



***** PUBLIC NOTICE *****

**NOTICE OF A CORINTH ECONOMIC DEVELOPMENT CORPORATION (CEDC)
OF THE CITY OF CORINTH
SPECIAL SESSION**

Monday, September 12, 2016, 6:00 P.M.

City Hall

Conference Room - Room 102

3300 Corinth Parkway

Corinth, Texas 76208

* Pursuant to Texas Government Code Section 551.002, a quorum of the City Council of Corinth may attend the following meeting and may participate in discussion on the agenda items listed below, but will not take any action.

CALL TO ORDER

CITIZENS COMMENTS

In accordance with the Open Meetings Act, the Board is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the published agenda items are appreciated by the Board and may be taken into consideration at this time or during that agenda item. *All remarks and questions addressed to the Board shall be addressed to the Board as a whole and not to any individual member thereof.* Section 30.041B Code of Ordinance of the City of Corinth.

BUSINESS AGENDA

1. Consider and act on minutes from the August 1, 2016 meeting.
2. Consider and act on the CEDC Finance Report for the period ending July 2016.
3. Hold a discussion and give staff direction on the proposed City of Corinth Chapter 380 Economic Development Agreement Policies and Procedures.
4. Consider and act on the creation of sub-committees to advance the efforts of the Corinth Economic Development Corporation in: (i) developing a Strategic Plan for Economic Development; (ii) executing a Comprehensive Branding Strategy; and (iii) implementing a Business Retention Program.

REPORTS AND UPDATES

1. Board Members
2. Executive Director

EXECUTIVE SESSION

If, during the course of the meeting, any discussion of any item on the agenda should need to be held in executive or closed session for the Board to seek advice from the City Attorney as to the posted subject matter of this Board Meeting, the Board will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D Chapter 551, to consider one or more matters pursuant to the following:

Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

a. Deliberation of the employment, reassignment or duties of the Executive Director of the Corinth Economic Development Corporation.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

After discussion of any matters in executive session, any final action or vote taken will be in public by the Board. The Board shall have the right at any time to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS.

ADJOURN

Posted this ____ day of _____, 2016 at ____ on the bulletin board at Corinth City Hall.

Jason Alexander, Economic Development Director
City of Corinth, Texas

EDC Special Session

1.

Meeting Date: 09/12/2016

Title: Meeting Minutes

Submitted By: Jason Alexander, Director

Finance Review: N/A

Legal Review: N/A

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

Consider and act on minutes from the August 1, 2016 meeting.

AGENDA ITEM SUMMARY/BACKGROUND

The meeting minutes from August 1, 2016.

RECOMMENDATION

N/A

Attachments

Meeting Minutes

**STATE OF TEXAS
COUNTY OF DENTON
CITY OF CORINTH**

On this 1st day of August, 2016 the Corinth Economic Development Corporation (CEDC) of the City of Corinth, Texas, met in Regular Session at 6:00 P.M. at Corinth City Hall, located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members, to wit:

CEDC Board Members:

Mike Amason – Vice President
David Burnett – Director
Wade May – Director
Tina Henderson – Secretary
Jerry Blazewicz – Director
Don Glockel – Director

CEDC Board Members Absent:

Lowell Johnson – President

Others Present:

Jason Alexander, Executive Director
Catherine Stallcup, Administrative Assistant
Matthew Tate, Buxton Company
Antoine Long, Buxton Company

CALL TO ORDER:

Vice President Mike Amason called the meeting to order at 6:01 P.M.

BUSINESS AGENDA:

1. Consider and act on minutes from the July 11, 2016 meeting.

MOTION was made by David Burnett to approve the minutes from the July 11, 2016 meeting as written.

Seconded by Jerry Blazewicz.

Ayes:	Amason, Blazewicz, Burnett, Henderson, May, Glockel
Noes:	None
Abstain:	None
Absent:	Johnson

MOTION CARRIES

2. Consider and act on the CEDC Finance Report for the period ending June 2016.

Jason Alexander directed the attention of the Board of Directors to the Hotel Occupancy Tax Collection Report for the month of June. The City experienced nine (9) percent increase in the occupancy rate and an increase of nearly \$13,000 for total gross sales. During that same period, the City collected nearly \$7,700 in taxes. There was a slight decrease in sales tax for June – the cash receipts were about \$56,230,

and the Budget anticipated \$59,669. Even with the decrease in the sales tax, it appears that the City will remain on target sales tax collection as projected in the Budget.

MOTION was made by Blazewicz to approve the CEDC Finance Report for the period ending June 2016.

Seconded by Tina Henderson.

Ayes:	Amason, Glockel, Blazewicz, Burnett, Henderson, May
Noes:	None
Abstain:	None
Absent:	Johnson

MOTION CARRIES

3. Receive a presentation from Matthew Tate and Antoine Long with Buxton Company, on assisting the Economic Development Corporation in the implementation and execution of a retail recruitment and retention strategy.

Alexander introduced Matthew Tate and Antoine Long with Buxton Company. Alexander shared with the Board of Directors that Tate and Long are assisting staff with identifying and targeting potential retailers for Corinth and that their presentation tonight would focus on the methodology behind selecting retailers that would be an excellent match for Corinth’s demographics, psychographics and vision for development and to provide a status report on four retailers currently engaged in deep discussions.

Tate then began the presentation with an overview of the City’s and Buxton’s shared goals to recruit and secure quality retailers. Tate then explained the methodology behind Buxton’s process for identifying and targeting retailers with a selection history similar to Corinth. This methodology involves understanding consumer habits and preferences; establishing a trade area based on drive-time; and creating a unique “thumbprint” that distinguishes Corinth and its retail trade area from others. From there, Tate described, it is about narrowing the list of targeted retailers down to those that would be most interested in opening a unit in Corinth, and crafting and presenting a strategy based on the data-driven methodology to have quality conversations and sell them on Corinth.

The Board of Directors engaged Tate and Long in a general discussion that included questions about the drive-time (existing highway construction conditions versus future traffic improvements) and wanting to make a concerted effort to identify and recruit destination-oriented retailers.

Wade May inquired about Buxton’s ability to further supplement their data-driven strategy to sell retailers on Corinth by sharing the City’s vision for quality development. Alexander explained that Buxton provides data needed to initiate conversations with retailers from demographic and psychographic perspectives and that the vision is articulated by the City, resulting in a stronger sales pitch.

Tate spoke further on psychographics and developing a profile of consumers within a given trade area.

Long then presented the Board of Directors with a list of the targeted retailers first identified by Buxton as a match for Corinth as well as the retailers targeted for replacement because of the following factors: (i) no plans for immediate expansion into Texas; (ii) concerns about population and spacing; and (iii) a fear of potential cannibalization of existing units.

Amason recessed the Regular Session meeting at 7:02 P.M.

Amason reconvened the Regular Session meeting at 7:10 P.M.

Amason recessed the Regular Session meeting and went into Closed Session meeting at 7:11 P.M. (See Executive Session)

Mike Amason reconvened the Regular Session meeting at 8:37 P.M.

4. Board Members.

Burnett spoke briefly on the Birt Collins Organization. Burnett also encouraged the Board to read a recent article entitled the *You-Economy*. According to the article, one-third ($\frac{1}{3}$) of the households in the U.S. are currently participating in "You-Economy," and by 2020, this figure is expected to increase to nearly 50%.

Amason spoke on internet infrastructure. He shared that this may present an opportunity for the Economic Development Corporation to assist, support or possibly develop fiber optic lines in Corinth. This could present a situation where the City can lease fiber optic lines to generate additional revenues, which is similar to what other cities are doing.

Don Glockel asked, regarding the proposed "Millennium" project, if food trucks are a permitted use in the City. Alexander stated, as he understood it, they are not a permitted use. Food trucks would be a new use that would be added to the planned development.

Alexander briefly expounded on the discussion of food trucks. A suggestion was made to William Tsao, the lead developer of the proposed Millennium Development, to develop a restaurant park. This would create an environment where a row of restaurants could co-exist under one roof, rather than food trucks.

A brief discussion was held regarding food trucks and the selling of beer and wine in the City of Corinth.

5. Executive Director.

Nothing at this time.

EXECUTIVE SESSION:

If, during the course of the meeting, any discussion of any item on the agenda should need to be held in executive or closed session for the Board to seek advice from the City Attorney as to the posted subject matter of this Board Meeting, the Board will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D, Chapter 551, to consider one or more matters pursuant to the following:

Section 551.071. Private consultations with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

The EDC Board met from 7:11 pm until 8:36 pm.

After discussion of any matters in executive session, any final action or vote taken will be in public by the Board. The Board shall have the right at any time to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS.

There was no action taken from Executive Session.

ADJOURN:

There being no further business, the August 1, 2016 Regular Session of the Corinth Economic Development Corporation stood adjourned at 8:45 pm.

Catherine J. Stallcup, Administrative Assistant
City of Corinth

Mike Amason – Vice President
Corinth Economic Development Corporation

EDC Special Session

2.

Meeting Date: 09/12/2016

Title: July Financial Report

Submitted By: Jason Alexander, Director

Finance Review: N/A

Legal Review: N/A

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

Consider and act on the CEDC Finance Report for the period ending July 2016.

AGENDA ITEM SUMMARY/BACKGROUND

The financial report for the period ending July 2016.

RECOMMENDATION

N/A

Fiscal Impact

Source of Funding: N/A

FINANCIAL SUMMARY:

N/A

Attachments

July Financial Report



City of Corinth
Corinth Economic Development Corporation

Schedule of Revenues & Expenditures - Budget vs Actual (Unaudited)
 For the Period Ended July 2016

	Current Fiscal Year, 2015-2016					Prior Year
	Budget FY 2015-16	July 2016 Actual	Year-to- Date Actual	Y-T-D Variance	Y-T-D % of Budget	Jul-15 Y-T-D Actual
RESOURCES						
Sales Tax (.50¢)	\$ 611,131	\$ 50,483	\$ 430,279	(180,852)	70.4%	\$ 406,098
Interest Income	250	85	654	404	261.4%	412
Investment Income	7,000	1,714	13,878	6,878	198.3%	8,403
Miscellaneous Income	-	-	-	-	0.0%	-
Projective Incentive Default	-	-	-	-	0.0%	-
Transfers In	-	-	-	-	0.0%	-
TOTAL ACTUAL RESOURCES	618,381	52,282	444,811	(173,570)	71.9%	414,913
Use of Fund Balance	150,000	-	-	(150,000)	0.0%	-
TOTAL RESOURCES	\$ 768,381	\$ 52,282	\$ 444,811	\$ (323,570)	57.9%	\$ 414,913
EXPENDITURES						
Wages & Benefits	\$ 147,746	\$ 13,747	\$ 100,177	\$ (47,569)	67.8%	23,680
Professional Fees	105,487	154	72,397	(33,090)	68.6%	44,371
Maintenance & Operations	267,891	10,000	14,286	(253,605)	5.3%	27,003
Supplies	6,796	-	1,507	(5,289)	22.2%	-
Utilities & Communication	2,910	120	2,331	(579)	80.1%	1,739
Vehicles/Equipment & Fuel	-	-	-	-	0.0%	-
Training	29,400	-	5,072	(24,328)	17.3%	8,898
Capital Outlay	2,500	-	2,500	-	100.0%	-
Debt Service	-	-	-	-	0.0%	-
Charges for Services	105,401	-	105,401	-	100.0%	92,142
Transfer Out	100,250	-	50,250	(50,000)	50.1%	50,250
TOTAL EXPENDITURES	\$ 768,381	\$ 24,021	\$ 353,922	\$ (414,459)	46.1%	\$ 248,083
EXCESS/(DEFICIT)	\$ -	\$ 28,261	\$ 90,889	\$ 90,889		\$ 166,830

KEY TRENDS

Resources

Sales Tax - As required by the Government Accounting Standards Board, sales tax is reported for the month it is collected by the vendor. July 2016 revenues are remitted to the City in September 2016. Sales Tax received in July represents May collections.

Investment Interest - Interest rates have been on the rise. As a result, funds are being invested at a higher rate than budgeted.

Expenditures

Transfer Out represents \$50,000 to the Park Development Fund and \$250 to the Tech Replacement Fund for the future purchases of computers.

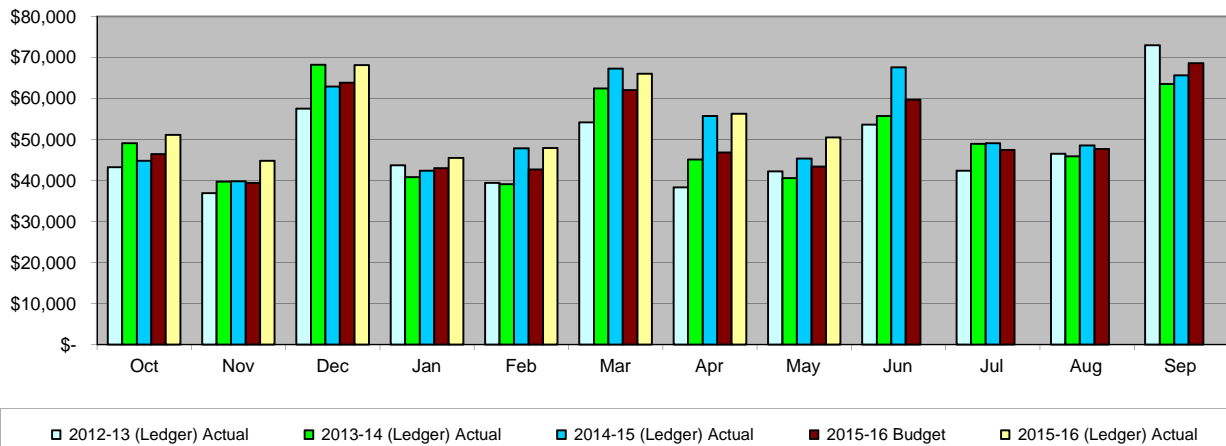
Budget Amendment was approved by City Council on February 18, 2016 for \$150,000 for the DATCU performance agreement, Ord# 16-02-18-03.



Corinth Economic Development Corporation
Economic Development Sales Tax
 PY Comparison and Variance Analysis

	2012-13 (Ledger) Actual	2013-14 (Ledger) Actual	2014-15 (Ledger) Actual	2015-16 Budget	2015-16 Cash Receipts	2015-16 (Ledger) Actual	Variance, Actual to Budget	Variance, Actual to Budget %	Variance, CY to PY	Variance CY to PY %
Oct	\$ 43,274	\$ 49,120	\$ 44,779	\$ 46,465	\$ 48,521	\$ 51,148	\$ 4,683	10.1%	\$ 6,369	14.2%
Nov	36,902	39,763	39,840	39,430	65,599	44,827	5,397	13.7%	4,987	12.5%
Dec	57,479	68,189	62,897	63,812	51,148	68,160	4,348	6.8%	5,263	8.4%
Jan	43,731	40,830	42,350	43,033	44,827	45,500	2,467	5.7%	3,150	7.4%
Feb	39,406	39,130	47,853	42,671	68,160	47,909	5,238	12.3%	56	0.1%
Mar	54,137	62,405	67,295	62,060	45,500	66,022	3,962	6.4%	(1,273)	-1.9%
Apr	38,339	45,146	55,712	46,851	47,909	56,230	9,380	20.0%	518	0.9%
May	42,219	40,602	45,372	43,382	66,022	50,483	7,101	16.4%	5,111	11.3%
Jun	53,609	55,689	67,547	59,669	56,230					
Jul	42,368	48,929	49,072	47,450	50,483					
Aug	46,514	45,851	48,521	47,707						
Sep	72,950	63,495	65,599	68,601						
TOTAL	\$ 570,929	\$ 599,149	\$ 636,837	\$ 611,131	\$ 544,399	\$ 430,279	\$ 42,574	11.0%	\$ 24,181	6.0%

Monthly Collections Comparison



KEY TRENDS

Description

The sales tax in Corinth is 8.25% for goods and services sold within the City's boundaries. The tax is collected by businesses making the sale and is remitted to the State Comptroller of Public Accounts on a monthly, and in some cases, a quarterly basis. Of the 8.25%, the state retains 6.25% and distributes 1% to the City of Corinth, .25% to the Street Maintenance Sales Tax Fund, .25% to the Crime Control & Prevention District, and .50% to the Economic Development Corporation. The State distributes tax proceeds to local entities within forty days following the period for which the tax is collected by businesses.

Sales Tax - As required by the Government Accounting Standards Board, sales tax is reported for the month it is collected by the vendor. July 2016 revenues are remitted to the City in September 2016. Sales Tax received in July represents May collections.

Analysis

The EDC sales tax revenue reflects a year-to-date increase in collections compared to the budgeted amounts.

Revenues are deposited into the Economic Development Corporation Fund and must be used on behalf of the city in carrying out programs related to a wide variety of projects including public parks and business development. (Tex.Rev.Civ.St. art 5190.6-the Development Corporation Act of 1979).



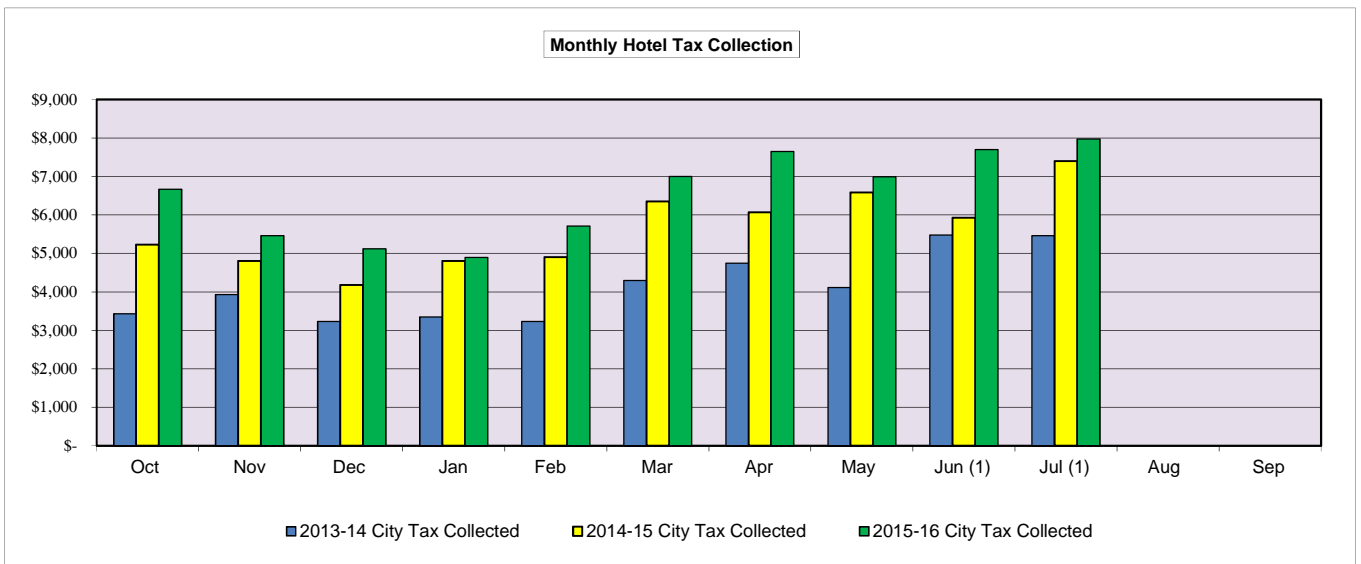
Hotel Occupancy Tax Collection Report

Comfort Inn & Suites

For the Period Ended July 2016

	Occupancy Rate	Total Gross Sales	Less Exemptions & Allowances	Total Taxable Revenues Reported	Taxable Revenues X 7%	Total City Tax Due	City Tax Collected FY 2015-16	Date Received	% Change CY to PY	City Tax Collected FY 2014-15	City Tax Collected FY 2013-14
Oct	71%	\$ 95,242	\$ -	\$ 95,242	\$ 6,667	\$ 6,667	\$ 6,667	11/23/2015	27.5%	\$ 5,230	\$ 3,434
Nov	61%	78,036	-	78,036	5,463	5,463	5,463	12/21/2015	13.8%	4,802	3,933
Dec	54%	73,073	-	73,073	5,115	5,115	5,115	1/19/2016	22.4%	4,179	3,234
Jan	53%	69,866	-	69,866	4,891	4,891	4,891	2/22/2016	1.8%	4,805	3,350
Feb	68%	81,595	-	81,595	5,712	5,712	5,712	3/21/2016	16.5%	4,904	3,227
Mar	73%	100,039	-	100,039	7,003	7,003	7,003	4/19/2016	10.3%	6,346	4,294
Apr	80%	112,029	2,790	109,239	7,647	7,647	7,647	5/20/2016	26.0%	6,069	4,741
May	70%	100,112	239	99,873	6,991	6,991	6,991	6/21/2016	6.1%	6,587	4,114
Jun (1)	79%	113,848	3,855	109,993	7,699	7,699	7,699	7/18/2016	29.9%	5,926	5,481
Jul (1)	86%	114,084	180	113,903	7,973	7,973	7,973	8/22/2016	7.8%	7,394	5,461
Aug											
Sep											
TOTALS		\$ 937,925	\$ 7,065	\$ 930,860	\$ 65,160	\$ 65,160	\$ 65,160			\$ 56,242	\$ 41,269

(1) Exemption report provided by management differs from the exemptions claimed. Requested clarification from management.



KEY TRENDS

Description

The City's Hotel Occupancy Tax is levied at 7% of room rental. City Ordinance 08-06-05-15 mandates that hotel occupancy taxes are due and payable to the City on or before the 20th day of the month for the previous months collections.

Analysis

The Comfort Inn & Suites, the City's first hotel opened in March 2009.

CITY OF CORINTH
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2016

130-Economic Development Corp
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 83.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
REVENUE SUMMARY						
SALES TAXES	611,131	50,482.85	430,278.85	0.00	180,852.15	70.41
INTEREST INCOME	7,250	1,798.86	14,531.87	0.00 (	7,281.87)	200.44
TOTAL REVENUES	618,381	52,281.71	444,810.72	0.00	173,570.28	71.93
EXPENDITURE SUMMARY						
ECONOMIC DEVELOPMENT	768,381	24,021.09	353,921.74	150,000.00	264,459.26	65.58
TOTAL EXPENDITURES	768,381	24,021.09	353,921.74	150,000.00	264,459.26	65.58
REVENUE OVER/(UNDER) EXPENDITURES	(150,000)	28,260.62	90,888.98 (	150,000.00) (	90,888.98)	39.41

CITY OF CORINTH
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2016

130-Economic Development Corp

% OF YEAR COMPLETED: 83.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<hr/>						
SALES TAXES						
130-0000-40200 SALES TAX	611,131	50,482.85	430,278.85	0.00	180,852.15	70.41
TOTAL SALES TAXES	611,131	50,482.85	430,278.85	0.00	180,852.15	70.41
INTEREST INCOME						
130-0000-41400 INVESTMENT INCOME	7,000	1,713.79	13,878.34	0.00 (	6,878.34)	198.26
130-0000-41410 INTEREST INCOME	250	85.07	653.53	0.00 (	403.53)	261.41
TOTAL INTEREST INCOME	7,250	1,798.86	14,531.87	0.00 (	7,281.87)	200.44
MISCELLANEOUS	_____	_____	_____	_____	_____	_____
TRANSFERS	_____	_____	_____	_____	_____	_____
<hr/>						
TOTAL REVENUE	618,381	52,281.71	444,810.72	0.00	173,570.28	71.93

REVENUE & EXPENSE REPORT (UNAUDITED)

AS OF: JULY 31ST, 2016

130-Economic Development Corp

DEPARTMENT - ECONOMIC DEVELOPMENT

% OF YEAR COMPLETED: 83.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
WAGES & BENEFITS						
130-1700-50100 SALARIES	110,869	10,615.38	75,015.35	0.00	35,853.65	67.66
130-1700-50204 CAR ALLOWANCE	4,800	600.00	4,200.00	0.00	600.00	87.50
130-1700-50300 HEALTH INSURANCE	10,601	492.58	6,025.80	0.00	4,575.20	56.84
130-1700-50301 DENTAL INSURANCE	698	29.22	292.20	0.00	405.80	41.86
130-1700-50302 LIFE & DISABILITY INSURAN	543	40.41	404.10	0.00	138.90	74.42
130-1700-50303 BROKER FEES	208	17.09	135.32	0.00	72.68	65.06
130-1700-50304 PHS FEES	114	9.50	62.22	0.00	51.78	54.58
130-1700-50305 TMRS EMPLOYER	17,649	1,709.36	12,130.55	0.00	5,518.45	68.73
130-1700-50310 401A	0	45.00	330.00	0.00	330.00	0.00
130-1700-50316 EAP	17	1.45	14.50	0.00	2.50	85.29
130-1700-50317 COBRA ADMINISTRATION FEE	7	0.00	0.00	0.00	7.00	0.00
130-1700-50320 WORKERS COMP	343	23.60	230.48	0.00	112.52	67.20
130-1700-50401 MEDICARE EMPLOYER	1,690	163.72	1,156.52	0.00	533.48	68.43
130-1700-50405 TEXAS EMPLOYMENT COMM.	207	0.00	180.00	0.00	27.00	86.96
TOTAL WAGES & BENEFITS	147,746	13,747.31	100,177.04	0.00	47,568.96	67.80
PROF. SERV & CONTRACTUAL						
130-1700-51100 PROFESSIONAL SERVICES	92,579	0.00	64,127.29	0.00	28,451.71	69.27
130-1700-51300 LEGAL FEES	11,000	0.00	6,734.00	0.00	4,266.00	61.22
130-1700-51400 P&L INSURANCE	1,908	153.63	1,535.94	0.00	372.06	80.50
TOTAL PROF. SERV & CONTRACTUAL	105,487	153.63	72,397.23	0.00	33,089.77	68.63
MAINTENANCE & OPERATIONS						
130-1700-52000 ADVERTISING	4,437	0.00	1,650.00	0.00	2,787.00	37.19
130-1700-52004 COPIER CHARGES	300	0.00	0.03	0.00	299.97	0.01
130-1700-52210 BOARDS & COMMITTE EXPENSE	1,000	0.00	0.00	0.00	1,000.00	0.00
130-1700-52215 PROMOTIONAL FEES	19,000	0.00	1,921.02	0.00	17,078.98	10.11
130-1700-52230 PROJECT INCENTIVES	238,704	10,000.00	10,000.00	150,000.00	78,704.00	67.03
130-1700-52500 DUES & SUBSCRIPTIONS	4,350	0.00	714.95	0.00	3,635.05	16.44
130-1700-52800 HIRING COST	100	0.00	0.00	0.00	100.00	0.00
TOTAL MAINTENANCE & OPERATIONS	267,891	10,000.00	14,286.00	150,000.00	103,605.00	61.33
SUPPLIES						
130-1700-53001 OFFICE SUPPLIES	1,796	0.00	89.54	0.00	1,706.46	4.99
130-1700-53205 OFFICE EQUIPMENT	5,000	0.00	1,417.61	0.00	3,582.39	28.35
TOTAL SUPPLIES	6,796	0.00	1,507.15	0.00	5,288.85	22.18
UTILITIES & COMMUNICATION						
130-1700-54100 TELEPHONE	156	0.00	95.53	0.00	60.47	61.24
130-1700-54105 INTERNET	432	5.94	268.13	0.00	163.87	62.07
130-1700-54106 AIRCARD	504	39.21	313.59	0.00	190.41	62.22
130-1700-54107 COMPUTER LICENSING	918	0.00	904.20	0.00	13.80	98.50
130-1700-54200 CELLPHONE	900	75.00	750.00	0.00	150.00	83.33
TOTAL UTILITIES & COMMUNICATION	2,910	120.15	2,331.45	0.00	578.55	80.12

REVENUE & EXPENSE REPORT (UNAUDITED)

AS OF: JULY 31ST, 2016

130-Economic Development Corp

DEPARTMENT - ECONOMIC DEVELOPMENT

% OF YEAR COMPLETED: 83.33

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
TRAVEL & TRAINING						
130-1700-56000 TRAINING	13,900	0.00	1,970.00	0.00	11,930.00	14.17
130-1700-56100 TRAVEL/MEALS/LODGING	14,500	0.00	3,101.87	0.00	11,398.13	21.39
130-1700-56200 MILEAGE	1,000	0.00	0.00	0.00	1,000.00	0.00
TOTAL TRAVEL & TRAINING	29,400	0.00	5,071.87	0.00	24,328.13	17.25
CAPITAL OUTLAY						
130-1700-57000 CAPITAL OUTLAY	2,500	0.00	2,500.00	0.00	0.00	100.00
TOTAL CAPITAL OUTLAY	2,500	0.00	2,500.00	0.00	0.00	100.00
TRANSFERS & COST ALLOC.						
130-1700-59001 COST ALLOCATION OUT-GENER	105,401	0.00	105,401.00	0.00	0.00	100.00
130-1700-59101 TRANSFER OUT	100,000	0.00	50,000.00	0.00	50,000.00	50.00
130-1700-59111 TRANSFER OUT - TECH REPLA	250	0.00	250.00	0.00	0.00	100.00
TOTAL TRANSFERS & COST ALLOC.	205,651	0.00	155,651.00	0.00	50,000.00	75.69
TOTAL ECONOMIC DEVELOPMENT	768,381	24,021.09	353,921.74	150,000.00	264,459.26	65.58
TOTAL EXPENDITURES	768,381	24,021.09	353,921.74	150,000.00	264,459.26	65.58
REVENUE OVER/(UNDER) EXPENDITURES	(150,000)	28,260.62	90,888.98	(150,000.00)	(90,888.98)	39.41

EDC Special Session

3.

Meeting Date: 09/12/2016

Title: Proposed Chapter 380 Economic Development Agreement Policies and Procedures

Submitted By: Jason Alexander, Director

Finance Review: N/A

Legal Review: N/A

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

Hold a discussion and give staff direction on the proposed City of Corinth Chapter 380 Economic Development Agreement Policies and Procedures.

AGENDA ITEM SUMMARY/BACKGROUND

Chapter 380 of the Texas Local Government Code, *Miscellaneous Provisions Relating to Municipal Planning and Development*, allows municipalities to establish and provide for the administration of one or more programs, including programs for making loans and grants of public money and providing personnel and services of the municipality, to promote state or local economic development. As it pertains to the City of Corinth, the purpose for proposing the Chapter 380 Economic Development Policies and Procedures (hereafter "Policies and Procedures") is to establish a clear set of guidelines and criteria for City Council and the Board of Directors of the Corinth Economic Development Corporation to consider and negotiate flexible incentive agreements to achieve and sustain the highest quality of development that will grow Corinth's tax base.

Staff is presenting the proposed Policies and Procedures to the Corinth Economic Development Corporation Board of Directors with the following goals: (i) to explain its intended applicability, advantages and implementation; (ii) to discuss eligibility requirements for projects; and (iii) to introduce pertinent factors that should be considered in the development and execution of any such incentives agreement.

After receiving direction from the Board of Directors during the September 12, 2016 Special Session, staff will make the necessary revisions to the Policies and Procedures for consideration and action at the October 3, 2016 Regular Session. Pending an affirmative response from the Board of Directors, staff will then take the proposed Policies and Procedures to the City Council in Workshop Session on November 3, 2016, with anticipated consideration and action taken by the City Council during their Regular Session on November 17, 2016.

RECOMMENDATION

N/A.

Fiscal Impact

Source of Funding: N/A



FINANCIAL SUMMARY:

N/A

Attachments

PowerPoint Presentation

Proposed Chapter 380 Economic Development Program Policies and Procedures



PROPOSED CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM POLICIES AND PROCEDURES

September 12, 2016

Presentation Agenda

- Brief Review of Chapter 380 Economic Development Programs
- Proposed Policies and Procedures
- Key Takeaways

A BRIEF REVIEW

Chapter 380 Economic Development Programs



A Brief Review

- One of the more flexible economic development programs made available to municipalities under Chapter 380 of the Texas Local Government Code
- Municipalities are permitted to grant or loan public monies and personnel
- Often used to increase public input and incentivize development proposals (i.e., commercial and mixed-use projects)

PROPOSED CITY OF CORINTH

Chapter 380 Economic Development Policies and Procedures



Section 1: Purpose

Lines 69 – 97

- This section outlines the City’s purpose for establishing a Chapter 380 Economic Development Program Policies and Procedures
 - *Each application will be considered on a case-by-case basis*
 - *Nothing in the Policies and Procedures shall be intended to suggest that the City is under any obligation to grant incentives to any applicant*

Section 2: Definitions

Lines 99 – 132

- This section contains definitions that are integral to the interpretation and administration of any incentives agreement offered by the City
 - *Business personal property (Lines 105 –110)*
 - *Full-time job (Lines 114 –120)*
 - *Mixed-use (Lines 121 –128)*

Section 3: Program Requirements

Lines 134 – 139

- This section establishes the minimum requirements that a project must meet in order to be considered eligible for incentives under a Chapter 380 Economic Development Agreement
- All Projects must meet at least one requirement in Paragraphs A.1. and A.2.

Section 3: Program Requirements

Lines 140 – 147 (Paragraph A.1.)



THE PROJECT:

- *Will result in a minimum increased revenue for another existing business in the City of \$250,000; or*
- *Will result in a minimum increased taxable value for the City of \$250,000 in real and/or business personal property tax; or*

Section 3: Program Requirements

Lines 148 – 158 (Paragraph A.1.)

- Will result in the creation of a minimum of 50 full-time jobs; or*
- Will result in a minimum increased taxable value of \$250,000 in the C-2 and MX-C zoning districts; or*
- Is a mixed-use project intended to develop or redevelop key areas; or*
- Is specifically determined by resolution of the City Council to bring public benefit*

Section 3: Program Requirements

Lines 159 – 173 (Paragraph A.2.)

■ AND THE PROJECT:

- *Will make a unique or unequaled contribution to development/redevelopment efforts; or*
- *Will enhance the City's fiscal capabilities to deliver first rate municipal services; or*
- *Will enhance the City's public infrastructure; or*
- *Is a qualified as a target industry (i.e., a project deemed vital to the City's current or anticipated growth and development needs and goals)*

Section 3: Program Requirements

Lines 174 – 187

- All projects are intended to be considered on a case-by-case basis; projects meeting more than one requirement from Paragraphs A.1. and A.2. preferred
- For those projects in which a building permit has been issued, or construction has started, they will be ineligible for incentives
- The value of the incentives must be commensurate with the realized revenue

Section 4: Additional Considerations

Lines 189 – 198

- This section provides additional factors that the Corinth Economic Development Corporation should consider in presenting a recommendation to City Council:
 - *Number of and types of jobs to be created and/or retained*
 - *Market conditions and growth potential for business activity*
 - *Financial capacity of the applicant to undertake/complete the project*

Section 5: Incentives

Lines 200 – 205

- This section is deliberately vague, and is specifically intended to best position the City to negotiate a competitive incentives agreement
 - *Tax abatement (no duration term)*
 - *Sales tax rebate*
 - *Loan or grant of public monies*

Section 6: Application Process

Lines 207 – 224



Section 7: Agreement Terms

Lines 226 – 265

- This section provides the minimum terms that must be adhered to, and included within each incentives agreement offered by the City pursuant to Chapter 380 of the Texas Local Government Code to ensure that the City's goals and objectives for economic development are achieved with excellence

Section 8: Severability

Lines 267 – 273

- This section is intended to legally protect the City from considering and negotiating incentive agreements under these Policies and Procedures pursuant to Chapter 380 of the Texas Local Government Code
 - *Any clause of these Policies and Procedures found to be invalid will not adversely impact the balance of the policy*

KEY TAKEAWAYS

The Key Points





Key Takeaway No. 1

- As proposed, these Policies and Procedures will establish a framework for the City to consider and negotiate an extremely competitive incentives package to achieve and sustain development of premium quality and support existing businesses wishing to expand and operate within an increasingly competitive marketplace

Key Takeaway No. 2

- As proposed, these Policies and Procedures will provide the City with a flexible, yet powerful marketing and recruitment tool that will reinforce the advantages of commercial, industrial or mixed-use activity in Corinth, as well as the opportunities afforded to existing business owners desiring to expand



PROPOSED CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM POLICIES AND PROCEDURES

September 12, 2016

16 **WHEREAS**, granting economic development incentives is one of the principal means by which
17 the public sector and the private sector can forge a partnership to promote real economic growth within a
18 community; and

19 **WHEREAS**, any economic development incentives offered must be strictly limited in application
20 to those new and existing businesses that bring new wealth to the community in order to avoid reducing the
21 needed tax revenues of area taxing authorities; and

22 **WHEREAS**, Chapter 380 of the *Texas Local Government Code* permits municipalities to establish
23 and provide for economic development programs, including programs for making loans and grants of public
24 money and providing personnel and services of the municipality, as an incentive for the development or the
25 redevelopment of property within the municipality; and

26 **WHEREAS**, the City Council of the City of Corinth, Texas desires to establish such a program to
27 develop and expand the local economy by promoting and encouraging projects that will enhance the City's
28 economic base, that will stimulate business and commercial activity and that will diversify and expand job
29 opportunities;

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31 **NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORINTH,**
32 **TEXAS:**

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I.

35 THAT the facts and recitations contained in the preamble of this Resolution are hereby found and declared
36 to be true and correct, and are incorporated herein in their entirety.

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II.

38 THAT the Chapter 380 Economic Development Program Policies and Procedures attached hereto as Exhibit
39 “A” and incorporated herein, is hereby adopted as the guidelines and criteria for the City of Corinth to make
40 loans and grants of public money to promote economic development and stimulate business and commercial
41 activity in the City pursuant to Chapter 380 of the *Texas Local Government Code*.

42

III.

43 THAT the City of Corinth may elect to make use of the Chapter 380 Economic Development Program
44 Policies and Procedures, as set forth in Exhibit “A”, to consider and negotiate incentives to enable and to
45 encourage and sustain economic growth while also implementing sufficient control over public funds, and
46 that said policies and procedures may be leveraged with other incentives provided by the City.

47

IV.

48 THAT this Resolution shall be effective immediately upon its approval.

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50 **PASSED, APPROVED AND EFFECTIVE** this ____ day of _____, 2016.

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Bill Heidemann, Mayor

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55 **ATTEST:**

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58 Kimberly Pence, City Secretary

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61 **APPROVED AS TO FORM:**

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64 City Attorney

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EXHIBIT "A"

CITY OF CORINTH, TEXAS

CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM POLICIES AND PROCEDURES

SECTION 1.

GENERAL STATEMENT OF PURPOSE AND POLICY

The City of Corinth is dedicated to achieving and sustaining the highest quality of development in all areas of the City; and to a continuous improvement in the quality of life for its citizens. The City of Corinth has previously developed economic development programs and incentives designed to encourage high quality businesses and other commercial concerns to locate, expand and remain in the City of Corinth. Now the City of Corinth seeks to augment its economic development efforts to attract and retain high quality development and jobs by establishing these Chapter 380 Economic Development Program Policies and Procedures ("Policies and Procedures") as a guide when considering applications for economic development incentives.

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 Corinth's economic base; diversifying and expanding employment opportunities across generational boundaries; and promoting

82 projects that create additional revenue for Corinth, without substantially increasing demand on City services
83 or infrastructure. Ultimately, the preeminent purpose of the programs established under these Policies and
84 Procedures is to protect and augment the City's ability to continuously deliver first class municipal services
85 for the safety, enjoyment and comfort of Corinth residents.

86 In furtherance of these goals, the City may elect, on a **case-by-case basis**, to give consideration to
87 providing incentives to applicants in accordance with these Policies and Procedures as authorized by
88 Chapter 380 of the *Texas Local Government Code*, as amended from time to time.

89 Nothing in these Policies and Procedures shall be intended to imply or suggest that the City is under
90 any obligation to provide incentives to any applicant. All applicants shall be considered on a **case-by-case**
91 **basis**. Approval or denial of any incentives shall be at the sole discretion of City Council, upon receiving a
92 recommendation from the Corinth Economic Development Corporation as prescribed in Section 6. Those
93 applicants granted incentives as a Chapter 380 Economic Development Program, under these Policies and
94 Procedures, shall be required to enter into an agreement with the City containing all of the terms required
95 in Section 7, and as required by applicable state laws, in order to protect the public's interest of receiving a
96 public benefit in exchange for public funds, assets and services invested to stimulate economic development
97 in Corinth.

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SECTION 2.

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DEFINITIONS

101 Wherever used in these Policies and Procedures, the following terms shall have these meanings ascribed to

102 them:

103 A. AGREEMENT: shall mean a contractual agreement between a property owner and the City for the
104 purpose of providing one or more economic development programs.

105 B. BUSINESS PERSONAL PROPERTY: shall mean tangible personal property other than inventory
106 and supplies:

- 107 1. that is subject to ad valorem taxation by the City; **and**
- 108 2. that is located on the property subject to an incentive agreement; **and**
- 109 3. that is owned or leased by the party to the incentive agreement; **and**
- 110 4. that was not located in the City prior to the effective date of the incentive agreement.

111 C. CITY: shall mean the City of Corinth, Texas.

112 D. CITY ATTORNEY: shall mean the City Attorney of the City of Corinth, Texas.

113 E. CITY COUNCIL: shall mean the City Council of the City of Corinth, Texas.

114 F. FULL-TIME JOB: shall mean

- 115 1. employment of at least thirty-five (35) hours per week with full benefits, including at a
116 minimum, health and disability insurance and retirement plan options; **and**

117 2. employment with an average (mean) hourly wage equal to, or above that calculated by the
118 United States Bureau of Labor for the Dallas-Fort Worth-Arlington Metropolitan Statistical
119 Area; **and**

120 3. does not include seasonal employment.

121 G. **MIXED-USE**: for the purposes of these Policies and Procedures, shall mean any proposed projects
122 which deliver a complementary and visually harmonious mixture of retail, residential, office, open
123 space and/or lodging uses to market. For any proposed project to be considered a mixed-use
124 development, a minimum of fifty (50) percent of the total amount of habitable space (i.e., any
125 enclosed space that is intended for shelter or enclosing of persons, property, equipment or process)
126 shall be dedicated to retail, office and/or lodging uses as defined in the City of Corinth Unified
127 Development Code. For the purposes of this definition, bars, cafés, restaurants, et cetera, shall be
128 considered retail.

129 H. **TARGET INDUSTRY**: shall mean a business, structure or other project deemed vital to the City's
130 current, anticipated or ongoing growth and development needs and goals. The City may amend the
131 definition of "needs" from time to time as the City's circumstances warrant, or as the City
132 determines appropriate to meet or further its development or other economic goals.

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SECTION 3.

PROGRAM REQUIREMENTS

- A. To be eligible for consideration to receive incentives as a Chapter 380 Economic Development Program, under these Policies and Procedures, a project must first meet one or more of the minimum requirements set forth in Paragraph A.1. and one or more of the minimum requirements set forth in Paragraph A.2.:
1. The project:
 - (a) will result in a minimum increased revenue for another existing locally owned City business or businesses of Two Hundred and Fifty Thousand Dollars (\$250,000) within the City limits; **or**
 - (b) will result in a minimum increased taxable value for the City of Two Hundred and Fifty Thousand Dollars (\$250,000) in real property **and/or** business personal property tax (excluding inventory and supplies) per City fiscal year within the City limits; **or**
 - (c) will result in a minimum of fifty (50) additional full-time jobs in the City; **or**
 - (d) will result in a minimum increased taxable value for the City of Two Hundred Thousand Dollars (\$200,000) in real property **and/or** business personal property

151 (excluding inventory and supplies) within the C-2, Commercial Zoning Districts;

152 and the MX-C, Mixed Use Commercial Zoning Districts; **or**

153 (e) is a mixed use project intended to develop or revitalize key areas of the City zoned

154 for mixed-use development outside of the MX-C, Mixed Use Commercial Zoning

155 Districts, that incorporates a variety of different retail, restaurant, residential, office

156 and/or lodging users within a coherent, high quality and sustainable setting; **or**

157 (f) is specifically determined by resolution of the City Council to bring public benefit

158 to the City consistent with Section 1; **AND**

159 2. In addition, the project:

160 (a) will make a unique or unequalled contribution to the development or redevelopment

161 efforts within the City limits due to its:

162 (1) benefit to the environment; **or**

163 (2) financial magnitude; **or**

164 (3) significance to the community; **or**

165 (4) superior functional or visual characteristics (e.g., architecture, landscape,

166 land use, parking, signage, streetscapes, et cetera); **or**

167 (b) will enhance the City’s fiscal ability to provide high quality municipal services for
168 the safety, comfort and enjoyment of Corinth residents; **or**

169 (c) will enhance the City’s public infrastructure by including the improvement and/or
170 construction of infrastructure that may or may not be contiguous to the project, and
171 may or may not be related to the project (e.g., drainage, lamp posts, parking, roads,
172 sidewalks, water/sewer); **or**

173 (d) is qualified as a target industry.

174 B. All projects shall be considered on a **case-by-case basis**. However, eligible projects meeting more
175 than one requirement from Paragraphs A.1. and A.2. above will be preferred over projects that meet
176 only the minimum of one requirement from Paragraphs A.1. and A.2. above.

177 C. Projects shall not be eligible for incentives if a building permit has been issued for the project, or
178 if construction has already commenced prior to making an application in accordance with these
179 Policies and Procedures. Notwithstanding the foregoing, the City shall have the sole and absolute
180 discretion to authorize incentives for the expansion of an existing business or project as determined
181 appropriate by the City to meet the goals of these Policies and Procedures.

182 D. Incentives will be provided only to the extent that the revenues realized by the City, and attributable
183 to the project, equals or exceeds the minimum amount established by the agreement. Furthermore,

184 the public benefit or the amount of revenue realized by the City and attributable directly to the
185 project must be commensurate with the value of any incentives granted under this program. The
186 City retains the sole discretion to determine whether or not the standards set forth in these Policies
187 and Procedures and/or executed agreements have been or will be met.

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189 SECTION 4.

190 **ADDITIONAL CONSIDERATIONS**

191 Additional factors to be considered by the Corinth Economic Development Corporation in deciding whether
192 to recommend a project to City Council for incentives include:

- 193 A. the number and types of jobs to be created or retained; **and**
- 194 B. the market conditions and growth potential for the business activity; **and**
- 195 C. the financial capacity of the applicant to undertake and complete the proposed project; **and**
- 196 D. other incentive programs for which the applicant has qualified or has applied; **and**
- 197 E. any other factors the Corinth Economic Development Corporation finds beneficial and/or relevant
198 to accomplishing the City's economic development goals and objectives.

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200 SECTION 5.

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INCENTIVES

As incentives to business and commercial enterprises, the City may provide economic development loans or grants to the enterprise in a lump sum payment or through installment payments as deemed appropriate by City Council and as expressly set forth in the terms of an agreement approved by a majority vote of the City Council.

SECTION 6.

APPLICATION PROCESS

A. All applications for consideration as a Chapter 380 Economic Development Program shall be made on forms supplied by the Corinth Economic Development Corporation. Applicants may be required to furnish additional information to show compliance with the minimum requirements contained in Section 3 at any point in the application process. If the Board of Directors of the Corinth Economic Development Corporation determines the applicant has met the minimum Program Requirements, then the Executive Director of the Corinth Economic Development Corporation will be permitted to collaborate with the applicant to propose an agreement in accordance with the terms in Section 7. The applicant and the Executive Director shall have at least thirty (30) working days to propose an agreement; and only after the Executive Director and the applicant have drafted a proposed

218 agreement, will it be presented to the Board of Directors of the Corinth Economic Development
219 Corporation for a recommendation to the City Council.

220 B. At its sole discretion, City Council may consider the proposed agreement, and may take action on
221 the proposal as it deems appropriate. Under no circumstances shall anything in these Policies and
222 Procedures, and/or anything in the application form and process create any property, contract or
223 other legal right for any person, entity or corporation to have the City Council consider or grant
224 incentives.

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226 SECTION 7.

227 **AGREEMENT TERMS**

228 An agreement established under a Chapter 380 Economic Development Program shall at minimum include:

229 A. a complete description of the location of the proposed program or projects included in the program;

230 **and**

231 B. a timetable and list of the kind of improvements or development that the program will include, and

232 conditions to assure that the program meets or exceeds the City's requirements relating to property

233 values and revenues, which in no case shall be less than the minimum program requirements set

234 forth in these Policies and Procedures, including without limitation those set forth in Section 3,
235 above; **and**

236 C. a timetable and list of the kind and amount of property values, revenues, incomes or other public
237 benefits that the proposed program will provide; **and**

238 D. a provision establishing the duration of the agreement; **and**

239 E. a provision identifying the method for calculating and the source of funding for any grant, loan,
240 refund, in-kind or other incentive either up front or over the time provided in the agreement; **and**

241 F. a provision identifying whether any grant, loan or other incentive provided in the agreement will
242 be utilized for construction costs or for other specified business expenses; **and**

243 G. a provision providing benchmarks or other tangible means for measuring whether the applicant and
244 other responsible parties have met their obligations under the agreement; **and**

245 H. a provision providing for access to and authorizing inspection of the property and applicant's
246 pertinent business records by municipal employees in order to determine compliance with the
247 agreement; **and**

248 I. a provision for the cancellation of the agreement and/or nonpayment of incentives if the program
249 is determined to not be in compliance with the agreement; **and**

- 250 J. a provision for recapturing City funds granted or loaned, or for recapturing the value of other public
251 assets granted or loaned, if the applicant does not meet his/her/its/their duties and obligations under
252 the terms of the agreement; **and**
- 253 K. a provision that allows assignment of the agreement with prior written approval of the City Council
254 and at the sole discretion of the City Council provided that:
- 255 1. all the duties, liabilities, obligations and rights under the agreement are assigned from the
256 assignor to the assignee; **and**
- 257 2. the assignment document is in a form and contains content acceptable to the City Attorney;
258 **and**
- 259 L. provisions relating to administration, delinquent taxes, indemnification and reporting requirements
260 are included; **and**
- 261 M. a provision that the agreement may be amended by the parties to the agreement by using the same
262 procedure for approval as is required for entering into the agreement; **and**
- 263 N. a provision providing for auditing of the program, including authorizing City access to both non-
264 privileged and/or confidential documents for the purpose of conducting the audit; **and**
- 265 O. other provisions as the City Council shall deem appropriate.

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SECTION 8.

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SEVERABILITY

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It shall be the policy and intention of the City to consider and negotiate agreements which are legally subject

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to being adopted under the laws of the State of Texas. Should any section, subsection, paragraph, sentence,

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phrase or word in these Policies and Procedures be held to be invalid, illegal or unconstitutional by a court

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of competent jurisdiction, the balance of these Policies and Procedures shall stand, and shall remain

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enforceable.

EDC Special Session

4.

Meeting Date: 09/12/2016

Title: Creation of Sub-Committees of the Board

Submitted By: Jason Alexander, Director

Finance Review: N/A

Legal Review: N/A

Approval: Lee Ann Bunselmeyer, Acting City Manager

AGENDA ITEM

Consider and act on the creation of sub-committees to advance the efforts of the Corinth Economic Development Corporation in: (i) developing a Strategic Plan for Economic Development; (ii) executing a Comprehensive Branding Strategy; and (iii) implementing a Business Retention Program.

AGENDA ITEM SUMMARY/BACKGROUND

Pursuant to Section 5.02, *Officers*, of the Bylaws of the Corinth Economic Development Corporation (the "Corporation"), the President of the Corporation is authorized to appoint sub-committees with the approval of the Board of Directors to advance the business undertakings of the Corporation. In addition, Section 4.07, *Sub-committees of the Board*, of the Bylaws allows the Board of Directors to designate no more than three directors to create (serve) on an official sub-committee. The sub-committees may only function as a recommending body, with the Board of Directors only, having the capability to exercise any official action of the Corporation.

As envisioned, the Board would designate three sub-committees, with each one charged with advancing one of the following efforts: (i) developing a Strategic Plan for Economic Development to guide the policy direction and actions of the Corporation; (ii) executing a Comprehensive Branding Strategy to re-brand Corinth and promote a positive image to the rest of the region and other organizations, entities and corporations with state and multi-national interests; and (iii) to implement a Business Retention Program that advocates for the various interests of existing business operators in Corinth.

Furthermore, and perhaps most importantly, the creation of the sub-committees will allow the Corporation (and the City) to develop a strong outreach program that allows residents and corporate citizens to act as change agents in influencing economic development policy and business development in Corinth.

RECOMMENDATION

N/A.

Fiscal Impact

Source of Funding: N/A

FINANCIAL SUMMARY:

N/A.
