

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: November 12, 2013		DATE SUBMITTED: October 25, 2013	
DEPARTMENT OF ORIGIN: Eco Development		SUBMITTED BY: Kevin Russell	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input checked="" type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
AGENDA ITEM DESCRIPTION: Consider approving a resolution creating the Texas Triangle Park Economic Development Program pursuant to Chapter 380 of the Texas Local Government Code.			
SUMMARY STATEMENT: In 2009 the City of Bryan and Brazos County created a local government corporation pursuant to the Texas Transportation Code, known as the City of Bryan and Brazos County Economic Development Foundation, Inc. (BBCEDF) for the purpose of developing a large industrial park located adjacent to Bryan's city limits within the extraterritorial jurisdiction. In cooperation with Brazos County, the Bryan Business Council, the Twin City Endowment, the Research Valley Partnership, and various federal and state agencies, the City has worked towards the acquisition and development of land to be called the Texas Triangle Park and Inland Port.			
The BBCEDF has incurred costs associated with the acquisition and development of land, and requires funding and operational support from the City of Bryan and Brazos County. This resolution creates the Texas Triangle Park Economic Development Program, which allows the City of Bryan to provide funding and support for the BBCEDF pursuant to specific contracts to be entered into between the City of Bryan, Brazos County, BBCEDF and others. This program is created pursuant to Texas Local Government Code Chapter 380 and will be administered by the BBCEDF.			
Each Fiscal Year the BBCEDF adopts an annual operating budget. Funding of the budget has been equally divided by the City of Bryan and Brazos County. Each entity has funded 50%. The amounts to be contributed by the City and the County in order to meet FY14 obligations for the BBCEDF. The total contribution by the City for FY14 is \$163,911.00. The total contribution by the Brazos County for FY 2014 is \$189,759.84.			
STAFF ANALYSIS AND RECOMMENDATION: Staff recommends approval of the proposed resolution. The creation of a Texas Triangle Park Economic Development Program will allow the City to provide funding and support to the BBCEDF. The resolution will also allow the BBCEDF to act as the City of Bryan's agent in administering the economic development program for the Texas Triangle Park by negotiating agreements with future prospects for consideration by the City.			
OPTIONS (In Suggested Order of Staff Preference):			
<ul style="list-style-type: none"> • Approve resolution • Modify resolution which may require future action by the City Council • Deny resolution 			
ATTACHMENTS: Proposed Resolution			
FUNDING SOURCE: This action does not funding as this resolution establishes the 380 program.			

APPROVALS: Joey Dunn, 10-28-13; Hugh R. Walker, 10/29/2013

APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 10/28/2013

APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 11-02-2013

Revised 05/2013

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, CREATING TEXAS TRIANGLE PARK ECONOMIC DEVELOPMENT PROGRAM PURSUANT TO CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE; AUTHORIZING THE GRANTING OF FUNDS IN ACCORDANCE WITH THE RESTRICTIONS OF THE PROGRAM; PROVIDING AN EFFECTIVE DATE AND COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT.

WHEREAS, the City of Bryan, Texas (“City”) is a home rule municipality which is duly incorporated and chartered under the constitution and laws of Texas; and

WHEREAS, the Texas Constitution prohibits any City, or other political subdivision, from lending its credit or granting public money to any individual, association or corporation whatsoever without a valid public purpose for doing so; and

WHEREAS, the Texas Constitution specifically states that economic development programs created pursuant to Chapter 380 of the Texas Local Government Code serve the public purpose of alleviating poverty, joblessness, economic blight, and provide other intangible benefits incidental to the development of the local economy; and

WHEREAS, in 2009, the City coordinated with the County with regards to the creation of the City of Bryan and Brazos County Economic Development Foundation, Inc. (“BBCEDF”) for the purpose of promoting the development of an industrial park in an unincorporated area of Brazos County, just outside the city limits; and

WHEREAS, the BBCEDF entered into several contracts for the purchase of real estate that will be developed, marketed, and governed as the Texas Triangle Industrial Park and Inland Port (“Park”); and

WHEREAS, the City determines that it is in the best interests of the City and its citizens to contract with BBCEDF as its agent pursuant to Tex. Loc. Gov’t Code § 380.001 to administer the City’s program for local economic development in the Park; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That the facts and recitations contained the preamble of this Resolution are hereby found and declared to be true and correct.

2.

The City hereby creates the Texas Triangle Park Economic Development Program and authorizes City staff to work with the BBCEDF to execute agreements that provide for the safe and orderly development of the Park.

3.

This resolution shall be effective immediately upon its passage and adoption, but shall in no way effect the validity of prior acts or agreements of the City.

4.

This document was passed and approved at a public meeting in compliance with the Texas Open Meetings Act.

APPROVED AND ADOPTED at a regular meeting on this _____ day of _____, 2013.

ATTEST

CITY OF BRYAN

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney