



CITY OF WINDCREST ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS

Town Hall Meeting and Public Hearing

October 25, 2022
6:00 P.M.

Windcrest City Hall

NOTICE IS HEREBY GIVEN THAT A **TOWN HALL MEETING AND PUBLIC HEARING** OF THE BOARD OF DIRECTORS OF THE WINDCREST ECONOMIC DEVELOPMENT CORPORATION (WEDC) WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 25TH DAY OF OCTOBER, 2022 STARTING AT 6:00 P.M. DURING THE MEETING, THE BOARD WILL CONSIDER THE SUBJECTS LISTED BELOW. NO ACTION WILL BE TAKEN.

"It is the intent of the Board to have a quorum physically present at the above address. Board members not physically present may participate by live two-way video and audio feed in accordance with the Texas Open Meetings Act."

Vision Statement: Nourish and develop a vibrant community that consistently pushes the limits.

Mission Statement: Facilitate interaction between businesses, the city, and other community organizations to nourish the economic health and well-being of Windcrest, its citizens, and the region.

Request all pagers and cell phones be turned off, except emergency on-call personnel. Citizens are asked to refrain from talking during proceedings unless recognized by the Presiding Officer.

CITIZEN COMMUNICATION: AS A COURTESY TO CITIZENS IN ATTENDANCE, AND AT THE DISCRETION OF THE PRESIDING OFFICER OF THE MEETING, CITIZENS WILL BE GIVEN A REASONABLE OPPORTUNITY TO STATE THEIR COMMENTS OR ASK QUESTIONS REGARDING ANY ITEM ON THE AGENDA, AND PRIOR TO THE BOARD TAKING ACTION ON ANY ACTION ITEMS LISTED. THE BOARD REQUESTS COMMENTS BE BRIEF, TO THE POINT, AND NO LONGER THAN 5 MINUTES. TIME CAN NOT BE YIELDED TO ANOTHER SPEAKER.

THIS PUBLIC HEARING IS PART OF A 60-DAY COMMENT PERIOD REQUIRED BY STATE LAW WHICH WILL RUN FROM OCTOBER 12, 2022 THROUGH DECEMBER 12, 2022. INDIVIDUALS NOT ABLE TO ATTEND THE OCTOBER 25, 2022 PUBLIC HEARING MAY REQUEST A MEETING, CALL OR ZOOM CONFERENCE WITH STAFF OF WEDC DURING THE COMMENT PERIOD.

Items will not necessarily be discussed or considered in the order they are printed on the agenda below. If during the course of the meeting, discussion of any item on the agenda should be held in an executive or closed session, the Board will convene in such executive or closed session as permitted by and in accordance with Texas Government Code Chapters 551 and 551.

Consistent with Windcrest City Council Resolution No. 292, the WEDC Board elects to audio and video record its meetings. The recordings are preserved electronically as the official minutes of its meetings.

I. Call To Order

1. Determination of a Quorum
2. Pledge of Allegiance
3. Prayer
4. Vote to consider the excuse of an absent board member(s), if applicable

II. Town Hall and Public Hearing

1. Presentation by WSS Representative.
2. Presentation from WEDC board staff related to WSS Project and incentive.
3. Town Hall and Public Comments to Discuss Opportunities for the Future of new business and Potential Economic Incentive and Development Agreement.

III. Adjournment

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Directors of the WEDC is a true and correct copy of said Notice and I posted a true and correct copy of said Notice on the bulletin board at the Windcrest City Hall in a convenient place to the public. Said Notice was posted 72 hours before the 25th day of October, 2022.

By: ***DATE & SIGNATURE PENDING***
Rachel Dominguez, City Secretary

I certify the attached notice and agenda of items considered by the WEDC Meeting were removed by me from the City Hall bulletin board on the ____ day of _____, 2022.

By: ***DATE & SIGNATURE PENDING***
Rachel Dominguez, City Secretary



September 13, 2022

WSS
879 W 190th Street, 12th Floor
Gardena, CA 90248

Re: Non-Binding Letter of Intent for WEDC to provide Incentives for WSS to Lease and Renovate/ Refurbish a portion of the commercial retail space in the Red Tree Square shopping center located at 5465 Walzem Road, Windcrest, Bexar County, Texas.

To Whom It May Concern:

On behalf of Windcrest Economic Development Corporation (“WEDC”), this non-binding letter of intent outlines the general business terms and conditions under which the WEDC proposes, subsequent to and expressly contingent upon WEDC’s Board’s Approval, a Public Hearing process and required readings and approvals by the Windcrest City Council, and upon the parties entering into an Economic Incentives Agreement, WSS and the Property Owner/Landlord entering into a lease authorizing improvements including renovating/refurbishing a portion of the Red Tree Square shopping center to include approximately 11,600 square feet as well as the entire parking lot and exterior improvements to the exterior common area to include new paving, lighting, striping (subject to owner cooperation and approval).

Owner/Landlord: Main Street Properties-Walzem LLC
c/o Mike Litofsky
P.O. Box 460285
San Antonio, TX 78246

Company/Lessee: WSS, INC., a _____ corporation.

Property: Approximately 11,600 square feet of commercial retail space in the Red Tree Square shopping center, located at 5465 Walzem Road, Windcrest, Bexar County, Texas, and more particularly depicted on Exhibit A attached hereto, together with all and singular the estate, interests, reversions, remainders, licenses, contracts, permits, approvals, authorities, consents, bonds, rights, benefits, utilities’ capacities, easements, tenements, entitlements, hereditaments, privileges, and appurtenances thereon or in anywise appertaining thereto (whether surface, subsurface or otherwise), together with all improvements situated thereon, and any right, title, and interest of Seller in and to adjacent streets, alleys, and rights-of-way (the “**Property**”).

**Express
Contingencies:**

THIS NON-BINDING LOI IS EXPRESSLY CONTINGENT UPON 1) WEDC'S RECEIPT OF ITS BOARD APPROVAL, 2) THE RESULTS OF A PUBLIC HEARING PROCESS, 2) REQUIRED READING(S) AND APPROVAL(S) BY CITY COUNCIL AS MAY BE REQUIRED BY LOCAL CODE AND ORDINANCE AND STATE LAW, AND 4) THE PARTIES ENTERING INTO A FULLY NEGOTIATED ECONOMIC INCENTIVE AGREEMENT.

**Company/Lessee
Deliverables:**

1. Invest no less than \$1,500,000.00 in direct expenditures for the renovation and refurbishment of the Improvements as described herein and construct substantial completion of the Improvements on the Property on or before March 30, 2023, in accordance with the design plans attached as Exhibit "B" and which are incorporated herein for all purposes. Such Improvements shall include renovation to a Pad Site and the existing buildings thereon wherein an 11,600 square foot retail space shall operate for the term of ten (10) years and which are more specifically described in Exhibit "B."
2. Establish a WSS-branded retail location on the Property, as described by authorized representatives of WSS to WEDC's staff, such establishment to include a covenant to open and operate.
3. Create 15 to 18 new jobs, to focus on hiring locally when possible.
4. Generate annual sales of at least \$4,500,000.00 in the first full year of operations, and continuing thereafter for a period of three (3) years.
5. Work with the Owner to improve the parking area for WSS customers as well as the larger parking lot as part of needed Improvements to the Common Area for the entire Shopping Center to benefit all tenants, such Improvements to include but not be limited to repaving, lighting and landscaping costs.

**Owner/Lessor
Deliverables:**

1. Lease Agreement for a ten (10) year term.
2. Enter into an Agreement to renovate the entire parking area for benefit of all tenants of the Shopping Center. If the Owner/Lessor agrees to do so, together with Company/Lessee, WEDC shall increase the grant by an additional \$15,000 to provide for parking improvements.

**WEDC
Deliverables:**

1. Subject to the Express Contingencies, the WEDC agrees to pay ONE HUNDRED FIFTY THOUSAND AND NO/100 (\$150,000.00) to Company under the following schedule, to be utilized for construction of the Improvements on the Property: (i) FIFTY THOUSAND DOLLARS AND NO/100 (\$50,000.00) to be paid once Substantial completion of the construction is complete and either a

“certificate of occupancy”, “building certificate of occupancy”, or a substantially similar certificate to the two previously cited certificates has been approved for such Substantial completion of the Improvements, (ii) FIFTY THOUSAND DOLLARS AND NO/100 (\$50,000.00) to be paid a year after the date the first payment made; provided that at least ten (10) full-time employee jobs are employed and at least one 11,600 square foot renovated retail space is fully operating on Pad Site A, which is more specifically described in Exhibit “B,” and (iii) FIFTY THOUSAND DOLLARS AND NO/100 (\$50,000.00) to be paid one year after the date the second payment is made; provided that at least five (5) additional full-time employees (15 total) are employed and the 11,600 square foot WSS branded retail space has continuously operated on Pad Site A.

2. **PROVIDED, HOWEVER, SHOULD OWNER AND COMPANY** both agree to renovate the entire Parking Area (as defined below) for the use of all tenants of the Shopping Center, and not just the portion benefitting Company, then WEDC shall extend an additional FIFTEEN THOUSAND AND NO/100THS DOLLARS (\$15,000.00) to be utilized for construction of the parking lot Improvements on the Property, for a total potential financial incentive of (\$165,000.00) should all requirements be met/ This additional amount to be paid to the party incurring the expense for the parking lot Improvements (either Landlord/Owner or Company or pro-rata).

Respectfully submitted,

WINDCREST ECONOMIC DEVELOPMENT CORPORATION,

By: _____
Mario Hernandez, Executive Director

Agreed and Accepted this _____ day of _____, 2022.

WSS:

By: _____

Name: _____

Its: _____

EXHIBIT A

Legal Description – 5465 Walzem Road – Red Tree Square Shopping Center

DRAFT

EXHIBIT B

Describe Renovations and Plans

DRAFT

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING AND SPECIAL CALLED MEETING OF THE BOARD OF DIRECTORS OF THE WINDCREST ECONOMIC DEVELOPMENT CORPORATION

(WEDC), A TYPE B CORPORATION WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON OCTOBER 25, 2022, STARTING AT 6:00 P.M. During the public hearing, the Board will hear public comments and consider a Type B economic development project to approve economic development incentives for a project (and related infrastructure and improvements) located at 5465 Walzem Road, San Antonio, Texas 78239, on the northeast corner of Walzem Road, in the Red Tree Shopping Center. It is requested that you make your views known, either in person or by writing to the Windcrest Economic Development Corporation. Please address comments to: President, WEDC, 8940 Fourwinds Drive, Suite #206, Windcrest, TX 78239.