



**MEETING AGENDA
SCHERTZ ECONOMIC DEVELOPMENT BOARD
REGULAR SESSION - SEPTEMBER 25, 2025**

**HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS CONFERENCE ROOM
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154**

**AGENDA
THURSDAY, SEPTEMBER 25, 2025 at 6:00 p.m.**

The City of Schertz Economic Development Corporation (SEDC) Board of Directors will hold a regular monthly meeting on Thursday, SEPTEMBER 25, 2025, at 6:00 p.m. at the Hal Baldwin Municipal Complex, Council Chambers Conference Room, Building No. 4, 1400 Schertz Parkway, Schertz, Texas. This is an open meeting, subject to the open meeting laws of the State of Texas.

In accordance with provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code notice is hereby given that a Possible Quorum of the governing body of the City of Schertz, Texas may take place at this meeting.

Call to Order

1. Roll call, recognition of visitors, and review of meeting instructions for effective Board interaction and public participation.
2. SEDC Board Member Oath of Office for re-appointments to the Schertz Economic Development Board by the Schertz City Council on 9/16/25.(S. Courney)
 - Eryn McElroy, Term Ending 9/30/27
 - Reynaldo Chavez, Term Ending 9/30/26
3. Introduction of newly hired Schertz Economic Development Staff as of 09/08/25
 - Kari Baker, Administrative Assistant

Hearing of Residents

This time is set aside for any person who wishes to address the Board. Presentations should be limited to no more than 3 minutes. The presiding officer will call on those persons who have signed up to speak.

Consent Agenda

4. Approval of the Minutes for the Board of Directors Regular Monthly Meeting held August 28, 2025. (A. Madison)

Discussion Only

5. Presentation and discussion regarding the SEDC monthly financial statement for the month of August 2025. (S.Wayman)

Discussion and Possible Action

6. **Resolution 2025-7** — Authorizing the City of Schertz Executive Director to execute a First Amendment to the La Palapas Schertz Performance Agreement to restate the legal entity as Las P Schertz Operations, LLC. (S. Wayman)

Closed Session

7. Called in accordance with Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations; Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to 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 (2) to deliberate the offer of a financial or other incentive to a business prospect.

- **Project E-107**
- **Project E-110**

Reconvene to Regular Session

8. Take any actions based on discussion held in closed session under Agenda Item No. 7

Requests and Announcements

- Announcements by staff.
- Requests by Board Members to place items on a future SEDC Board Meeting agenda.

Adjournment

CERTIFICATION

I, Kari Baker, Administrative Assistant, of the City of Schertz Economic Development Corporation, do hereby certify that the above agenda was posted on the official bulletin boards on this the 18th day of September, 2025, at 2:30 p.m., which is a place readily accessible to the public at all times and that said notice was posted in accordance with chapter 551, Texas Government Code.

Administrative Assistant- Economic
Development

I certify that the attached notice and agenda of items to be considered by the Schertz Economic Development Corporation Board of Directors was removed from the official bulletin board on ____ day of _____, 2025.
Name/Title: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1070.

The Economic Development Corporation 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 matters listed above, as authorized by the Texas Open Meetings Act.

Closed Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

SEDC MEMORANDUM

SEDC
Board Meeting: 09/25/2025
Department: Economic Development Corporation
Subject: Approval of the Minutes for the Board of Directors Regular Monthly Meeting held August 28, 2025. (A. Madison)

SUBJECT:

Approval of the Minutes for the Board of Directors Regular Monthly Meeting held August 28, 2025.
(A. Madison)

Attachments

08_28_25Minutes

SCHERTZ

ECONOMIC DEVELOPMENT CORPORATION

MINUTES

REGULAR MEETING

AUGUST 28, 2025

6:00 P.M.

The City of Schertz Economic Development Corporation (SEDC) Board of Directors held a regular monthly meeting on Thursday, AUGUST 28, 2025. at 6:00 p.m. at the Hal Baldwin Municipal Complex, Council Chambers Conference Room, Building No. 4, 1400 Schertz Parkway, Schertz, Texas.

The following members present to-wit:

Present: Bill Dixon, Board Vice President
Eryn McElroy, Board Secretary
Bryan Jones, Board Member
Ray Chavez, Board Member
Matt Clingo, Board Member
Sharon Denson, Board Member

Absent: Mark Moody, Board Treasurer

Staff present: Scott Wayman, Executive Director
Amy Madison, Deputy Director
Ashley Ritchey, Business Engagement Manager
Brian James, Deputy City Manager

Attendees: Tim Brown, City Council Liaison
Allison Heyward, City Council Liaison (Alternate)
Sheree Courney, Deputy City Secretary
Joe Simmons, Guest - PV Schertz Representative

Call to Order

1. Roll call, recognition of visitors, and review of meeting instructions for effective Board interaction and public participation.

Vice President Bill Dixon presided over the meeting and called it to order at 6 pm.

2. SEDC Board Member Oath of Office for a member appointed by City Council on 08/05/25 for an unexpired term ending on 09/30/2025. (S. Courney)

- Matt Clingo

Sheree Courney, Deputy City Secretary administered the Oath of Office to Matt Clingo. Following his appointment, Clingo joined the board meeting as a voting member.

3. Election of the Schertz Economic Development Corporation Board Officers. (W.Dixon)

Vice President Bill Dixon said that all board members could be nominated for any officer position, but the officers elected would not become effective until October 1, 2025 after re-appointments are made in September for three expiring terms. Two current board members have applied for reappointment. The third term expiring is Mark Moody, Treasurer, who is not seeking reappointment. He explained that leaves an open board seat and the Treasurer position vacant in addition to the current vacancy for President. He added that there may be a need to elect all four officer positions depending on the outcome of each officer elected.

Vice President Bill Dixon called for nominations for President. Ray Chavez nominated Bill Dixon, Bryan Jones seconded. Motion passed, unanimously; 6-0.

Vice President Bill Dixon called for nominations for Vice President and he nominated Eryn McElroy. Motion was seconded by Sharon Denson. Motion passed, unanimously; 6-0.

Vice President Bill Dixon called for nominations for Secretary. Ray Chavez nominated Bryan Jones, seconded by Erin McElroy. Motion passed, unanimously; 6-0.

Vice President Bill Dixon called for nominations for Treasurer. Bryan Jones nominated Ray Chavez, seconded by Eryn McElroy. Motion passed, unanimously; 6-0.

New officers effective October 1, 2025:

President, Bill Dixon

Vice President, Eryn McElroy

Secretary, Bryan Jones

Treasurer, Ray Chavez

Hearing of Residents

4. *This time is set aside for any person who wishes to address the Board. Presentations should be limited to no more than 3 minutes. The presiding officer will call on those persons who have signed up to speak.*

No residents signed up to speak. No comments were made.

Minutes

5. Approval of the minutes for the Board of Directors Regular Monthly Meeting held July 24, 2025 (S. Wayman/A. Madison)

Vice President Bill Dixon called for a motion to approve the SEDC Board Meeting minutes for July 24, 2025. Eryn McElroy moved to approve, Ray Chavez seconded. Motion passed, unanimous; 6-0.

Presentations

6. Staff briefing on SEDC monthly financial statement for the month of July 2025. (S.Wayman)

Scott Wayman, Executive Director gave a brief overview of the SEDC Financial Statement for July 2025. July 2025 sales tax received was \$1,170,720, a 111.4% increase over the prior year, and expenses were \$32,652.54. The 12-month rolling average is 28.3% and still trending up. Notable expenditures include funding for DPC Hospitality contract for \$12,500, Group C Media, \$9,420, and Texas Economic Development Corporation, \$5,000. Total Cash and Investments at the end of July was \$37,918,215.91. Mr. Wayman also gave a brief overview of the Reserve Fund Model.

Discussion Items

7. **Resolution 2025-5** - Adopting an agreement for Provision of Professional Services between the City of Schertz and the Schertz Economic Development Corporation, and other matters in connection therewith. (S.Wayman)

Vice President Bill Dixon opened the discussion and introduced Scott Wayman, Executive Director, who provided an overview of the Provision of Professional Service Agreement. The contract for professional services must be approved by the SEDC annually and contains details of the costs and services from the City of Schertz including personnel, rent, internal services and fleet costs for FY26. Wayman noted the only year-over-year increase from the previous year was in personnel, which increased a total of 6%. Another notable change was in Fleet which decreased by 28%. Wayman stated that the Board approved the cost for all services totaling \$641,703 as part of the FY26 Budget approved at the July 2025 Board Meeting.

Following the presentation, Vice President Bill Dixon called for a motion to approve Resolution 2025-5. Ray Chavez moved to approve adoption of an agreement for Provision of Professional Services between the City of Schertz and the Schertz Economic Development Corporation, seconded by Eryn McElroy. Motion approved unanimous; 6-0.

Public Hearings

8. **Resolution 2025-6** - Public hearing, discussion and possible action authorizing the City of Schertz Economic Development Corporation Executive Director to enter into a Performance Agreement with PV Schertz, LLC. (S.Wayman)

Public Hearing opened at 6:20 pm

Mr. Joe Simmons, PV Schertz, LLC, discussed the extension of Four Oaks Lane to and through his property. He provided approximately 2.5 acres of right-of-way dedication to the City at the time of platting that was valued at an estimated \$750,000 for the extension of the road. He also noted that the cost of the road design was approximately \$100,000. His property expansion and improvements include renovation and lease of two buildings for Murdoch's Ranch and Home, Bob Mills Furniture and a third lease with Star Vipers in the remaining third building, which is 73,000 sf. Not all the space is occupied by the tenant. The extension of Four Oaks Lane will provide access for a new 60,000 sf facility to be constructed and leased to Safeway Supplies. Board members asked about potential tenants being explored for the third building to fill the space. Mr. Simmons mentioned he had an active national fitness facility prospect, but also said the space could accommodate a small manufacturing firm.

Public Hearing closed at 6:32 pm

Vice President Bill Dixon deferred action on Item 8: Resolution 2025-6 and recessed Open Session to Closed Session at 6:33 pm.

Vice President Bill Dixon returned to Item 8: Resolution 2025-6 following the first closed session. Ray Chavez motioned to approve. The motion did not receive a second.

At the request of board members Eryn McElroy, Ray Chavez and Bryan Jones, Vice President Bill Dixon returned to Closed Session at 6:56 pm.

Following the second Closed Session, Dixon returned to Item 8: Resolution 2025-6 and requested a motion. Bryan Jones motioned to approve, Sharon Denson seconded. Motion approved unanimously; 6-0

Closed Session

9. Called in accordance with Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations; Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate 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 (2) to deliberate the offer of a financial or other incentive to a business prospect.

- Project - E-107

Start time: 6:34 pm

End time: 6:56 pm

Vice President Bill Dixon reconvened into Open Session at 6:56 pm

Start time: 6:57 pm

End time: 7:15 pm

Vice President Bill Dixon reconvened into Open Session at 7:15 pm

Reconvene to Regular Session

10. Take any actions based on discussion held in closed session under Agenda Item No. 9

No actions were taken based on discussions held in closed session.

Requests and Announcements

- Announcements by staff:

SEDC Regular Board Meeting September 25, 2025, 6 pm.

- Requests by Board Members to place items on a future SEDC Board Meeting agenda:

No requests made.

Adjournment

Vice President Bill Dixon called for a motion to adjourn. Moved by Bryan Jones, seconded by Sharon Denson. Motions approved unanimously; 6-0.

Meeting adjourned at 7:17 pm.

MINUTES PASSED AND APPROVED THIS ____ DAY OF _____ 2025.

William Dixon
Board Vice President

ATTEST:

Eryn McElroy, Board Secretary

SEDC MEMORANDUM

**SEDC
Board Meeting:** 09/25/2025
Department: Economic Development Corporation
Subject: Presentation and discussion regarding the SEDC monthly financial statement for the month of August 2025. (S.Wayman)

BACKGROUND

COMMUNITY BENEFIT

FISCAL IMPACT

SUMMARY OF RECOMMENDED ACTION

Attachments

Financial Report

CITY OF SCHERTZ
 REVENUE AND EXPENSE REPORT (UNAUDITED)
 AS OF: Aug 31st , 2025

| 620-SED CORPORATION | ***** 2024 - 2025 ***** | | | | | | |
|--------------------------------------|-------------------------|-------------------|-------------------------|----------------------|------------------|-----------------------|----------------|
| FINANCIAL SUMMARY | CURRENT BUDGET | CURRENT PERIOD | PRIOR YEAR Y-T-D ACTUAL | CURRENT Y-T-D ACTUAL | Y-T-D ENCUMBR | BUDGET BALANCE | % OF BUDGET |
| <u>REVENUE SUMMARY</u> | | | | | | | |
| Taxes | 7,083,000 | 620,926.05 | 6,311,213.68 | 9,356,110.94 | - | (2,273,110.94) | 132.09% |
| Fund Transfers | - | - | 190,391.66 | - | - | - | 0.00% |
| Miscellaneous | 1,260,000 | 142,991.70 | 1,709,644.72 | 1,570,777.08 | - | (310,777.08) | 124.66% |
| TOTAL REVENUES | 8,343,000 | 763,917.75 | 8,211,250.06 | 10,926,888.02 | - | (2,583,888.02) | 130.97% |
| <u>EXPENDITURE SUMMARY</u> | | | | | | | |
| <u>NONDEPARTMENTAL</u> | | | | | | | |
| City Supported Services* | 15,299,100 | - | 58,984.70 | 9,335,299.17 | 77,050.00 | 5,886,750.83 | 61.52% |
| TOTAL NONDEPARTMENTAL | 15,299,100 | - | 58,985 | 9,335,299.17 | 77,050 | 5,886,750.83 | 61.52% |
| <u>ECONOMIC DEVELOPMENT</u> | | | | | | | |
| Personnel Services | 24,575 | 740.22 | 13,921.04 | 17,080.84 | - | 7,494.16 | 69.50% |
| Supplies & Equipment | 61,175 | 11,961.35 | 27,437.17 | 42,633.33 | - | 18,541.67 | 69.69% |
| City Supported Services | 214,500 | 100.00 | 3,380.30 | 3,812.41 | - | 210,687.59 | 1.78% |
| Utility Services | 316,825 | 6,037.04 | 161,844.90 | 72,650.47 | 339.33 | 243,835.20 | 23.04% |
| Operating Expense | 88,585 | 2,089.87 | 66,832.49 | 74,286.83 | - | 14,298.17 | 83.86% |
| Professional Services | 664,080 | 138.00 | 549,564.00 | 609,873.50 | - | 54,206.50 | 91.84% |
| Fund Charges/Transfers | - | - | - | - | - | - | 0.00% |
| TOTAL ECONO DEVELOPMENT | 1,369,740 | 21,066.48 | 822,979.90 | 820,337.38 | 339.33 | 549,063.29 | 59.91% |
| TOTAL EXPENDITURES | 16,668,840 | 21,066.48 | 881,964.60 | 10,155,636.55 | 77,389.33 | 6,435,814.12 | 61.39% |
| ** REVENUE OVER(UNDER) EXPEND | (8,325,840) | 742,851.27 | 7,329,285 | 771,251 | | | |

CITY OF SCHERTZ

REVENUE REPORT (UNAUDITED)

AS OF: Aug 31st , 2025

***** 2024-2025 *****

620-SED CORPORATION

REVENUES

Taxes

| | CURRENT BUDGET | CURRENT PERIOD | PRIOR YEAR Y-T-D ACTUAL | CURRENT Y-T-D ACTUAL | Y-T-D ENCUMBR | BUDGET BALANCE | % OF BUDGET |
|-----------------------------------|------------------|-------------------|-------------------------|----------------------|---------------|-----------------------|----------------|
| 000-411500 Sales Tax Revenue (4B) | 7,083,000 | 620,926.05 | 6,311,213.68 | 9,356,110.94 | - | (2,273,110.94) | 132.09% |
| TOTAL Taxes | 7,083,000 | 620,926.05 | 6,311,213.68 | 9,356,110.94 | - | (2,273,110.94) | 132.09% |

Fund Transfers

| | | | | | | | |
|-----------------------------|----------|----------|-------------------|----------|----------|----------|--------------|
| 000-486000 Transfer In | - | - | 190,391.66 | - | - | - | 0.00% |
| TOTAL Fund Transfers | - | - | 190,391.66 | - | - | - | 0.00% |

Miscellaneous

| | | | | | | | |
|--------------------------------|------------------|-------------------|---------------------|---------------------|----------|---------------------|----------------|
| 000-491000 Interest Earned | 10,000 | 2,932.58 | 11,395.73 | 9,673.78 | - | 326.22 | 96.74% |
| 000-491200 Investment Earnings | 1,250,000 | 140,059.12 | 1,698,248.99 | 1,561,103.30 | - | (311,103.30) | 124.89% |
| 000-497000 Misc Income | - | - | - | - | - | - | 0.00% |
| TOTAL Miscellaneous | 1,260,000 | 142,991.70 | 1,709,644.72 | 1,570,777.08 | - | (310,777.08) | 124.66% |

| | | | | | | | |
|-----------------------|------------------|-------------------|---------------------|----------------------|----------|-----------------------|----------------|
| TOTAL REVENUES | 8,343,000 | 763,917.75 | 8,211,250.06 | 10,926,888.02 | - | (2,583,888.02) | 130.97% |
|-----------------------|------------------|-------------------|---------------------|----------------------|----------|-----------------------|----------------|



| VENDOR NAME | DESCRIPTION | AMOUNT |
|---|--|-------------|
| SED CORPORATION Scott Wayman | Per Diem-Mileage | 210.22 |
| Amy Madison | Per Diem-Team Texas Chicago 2025 | 329.36 |
| American City Bus Journals Inc | SA Business Journal Growth Summit Sponsorship | 1,965.00 |
| Citibank - Amy Madison | Travel/IAMC Fall Forum | 2,684.73 |
| Citibank - Ashley Ritchy | Monthly Subscription/HEB Gift Card/SAMA Luncheon | 180.00 |
| Citibank - Scott Wayman | Travel/Conference/Meals | 644.65 |
| Citibank - Tracy Miller | Monthly Subscription | 29.99 |
| Blue Horizon Media | EDC Marketing Photography 2025 | 2,900.00 |
| COSTAR Realty Information, Inc. | CoStar Annual Subscription | 7,251.36 |
| Ubeo, LLC | Copier Rental | 280.49 |
| Denton Navarro Rodriguez Bernal Santee & Zech | Legal Services for July | 138.00 |
| WEX Bank | Fiscal Year Fuel | 42.68 |
| RESIMPLIFI,INC | Resimplifi Annual Subscription | 4,410.00 |
| | SUBTOTAL: | 21,066.48 |
| | TOTAL: | \$21,066.48 |

SED CORPORATION
CASH IN BANK AND INVESTMENTS

AS OF: Aug 31st , 2025

| Cash in Bank | Investmt Type | Yield | Maturity | Amount |
|--|------------------|-------|-----------|--------------------------------|
| Claim on Operating Cash Pool-Checking | Bank | 4.28 | - | \$ 730,900.16 |
| | | | | |
| Cash in Investments | | | | |
| Texas Class Investment-Economic Development Corp | Pool* | 4.39 | - | 36,114,671.85 |
| Schertz Bank & Trust-Certificate of Deposit 1 Year | CD | 4.00 | 5/10/2026 | 1,241,379.87 |
| Schertz Bank & Trust-Certificate of Deposit 1 Year | CD | 4.00 | 1/5/2026 | 1,177,846.57 |
| | | | | |
| Total Cash in Bank & Investments | | | | <u>\$ 39,264,798.45</u> |

*Local Government Investment Pool, most comparable to a Money Market Mutual Fund

CITY OF SCHERTZ
 REVENUE AND EXPENSE REPORT (UNAUDITED)
 AS OF: Aug 31st , 2025

***** 2 0 2 4 - 2 0 2 5 *****

620-SED CORPORATION
 FINANCIAL SUMMARY OVERVIEW

Revenues

| | | | |
|-----------|------------------|-----------------|-----------------------------|
| Sales Tax | <u>Sales Tax</u> | \$ 1,229,652.88 | Payment Received in August* |
| | | 116.2% | Annual Increase |
| | | 38.8% | 12-Month Rolling Average |

Expenses

| | |
|---------------------------------|----------|
| COSTAR Realty Information, Inc. | 7,251.36 |
| RESIMPLIFI,INC | 4,410.00 |
| Blue Horizon Media | 2,900.00 |
| American City Bus Journals Inc | 1,965.00 |

Year-to-Date

| | |
|----------------|-------------------------|
| Total Revenue | \$ 10,926,888.02 |
| Total Expenses | <u>\$ 10,155,636.55</u> |
| Over/Under | <u>\$ 771,251.47</u> |

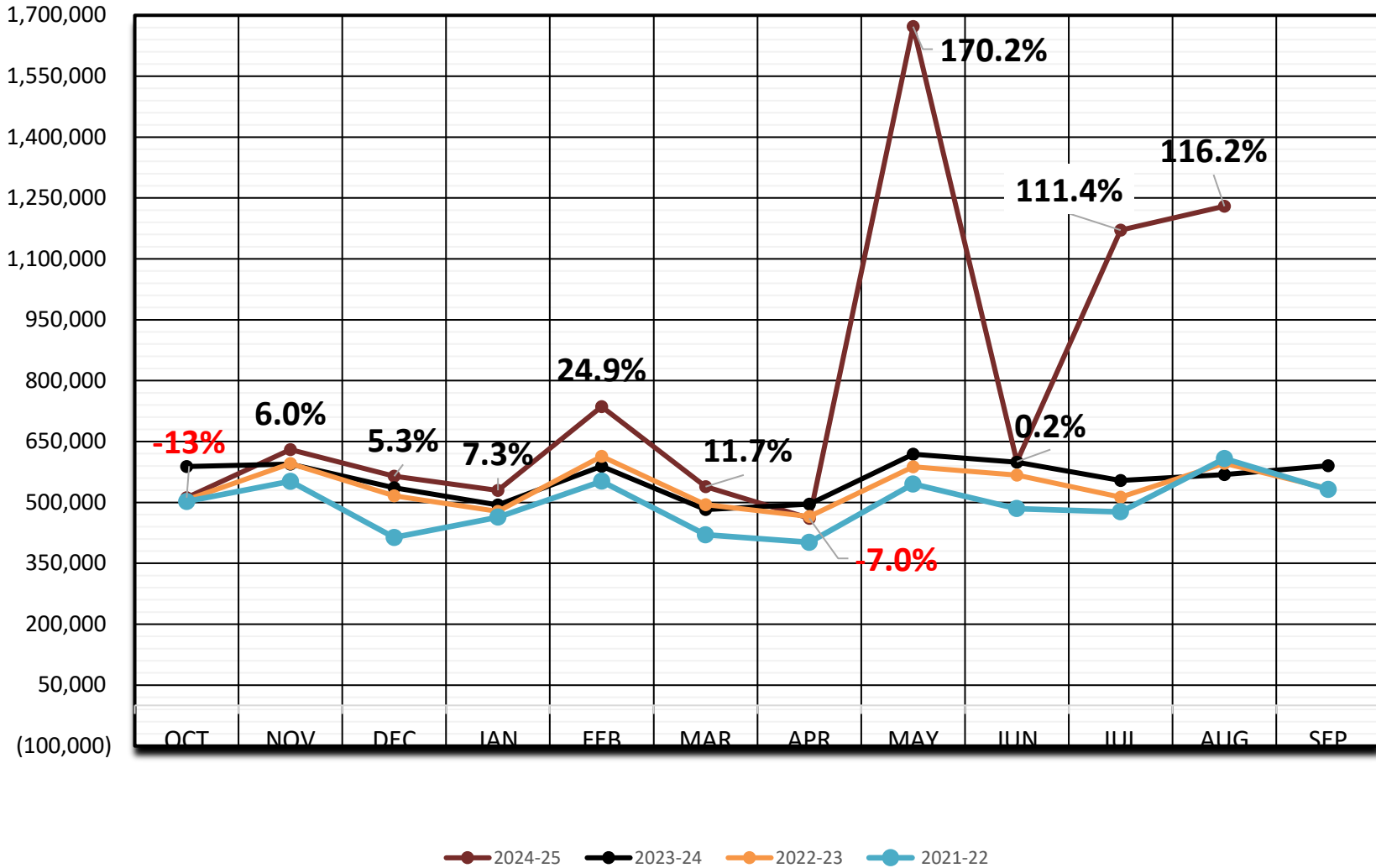
Cash & Investments

| | |
|-------------|-------------------------|
| Cash | \$ 730,900.16 |
| Investments | <u>\$ 38,533,898.29</u> |
| Total | <u>\$ 39,264,798.45</u> |

*sales taxes are delayed 2 months from received to earned. Sales Taxes recognized in report are estimates and are adjusted to actual when payments are received.

4B SALES TAX

By Collection Month



SEDC MEMORANDUM

SEDC
Board Meeting: 09/25/2025
Department: Economic Development Corporation
Subject: Resolution 2025-7 — Authorizing the City of Schertz Executive Director to execute a First Amendment to the La Palapas Schertz Performance Agreement to restate the legal entity as Las P Schertz Operations, LLC. (S. Wayman)

BACKGROUND

COMMUNITY BENEFIT

FISCAL IMPACT

SUMMARY OF RECOMMENDED ACTION

Attachments

RES 2025-7

SEDC RESOLUTION 2025-7

A RESOLUTION BY THE CITY OF SCHERTZ DEVELOPMENT CORPORATION, AUTHORIZING THE FIRST AMENDMENT AND RESTATEMENT OF THE ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT FOR LAS PALAPAS SCHERTZ; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Schertz Economic Development Corporation (herein after called "SEDC") is a non-profit industrial development corporation duly established under the Development Corporation Act of 1979, as amended (Section 501.001 et seq. Texas Local Government Code, formerly the Development Corporation Act of 1979) (the "Act");

WHEREAS, all powers of the corporation are vested in the SEDC Board of Directors (the "Board") appointed by the governing body of the corporation's authorizing unity; and

WHEREAS, the Act authorizes a development corporation to fund certain projects as defined by the Act and request development corporations to enter into performance agreements to establish and provide for the direct incentive or make an expenditure on behalf of a business enterprise under a project; and

WHEREAS, The Parties entered into that Economic Development Performance Agreement –Las Palapas Schertz on August 8, 2024; and

WHEREAS, the Agreement provides that Las Palapas Schertz develop 5,900 square foot restaurant improvements located in Schertz, Texas, on the property more particularly described as 16842 IH 35 North; and

WHEREAS, Company desires to construct and extend water infrastructure approximately, 712 feet, and addition public infrastructure to include sewer, drainage as well as associated roadway connection and driveway approach upgrades in Schertz, Texas, and

WHEREAS, the Parties agree to amend all references to the legal name for Las Palapas Schertz in the agreement to “**Las P Schertz Operations, LLC**”, and

WHEREAS, the Parties agree to amend all references to the abbreviated name for Las P Schertz, LLC in the agreement to “**Las P Schertz**”, and

WHEREAS, Sections 501, 502, and 505 of the Texas Local Government Code ("Texas LGC") authorizes the SEDC to fund certain projects as defined therein and enter into performance agreements to establish and provide for the direct incentive or make an expenditure on behalf of a business enterprise under a project; and

WHEREAS, Section Sec. 505.159 of the Texas LGC requires the SEDC to hold a public hearing to undertake projects, and a public hearing was held on August 8, 2025 at the SEDC Board Meeting; and

WHEREAS, Section 501.073 of the Act requires the City of Schertz, the SEDC authorizing unit, to approve all SEDC programs and expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF SCHERTZ ECONOMIC DEVELOPMENT CORPORATION THAT:

Section 1. The Schertz Economic Development Board hereby approves the Economic Development Performance Agreement amendment attached hereto as ATTACHMENT A and authorizes the President to execute and deliver in substantial form as attached to the City of Schertz for final authorization of project expenditures.

Section 2. 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 Board.

Section 3. All 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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage and it is so resolved.

PASSED AND ADOPTED, this ___ *day* of _____, 2025.

CITY OF SCHERTZ ECONOMIC
DEVELOPMENT CORPORATION

William Dixon, SEDC Vice President

Eryn McElroy, SEDC Board Secretary

ATTACHMENT A

**FIRST AMENDMENT TO LAS PALAPAS SCHERTZ.
ECONOMIC DEVELOPMENT AGREEMENT**

This **FIRST AMENDMENT TO LAS PALAPAS SCHERTZ ECONOMIC DEVELOPMENT AGREEMENT** (this “**Amendment**”) is made effective as of _____ **2025** (the “**Effective Date**”), by and among **LAS PALAPAS SCHERTZ**, and the City of Schertz Economic Development Corporation (**SEDC**), a Texas non-profit industrial development corporation (“**SEDC**,” together with the Developers, collectively referred to as the “**Parties**” and individually as a “**Party**”).

RECITALS:

- A. **Whereas**, the Parties entered into that certain Las Palapas Schertz Economic Development Agreement with an effective date of August 8, 2024 (the “SEDC Agreement”).
- B. **Whereas**, pursuant to Article VIII, Section IX, the Parties now desire to amend the SEDC Agreement to the extent and as provided in this Amendment.
- C. **Whereas**, all terms with initial capital letters not otherwise defined in this Amendment shall have the same meanings as defined in the SEDC Agreement.

AMENDMENT:

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby declare as follows:

- 1. **Legal Entity Name Change:** Amend and reassign all rights and delegated duties for “Las Palapas Schertz” to “Las P Schertz Operations, LLC, a Texas limited liability company.”
- 2. **Legal Entity Abbreviated Name Change:** Amend and reassign all delegated duties for the abbreviated legal entity “Las Palapas Schertz” to the abbreviated legal entity “Las P Schertz” throughout the agreement.
- 3. **Conflicts/Ratification.** Except as expressly amended by this Amendment, the SEDC Agreement shall remain unchanged and is in full force and effect and is hereby ratified and confirmed. However, to the extent there is a direct conflict between a provision of the SEDC agreement and a provision of this Amendment, the provision contained in this Amendment shall control.

[The remainder of this page is left blank.]

EXECUTED as of the Effective Date first set forth above as.

CITY OF SCHERTZ, TEXAS

SEDC

By: _____
Schertz City Manager

By: _____
SEDC Board President

ATTEST:

ATTEST:

City Secretary

Board Secretary

Las P Schertz Operations, LLC
a Texas limited liability company

Las Palapas Schertz

By: _____

By: _____

Name: _____

Name: _____

Title: _____

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