

MINUTES
FLORESVILLE ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING JULY 12TH, 2021 6:00 PM
FLORESVILLE CITY HALL COUNCIL CHAMBERS
1120 D STREET, Floresville, Texas 78114

Call meeting to order: at 6:01 pm by Board President Daniel Tejada
Establish Quorum: Daniel Tejada, Roy Idrach, Ray Lamberth, Liana Martinez, David Del Bosque, Randy Bruett, Ben Reed, Charlotte Ximenez-Nelson, Attorney Michael Zamora via telephone conference
Absent: Jacob Gaona
Guests: Andy Joslin City Manager, Ernie and Janice Gonzalez, Jim Kitowski, Greg Ripps and Devon Sutton of WCN
Invocation by: Roy Idrach
Recite U.S. Pledge of Allegiance & Texas Pledge: recited by all

Citizen Comments: None

1. OLD BUSINESS

a. C&A to approve meeting minutes for the Special Meeting held on June 30th 2021.

MOTION BY: Ray Lamberth, **SECONDED BY:** David Del Bosque
Citizens Comments: None

Vote: For: 6 Against: 0 Abstaining: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Tejada	X			
Jacob Gaona				X
Roy Idrach	X			
Randy Bruett	X			
Ray Lamberth	X			
Liana Martinez	X			
David Del Bosque	X			

2. PRESENTATION/DISCUSSION

- a. Financial Overview of June 2021 Treasurer: Roy Idrach
b. IRS reimbursement for former Executive Director Exec. Dir.: Ben Reed
- Finance Director will need to reconcile what was received from the IRS to confirm amount due to FEDC. **This item to be removed from future agendas until there is a change in status.***

- c. Texas Workforce Commission Update regarding credit Exec. Dir.: Ben Reed
We are still waiting on the refund check from the Texas Workforce Commission.
This item to be removed from future agendas until there is a change in status.

3. **NEW BUSINESS**

- a. C&A to consider Cardinal Road access at Industrial Park for residential access.
 Presenter: Jim Kotowski

Motion to table at this time. Executive Director and FEDC attorney will discuss Mr. Kotowski's requests and bring back to a future agenda.

MOTION BY: David Del Bosque, **SECONDED BY:** Ray Lamberth
Citizens Comments: None

Vote: For: 6 Against: 0 Abstaining: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Tejada	X			
Jacob Gaona				X
Roy Idrach	X			
Randy Bruett	X			
Ray Lamberth	X			
Liana Martinez	X			
David Del Bosque	X			

- b. C&A to approve EMC Strategy Group, LLC's proposal.
 Presenter: CEO, Ernie Gonzalez, Jr.

Motion to authorize Executive Director and FEDC Attorney to review and contingent upon Attorney approval.

MOTION BY: Roy Idrach, **SECONDED BY:** Randy Bruett
Citizens Comments: None

Vote: For: 6 Against: 0 Abstaining: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Tejada	X			
Jacob Gaona				X
Roy Idrach	X			
Randy Bruett	X			
Ray Lamberth	X			
Liana Martinez	X			
David Del Bosque	X			

- c. C&A to approve Fiscal Year 2020-2021 amended budget.

Presenter: Exec. Dir. Ben Reed

MOTION BY: Randy Bruett, **SECONDED BY:** Ray Lamberth

Citizens Comments: None

Vote: For: 6 Against: 0 Abstaining: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Tejada	X			
Jacob Gaona				X
Roy Idrach	X			
Randy Bruett	X			
Ray Lamberth	X			
Liana Martinez	X			
David Del Bosque	X			

- d. C&A to approve Fiscal Year 2021-2022 proposed budget.

Presenter: Exec. Dir. Ben Reed

Motion made by Ray Lamberth to table the proposed budget.

MOTION BY: Ray Lamberth, **SECONDED BY:** Randy Bruett

Citizens Comments: None

Vote: For: 6 Against: 0 Abstaining: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Tejada	X			
Jacob Gaona				X
Roy Idrach	X			
Randy Bruett	X			
Ray Lamberth	X			
Liana Martinez	X			
David Del Bosque	X			

- e. C&A to approve the FELPS project Bond in the amount of \$2,000,000.

Presenter: Exec. Dir. Ben Reed

MOTION BY: Ray Lamberth, **SECONDED BY:** Randy Bruett

Citizens Comments: None

Vote: For: 6 Against: 0 Abstaining: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Tejada	X			
Jacob Gaona				X
Roy Idrach	X			
Randy Bruett	X			
Ray Lamberth	X			
Liana Martinez	X			
David Del Bosque	X			

- f. C&A to approve FEDC Resolution #2021-014 approving the Bond amount of \$2,000,000. Presenter: Exec. Dir. Ben Reed

MOTION BY: Liana Martinez, **SECONDED BY:** David Del Bosque
Citizens Comments: None

Vote: For: 6 Against: 0 Abstaining: 0 Absent: 1

<u>B.O.D. Names</u>	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Daniel Tejada	X			
Jacob Gaona				X
Roy Idrach	X			
Randy Bruett	X			
Ray Lamberth	X			
Liana Martinez	X			
David Del Bosque	X			

4. **EXECUTIVE DIRECTOR UPDATE:**

1. Carrizo/Comcrudo Powwow/Market Days event
2. FELPS project
3. National Night out and Goober Games partnered
4. Ribbon cutting for Radiance & Relaxation Day Spa will be held July 22nd at 4:00 pm.

5. **EXECUTIVE DIRECTORS GOALS UPDATE:**

1. Properties to increase tax revenue
2. Promote downtown design
3. Showcase historical value
4. Highway 181 City entry way
5. Sewer line on 181 finalizations to determine cost associated with same
6. Logo/Brand for City of Floresville

6. **ADJOURNMENT:** Having no further business to discuss the meeting adjourned at 8:14 pm.



Benjamin T. Reed, FEDC Executive Director

FLORESVILLE



ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. 2021-014

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE FLORESVILLE ECONOMIC DEVELOPMENT CORPORATION MOVING FORWARD WITH THE FINANCING OF VARIOUS PROJECTS AND SETTING A PUBLIC HEARING ON THE EXPENDITURE OF SALES TAX REVENUES RELATING THERETO, IN THE AMOUNT OF \$2,000,000; PROVIDING A NOTICE OF THE SPECIFIC PROJECTS OR TYPE OF GENERAL PROJECTS TO BE UNDERTAKEN; APPROVING AND AUTHORIZING THE PUBLICATION OF A NOTICE OF THE PUBLIC HEARING RELATING TO THESE MATTERS; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CORPORATION'S FINANCIAL ADVISOR AND OTHER PROFESSIONALS; AND APPROVING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Floresville, Texas (the *City*) was authorized and has acted pursuant to the provisions of Section 4B, as amended, Texas Revised Civil Statutes Annotated Article 5190.6, now codified as Chapter 505, Texas Local Government Code, as amended, which includes the general provisions related thereto in Chapter 501, Texas Local Government Code, as amended (together, the *Act*), to create a nonprofit economic development corporation, known as the Floresville Economic Development Corporation (the *Corporation*); and

WHEREAS, the City Council of the City (the *Council*), authorized the calling of an election to be held on May 4, 1996 (the *Election*) concerning authorization to levy of a one-half (1/2) of one percent (1%) additional sales and use tax (the *Sales Tax*) for the Corporation to undertake projects within the City in accordance with the provisions of the Act; and

WHEREAS, the majority of the residents of the City approved the levy of the Sales Tax at the Election; and

WHEREAS, the Council approved the Corporation's Articles of Incorporation on June 12, 1997 (the *Articles*), establishing the organization and corporate existence of the Corporation, which specify the Corporation is organized to act on behalf of the City, may issue bonds on behalf of the City, and expend the proceeds of any sales and use tax levied for the benefit of the Corporation, for the promotion and development of commercial, industrial and manufacturing enterprises to promote and encourage employment and the promotion of public welfare; and

WHEREAS, the Council, pursuant to a resolution adopted on June 12, 1997 (the *Creation Resolution*), approved the creation of the Corporation in accordance with the provisions of the Act; and

WHEREAS, in the Creation Resolution, the Council authorized the Corporation to act on its behalf for the benefit and accomplishment of the public purposes, being economic development

and other purposes as further described in the Act and the Articles, for which the Corporation is organized; and

WHEREAS, the Board of Directors (the *Board*) of the Corporation has been budgeting and otherwise using for authorized purposes, with the approval of the Council, of the Sales Tax; and

WHEREAS, the Board intends to participate in “projects”, as defined in the Act, including (i) land, buildings, equipment, facilities, and improvements including the provision of public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, and any improvements or facilities related thereto, including the purchase of land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements located at 1400 4TH Street, Floresville, Texas 78114, comprised of approximately 1.523 acres; and 1146 US Highway 181 South, Floresville, Texas 78114 comprised of approximately 7.10 acres, found by the Board to promote new or expanded business development, (ii) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements, and (iii) the payment of professional services related to the acquisition and financing of the aforementioned projects (collectively, the *Projects*); and

WHEREAS, the Board intends to undertake projects pursuant to Section 505.158 of the Act (*Section 505.158*), and the Council affirms the City’s population is less than 20,000 residents and hereby determines that the Projects will promote new or expanded business development in the City;

WHEREAS, certain provisions of the Act, including Section 505.158 and Section 501.073(a) of the Act, require the Council’s approval of all programs and expenditures of the Corporation, and specifically provide that the Council must adopt this Resolution after two separate readings before the Corporation may undertake the Projects, which require expenditures in excess of \$10,000 per each individual Project;

WHEREAS, Section 505.159 of the Act provides that before the Corporation shall hold at least one public hearing on the proposed Projects before spending money to undertake the Projects; and

WHEREAS, Section 505.160 of the Act provides that before the Corporation may undertake any project, the Corporation must publish notice of the specific project or type of general project that the Corporation intends to undertake; and

WHEREAS, the Board hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the City; now, therefore,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FLORESVILLE ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1: A public hearing on the expenditure of Corporation funds for the purposes of financing the “costs” associated with certain “projects”, as defined in the Act, including (i) land, buildings, equipment, facilities, and improvements, the provision of public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, and any improvements related thereto, including the purchase

of land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements located at 1400 4TH Street, Floresville, Texas 78114, comprised of approximately 1.523 acres; and 1146 US Highway 181 South, Floresville, Texas 78114 comprised of approximately 7.10 acres, found by the Board to promote new or expanded business development, (ii) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements, and (iii) the payment of professional services related to the acquisition and financing of the aforementioned projects, in an amount of \$2,000,000, which projects are accordance with Section 505.158, shall be and is hereby directed to the held at 6:00 P.M. on July 12th, 2021 at City Hall, 1120 D. Street, Floresville, Texas 78114 (in the event the Board will be unable to meet at City Hall, the Board will post information on the City's website for attending the meeting by telephone, teleconference, or other electronic means) and the Secretary of the Board, or the City Secretary, is hereby authorized and directed to cause notice of such public hearing, substantially in the form and content of Exhibit A attached hereto and incorporated herein by reference as a part of this resolution for all purposes (the *Notice*), to be published in one or more newspapers having a general circulation in the City with the publication of such notice to appear in such newspaper prior to the date of these public hearing.

SECTION 2: The Notice and public hearing shall also satisfy the requirements of the Act by providing notice of the specific project or types of general projects that the Corporation intends to undertake.

SECTION 3: The Corporation authorizes the President and Secretary of the Board, the City Secretary, and the Executive Director, or their designees, to take any and all other actions necessary to comply with the provisions of the Act, including the expenditure of any and all professional fees and expenses related thereto.

SECTION 4: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Corporation.

SECTION 5: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 6: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.


SECTION 8: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9: This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

[The remainder of this page intentionally left blank.]

PASSED AND ADOPTED ON THIS TWELFTH DAY OF JULY, 2021.

FLORESVILLE ECONOMIC
DEVELOPMENT CORPORATION



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(Corporation Seal)



FLORESVILLE



ECONOMIC DEVELOPMENT CORPORATION

**NOTICE OF PROJECT
EXPENDITURE OF FLORESVILLE ECONOMIC
DEVELOPMENT CORPORATION FUNDS**

NOTICE IS HEREBY GIVEN that the Floresville Economic Development Corporation (the "Corporation") created by the City of Floresville, Texas (the "City") intends to participate in "projects", as defined in the Development Corporation Act of 1979, as amended, Texas Revised Civil Statutes Annotated Article 5190.6, now codified as Chapter 505, as amended, Texas Local Government Code, including (i) land, buildings, equipment, facilities, expenditures, and improvements, including the purchase of land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements located at 1400 4th Street, Floresville, Texas 78114 and 1146 US Highway 181 South, Floresville, Texas 78114, found by the Board of Directors of the Corporation (the "Board") to promote new or expanded business development, (ii) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements, and (iii) the payment of professional services related to the construction and financing of the aforementioned projects, which projects are in accordance with subsection 505.158, Texas Local Government Code, as amended. It is estimated the total expenditure of these projects will be \$2,000,000. A public hearing on the expenditure for funds for these projects will be held by the Board of Directors of the Floresville Economic Development Corporation during a meeting to be held at 6:00 P.M. on August 9, 2021 at City Hall, 1120 D. Street, Floresville, Texas 78114 (in the event the Board will be unable to meet at City Hall, the Board will post updated information on the City's website for attending the meeting in person or by telephone, teleconference, or other electronic means).

/s/ Benjamin Reed
Executive Director, Floresville Economic
Development Corporation