

VICTORIA SALES TAX DEVELOPMENT CORPORATION
 COMBINED FUND
 AS OF SEPTEMBER 22, 2009

	<u>Fiscal Year 2008-2009 Original Budget</u>	<u>Fiscal Year 2008-2009 Projected Actual</u>	<u>Fiscal Year 2009-2010 Proposed Budget</u>
BEGINNING FUND BALANCE			
Undesignated Operating Fund Balance	\$ 1,871,316	\$ 1,871,139	\$ 2,876,495
Designated Operating Fund Balance	500,000	500,000	-
Reserved for Construction Fund Balance	-	-	110,805
Reserved for Debt Service Fund Balance	-	-	-
TOTAL BEGINNING FUND BALANCE, OCTOBER 1	<u>\$ 2,371,316</u>	<u>\$ 2,371,139</u>	<u>\$ 2,987,300</u>
REVENUES			
Sales Tax Rebate Revenue	\$ 6,908,062	\$ 6,599,635	\$ 6,731,628
Sales Tax Bond Proceeds	-	-	-
Transfer from Construction Fund	265,272	167,583	-
Deallocated Projects from Prior Years	-	-	4,279,815
General Fund Proceeds	-	-	-
Water/Wastewater Fund Proceeds	-	-	-
Interest Revenue	325,000	134,750	75,000
Miscellaneous Revenue	<u>11,200</u>	<u>11,200</u>	<u>11,200</u>
TOTAL REVENUES	<u>\$ 7,509,534</u>	<u>\$ 6,913,168</u>	<u>\$ 11,097,643</u>
TOTAL FUNDS AVAILABLE FOR PROJECTS	<u>\$ 9,880,850</u>	<u>\$ 9,284,307</u>	<u>\$ 14,084,943</u>
PROJECT ALLOCATIONS:			
Administrative Fees	\$ 450,000	\$ 300,000	\$ 300,000
Industrial Park Maintenance & Operation	28,000	19,930	28,000
VEDC Fees	285,000	285,000	285,000
VEDC Special Projects	25,000	26,437	-
Traffic Control Replacement Project - Navarro & Crestwood	250,000	250,000	-
Laurent Street Reconstruction Project - Phase II	1,121,163	1,121,163	-
Red River Street Entrance Project	1,851,157	995,670	-
Downtown Utility-Ph I Project 5 & 6 Engineering Project	451,385	451,385	-
Downtown Sidewalk & Street Improvement Project	350,000	350,000	2,149,365
Lone Tree Creek Trail Extension Project	218,377	218,377	-
Water Rights Acquisitions	-	1,310,000	-
Youth Sports Complex Construction Project	-	-	110,805
TxDOT Overpass Project	-	-	2,666,535
Youth Sports Complex Maintenance & Operation	-	-	49,000
Downtown Utility-Ph II Project 1 & 2 Engineering Project	-	-	399,047
Downtown Utility-Ph II Project 3 & 4 Engineering Project	-	-	452,621
Sam Houston Reconstruction-Alternative Project	-	-	3,512,173
Radio Replacement Project	-	-	1,401,739
Red River Street Alternate Project	-	-	-
Traffic Control Replacement-Delmar & Lone Tree Rd	-	-	250,000
Debt Service Payments	1,069,050	1,069,050	1,067,813
Paying Agent Fees	400	2,050	2,050
TOTAL EXPENDITURES	<u>\$ 6,099,532</u>	<u>\$ 6,399,062</u>	<u>\$ 12,674,148</u>
Undesignated Operating Fund Balance	\$ 3,281,318	\$ 2,876,495	\$ 1,410,796
Reserved for Operating Fund Balance	500,000	-	-
Reserved for Construction Fund Balance	-	110,805	-
Reserved for Debt Service Fund Balance	-	-	-
ENDING FUND BALANCE, SEPTEMBER 30	<u>\$ 3,781,318</u>	<u>\$ 2,987,300</u>	<u>\$ 1,410,796</u>

VSTDC RESOLUTION 2009-2010 TX

Resolution of the Board of Directors of the Victoria Sales Tax Development Corporation adopting a Budget for Operating the Victoria Sales Tax Development Corporation for the Fiscal Year beginning October 1, 2009, and ending on September 30, 2010; and Declaring an Effective Date.

THE VICTORIA SALES TAX DEVELOPMENT CORPORATION HEREBY MAKES THE FOLLOWING FINDINGS:

The following budget details the planned expenditures of the Victoria Sales Tax Development Corporation (VSTDC) receipts for Fiscal Year 2009-2010, which, pursuant to the VSTDC's Articles of Incorporation, began October 1, 2009 and ends on September 30, 2010, and the list of projects in this budget are intended to constitute notice of specific uses of the proceeds of the half-cent sales tax for purposes of TEX. REV. CIV. STAT. art. 5190.6 § 4B(2)(B) [as amended], which requires an election to be held concerning a project if the governing body of a city receives a petition from more than 10% of the registered voters of the city that requests that an election be held before that specific project or that general type of project is undertaken; and

In accordance with TEX. REV. CIV. STAT. art. 5190.6 § 4B(2) [as amended] and Article IV of the VSTDC's Articles of Incorporation, the VSTDC finds that all of the expenditures described in this budget:

- (1) are land, buildings, equipment, facilities, expenditures, targeted infrastructure, or improvements (one or more) that are for the creation or retention of primary jobs and are required or suitable for the development, retention, or expansion of manufacturing and industrial facilities, research and development facilities, transportation facilities including but not limited to airports, ports, mass commuting facilities, and parking facilities), sewage or solid waste disposal facilities, recycling facilities, air or water pollution control facilities, facilities for the furnishing of water to the general public, distribution centers, small warehouse facilities capable of serving as decentralized storage and distribution centers, primary job training facilities for use by institutions of higher education, and regional or national corporate headquarters facilities, or
- (2) are job training required or suitable for the promotion of development and expansion of business enterprises and other enterprises described by the Texas Development Corporation Act of 1979, or
- (3) are required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises limited to streets and roads, rail spurs, water and electric utilities, gas utilities, drainage and related improvements, and telecommunications and Internet improvements required or suitable for use for professional and amateur (including children's) sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, learning centers, parks and park facilities, open space improvements, municipal buildings, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, or are other related improvements that enhance any of those items, or
- (4) are recycling facilities, land, buildings, equipment, facilities, or improvements that:
 - (a) are required or suitable for use for professional and amateur (including children's) sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of those items, or
 - (b) promote or develop new or expanded business enterprises that create or retain primary jobs, including a project to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that the board in its discretion determines promotes or develops new or expanded business enterprises that create or retain primary jobs, or
 - (c) are required or suitable for the promotion of development and expansion of affordable housing, as defined by 42 U.S.C. Section 12745.

THEREFORE, IT IS RESOLVED BY THE BOARD OF DIRECTORS OF THE VICTORIA SALES TAX DEVELOPMENT CORPORATION:

1.

The aforementioned findings are adopted by the Board of Directors of the VSTDC.

During Fiscal Year 2009-2010, the VSTDC will expend funds in accordance with the following budget in addition to funds appropriated in prior fiscal years:

VSTDC budget for Fiscal Year 2009-2010. The following list of projects is declared to constitute publication of notice of specific projects for every asterisked project shown below for purposes of TEX. REV. CIV. STAT. Article 5190.6, Section 4B(a-1):

Street, Sidewalk, Drainage & Other Infrastructure Projects

Street, Sidewalk, Drainage & Other Infrastructure Projects

*Delmar-Lone Tree Traffic Control Replacement Project – engineering & construction costs of traffic control facilities for Delmar and Lone Tree Streets & associated utilities, drainage, sidewalks, and other related infrastructure – Lynn Short	\$250,000
*Downtown Sidewalk & Street Improvement Project – construction for a sidewalk and street improvement project on Main Street, from Commercial Street to Juan Linn Street and along portions of Bridge Street, Forest Street and Constitution Street - Lynn Short	\$2,149,365
*TxDOT Overpass Project – engineering and costs of overpasses on Zac Lentz Parkway at Salem Road and Mockingbird Lane, including associated utilities, drainage, sidewalks, and related infrastructure – Ray Miller	\$2,666,535
*Sam Houston Street Reconstruction Project Phase I – engineering & construction costs between Airline and Houston Highway, including associated utilities, drainage, sidewalks, and related infrastructure – Lynn Short	\$3,512,173
*Radio Replacement Project – replace the City’s current analog 800 MHz radio system, including all radios and communication equipment and the tower sites, with a new digital 800 MHz system – Bruce Ure	\$1,401,739

Utilities Projects

*Downtown Utility Replacement Phase II Projects 1 & 2 - Engineering -- engineering services for replacing water mains & replacing or rehabilitating sewer mains in portions of Glass Street, Bridge Street, William Street, DeLeon Street, Wheeler Street, Church Street, Convent Street, Murray Street, and River Street – Lynn Short	\$399,047
*Downtown Utility Replacement Phase II Projects 3 & 4 - Engineering – engineering services for replacing water mains & replacing or rehabilitating sewer mains in portions of Bridge Street, Main Street, William Street, Liberty Street, River Street, Murray Street and Convent Street – Lynn Short	\$452,621

Parks Projects

* Youth Sports Complex Project – installation of signage, landscape and irrigation in the Youth Sports Complex project in Victoria, Texas – Doug Cochran	\$110,805
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Administrative and Maintenance Costs

*Debt Service Costs attributable to Youth Sports Complex Project – including principal and interest payments payable on debt issued to finance the Youth Sports Complex Project (year two of ten year amortization) – Andrew K. Jacob	\$1,069,863
* Administrative & engineering fees---payable to City of Victoria pursuant to Interlocal Agreement at time projects expenses are incurred, including fees for engineering and contract administration for all projects as well as services provided by Finance, Legal	

and City Secretary for daily administration of the VSTDC operations – Andrew K. Jacob	\$300,000
* VEDC (Victoria Economic Development Corporation) Administration Programs- including maintenance costs, operating costs, administration, research & development, determination of feasibility & practicability, and other expenses incident to other projects listed in VSTDC budget – Dale Fowler	\$285,000
* Maintenance and Operating Costs of the Loop 463 Business and Industrial Park Project – maintenance & operating costs of business park at intersection of Loop 463 & Lone Tree Road in Victoria, Texas – Doug Cochran	\$28,000
* Maintenance and Operating Costs of the Youth Sports Complex Project – maintenance & operating costs of the Youth Sports Complex project in Victoria, Texas – Doug Cochran	\$49,000
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Total Allocated Expenditures	\$12,674,148
Planned, but Unallocated Expenditures	
(These expenditures will NOT be made UNLESS the VSTDC takes further action on them)	
Future Capital Improvements Programs	\$1,410,796
Business Incentive Project(s)	\$0
Designated Operating Fund Balance	\$0
Proposed Total Expenditures (includes allocated and planned expenditures)	\$14,084,943
Estimated Unallocated Oct. 1, 2009 Fund Balance	\$2,987,300
De-allocated Funds:	\$4,279,815
Anticipated Miscellaneous Revenue (industrial park land rental)	\$11,200
Anticipated Transfer from Construction Fund	\$0
Anticipated Interest Income	\$75,000
Anticipated Sales Tax Income	\$6,731,628
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Total Anticipated Funds Available for Expenditure	\$14,084,943
Budget Surplus (Deficit)	= \$0

3.

The budget identified above and attached hereto as Exhibit "A" and incorporated herein is adopted for Fiscal Year 2009-2010, with amendments conforming said budget to the aforementioned list of projects, and funds for each of the projects marked by an asterisk (*) are hereby appropriated, subject to (1) the expiration of 60 days from the date of the adoption of this resolution with no petition being received from more than 10% of the registered voters of the City requesting an election be held before each project is undertaken and (2) the VSTDC's receipt of funds in an amount sufficient to pay for each project. If any "de-allocated funds" are specified as "de-allocated", then said funds previously allocated for funding for the projects shown under "De-allocated Funds" in Section #2 above shall be reduced by the amounts specified in each category listed.

4.

The President of the Victoria Sales Tax Development Corporation is authorized to execute contracts, leases, and other documents between the VSTDC and the City of Victoria or other parties to generate income or effect the expenditures described above for which funds have been allocated and which have been approved by the Treasurer of the VSTDC and the General Counsel for VSTDC. The President of the Victoria Sales Tax Development Corporation is further authorized to accept deeds obtained in furtherance of the aforementioned allocated funds, also as approved by the Treasurer of the VSTDC and the General Counsel for VSTDC.

5.

In accordance with Tex. Loc. Gov't Code § 501-505, the Board of Directors approves the execution of and authorizes the President of the VSTDC to execute written contracts with the City of Victoria and/or the Victoria Economic Development for the payment of a commission, fee, or other compensation or thing of value to a broker, agent, or other third party who is involved in business recruitment or development, in the form attached as Exhibit "B" and incorporated herein, with such changes to form as are approved by the Attorney for the VSTDC.

6.

Any action taken in this or any previous fiscal year by the VSTDC that might be potentially invalid due to an insufficient number of qualified directorial votes or requirement otherwise necessary to lawfully enact said action is hereby ratified.

7.

This resolution shall become effective immediately upon approval by the VSTDC.

PASSED, this the 6th day of October, 2009.

AYES: 7

NAYS: 0

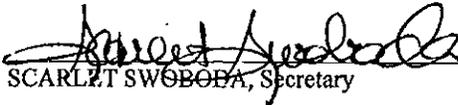
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 6th day of October, 2009.



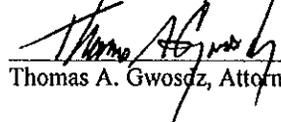
Lewis Neitsch, President of the Victoria
Sales Tax Development Corporation

ATTEST:



SCARLETT SWOBODA, Secretary

APPROVED AS TO FORM:



Thomas A. Gwosdz, Attorney for the VSTDC

(seal)