

NOTICE: ANY SUBJECT APPEARING ON THIS AGENDA, REGARDLESS OF HOW THE MATTER IS STATED, MAY BE ACTED UPON BY THE BOARD OF DIRECTORS OF TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION.

TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS MEETING

AGENDA

WEDNESDAY, FEBRUARY 15, 2017- 4:00 P.M.
CITY HALL CONFERENCE ROOM
1801 9th Ave. N.
Texas City, TX 77590

PLEASE NOTE: Public comments and matters from the floor are generally limited to 3 minutes in length. If you would like to request to speak, please do so in advance of the meeting by filling out a Request To Address Commission form. All in attendance are required to remove hats and/or sunglasses (dark glasses) during meetings and to also silence all cell phones and electronic devices.

1. ROLL CALL
2. NEW BUSINESS
 - a. Approve Texas City Economic Development Corporation Board Meeting Minutes for December 21, 2016.
 - b. Consider and take action on Resolution No., 17-01, ratifying the agreement with Kerry R. Gilbert & Associates to create a conceptual plan for the TCEDC property north of the Mall of the Mainland.
 - c. Consider and take action on Resolution No., 17-02, entering into an agreement with Rise Surf LLC for incentives to revitalize the TCEDC-owned property located at 1201 6th Street North.
 - d. Consider and take action on Resolution No., 17-03, approving the agreement with James McWhorter for construction auditing services.
 - e. Consider and take action on Resolution No., 17-04, approving the purchase of the property located at 512 4th Avenue North.
 - f. Consider and take action on Resolution No. 17-05, authorizing the financial participation in the Galveston County Day in Austin on Wednesday, March 1, 2017.
3. UPDATES
4. BOARD COMMENTS
5. ADJOURNMENT

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARDS AT CITY HALL, 1801 9TH AVENUE NORTH, TEXAS CITY, TEXAS, AT A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AND ON THE CITY'S WEBSITE ON FRIDAY, FEBRUARY 10, 2017, AT 5:00 P.M., AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

/S/ Michelle L. Garcia
Michelle L. Garcia, Board Secretary
Texas City Economic Development Corporation

TCEDC Agenda

1.

Meeting Date: 02/15/2017

Submitted By: Michelle Garcia, City Secretary

Department: City Secretary

ACTION REQUEST (Brief Summary)

ROLL CALL

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

2016-2017 TCEDC Board Members

TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION
CHARTER/FILE NO. 125846501 APPROVED BY SECRETARY OF STATE ON 2/3/93

This Corporation was originally incorporated under the name of City of Texas City Economic Development Corporation; however, the name was changed to TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION on 5/12/93.

PURPOSE: The Corporation is a non-profit corporation pursuant to the Development Corporation Act of 1979, Article 5190.6, Section 4A, et seq, Vernon's Annotated Texas Civil Statutes. The purpose or purposes for which the Corporation is organized is for the promotion and development of new and expanded businesses within the City of Texas City and any activity allowed by the enabling statute. (The above statements are taken from the Articles of Incorporation approved on 2/3/93, and the Amendment to the Articles of Incorporation approved on 5/12/93.)

Meetings are held quarterly. The number of directors and their term of office shall be fixed by the bylaws of the Corporation consistent with the Act. The bylaws and any amendments thereto shall be approved by the governing body of the City. (One year term - limitation of 12 one- year consecutive terms)

The members of the Board of Directors are:

Advisory Members:

<p>Mayor Mathew T. Doyle 1801 9th Avenue North Texas City TX 77590 Phone: 409 643 -5901 First Appt: 06-02-04 (Term 10-01-16 through 9/30/19)</p>	<p>Jenny Center 8419 Emmett F. Lowry Exp Ste#105 Texas City TX 77592-1717 Phone: 409 935-1408 (B) Cell: 409-789-1645 jenny@texascitychamber.com</p>
<p>Harold Fattig, Vice-Chairman 2508 Pilgrims Estates Dr Texas City TX 77590 Phone: 409 739-2744 (C) hfattig@wellnowhealth.net First Appt: 01-30-03 (Term 10-01-16 through 9/30/19)</p>	<p>Pat Doyle 1528 23rd Avenue North Texas City TX 77590 Phone: 409 770-4193 (C) Office: 409-744-9783 pdoyle@bdaglaw.com</p>
<p>Mark Ciavaglia, Chairman Linebarger Goggan Blair & Sampson, LLP 518 9th Ave. No. Texas City, TX 77590 Off: 409-948-3401 Cell Phone: 409 770-4339 mark.ciavaglia@publicans.com First Appt: 10-01-08 (Term 10-01-15 through 9/30/18)</p>	<p>Stephen Holmes 2516 Texas Avenue, Room 121 Texas City TX 77590 Phone: 409 770-5806 Stephen.holmes@co.galveston.tx.us</p>
<p>Mitchell Chuoke 1522 23rd Avenue North Texas City TX 77590 Phone: 409 948-9693 (H) 409 744-4465 (B) mitchell@chuoke.com First Appt. 06-02-04 (Term 10-01-14 through 9/30/17)</p>	<p>Dr. Cynthia Lusignolo, Ed. D. TCISD Superintendent 1700 Ninth Avenue North Texas City, TX 77590 clusignolo@tcisd.org Ph: (409) 916-0103 Ph: (409) 916-0101 Fax: (409) 942-2655</p>
<p>Randy Dietel 210 21st Street South Texas City, TX 77592-1847 Phone: 409 945-3459 (B) 409 945-4977 (H) 409-392-7100 (C) randy@pilinginc.com First Appt: 02-01-93 / 2nd Appt: 10-1-04 (Term 10-01-14 through 9/30/17)</p>	<p><u>City Staff:</u> Ronald F. Plackemeier, <i>City Attorney</i> Nicholas Finan, <i>General Manager</i> Laura Boyd, <i>Treasurer</i> James Hartshorn, <i>City Staff</i> Michelle Garcia, <i>Board Secretary</i> Justin Herter, <i>City Staff</i> George Fuller, <i>City Staff</i></p>

Revised 10/13/16

TCEDC Agenda

2. a.

Meeting Date: 02/15/2017

Submitted By: Michelle Garcia, City Secretary

Department: City Secretary

ACTION REQUEST (Brief Summary)

Approve Texas City Economic Development Corporation Board Meeting Minutes for December 21, 2016.

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

[12.21.2016 TCEDC minutes](#)

TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS MEETING

MINUTES

WEDNESDAY, DECEMBER 21, 2016 - 3:30 P.M.

CITY HALL CONFERENCE ROOM

The Texas City Economic Development Corporation Board of Directors met Wednesday, December 21, 2016, at 3:30 P.M., in the City Hall Conference Room, 1801 9th Avenue North, in Texas City, Texas. A quorum having been met, the meeting was called to order at 3:35 P.M. by Chariman Mark Ciavaglia with the following in attendance:

(1) ROLL CALL

Present: Mark Ciavaglia, Chairperson
Harold Fattig, Vice-Chairperson
Matthew T. Doyle, Mayor / Director
Mitchell Chuoke, Director
Randy Dietel, Director

Staff Present: Ron Plackemeier, City Attorney
Nicholas Finan, Executive Director of Management Services
James Hartshorn, Economic Development Coordinator
Michelle Garcia, Board Secretary/Administrative Assistant
George Fuller, Community Development Director
Justin Herter, Administrative Assistant

Attendees: Cynthia Lusignolo, Advisory Member
Henry Gomez - Citizen

(2) NEW BUSINESS

- (a)** Approve Texas City Economic Development Corporation Board Meeting Minutes for October 17, 2016.

Motion by Vice Chairman Harold Fattig , Seconded by Mayor Doyle to approve Minutes of the October 17, 2016 Texas City Economic Development Corporation Board Meeting.

Vote: 5 - 0 CARRIED

- (b)** Consider and take action on Resolution No. 16-19, approving the purchase of property off of the 200 Block of 6th Street, known as 321 3rd Avenue.

Correction of the address is to read 517 3rd Avenue North.

George Fuller, Community Development Director, stated that the Salvation Army would like to sell their property, 517 3rd Avenue North, to the TCEDC for the current CAD value of \$28,350. The property is located within the 6th Street Revitalization district and would be eligible for future development.

Motion by Director Mitchell Chuoke, Seconded by Mayor Doyle to approve the purchase of property off of the 200 Block of 6th Street, known as 517 3rd Avenue North.

Vote: 5 - 0 CARRIED

- (c) Consider and take action on Resolution No. 16-20, ratifying the purchase of property located at 819 Martin Luther King, Texas City, Texas.

George Fuller, Community Development Director, stated that the TCEDC had the opportunity to purchase the First Baptist Church building, located at 819 MLK Blvd., and adjacent vacant lots totaling 0.912 acres. The building will be demolished and all lots cleared for future use in the IBD. The purchase price was \$110,000.

Motion by Director Mitchell Chuoke, Seconded by Vice-Chairman Harold Fattig to ratifying the purchase of property located at 819 Martin Luther King, Texas City, Texas.

Vote: 5 - 0 CARRIED

- (d) Consider and take action on Resolution No. 16-21, ratifying the purchase of property located at 801 Martin Luther King, Texas City, Texas.

George Fuller, Community Development Director, stated that the EDC bought the Greater Barbour's Chapel Church and other vacant lots totaling .593 Acres. The building will be demolished and all lots cleared for future use in the IBD. The purchase price was \$ 75,000.

Motion by Director Randy Dietel, Seconded by Director Mitchell Chuoke to ratifying the purchase of property located at 801 Martin Luther King, Texas City, Texas.

Vote: 5 - 0 CARRIED

- (e) Consider and take action on Resolution No. 16-22, approving the purchase of the Texas New Mexico Power buildings located at 901 9th Street N.

Nicholas Finan, Executive Director of Management Services, stated that the TNMP property at the corner of 9th Street N and 9th Avenue N contains two buildings. At the immediate intersection is the one-story office building and next to it closer to 10th Ave. N. is the two-story building that housed operations, etc. TNMP has left the main office dormant for over 10 years and reduced operations in the rear building, eventually moving out of it completely a few years ago. The buildings are in an ideal location at the entrance of the 6th Street Revitalization District. The CAD has the property on the tax rolls for \$421,000. The latest offer by TNMP is \$399,000 less any asbestos removal if any.

Director Mitchell Chuoke asked if this is the old meter shop?

Nicholas Finan, Executive Director of Management Services, stated "Yes."

Motion by Director Mitchell Chuoke, Seconded by Vice-Chairman Harold Fattig to approve the purchase of the Texas New Mexico Power buildings located at 901 9th Street North.

Vote: 5 - 0 CARRIED

- (f) Consider and take action on Resolution No. 16-23, approving demolition and asbestos removal for 819 and 801 Martin Luther King and 901 9th Street (Old TNMP Offices).

George Fuller, Community Development Director, stated as a result of the purchase of the two churches and the TNMP buildings we will need \$190,000 to abate the asbestos for all three buildings and demolish the two church buildings. This is not to exceed \$190,000.

Motion by Vice-Chairman Harold Fattig, Seconded by Chairman Randy Dietel to approve demolition and asbestos removal for 819 and 801 Martin Luther King and 901 9th Street (Old TNMP Offices).

Vote: 5 - 0 CARRIED

- (g) Consider and take action on Resolution No. 16-24, authorizing Chairman Mark Ciavaglia to enter into a lease purchase agreement with Hey Mikey's LLC., located at 613/615 6th.

James Hartshorn, Economic Development Coordinator, stated it is proposed that the TCEDC authorizes the execution of a lease purchase agreement with Hey Mikey's Ice Cream, LLC. with regards to the property owned by TCEDC, located at 613/615 6th Street. Over the last several months, city staff has worked to attract the business owner, Michael Bouvier, to relocate his ice cream distribution and retail operation to Downtown 6th Street. As part of the agreement, the TCEDC will extend a loan to Hey Mikey's Ice Cream for the renovation and build out of the property and improvements to the vacant lot on the corner next to the building. In the agreement, there is an option for Michael Bouvier to buy the property after year five. The purchase price will include the remaining principle on the loan as well as other costs incurred by the TCEDC for asbestos abatement, interior demolition and roof repairs. The agreement requires that the business will obtain a Certificate of Occupancy and be open to the public no later than July 15, 2017.

Director Randy Dietel asked what kind of lease this is?

James Hartshorn, Economic Development Coordinator, stated "It is a 10 year lease with the option to purchase."

Motion by Vice-Chairman Harold Fattig, Seconded by Director Randy Dietel to authorize Chairman Mark Ciavaglia to enter into a lease purchase agreement with Hey Mikey's LLC., located at 613/615 6th.

Vote: 5 - 0 CARRIED

- (h) Consider and take action on Resolution No. 16-25, accepting the donation of 1201 6th Street from Texcon Leasing.

George Fuller, Community Development Director stated the property located at 1201 6th Street North has been donated to the TCEDC by TEX-Con Leasing. The lot is 8,250 sqft. with a 2,300 sqft. brick building that has frontage on 6th Street. The property will be available for future development.

Motion by Director Mitchell Chuoke, Seconded by Director Randy Dietel to accept the donation of 1201 6th Street from Texcon Leasing.

Vote: 5 - 0 CARRIED

- (i) Consider and take action on Resolution No. 16-26, approving the purchase of property from Ms. Venita Ray, located at 629 2nd Avenue South, Texas City, Texas 77590.

George Fuller, Community Development Director, stated the TEDC has the opportunity to purchase a property within the IBD, located at 629 2nd Avenue South. The lot is 3,750 and the purchase price is \$1,310 which is listed at CAD value.

Motion by Vice-Chairman Harold Fattig, Seconded by Director Randy Dietel to approve the purchase of property from Ms. Venita Ray, located at 629 2nd Avenue South, Texas City, Texas 77590.

Vote: 5 - 0 CARRIED

- (j) Consider and take action on Resolution No. 16-27 ratifying the City's land exchange with the Texas City Terminal Railway for land that included property owned by Texas City Economic Development Corporation.

Nicholas Finan, Executive Director of Management Services, stated the City Commission approved a resolution in February of 2014 to authorize the mayor to enter into an agreement to exchange land in the Industrial Buffer District (IBD) owned at that time by the City or TC Housing Authority for land the TCTRR owned along 10 St. N and 10 St. N. The project grew to include TCEDC land. To better implement, the TCEDC was named as the recipient to promote economic development in the area. At this time, while in previous EDC meetings the Board approved the "sale" or "exchange" of TCEDC land to the TCTRR or industrial users in the IBD, we are requesting the Board to ratify all deeds and transactions even the city's

contributions, since the recipient of the exchange will be the TCEDC, which includes roughly 23 acres of Bay Street property previously owned by the TCTRR at the southeast corner of Dike Road and Bay Street.

Motion by Vice-Chairman Harold Fattig, Seconded by Director Mitchell Chuoke to ratifying the City's land exchange with the Texas City Terminal Railway for land that included property owned by Texas City Economic Development Corporation.

Vote: 5 - 0 CARRIED

(3) UPDATES

Mayor Doyle stated that we are working on the 2-3 year permitting and construction with the LNG Plant that everyone read about in the newspaper. This will be a big game changer.

Director Randy Dietel state that the Navigational Servitude has cleared.

Nicholas Finan, Executive Director of Management Services, stated that a lot of businesses have been updated for beautification and had James Hartshorn describe a few updates.

James Hartshorn, Economic Development Coordinator, stated that Cosmic Pizza will be coming soon and the Marathon Federal Credit Union Build has new paint on the exterior.

Nicholas Finan, Executive Director of Management Services, stated that we are working with a group for permits next to Mattress Land and also mentioned that we should be receiving a Tax Abatement check some time next week for a large industrial development project.

Jenny Senter, Advisory Member, asked if there has been any contact with Adventure Point?

Nicholas Finan, Executive Director of Management Services, stated "A little, but no permits, yet."

Director Randy Dietel asked how the new coffee shop was doing?

Jenny Senter, Advisory Member, stated it has been a little slow but only because it is new.

(4) BOARD COMMENTS

Mayor Doyle gave kudos to James Hartshorn for the great job he has done with all of these businesses.

Jenny Senter, Advisory Member, stated that Texas City should be very proud of their downtown compared to Baytown.

(5) ADJOURNMENT

Having no further business, made a Motion to ADJOURN at 4:03 P.M. with no objections. The meeting was adjourned.

Michelle L. Garcia, Board Secretary
Texas City Economic Development Corporation

Date Approved: _____

TCEDC Agenda

2. b.

Meeting Date: 02/15/2017

Submitted By: Michelle Garcia, City Secretary

Department: City Secretary

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No., 17-01, ratifying the agreement with Kerry R. Gilbert & Associates to create a conceptual plan for the TCEDC property north of the Mall of the Mainland.

BACKGROUND

It is proposed that the TCEDC ratifies the agreement with Kerry R. Gilbert & Associates, dated 1/26/17, in the amount of \$9,000 to create a conceptual plan for the +/- 485 acre tract owned by the TCEDC adjacent to the Mall of the Mainland. The purpose of the conceptual plan is to attract prospective developers for the property by demonstrating what would be possible and desirable in this location.

ANALYSIS

ALTERNATIVES CONSIDERED

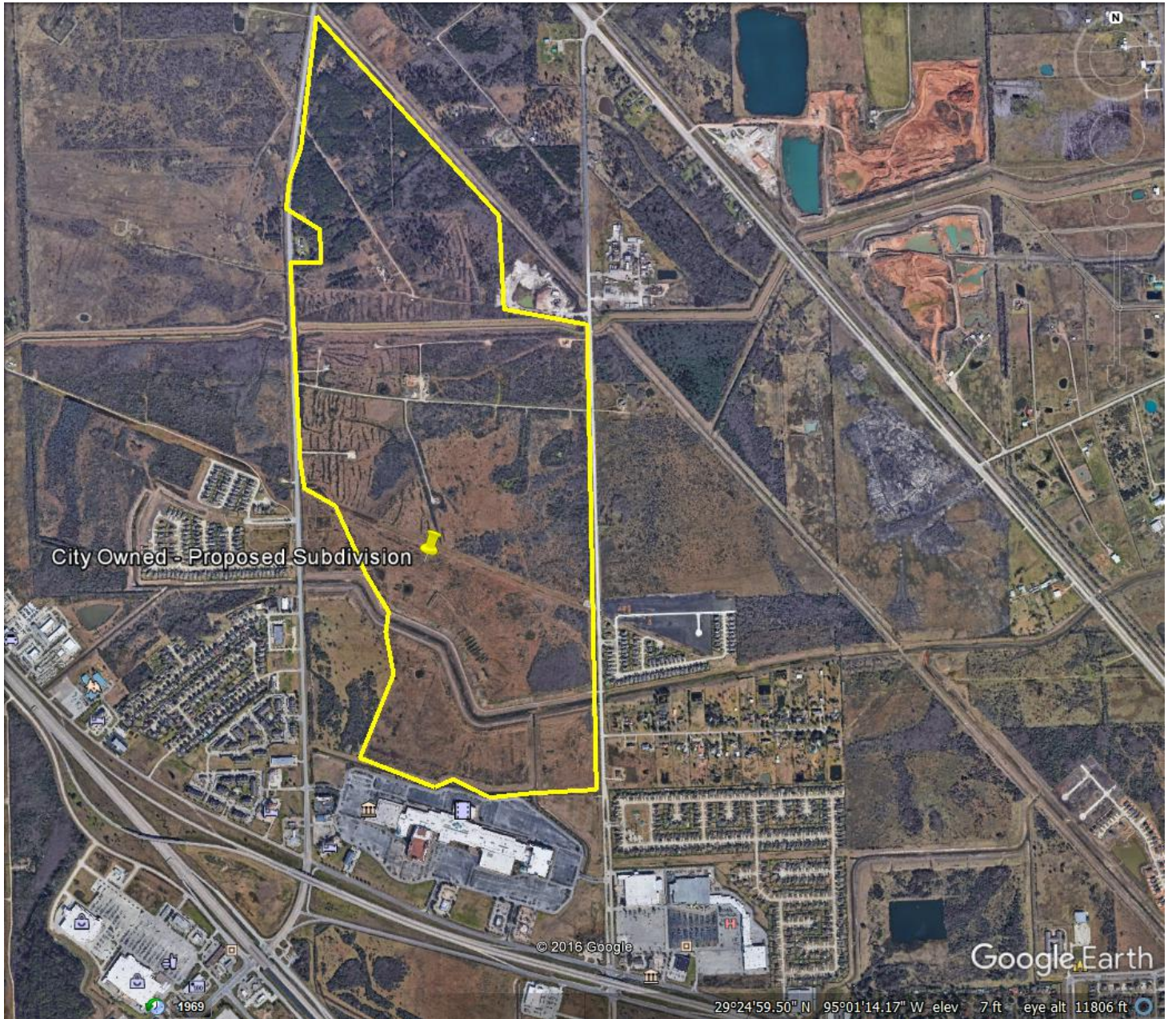
Attachments

Property

Resolution No. 17-01 Ratifying Agreement - Kerry R. Gilbert and Assoc.

Agreement

Property Boundaries



TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. 17-01

A RESOLUTION RATIFYING THE AGREEMENT WITH KERRY R. GILBERT & ASSOCIATES TO CREATE A CONCEPTUAL PLAN FOR THE TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION PROPERTY (TCEDC) NORTH OF THE MALL OF THE MAINLAND; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Texas City Economic Development Corporation, duly held on February 15, 2017, a general discussion was held concerning the ratification of an agreement with Kerry R. Gilbert & Associates to create a conceptual plan for the TCEDC property north of the Mall of the Mainland; and

WHEREAS, it is proposed that the TCEDC ratifies the agreement with Kerry R. Gilbert & Associates, dated January 26, 2017, in the amount of \$9,000 to create a conceptual plan for the +/- 485 acre tract owned by the TCEDC adjacent to the Mall of the Mainland; and,

WHEREAS, the purpose of the conceptual plan is to attract prospective developers for the property by demonstrating what would be possible and desirable in this location.

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

SECTION 1: The Board of Directors of the Texas City Economic Development Corporation hereby approves ratifying the agreement with Kerry R. Gilbert & Associates to create a conceptual plan for the TCEDC property north of the Mall of the Mainland.

SECTION 1: This Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 15th day of February, 2017.

CHAIRPERSON/VICE-CHAIRPERSON
Texas City Economic Development Corporation

ATTEST:

Michelle L. Garcia, Board Secretary
Texas City Economic Development Corporation



PROPOSAL FOR LAND PLANNING AND CONSULTING SERVICES

PROJECT / TRACT NAME: +485 Ac. F.M. 2004 Tract – Concept Plan	JOB NO: 03405A-010
ACREAGE / LOCATION: +485 Acres – F.M. 2004- Texas City, Texas	DATE: 1/26/17

CLIENT: City of Texas City	CONTACT: The Honorable Matthew Doyle
BILLING ADDRESS: 1801 9 th Avenue North Texas City, Texas 77592	

SCOPE OF SERVICE: (See attached page for detailed description.)		ESTIMATED FEE:
I. Consultation, Research & Analysis		
• 2 Hours @ \$300.00 per hour		
• 2 Hours @ \$150.00 per hour	Total for C, R & A	\$ 900.00
II. Base Retainer / Preparation of Conceptual Plan:		
• Flat Fee	Total for Conceptual Plan	\$ 7,500.00
III. Preparation of Schematic Plan:		
• Flat Fee	Total for Schematic Plan	N/A
IV. Preparation and Submittal of General Plan:		
• Flat Fee	Total for General Plan	N/A
V. Preparation of Detailed Section Plan:		
• Lots @ \$45.00 per lot		
• Acres in Reserve @ \$45.00 per acre	Total for Detailed Section Plan	N/A
VI. Preparation of Preliminary Plat:		
• Flat Fee	Total for Preliminary Plat	N/A
VII. Reimbursable Expenses:	Total for Reimbursable Expenses	\$ 600.00
	Total for Complete Planning & Consultation Services	\$ 9,000.00

INFORMATION TO BE FURNISHED BY CLIENT:

1. Current boundary survey indicating all easements, right-of-ways, physical features and topographical information.
2. Current title report.
3. Any market studies or information relative to the area that might influence the development of the site.
4. Desired lot sizes.
5. Special design characteristics preferred.
6. Government agency fees as required.

REVISIONS / CHANGE ORDERS:

Any work occasioned by changes requested by the Client after prior approval has been given for those services will be charged on a mutually agreed upon flat fee basis or at the Consultant's current applicable hourly rates.

ADDITIONAL SERVICES:

Services requested by the Client not specifically covered by this agreement will be performed by the Consultant on a mutually Agreed upon flat fee basis or at the Consultant's current applicable hourly rate.

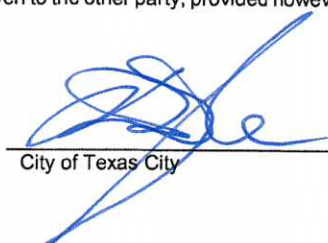
ACCEPTANCE AND TERMINATION:

The above described services are being performed under the terms and conditions of a term professional and consulting services contract, if any. Please acknowledge your acceptance of the above proposed with a duly authorized signature in the space provided below. Please return a copy of the executed agreement to the Consultant's office. This agreement may be terminated by either party, without cause, at any time after seven (7) days written notice is given to the other party, provided however, that all outstanding fees have been paid in full to the Consultant.

AGREED AND ACCEPTED TO:


 Kerry R. Gilbert
 Director, Land Planning Services

1/26/17
 Date


 City of Texas City

2/1/17
 Date

TCEDC Agenda

2. c.

Meeting Date: 02/15/2017

Submitted By: Michelle Garcia, City Secretary

Department: City Secretary

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No., 17-02, entering into an agreement with Rise Surf LLC for incentives to revitalize the TCEDC-owned property located at 1201 6th Street North.

BACKGROUND

Rise Surf LLC contacted City staff looking for a property on 6th Street where he could establish a surfboard manufacturing and retail business. The property located at 1201 6th Street was identified as the best location for his business and provided an opportunity to revitalize a dilapidated building on 6th Street. This property was donated to TCEDC as approved in Resolution 16-25 on 12/21/16, but the building is in need of roof replacement and interior demolition and remodeling estimated to cost \$75,000. It is proposed that TCEDC gives the property to Matthew Wyatt and \$25,000 as an incentive to restore and beautify the property within 6 months of the agreement.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

[Resolution No. 17-02 Agreement Rise Surf LLC - incentives TCEDC Property Street View](#)

TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. 17-02

A RESOLUTION AUTHORIZING THE BOARD CHAIRPERSON TO ENTER INTO AN AGREEMENT WITH RISE SURF LLC FOR INCENTIVES TO REVITALIZE THE TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION (TCEDC) - OWNED PROPERTY LOCATED AT 1201 6TH STREET NORTH; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Texas City Economic Development Corporation, duly held on February 15, 2017, a general discussion was held concerning entering into an agreement with Rise Surf LLC for incentives to revitalize the TCEDC-owned property located at 1201 6th Street North; and

WHEREAS, Rise Surf LLC contacted City staff looking for a property on 6th Street where he could establish a surfboard manufacturing and retail business; and

WHEREAS, the property located at 1201 6th Street was identified as the best location for his business and provided an opportunity to revitalize a dilapidated building on 6th Street; and

WHEREAS, this property was donated to TCEDC as approved in Resolution 16-25 on December 21, 2016, but the building is in need of roof replacement and interior demolition and remodeling estimated to cost \$75,000; and

WHEREAS, it is proposed that the TCEDC give the property to Rise Surf LLC and \$25,000 as an incentive to restore and beautify the property within 6 months of the agreement; and,

WHEREAS, the Texas City Economic Development Corporation deems it to be in the best public interest and public purpose to allow the Board Chairperson to enter into an agreement with Rise Surf LLC for incentives to revitalize the TCEDC-owned property located at 1201 6th Street North.

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

SECTION 1: The Texas City Economic Development Corporation hereby approves the Board Chairperson to enter into an agreement with Rise Surf LLC for incentives to revitalize the TCEDC-owned property located at 1201 6th Street North.

SECTION 2: The Chairman of Texas City Economic Development Corporation or designee is hereby authorized to execute the documents necessary for said agreement on behalf of the Texas City Economic Development Corporation.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 15th day of February, 2017.

CHAIRMAN/PRESIDENT
Texas City Economic Development Corporation

ATTEST:

Michelle L. Garcia
BOARD SECRETARY
Texas City Economic Development Corporation

1201 6th Street North



TCEDC Agenda

2. d.

Meeting Date: 02/15/2017

Submitted By: Michelle Garcia, City Secretary

Department: City Secretary

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No., 17-03, approving the agreement with James McWhorter for construction auditing services.

BACKGROUND

In regards to the Hey Mikey's Ice Cream project located at 613 6th Street, it was understood that the TCEDC required a third-party construction auditor, at its own expense, to verify construction expenditures. It is proposed that TCEDC enters into an agreement with James McWhorter for said construction auditing services.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Resolution No. 17-03 Agreement with James McWhorter - Const. Audit Services

John McWhorter Agreement_2.2.17 mark

TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. 17-03

A RESOLUTION AUTHORIZING THE BOARD CHAIRPERSON TO ENTER INTO AN AGREEMENT WITH JAMES MCWHORTER FOR CONSTRUCTION AUDITING SERVICES; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Texas City Economic Development Corporation, duly held on February 15, 2017, a general discussion was held concerning the authorization of the Board Chairperson to enter into an agreement with James McWhorter for construction auditing services; and

WHEREAS, as part of the agreement with Hey Mikey's Ice Cream for the project located at 613 6th Street, the TCEDC required a third-party construction auditor, at its own expense, to verify construction expenditures; and,

WHEREAS, the Texas City Economic Development Corporation deems it to be in the best public interest and public purpose to allow the Board Chairperson to enter into an agreement with James McWhorter for construction auditing services.

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

SECTION 1: The Texas City Economic Development Corporation hereby approves the Board Chairperson to enter into an agreement with James McWhorter for construction auditing services.

SECTION 2: The Chairman of Texas City Economic Development Corporation or designee is hereby authorized to execute the documents necessary for said agreement on behalf of the Texas City Economic Development Corporation.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 15th day of February, 2017

CHAIRMAN/PRESIDENT
Texas City Economic Development Corporation

ATTEST:

Michelle L. Garcia
BOARD SECRETARY
Texas City Economic Development Corporation

STATE OF TEXAS
COUNTY OF GALVESTON

**CONSTRUCTION AUDIT AGREEMENT WITH TEXAS CITY ECONOMIC
DEVELOPMENT CORPORATION**

This AGREEMENT is entered into this 6th day of February, 2017, between the Texas City Economic Development Corporation, (“TCEDC”) and John McWhorter (“Auditor”).

**ARTICLE I
PURPOSE OF AGREEMENT**

The purpose of this Agreement is to provide construction cost auditing services for the buildout of Hey Mikey’s Ice Cream at 613 6th Street North, Texas City, TX 77590.

**ARTICLE II
RIGHTS AND OBLIGATIONS OF THE CITY**

1. TCEDC shall pay Auditor the sum of One Thousand Eight Hundred and 00/100 Dollars (\$1,800.00) for up to Twelve (12) construction audit inspections over a Six (6) month period from the execution of this agreement.
2. In the event TCEDC requires more than Twelve (12) inspections, TCEDC shall pay Auditor One Hundred Fifty and 00/100 Dollars (\$150.00) for each additional inspection.

**ARTICLE III
RIGHTS AND OBLIGATIONS OF AUDITOR**

Auditor covenants and agrees as follows:

1. To review on a bi-weekly basis any and all invoices from Jimmy Wisner (“General Contractor”), and to perform an on-site visit to verify expenditures.
2. To reply in writing, via email, to the TCEDC with construction audit results within Ten (10) days of receipt of invoice from TCEDC.

**ARTICLE IV
COORDINATION**

The TCEDC will receive invoices from General Contractor and shall forward to Auditor for review. Auditor shall coordinate with General Contractor to arrange for access to the property.

ARTICLE V
NO WAIVER OF IMMUNITY

It is expressly understood and agreed that under this Agreement the TCEDC neither waives, nor shall be deemed to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

ARTICLE VI
VENUE

Each party to this Agreement agrees that in any legal action brought hereunder, venue shall lie in Galveston County, Texas. The validity of this Agreement and of its terms and provision, as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas.

ARTICLE VII
SEVERABILITY

In case any one or more of the provisions contained in the Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such fact shall not affect any other provision thereof and this Agreement shall be construed as if the stricken provision had never been contained herein.

ARTICLE VIII
MODIFICATION

This Agreement may be amended or modified by the mutual agreement of both parties hereto in writing, such writing to be attached hereto and incorporated unto this Agreement.

ARTICLE IX
ENTIRE AGREEMENT

This Agreement contains all commitments and obligations of the parties and represents the entire agreement of said parties. Verbal or written conditions not contained herein shall not have any force or effect to alter any term of this Agreement.

ARTICLE X
TERMINATION/FORCE MAJEURE

This Agreement may be terminated at any time before its expiration with mutual consent of both parties. Neither party shall be responsible for damages or expected to fulfill its obligations under this Agreement should an act of God or other unforeseen catastrophe occur and

cause such damage or prevent the performance of such obligation.

ARTICLE XI
EXECUTION

This Agreement shall be executed by the Auditor and TCEDC.

Paragraph Headings

The captions, numbering sequences, titles, paragraph headings, punctuation, and organization used in this Agreement are for convenience only and shall in no way define, limit, or describe the scope or intent of this Agreement or any part of it.

Understanding, Fair Construction

By executing this Agreement, the parties acknowledge that they have read and understand each provision, term, and obligation contained in this Agreement. This Agreement, although drawn by one party, shall be construed fairly and reasonably and not more strictly against the drafting party than the non-drafting party.

ARTICLE XII
NOTICES

Any notices due under the provisions of this Agreement shall be made in writing and shall be addressed to the following:

TCEDC:

TCEDC Manager
City of Texas City
1801 - 9th Avenue North
Texas City, Texas 77590
(409) 643-5916 Phone
(409) 653-5952 – Facsimile
jhartshorn@texas-city-tx.org

Auditor:

James McWhorter
2801 Lake Pointe Drive
Texas City, Texas 77590
(409) 370-0447 Phone
jmcwhorter47@yahoo.com

IN WITNESS WHEREOF, the parties to these presents have executed this Agreement on the date first above written.

Texas City Economic
Development Corporation:

By: _____
Mark Ciavaglia, Chairman/President

Auditor:

By: _____
James McWhorter

TCEDC Agenda

2. e.

Meeting Date: 02/15/2017

Submitted By: Michelle Garcia, City Secretary

Department: City Secretary

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No.,. 17-04, approving the purchase of the property located at 512 4th Avenue North.

BACKGROUND

The TCEDC has an opportunity to acquire the property located at 512 4th Avenue North. The property is adjacent to the Showboat and currently has a dilapidated house, sheds and fencing that would be demolished to beautify the area and create more green space around the Showboat. It is proposed that TCEDC acquires the property for an amount not to exceed \$40,000.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Resolution No. 17-04 Approve Purchase of 512 4th Avenue North

Property

Street View

TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. 17-04

A RESOLUTION APPROVING THE PURCHASE OF PROPERTY LOCATED AT 512 4th AVENUE NORTH, TEXAS CITY, TEXAS, LEGALLY DESCRIBED AS ABST 205 J WELLS SUR LOTS 9 THRU 13 (11-0) BLK 142 TEXAS CITY IN GALVESTON COUNTY; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFETIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Texas City Economic Development Corporation, duly held on February 15, 2017, a general discussion was held concerning the purchase of property located at 512 4th Avenue North, Texas City, Texas, legally described as Abst. 205 J Wells Sur Lots 9 Thru 13 (11-0) Blk 142 Texas City in Galveston County; and

WHEREAS, the TCEDC has an opportunity to acquire the property located at 512 4th Avenue North; and

WHEREAS, the property is adjacent to the Showboat and currently has a dilapidated house, sheds and fencing that would be demolished to beautify the area and create more green space around the Showboat; and,

WHEREAS, it is proposed that TCEDC acquires the property for an amount not to exceed \$40,000.

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

SECTION 1: The Board of Directors of the Texas City Economic Development Corporation hereby approves the purchase of property for a purchase amount not to exceed \$40,000, described as follows:

512 4th Avenue North, Texas City, Texas, legally described as Abst. 205 J Wells Sur Lots 9 Thru 13 (11-0) Blk 142 Texas City in Galveston County.

SECTION 2: The Chairperson or Vice Chairperson is hereby authorized to execute any documents necessary for conveyance of the above described property.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and adoption.

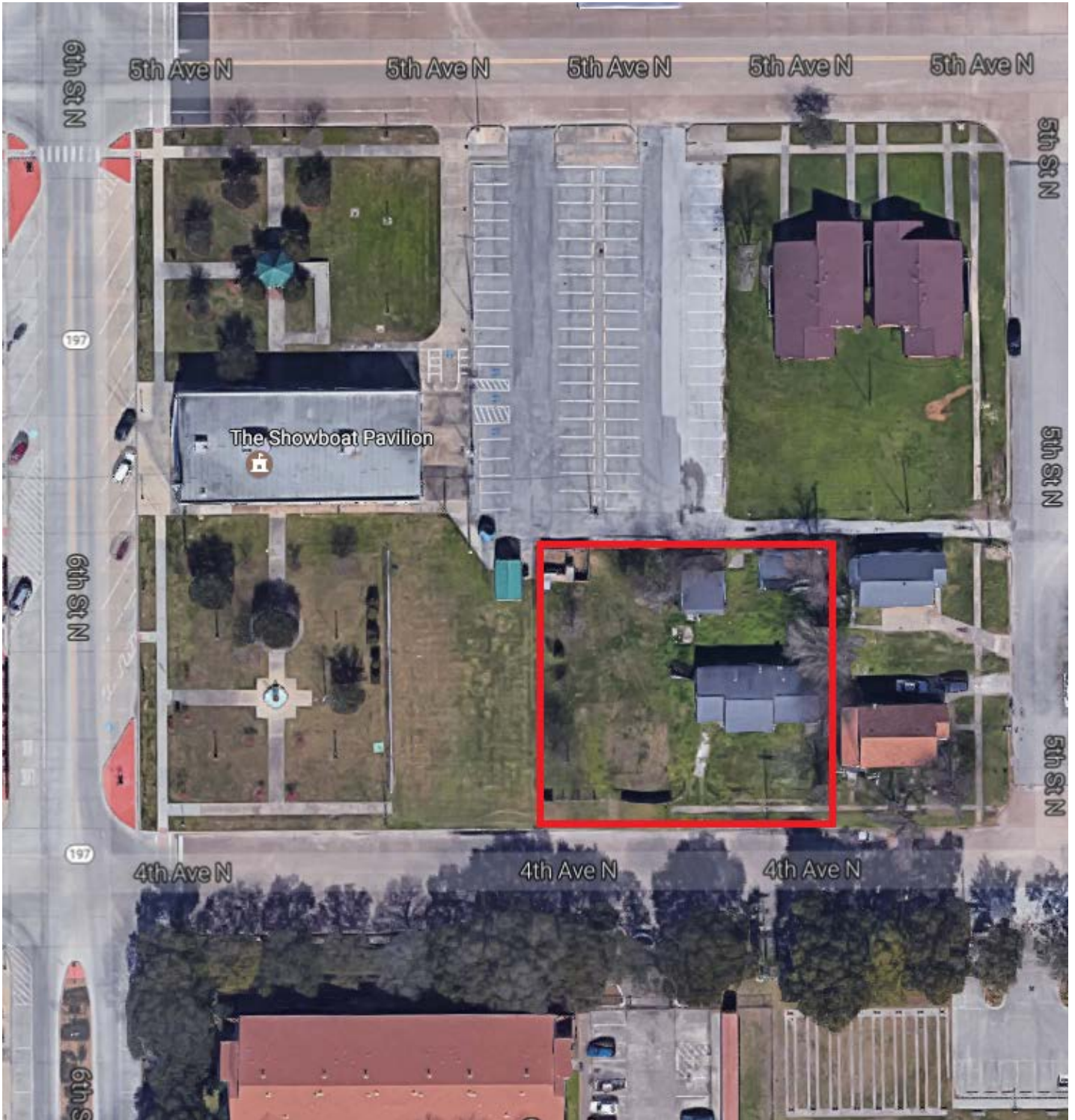
PASSED AND ADOPTED this 15th day of February, 2017.

CHAIRPERSON/VICE CHAIRPERSON
Texas City Economic Development Corporation

ATTEST:

Michelle L. Garcia, Board Secretary
Texas City Economic Development Corporation

512 4th Avenue North Aerial



512 4th Avenue North



TCEDC Agenda

2. f.

Meeting Date: 02/15/2017

Submitted By: Michelle Garcia, City Secretary

Department: City Secretary

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 17-05, authorizing the financial participation in the Galveston County Day in Austin on Wednesday, March 1, 2017.

BACKGROUND

Bix Rathburn has been working with State Representatives and Senators, the Chamber of Commerces, and various cities in Galveston County to participate in a Galveston County Day in Austin. The idea is to promote issues and express concerns on legislation that affects Galveston County. The idea is to break up into groups of 3 or 4 and hit as many offices and tell them about Galveston County, its economic importance to the state and briefly discuss the legislation important to us. It is similar to what the TC/LM has done in the past with the Galveston Chamber of Commerce. James Hartshorn and I will plan on attend and being group leaders. To help defray the cost of a reception, and busses we have been asked to pay \$1,000. The TCEDC would only pay the meals - lunch for James and I in addition to the \$1,000.

ANALYSIS

ALTERNATIVES CONSIDERED

Attachments

Resolution No. 17-05 - Galveston County Day

TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO. 17-05

A RESOLUTION AUTHORIZING THE FINANCIAL PARTICIPATION IN THE GALVESTON COUNTY DAY IN AUSTIN ON WEDNESDAY, MARCH 1, 2017; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Texas City Economic Development Corporation (TCEDC), duly held on February 15, 2017, a general discussion was held concerning the authorization of financial participation in the Galveston County Day in Austin on Wednesday, March 1, 2017; and

WHEREAS, Bix Rathburn has been working with State Representatives and Senators, the Chamber of Commerces, and various cities in Galveston County to participate in a Galveston County Day in Austin; and

WHEREAS, the idea is to promote issues and express concerns on legislation that affects Galveston County; and

WHEREAS, to help defray the cost of a reception and busses, the TCEDC has been asked to pay \$1,000; and,

WHEREAS, the TCEDC would only pay the meals-lunch for James Hartshorn and Nicolas Finan in addition to the \$1000.

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

SECTION 1: The Board of Directors of the Texas City Economic Development Corporation hereby approves Resolution No. 17-05, authorizing the financial participation in the Galveston County Day in Austin on Wednesday, March 1, 2017.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 15th day of February, 2017.

CHAIRPERSON/VICE-CHAIRPERSON
Texas City Economic Development Corporation

ATTEST:

Michelle L. Garcia
BOARD SECRETARY
Texas City Economic Development Corporation