 8,173.00	\$ 1,928.04	\$ 3,200.00	\$ -	\$ -	\$ 3,200.00
510-5205	BANK FEES	\$ -	\$ -	\$ -	\$ 500.00	\$ 750.00	\$ -	\$ -	\$ 750.00
510-5206	LEGAL FEES	\$ 4,147.00	\$ 2,868.00	\$ 624.00	\$ 1,651.00	\$ 3,000.00	\$ 247.00	\$ 329.33	\$ 5,000.00
510-5208	CONC. DESIGN & LAND USE PLANS	\$ -	\$ 7,300.00	\$ 1,781.00	\$ -	\$ 15,000.00	\$ 6,000.00	\$ -	\$ 30,000.00
510-5210	WORKSHOPS & PROMOTIONS	\$ 1,000.00	\$ -	\$ 189.00	\$ -	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00
510-5211	MARKETING / TOURISM	\$ 28,178.00	\$ 11,099.00	\$ 17,115.00	\$ 23,376.55	\$ 30,000.00	\$ 21,843.49	\$ 29,124.65	\$ 75,000.00
510-5212	WEBSITE DEV. & MAINTENANCE	\$ 1,050.00	\$ 6,336.00	\$ 9,974.00	\$ 7,929.09	\$ 12,000.00	\$ 1,850.00	\$ 2,466.67	\$ 5,000.00
510-5214	MANAGED SVCS. AGREEMENT	\$ 15,000.00	\$ 11,084.00	\$ 5,524.00	\$ 15,000.00	\$ 30,000.00	\$ 30,000.00	\$ 40,000.00	\$ 36,000.00
510-5215	DEBT SERVICE	\$ 195,000.00	\$ 200,000.00	\$ 323,040.00	\$ 329,210.22	\$ 321,669.00	\$ 321,669.00	\$ 321,669.00	\$ 322,112.00
510-5216	SBLAP GRANTS * & ADMINISTRATION			\$ -	\$ 1,000.00	\$ -	\$ 420,600.00	\$ 420,600.00	\$ -
510-5223	Business Improvement Grant								\$ 200,000.00
510-5224	OFFICE RENTAL	\$ -	\$ 17,031.00	\$ 9,500.00	\$ 9,700.00	\$ 12,000.00	\$ 8,800.00	\$ 11,733.33	\$ 13,200.00
510-5225	OTHSD PARKING LOT LEASE	\$ -	\$ 162.00	\$ 5,169.00	\$ 4,959.85	\$ 5,520.00	\$ 3,927.94	\$ 5,237.25	\$ 6,120.00
510-5228	VISITOR CENTER	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00	\$ 1,975.00	\$ -	\$ -
510-5230	MARKETING/CITY EVENTS	\$ -	\$ -	\$ -	\$ -	\$ 110,000.00	\$ 20,893.50	\$ 45,000.00	\$ 64,000.00
Other	Capital Improvements								\$ 25,000.00
CONTRACTUAL SERVICES	TOTAL	\$ 261,891.00	\$ 274,847.00	\$ 394,924.00	\$ 418,266.55	\$ 617,739.00	\$ 846,551.61	\$ 886,687.81	\$ 811,082.00
COMMODITIES									
510-5301	OFFICE SUPPLIES	\$ 957.00	\$ 3,037.00	\$ 392.00	\$ 222.04	\$ 2,000.00	\$ 244.62	\$ 326.16	\$ 3,000.00
510-5302	OPERATIONAL EXPENSES	\$ 1,755.00	\$ 15,703.00	\$ 14,093.00	\$ 10,165.71	\$ 8,500.00	\$ 10,148.41	\$ 13,531.21	\$ 15,000.00
510-5305	COMMUNICATION EQUIPMENT	\$ 235.00	\$ 1,362.00	\$ 1,254.00	\$ 1,098.17	\$ 1,232.00	\$ 767.43	\$ 1,023.24	\$ 1,300.00
510-5326	EXPENSE REIMBURSEMENT	\$ 129.00	\$ -	\$ 168.00	\$ 93.73	\$ 250.00	\$ -	\$ -	\$ 250.00
510-5333	380 AGREEMENT REIMBURSEMENTS	\$ -	\$ 421,727.00	\$ 567,982.00	\$ 606,631.74	\$ 600,000.00	\$ 597,102.66	\$ 796,136.88	\$ 800,000.00
COMMODITIES	TOTAL	\$ 3,076.00	\$ 441,829.00	\$ 583,889.00	\$ 618,211.39	\$ 611,982.00	\$ 608,263.12	\$ 811,017.49	\$ 819,550.00
TOTAL REVENUES		\$ 767,143.00	\$ 1,234,716.00	\$ 1,402,399.00	\$ 1,627,640.73	\$ 1,500,182.00	\$ 1,724,825.26	\$ 2,019,276.64	\$ 1,895,350.00
TOTAL EXPENSES		\$ 265,827.00	\$ 717,656.00	\$ 1,062,746.00	\$ 1,125,908.12	\$ 1,325,262.39	\$ 1,526,219.93	\$ 1,791,771.05	\$ 1,726,271.61

EDC 05

	2016-2017 ACTUAL	2017-2018 ACTUAL	2018-2019 ACTUAL	2019-2020 ACTUAL	2020-2021 BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	PROPOSED 2020-2021
TOTAL OVER & UNDER	\$ 501,316.00	\$ 517,060.00	\$ 339,653.00	\$ 501,732.61	\$ 174,919.61	\$ 198,605.33	\$ 227,505.59	\$ 169,078.39

Memberships, Dues, & Licenses 510-5201

TEDC	\$ 1,050.00
IEDC	\$ 455.00
ICSC	\$ 200.00
Business Journal	\$ 100.00
GISPlanning & ReSimplifi	\$ 13,000.00
Helotes Area Chamber of Commerce	\$ 1,000.00
TOTAL	\$ 15,805.00

Schools, Seminars, & Conferences 510-5203

TEDC Workshops	\$ 1,400.00
IEDC Cert Training	\$ 1,800.00
TOTAL	\$ 3,200.00

Business Grant 510-5223

E-Commerce	\$ 50,000.00
Tenant Improvement	\$ 150,000.00
TOTAL	\$ 200,000.00

Trade Shows 510-5204

Retail Live Conference	\$ 1,200.00
ICSC Texas Conference	\$ 2,000.00
TOTAL	\$ 3,200.00

Marketing/Tourism 510-5230

MarketPlace	\$ 35,000.00
Cornyval Parade	\$ 23,750.00
Christmas Parade	\$ 5,250.00
TOTAL	\$ 64,000.00

Marketing/Tourism 510-5211

Destination Marketing	\$ 30,000.00
Business Marketing	\$ 20,000.00
Event Marketing	\$ 20,000.00
EDC Marketing	\$ 5,000.00
TOTAL	\$ 75,000.00

Capital Improvement

LOMR	\$ 15,000.00
Bridge Lighting	\$ 10,000.00
Total	\$ 25,000.00

FUND BALANCE (10-01-2020)	\$ 1,792,827.00
TOTAL PROJECTED REVENUE	\$ 2,019,276.64
TOTAL PROJECTED EXPENSES	\$ (1,791,771.05)
LIABILITY RESERVES FY20	
SPLASH PAD	\$ (300,000.00)
SIDEWALKS	\$ (175,000.00)
SBLAP	\$ -
TOTAL LIABILITY	\$ (475,000.00)
UNRESERVED BALANCE (09-30-21)	\$ 1,545,332.59

2021-2022 BUDGET WORK SESSION

JULY 21, 2021



**ECONOMIC DEVELOPMENT
CORPORATION**

Presented by:
Marian V. Mendoza
Executive Director

FY2021 – 22 PROPOSED BUDGET



The Proposed Budget has been developed to:

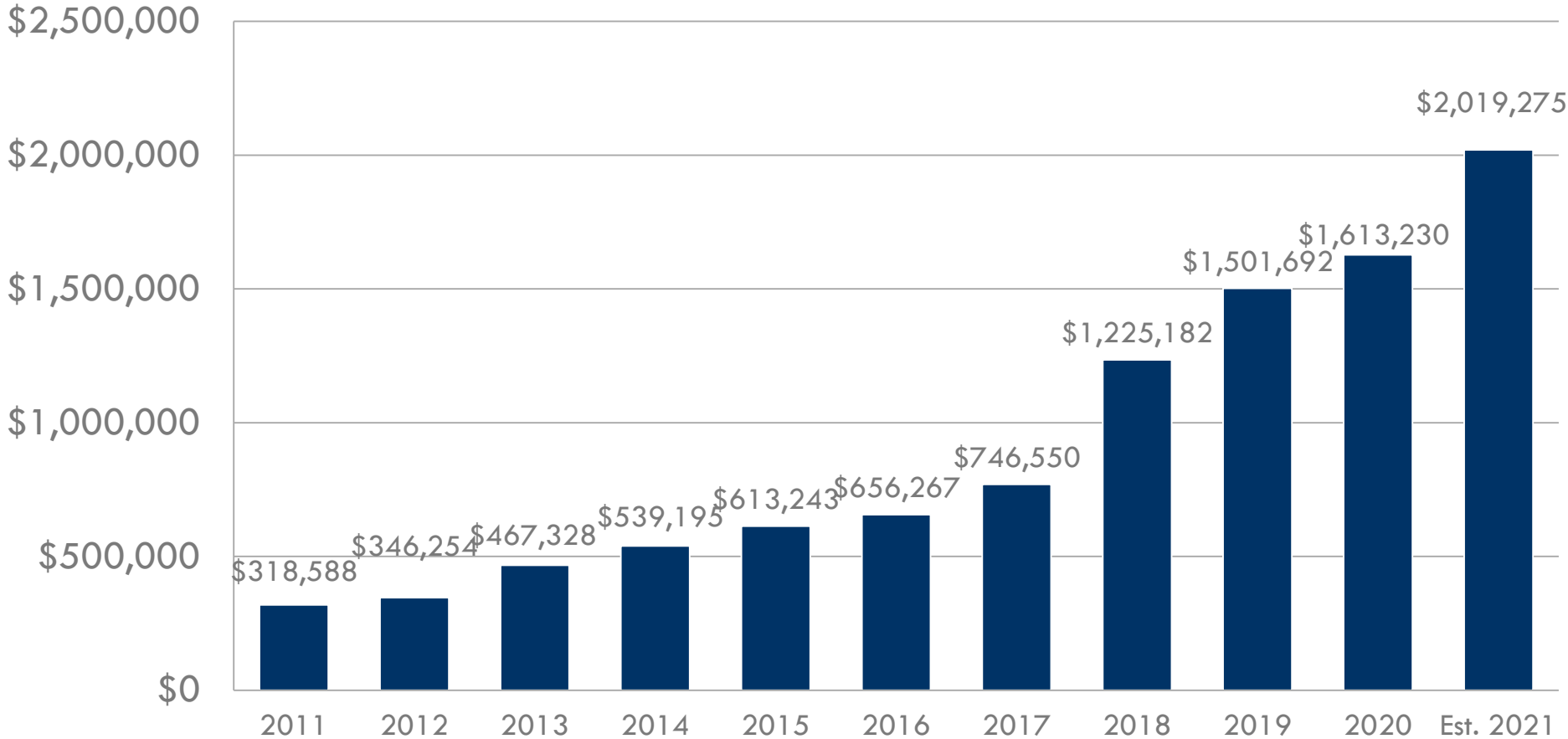
- Be consistent with the established mission, vision and goals of the Helotes Economic Development Corporation;
- Provide a fiscal plan to accomplish high priority action steps consistent with the Strategic Work Plan;
- Allocate resources to provide business development through effective communication, supporting existing businesses and recruit new businesses;
- Highlight how the allocation of HEDC financial and capital resources are targeted to achieve the HEDC's established mission, vision and goals

SALES TAX



- Sales tax revenue is main source for HEDC
- The City's current sales tax rate is 8.00 percent which includes quarter (.25) of a cent for street maintenance and a one-half (.50) of a cent for HEDC
- For the Proposed Budget, \$1,890,350 is projected to be collected by the HEDC from sales tax

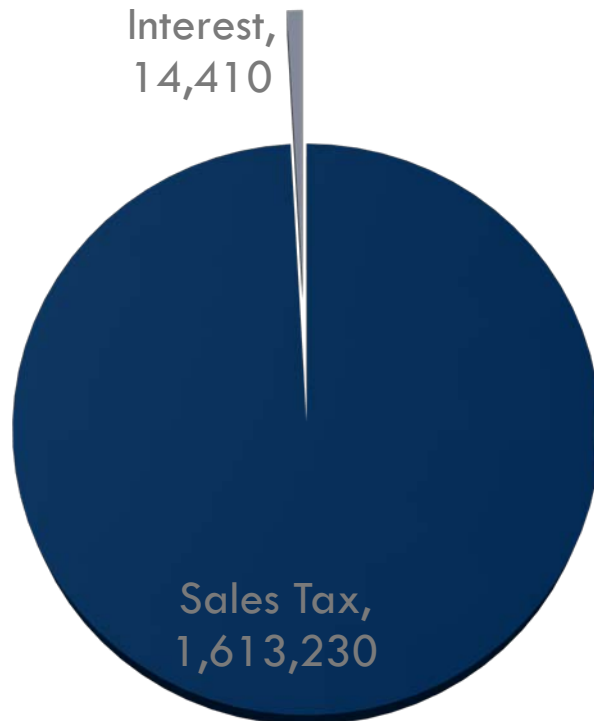
TOTAL REVENUE



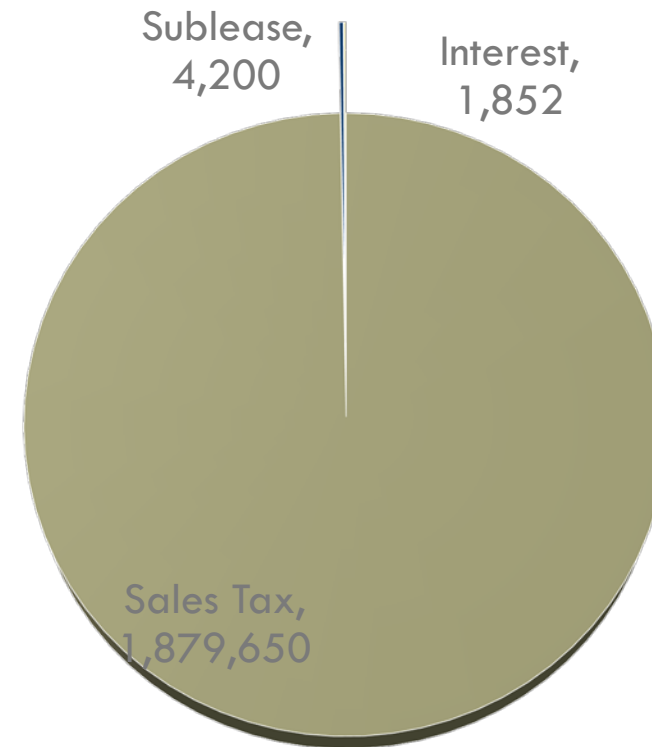
REVENUE COMPARISON



2020 Revenue



2021 Est. Revenue



FY20-21 BUDGET - HEDC



	Actual FY20	Adopted FY21	Projected FY21	Proposed FY22
Personnel	\$ 89,430	\$ 95,541	\$ 94,065	\$ 95,639
Contractual Services	\$ 418,266	\$ 617,739	\$ 886,687	\$ 811,082
Commodities	\$ 618,211	\$ 611,982	\$ 811,017	\$ 819,550
Capital Outlay				
Total Expenditures:	\$ 1,125,908	\$ 1,325,262	\$ 1,791,711	\$ 1,726,271
Percentage increase:				30.25%

PROGRAM CHANGES FY 21-22

- **510-5208 Conceptual Design & Land Use Plans**
 - \$30,000 to be used as a marketing and incentive tool
 - Increase from \$15,000
- **510-5211 Marketing/Tourism**
 - \$30,000 – Destination Marketing*
 - Attract new businesses
 - \$20,000 – Business Marketing*
 - Support current businesses
 - \$20,000 – Event Marketing
 - \$5,000 – HEDC Marketing

PROGRAM CHANGES FY 21-22



- **510-5230 Marketing/Tourism**
 - \$64,000 for City Events
 - Decrease from \$110,000
 - MarketPlace - \$35,000
 - Cornyval Parade - \$23,750
 - Christmas Parade - \$5,250

PROGRAM CHANGES FY 21-22



■ 510-5233 Business Grant

- \$50,000 – E-Commerce Accelerator Incentive Program
 - Continuation of program launched in FY21
- \$150,00 – Tenant Improvement Program*
 - Support new retail and food/beverage-based business - along the SH16 corridor
 - Reimbursable grant – up to 50% of the cost not to exceed \$30,000

PROGRAM CHANGES FY 21-22



- **510-5228 Visitor Center**

- Removed from budget

- **210-5333 380 Agreement Reimbursement**

- \$800,00 - Texas Developers 380 Agreement
- Increase from \$600,000 due to increase sales tax revenue

PROGRAM CHANGES FY 21-22



■ Other

- LOMR – Engineer Services - \$15,000
 - Completion needed for Pedestrian Bridge – requirement
- Bridge Lighting - \$10,000
 - Consideration of extra lighting on Pedestrian Bridge

FUND STATEMENTS



- The Proposed HEDC Fund allocation for FY 2021-22 is \$1,726,271 representing a 30.25% increase from the current year adopted budget.
- Factors for EDC Budget increase of 30.25%:
 - Business Grants – new and current business development
 - Marketing - new and current business development
 - 380 Agreement Reimbursement – increases with Sales Tax Revenue

FUND STATEMENTS



- Total revenue for FY 2021-2 are projected to be \$1,895,350 representing a 26.34% increase from the current year adopted budget.
- The Proposed HEDC Operating Budget will produce \$169,078 in net revenue after expenditures. This is a decrease of \$5,841 compared to the adopted FY 2021 budget.

PROJECTED EDC FUND REVENUES/ALLOCATIONS FOR CURRENT FISCAL YEAR ENDING 9/30/21

Beginning Balance 10/1/20	\$1,792,827
Projected Revenues	\$2,019,276
Projected Expenses	-\$1,791,771
<i>Reserved Funds for Capital Projects – approved FY21</i>	<u>-\$475,000</u>
Projected Unreserved Fund Balance 9/30/21	\$1,545,332

PROPOSED HEDC FUND BALANCE FY 2022

Projected Beginning Balance 10/1/21	\$1,545,332
Proposed Revenues	\$1,895,350
Proposed Expenses	-\$1,726,271
Projected Reserved for Capital Projects	<u>-\$475,000</u>
Estimated Unreserved Fund Balance 9/30/22	\$1,239,411

NEXT STEPS



Friday, July 23, 2021	Publish Notice of Public Hearing
Wednesday, August 18, 2021	First Public Hearing for FY 2021-22 Proposed Budget
Wednesday, September 22, 2021	Second Public Hearing and Board approval of FY 2021-22 Proposed Budget
Thursday, September 23, 2021	City Council approval of FY 2021-22 Proposed Budget



City of Helotes EDC
AGENDA ITEM REQUEST FORM
DATE: July 21, 2021

Agenda Placement: **CONSENT**
 INDIVIDUAL
 STAFF REPORT
 PRESENTATION
 CLOSED

CAPTION:

Discussion of and action on sponsoring the Helotes Area Chamber of Commerce 0.5K Challenge – Glenn Goolsby, Assistant Director

BACKGROUND:

The Helotes Chamber of Commerce have requested the Helotes Economic Development Corporation (HEDC) consider sponsoring the 2021 Annual Helotes 0.5K Challenge. This is the 3rd Annual Helotes 0.5K Challenge and it is being held on October 23, 2021 in Old Town Helotes. The HEDC has sponsored the event in both 2019 and 2020, along with providing drawstring backpacks for all the runners. Sponsorship dollars go to fund the event, while registration proceeds benefit the Chamber's Foundation that provides scholarships to local graduating seniors.

FINANCIAL: Sponsorship Levels

- Loafer - \$250
- Straggler - \$500
- Couch Potato - \$1,000
- Lollygagger - \$2,000
- Ultimate Procrastinator - \$3,500

ATTACHMENTS:

Attachment A – Sponsorship Levels

SUBMITTED BY: Glenn Goolsby, Assistant Director

HELOTES 0.5K CHALLENGE

A RACE FOR THE REST OF US

Sponsorship Opportunities	Ultimate Procrastinator \$3,500	Lollygagger \$2,000	Couch Potato \$1,000	Straggler \$500	Loafer \$250
# Of Free Race Entries	15	10	5	2	1
Pre-Event Recognition					
Social Media Promotion (Facebook, Twitter, Instagram)	●	●	●	●	●
Website Presence (Logo and hyperlink)	●	●	●	●	●
Email Blasts (30,000+ contacts)	●	●	●	●	●
Logo on Race Advertisements	●	●	●	●	●
Logo on Event Flyer	●	●	●	●	●
Name Included in Press Release	●	●	●	●	●
Race Day Recognition					
Branded Registration Area	●	●	●	●	●
Logo on Race Bib	●	●	●	●	●
Logo on Race Medal Lanyard	●	●	●	●	●
Sponsor of Race Mile Markers	●	●	●	●	●
Logo on Event Banners	●	●	●	●	●
Logo on back of Event T-Shirt	●	●	●	●	●
Sponsor of After-Party	●	●	●	●	●
10x10 Vendor Space	●	●	●	●	●
Corporate Item in Goody Bags	●	●	●	●	●
Post-Event Recognition					
Outgoing Press Releases	●	●	●	●	●
Logo in Chamber Newsletter	●	●	●	●	●
Thank you Email Blast	●	●	●	●	●



Supporting



Adventure Stations \$300

Opportunity to interact with our race participants by hosting a humorous challenge station, such as a 2ft rock wall or a burp station.

Vendor Space

Members \$75
Non-members \$150

Individual Tickets

Early Registration \$25
Registration \$35
(Includes a Finisher Medal, T-shirt, Race Decal, 2 Beer Tokens, and Swag.)

VIP Tickets

Add \$25 per ticket
(Includes a Limited Edition Race Medal, Membership in the "Society of Lazy and Carefree Runners," T-shirt, Race Decal, 4 Beer Tokens, Extra Swag, and other Valuable Offers.)

Contact Info: Horatio Neely at 210-414-8949 or email: info@heloteschamber.com

October 23, 2021 • Registration 9:30 a.m. • Race 10:30 a.m. • After Party 12 p.m.



City of Helotes EDC
AGENDA ITEM REQUEST FORM
DATE: July 21, 2021

Agenda Placement: CONSENT
 INDIVIDUAL
 STAFF REPORT
 PRESENTATION
 CLOSED

CAPTION:

Staff update on Helotes E-Commerce Accelerator Incentive Program

BACKGROUND:

The Helotes E-Commerce Accelerator Incentive Program was approved by Helotes Economic Development Corporation (HEDC) on April 14th and by the Helotes City Council on May 13th. It was officially launched on Tuesday, July 13th.

The program information page is live on the HEDC website and an email blast campaign was sent out on Wednesday, July 14th.

ATTACHMENT: Attachment A – Flyer and Guidelines

SUBMITTED BY: Marian V. Mendoza

DATE SUBMITTED: 07/12/21

Helotes E-Commerce Accelerator Incentive Program

What's Available?

Up to \$5,000 matching grant to support the development or enhancement of e-commerce (e.g. website creation, POS system integration, SEO, and more) to promote digital retail experiences that strengthen brick-and-mortar businesses.

Who's Eligible?

Brick-and-mortar businesses located in the City of Helotes who offer sales or services.



For more information visit helotesdc.com





***HELOTES E-COMMERCE
ACCELERATOR INCENTIVE PROGRAM
Guidelines and Application Form
Fiscal Year Ending 2021 Grant Cycle***

ADMINISTERED BY:
The City of Helotes
Economic Development Corporation
12682 FM 1560, Suite 105
Helotes, Texas 78023
(210) 695-5910 (direct)

CITY OF HELOTES EDC

E-COMMERCE ACCELERATOR INCENTIVE PROGRAM

PROGRAM OBJECTIVES

The goal of this program is to encourage small businesses within the City of Helotes to diversify by establishing and promoting e-commerce sales to complement their brick-and-mortar storefront for the retail and service industry. E-commerce has become increasingly important for businesses in the past decade and the COVID19 pandemic has magnified its significance in business models. Consumer behavior continues to change rapidly. Growing E-commerce businesses during this crisis will result in stronger Helotes businesses post-COVID19.

HEDC is committing \$75,000 to this marketing program that provides a maximum \$5,000 matching grant per business to reimburse up to 75% of total project cost to establish, operate, and promote e-commerce for their business. Applications will be considered on a first-come, first-served basis and are subject to availability of funds. This grant program is available to retail and services businesses who have a brick-and-mortar facility within the Helotes city limits. Once awarded each business (and their service providers) will begin e-commerce improvements and report monthly progress and monthly statistics to HEDC for six full months.

GRANT DETAILS

Eligible expenses for funding include but are not limited to:

- Preparation:
 - Website creation (must include E-commerce capabilities)
 - E-commerce platform set-up and annual subscription fee (shopping carts, online security tools, membership, etc.)
 - POS system upgrades necessary to integrate with e-commerce platforms
 - Contactless Payment
 - Online Reservations
 - Social Accounts Established
- Promotion:
 - Advertising efforts, including social media promotional & digital advertising campaigns (Google Ads, social media boosts, etc.)
 - Search Engine Optimization

GRANT AMOUNTS AND USE

Grants will be made on a first-come, first-served basis with a maximum grant amount of up to \$5,000 or 75% of total project cost, whichever is less. The Grant recipients must contribute a minimum of 25% of total project cost. Grant funds are to be used to cover approved costs as determined by the Helotes Economic Development staff and board, and are subject to the eligibility requirements (below).

Grantees will qualify under one of two Levels:

1. **LAUNCH E-commerce:** Online presence established and E-commerce sales begin. Promotional efforts begin. Expense ratio up to 75% Preparation & 25% Promotion.
2. **AMPLIFY E-commerce:** E-commerce enhanced & promotions increased. Expense ratio up to 25% Preparation & 75% Promotion.

ELIGIBILITY

Eligibility for grant consideration SHALL minimally include the following:

- a. Business holds a current Certificate of Occupancy and is located within the corporate limits of the City of Helotes;
- b. Businesses must be for-profit;
- c. Business must operate at least one storefront location within the Helotes city limit. Excludes: temporary locations, farmer's market vendors, consignment vendors, etc.;
- d. All of E-commerce transactions for the Helotes business location must be fulfilled in Helotes;
- e. Businesses must be in good standing with the City of Helotes with respect to taxes, fees, or other financial obligations, and is in compliance with all applicable zoning, land use, and other ordinances;
- f. Business owner must provide a no litigation certificate.
- g. Small businesses shall be defined by the HEDC and may be based upon the following, non-exclusive list of factors:
 - 1) Annual gross revenue of not more than \$4 million;
 - 2) Must have 40 or fewer FTE (full time equivalent) employees; and
 - 3) Number of business locations.

OTHER PROGRAM GUIDELINES

Businesses that have an existing website must enhance the website to accept online payments and offer on line shopping (catalog or cart) as noted above in Grant Details Preparation. The grant can be used for other clearly identified enhancements to increase traffic and commerce to the business as determined by DDA staff.

- Where the applicant has no presently existing website, a new website must be established as part of the e-commerce grant.
- Eligible reimbursement expenses exclude sale fees/commissions charged for applicant's online sales transactions.

ACCEPTABLE PROVIDERS

Below is a list of preferred providers, feel free to select the one that best meets your needs. These Firms have agreed to provide services at a reduced upfront cost to program participants. The HEDC neither endorses, guarantees, nor warrants the services of these independent contractors, the services of which are made available "as is" "where is".

- ESD and Associates;
- SA Flavor; and
- Internet Direct.

Should Applicant wish to secure the services of another qualified firm or entity not listed herein, Applicant must provide the following:

- A minimum of two independent quotes must be provided for Launch E-commerce development activities. Amplify E-commerce activities require at least one quote and should clearly state the cost of service being requested. Quotes should be valid for at least 3 months.
- Quotes must be on formal letter headed paper and the supplier/provider must be based in Bexar County; if you are unable to use a supplier/provider in the County, reasons for this must be stated on the application form. Quotes for capital equipment can be a screenshot but the supplier details and product description and cost must be clearly stated.

APPLICATION & REPORTING PROCESS

Application

1. Early Application submission is encouraged as proposals will be evaluated as received and early grant awards are likely.
2. Applicant will access and download the application from www.helotesedc.com/e-commerce
3. Applicant will prepare a proposal that includes a Scope of Work with itemized project details and marketing plans, provider/consultant contact info, timelines, and budget line item details such as one-time expenses and reoccurring expenses. For example, if applicant's proposed project includes website design, e-commerce subscription, and ad placement services from the same consultant then itemized details will be needed for the proposal and monthly reports. The submitted Scope of Work should be specific enough for the HEDC to evaluate whether the proposed services are eligible under program guidelines.
4. Applicant will include Baseline Statistics: current number of Website Visits, Website Bounce Rates, Website Length of Visits, Page Reports (Facebook, Instagram Business, etc.), Number of E-commerce sales/transactions, Value of E-commerce sales/transactions, etc.
5. Applicant should complete, sign, and submit the grant application (including itemized projects, chosen provider(s), budget, and timelines via the website)
6. HEDC staff will email notification to the applicant acknowledging receipt of their application.
7. Applications will be reviewed on a weekly basis by the HEDC staff.
8. Applicants will be notified of the decision via email. If approved, the email will serve as authority for the applicant to begin work. Website/e-commerce provider completes the Project Preparation as quoted.
9. E-commerce Promotion will begin once Preparation is complete.

Reporting

1. Monthly reports from the business will include completed Preparation, completed Promotion, and Statistics updates, along with paid invoices for reimbursement.
2. HEDC staff will verify project compliance as detailed in the proposal and provide grant reimbursement to the applicant business.
3. To receive the approved grant reimbursement, approved applicant business pays the website/service provider in full and submits an invoice marked paid to HEDC once per month with their monthly update report.
4. After six months HEDC involvement and monitoring will be complete.

FUNDING AVAILABILITY

The Helotes Economic Development Corporation has allocated \$75,000 in Marketing Funds for this program in fiscal year ending September 30, 2021. Should funding for the program be reduced in the future, we reserve the right to discontinue or modify funding for this program.

GRANTEE RESPONSIBILITIES

Participant's application must include a written Scope of Work that includes specific goal(s), cost estimates, and a timeline for completion of each goal. (See Scope of Work worksheet)

Participants must provide grantor performance reports on a monthly basis during the grant period (six months from approval). Reports will include, as a minimum: Baseline Statistics: Website Visits, Website Bounce Rates, Website Length of Visits, Page Reports (Facebook, Instagram Business, etc.), Number of E-commerce sales/transactions, Value of E-commerce sales/transactions, etc. These statistics will be updated in Participants' monthly reports.

Marketing /Promotional/Advertising data must show overall amount spent, with details separated by media, social media platform, other source(s).

Website traffic must show overall visitor counts for identified time blocks (weekly, daily, etc.).

Requirement to Recognize the Helotes EDC on the Site's Home Page

The home page of the Applicant's web site must recognize the Helotes Economic Development Corporation by stating the following: "The Helotes Economic Development Corporation, hyperlinked to <http://www.helotesedc.com> provided grant funds for the development of this website."

HOLD HARMLESS

Applicant shall maintain typical and appropriate comprehensive liability insurance, automobile liability insurance, and workers compensation insurance during any term of this Agreement.

APPLICANT AGREES TO AND SHALL SAVE, INDEMNIFY, AND HOLD HARMLESS HELOTES ECONOMIC DEVELOPMENT CORPORATION AND ITS AGENTS, OFFICERS, EMPLOYEES, CONSULTANTS, SUB-CONSULTANTS AND ASSIGNS (HEDC) FROM AND AGAINST ANY AND ALL LIABILITY, HARM, DAMAGES, INCLUDING PROPERTY DAMAGE AND DEATH, CLAIMS, DEMANDS, OCCURRENCES, INCIDENTS, LOSS OF BUSINESS, LOSS OF BUSINESS OPPORTUNITY AND THE LIKE ARISING IN ANYWISE FROM THE PERFORMANCE OF THIS AGREEMENT, WHETHER KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, INCLUDING THE CONSEQUENCES OF HEDC'S OWN NEGLIGENCE SO LONG AS SUCH NEGLIGENCE IS NOT A RESULT OF HEDC'S SOLE NEGLIGENCE, GROSS NEGLIGENCE, OR INTENTIONAL ACTS

RESERVATION OF SOVEREIGN IMMUNITY

Nothing contained herein shall ever be construed as a waiver or relinquishment of any sovereign or governmental immunities available to HEDC, its agents, officers, and assigns, and including, but not limited to, its appointed officials, the rights to which are specifically reserved herein to the fullest extent authorized by Texas law and minimally to the extent then and there existing

prior to the execution hereof. In reviewing the reservations contained herein, every intendment shall be made by a reviewing court toward granting the broadest and most inclusive immunities unto HEDC and its agents and officers and assigns, as permitted by law.

DEFAULT AND REMEDY

The HEDC reserves the right to suspend or terminate its approval of Applications and/or the Remuneration Agreement for any reason or no reason and with or without notice, including but not limited to, the following:

- a. The business evaluation is deficient;
- b. The Applicant fails to cooperate;
- c. The Applicant / Firm fails to comply with the terms of the Application and/or Remuneration Agreement and/or any applicable municipal, state or federal law, rule, regulation or order;
- d. The Applicant fails to comply with e-commerce program guidelines, as currently existing or as may be amended from time to time;
- e. Applicant provides false information in the e-commerce application and/or documents submitted to HEDC;
- f. The HEDC suspends or terminates funding for the e-commerce program;
- g. Applicant files for bankruptcy or becomes a party to any bankruptcy proceeding;
- h. If the Applicant should Default with respect to any obligation of this Agreement and should fail to cure within sixty (60) days after receipt of written notice of such Default from the HEDC, then the Applicant shall reimburse HEDC, without objection, the entirety of the funds expended and/or provided herein, including reasonable attorney's fees and costs; and/or
- i. Failure by either Party to timely and substantially comply with any performance requirement, duty, or covenant shall be considered an act of Default if uncured within sixty (60) days of receiving written notice from the other Party. Failure of the Applicant to timely begin attempts to cure a default will give the HEDC the right to terminate this Agreement, as solely and finally determined by the HEDC Board of Directors, using reasonable discretion.

**ATTACHMENT A
CITY OF HELOTES EDC
E-Commerce Accelerator Incentive Program**

Applicant

Business:

Business Address:

Contact person:

Phone:

Email:

Address (if applicable):

Website:

Federal Tax ID#:

Sales Tax ID#:

Current City of Helotes Certificate of Occupancy? Yes No Please attach.

Are you applying for grant funds to **LAUNCH** or **AMPLIFY** your website?

Annual Gross Revenues:

Number of Employees:

Number of Locations:

Authorized Provider

Business Name:

Address:

Contact Person:

Phone:

Email:

Website address:

Project Summary & Costs

Written Summary of Proposed Work:

****Two** detailed quotes, if not using an authorized provider, for the proposed work must be submitted with this application.

Quoted Project Costs: \$ _____
Grant Funds Requested: \$ _____ (75% of total estimated costs up to \$5,000)

I hereby confirm that no principal, officer or manager employee of the applicant is a principal, officer, manager employee or investor in the entity employed to perform the services funded in whole or in part by the grant.

Initial _____

I agree to comply with all standards of the E-COMMERCE Program, including those requirements set by the HEDC Board of Directors. I understand that this is a voluntary Program, under which the HEDC has the right to approve or deny any project or proposal or portions thereof. By accepting E-COMMERCE funds, Applicant authorizes the HEDC to promote the project and property including, but not limited to, displaying a sign at the site during and after construction indicating participation in the E-COMMERCE Program and using photographs and descriptions of the project and property in the HEDC's printed promotional materials, press releases, and websites. Applicant agrees to sign all authorizations reasonably required by HEDC to allow access and promotion of the business in the manner provided by this paragraph which constitute a condition of the Grant provided herein.

Initial _____

I agree to pay the entire project costs in full and to submit paid receipts to the Helotes Office of Economic Development in order to receive the approved grant reimbursement. I certify that, at the time of this application, none of the above quoted work has already begun. I agree to comply with all the requirements of the e-Commerce Program. Furthermore, by signing below I approve the City of Helotes Economic Development Office to contact other City departments to ensure that my business is in good standing with the City of Helotes.

Signature _____ Date _____

ATTACHMENT B
REMUNERATION AGREEMENT

THIS AGREEMENT dated the ____ day of _____, 2021 by and between the Helotes Economic Development Corporation (“HEDC”), with offices located at 12682 FM 1560, Suite 105, Helotes, Texas 78023 and, _____, hereinafter referred to as (“Applicant”)

BACKGROUND

Consistent with its statutory authorization and bylaws, the HEDC has created an “E-Commerce Accelerator Incentive Program” to provide funds up to \$5,000 per project to reimburse up to 75% of total cost to establish, operate, and promote e-commerce for businesses located within the corporate city limits of the City of Helotes. Individual projects must meet all eligibility requirements and program guidelines as specified in the program description attached hereto and made a part hereof as “ATTACHMENT A,” Application.

AGREEMENT

The parties hereto, intending to be legally bound hereby, agree as follows:

1. Applicant acknowledges and agrees, subject to full compliance with HEDC E-commerce Accelerator Incentive Program requirements and guidelines, HEDC will reimburse up to 75% of the cost of services for completion of the approved cost, up to a maximum of \$5,000.
2. The Applicant acknowledges and agrees that E-COMMERCE program costs not paid for by the HEDC are the sole responsibility of Applicant.
3. The Applicant defaults by failing to reasonably undertake improvements as required under program guidelines.
4. If the Applicant fails to undertake improvements within the time frame specified under program guidelines, the HEDC will declare the Applicant in default. If a default occurs, the Applicant will be responsible for reimbursing HEDC in full for all costs paid by the HEDC under this Agreement, plus collection costs, attorney fees and court costs if applicable.
5. This Agreement, together with its attachments, if any, constitute the final and entire Agreement between the parties hereto and contain all of the terms and conditions agreed upon and shall supersede any and all prior written and oral agreements between the Parties. No other Agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind the parties hereto.
6. This Agreement shall be enforced and construed pursuant to and governed by the law of the State of Texas with exclusive and mandatory venue for any cause of action for the declaration of the rights of the parties, interpretation, application, enforcement, or the like lying in a court of competent jurisdiction in Bexar County, Texas.

7. The signers of this Agreement for the HEDC, Applicant, and Firm they have full legal authority to execute this Agreement on behalf of themselves and to bind themselves to all of the terms, conditions, provisions, and obligations herein contained.

8. If a dispute arises out of or relates to this Agreement or the breach thereof, the Parties shall first in good faith seek to resolve the dispute through negotiation between the upper management of each respective Party. If such dispute cannot be settled through negotiation, the Parties agree to try in good faith to settle the dispute by mediation under the Commercial Mediation Rules of the American Arbitration Association, Dallas, Texas, before resorting to arbitration, litigation, or some other dispute resolution procedure; provided that a Party may not invoke mediation unless it has provided the other Party with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. Notwithstanding the foregoing, any Party may seek immediate equitable relief, without attempting to settle a dispute through mediation, in any case where such Party is entitled to equitable relief by law, the terms of the Agreement, or otherwise. All costs of negotiation, mediation, and arbitration collectively known as alternate dispute resolution (“ADR”) shall be assessed equally between the HEDC, Applicant and Firm with each party bearing their own costs for attorney’s fees, experts, and other costs of ADR and any ensuing litigation.

9. APPLICANT SHALL, AT ALL TIMES, SAVE, INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION, HEDC BOARD OF DIRECTORS, OFFICERS, EMPLOYEES, AND AGENTS OF THE CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION FROM AND AGAINST ALL LIABILITY AND EXPENSE, INCLUDING DEFENSE COSTS AND LEGAL FEES, ARISING FROM AND CONNECTED WITH CLAIMS AND LAWSUITS FOR DAMAGES RELATING TO FIRMS OPERATIONS OR ITS SERVICES, WHICH RESULT FROM BODILY INJURY, DEATH, PERSONAL INJURY, OR PROPERTY DAMAGE UNDER THIS AGREEMENT.

10. EMPLOYMENT OF UNDOCUMENTED WORKERS

During the term of this Agreement, the Firm agrees to not knowingly employ any undocumented workers, and, if convicted of a violation under 8 U.S.C. Section 1324a(1), the Firm shall be in Default and repay the amount of any funds received by the Firm from the HEDC as of the date of such violation within one hundred twenty (120) days after the date the Firm is notified by the HEDC of such violation, plus interest at the rate of six percent (6.00%) compounded annually from the date of the violation until paid in full. The Firm is not liable for an unknown violation of this Section by a subsidiary, affiliate, or franchisee of the Firm or by a person with whom the Firm contracts provided however that identical federal law requirements provided for herein shall be included as part of any agreement or contract which Firm enters into with any subsidiary, assignee, affiliate, or franchisee for which funds provided herein will be used.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date first set forth above.

CITY OF HELOTES ECONOMIC DEVELOPMENT CORPORATION

By: _____
Marian Mendoza, Executive Director

ATTEST:

By: _____
Glenn Goolsby, Assistant Director

APPLICANT:

By: _____