ACTION FORM
BRYAN CITY COUNCIL

Meeting Date (?) 06/07/2016

Subject Matter* (?) Transfer of Parcel 35 to TAP
This must match rolling agenda entry

Department of Origin* EXECUTIVE

Submitted By* Joey Dunn

Type of Meeting* ○ BCD ○ Special ◉ Regular

Classification* ○ Public Hearing ○ Consent ○ Statutory ◉ Regular

Ordinance* ◉ None ○ First Read ○ Second Read ○ First & Only Read

Strategic Initiative* ☐ Public Safety ☐ Service ☑ Economic Development ☐ Infrastructure ☐ Quality of Life

Agenda Item Description*

Consideration of the conveyance of a tract of land known as Parcel 35 on the approved Traditions Master Plan, and described as a 50.6554 acre property situated in the John H. Jones Survey, A-26 in the City of Bryan, Brazos County, Texas, from Bryan Commerce & Development Inc. (BCD) to Traditions Acquisition Partnership (TAP) as per Section 2.07 of the Traditions Master Economic Development Agreement (MEDA) between TAP, BCD, and the City of Bryan, approved on October 13, 2009.

Summary Statement*

Section 2.07 of the MEDA refers to a 50.6654 acre tract of land identified on the Traditions Master Plan as Parcel 35, which was contemplated originally between the parties to be developed as residential property along the west side of Traditions, outside the boundaries of Tax Increment Reinvestment Zone 10 (TIRZ 10), in the City of Bryan.

Section 2.07 requires the City to build certain infrastructure to support the future development of Parcel 35 within the Bryan/Traditions Partnership. Section 2.07b also allows TAP the option to purchase Parcel 35 for one dollar ($1) without the City's obligation to build additional infrastructure.

The developer's purchase option under the original MEDA extended for five (5) years following Substantial Completion of the golf clubhouse, which received a certificate of occupancy on March 1, 2011. On February 29, 2016, BCD and the Bryan City Council approved a First Amendment to the MEDA, which provided a 92-day extension of the option until June 1, 2016, as requested by TAP to explore other possible options for development of Parcel 35 between the parties.

Councilmembers Hardeman, Simank, and Pena were appointed to serve on a subcommittee to explore other possible options with TAP. While other cost-sharing options were explored during the extension period, ultimately the subcommittee recommended no changes to Section 2.07.

On May 31, 2016, TAP submitted written notice to the City that they are electing to exercise their option to purchase Parcel 35 for one dollar ($1), as provided in Section 2.07b of the MEDA. TAP also provided estimates of development costs as required in the First Amendment to the MEDA.

Staff Analysis & Recommendation*

Staff recommends adherence to legal requirements of Section 2.07b of the MEDA, which requires the City and BCD to complete the conveyance of Parcel 35 to TAP within ten (10) days following receipt of written notice of TAP's election thereof. Written notice was received on May 31, 2016.

Upon conveyance, Parcel 35 will no longer be subject to the MEDA, and the City will no longer be subject to additional costs and obligations to extend infrastructure as outlined in Section 2.07. Development costs will be borne by TAP, and property tax revenue from the land and future residential development will go into the City's General Fund.

Options *

(In Suggested Order of Staff Preference)

1. Approve conveyance as per Section 2.07 of the MEDA.
2. Do not approve conveyance as per Section 2.07 of the MEDA.
3. Provide further direction to staff.

Funding Source *

Funding is not required to approve this conveyance. All future tax revenues from the property and future improvements will go into the City's General Fund.

Attachments

First Amendment_MEDA_approved 2-29-16.docx	24.95KB
TAP attachments.pdf	3.66MB

Please detail attachments and note attachments available for viewing in City Secretary's Office:

1. First Amendment to the MEDA, approved February 29, 2016

2-6 combined PDF

2. Letter from TAP dated May 31, 2016
3. Map of Parcel 35
4. Good faith cost estimates from TAP
5. General Warranty Deed, Exhibit "A" Legal Description of Land, and Partial Release of Memorandum of Amended and Restated MEDA
6. Original MEDA, approved October 13, 2009

Dept. Head Signature

Deputy City Manager Signature

City Manager Signature

City Attorney Signature

Janis K Hampton