



NOTICE OF A MEETING
Brenham Community Development Corporation
Thursday, April 20, 2023 @ 7:30 a.m.
City Hall – 2nd Floor Conference Room
200 W. Vulcan St.
Brenham, Texas

1. **Call Meeting to Order**
2. **Invocation and Pledges to the U. S. and Texas Flags**

REGULAR SESSION

3. **Discuss and Possibly Act Upon the Minutes from the March 23, 2023 and April 3, 2023 Special Meetings**
4. **Discuss and Possibly Act Upon FY2022-23 Second Quarter Financial Statements**

EXECUTIVE SESSION

5. **Texas Government Code, Section 551.071 – Consultation with Attorney – Consultation with Legal Counsel Regarding the Development of Approximately 6.413 Acres in the Brenham Business Center, Owned by Capital Westview Partners, LLC**
6. **Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding the Project Stones Throw and Transaction Matters Involving Approximately 50 Acres in the Southwest Industrial Park, Section III, in the City of Brenham, Texas, and Associated Matters**

RE-OPEN REGULAR SESSION

7. **Discuss and Possibly Act Upon Project Stones Throw and Transaction Matters Involving Approximately 50 Acres in the Southwest Industrial Park, Section III, in the City of Brenham, Texas, and Associated Matters, and Authorize the President to Execute Any Necessary Documentation**

- 8. Board and Staff Updates**
- **Economic Development**
 - **Parks & Recreation**
 - **Administration**

Adjourn

CERTIFICATION

I certify that a copy of the agenda of items to be considered by the Brenham Community Development Corporation (BCDC) on Thursday, April 20, 2023 was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on Friday, April 14, 2023 at 5:45 p.m.

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary

Executive Sessions: The Brenham Community Development Corporation (BCDC) reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.071 – Consultation with Attorney, §551.072 – Real Property, §551.073 – Prospective Gifts, §551.074 - Personnel Matters, §551.076 – Security Devices, §551.086 - Utility Competitive Matters, and §551.087 – Economic Development Negotiations.

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that this notice and agenda of items to be considered by the Brenham Community Development Corporation (BCDC) was removed by me from the City Hall bulletin board on _____ at _____.

Signature

MINUTES

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

March 23, 2023

A special meeting of the Brenham Community Development Corporation was held on Thursday, March 23, 2023 at City Hall, Conference Room 2A, 200 W. Vulcan, Brenham, Texas beginning at 7:30 a.m.

Board members present were Charles Moser, John Hasskarl, Bill Betts, Jim Kolkhorst, Ken Miller, and Gary Crocker

Board members absent: Darrell Blum

City of Brenham staff members present were Carolyn Miller, Jeana Bellinger, Susan Cates, Teresa Rosales, and Debbie Gaffey.

Others present: None

- 1. Chairman Charles Moser called the meeting to order**
- 2. Discuss and Possibly Act Upon the Minutes from the December 8, 2022 and January 19, 2023 Regular Meetings and the January 26, 2023 Special Meeting**

A motion was made by Gary Crocker and seconded by Jim Kolkhorst to approve the minutes from the December 8, 2022 and January 19, 2023 Regular Meetings and the January 26, 2023 Special Meeting.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Absent
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

The Board adjourned into Executive Session at 7:32 a.m.

EXECUTIVE SESSION

- 3. Texas Government Code Section 551.087 Economic Development Negotiations - Deliberation Regarding Incentives for Economic Development Purposes and the Possible Offer of a Financial or Other Incentive to Project Katydid, a Business Seeking to Locate, Stay or Expand in the City of Brenham, Texas**

Executive Session adjourned at 7:56 a.m.

RE-OPEN REGULAR SESSION

- 4. Discuss and Possibly Act Upon Incentives for Economic Development Purposes and the Possible Offer of a Financial or Other Incentive to Project Katydid, a Business Seeking to Locate, Stay or Expand in the City of Brenham, Texas and Authorize the President to Execute Any Necessary Documentation**

A motion was made by Jim Kolkhorst and seconded by Gary Crocker to approve incentives for economic development purposes, as discussed in Executive Session, to Project Katydid, a business seeking to locate, stay or expand in the City of Brenham, Texas and authorize the President to execute any necessary documentation.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Absent
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

5. Board and Staff Updates

- **Economic Development:** Economic Development Director Susan Cates provided an update on the following:
 - Capital Real Estate submitted plans – will reach out to Architectural Committee to schedule meeting to review.
 - PowerGrow should close next month.
 - Advised datacenter project, CGG, that the City cannot serve their water utility needs.
 - The property considered for additional parking in downtown, of St. Charles Street, is currently under contract with another buyer. Staff will continue to look for other properties.
 - Hired a new Main Street Manager, Leigh Linden.
 - Will reach out to local realtor to help with evaluating available property and applicable land pricing in the business parks.

- **Parks & Recreation:** Public Works Director Dane Rau provided an update on the following:
 - Hohlt Park Nature Trail is under construction now.
 - The new turf fields will be installed in the fall.
 - BBAC restroom project is in the design phase – should start construction in the fall.
 - The National Parks Service is still sending questions about the environmental assessment for the Brenham Family Park. Since this project is taking so long, staff may bring back a request to reallocate budgeted funds to other projects.
 - Blue Bell Fun Run is this weekend.
- **Administration**
 - City Manager Carolyn Miller advised that the City will be hosting an appreciation event for Mayor Tate on Wednesday, May 17th and the Board will be invited to attend.
 - General Manager of Public Utilities Debbie Gaffey provided an update on the water capacity and the upcoming fiber project with Nextlink.

The meeting was adjourned.

Charles Moser
Chairman

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary

MINUTES

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

April 3, 2023

A special meeting of the Brenham Community Development Corporation was held on Monday, April 3, 2023 at City Hall, Conference Room 2A, 200 W. Vulcan, Brenham, Texas beginning at 7:30 a.m.

Board members present were Charles Moser, Darrell Blum, John Hasskarl, Bill Betts, Jim Kolkhorst, Ken Miller, and Gary Crocker

Board members absent: None

City of Brenham staff members present were Carolyn Miller, Jeana Bellinger and Debbie Gaffey.

Others present: City Attorney Cary Bovey was present via telephone.

1. Chairman Charles Moser called the meeting to order

The Board adjourned into Executive Session at 7:30 a.m.

EXECUTIVE SESSION

- 2. Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding the Possible Sale, Exchange, Transfer and/or Acquisition of Approximately 50 Acres to Project Stones Throw in the Southwest Industrial Park, Section III, in the City of Brenham, Texas, and Associated Matters**

Executive Session adjourned at 8:22 a.m.

RE-OPEN REGULAR SESSION

- 3. Discuss and Possibly Act Upon the Possible Sale, Exchange, Transfer and/or Acquisition of Approximately 50 Acres to Project Stones Throw in the Southwest Industrial Park, Section III, in the City of Brenham, Texas, and Associated Matters, and Authorize the President to Execute Any Necessary Documentation**

A motion was made by Darrell Blum and seconded by Ken Miller that the Brenham Community Development Corporation (BCDC) Board of Directors: (1) decline the request from PowerGrow Texas LLC to extend the Closing Date of the December 2, 2022 Real Estate Contract between BCDC and PowerGrow Texas LLC; (2) authorize the President of the BCDC to take any and all action necessary to terminate said Contract in the event the Buyer fails to close on the Contract by April 3, 2023, based on Buyer's default for failure to provide at least three (3) days' prior written notice of the date of closing and failure to close by April 3, 2023; and (3) authorize the President of the BCDC to execute any documentation necessary to implement this action of the Board of Directors.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

The meeting was adjourned.

Charles Moser
Chairman

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary



MEMORANDUM

To: BCDC Board and City Manager
From: Stacy Hardy, Director of Finance
Subject: BCDC 2nd Quarter FY22-23 Financial Statements
Date: April 14, 2023

Attached are the second quarter FY22-23 financial statements for BCDC. Notable trends or transactions are discussed below.

Sales Tax Revenue

For FY23, we increased our sales tax revenue budget by 8% over the prior year’s budget. With five months (October through February) of collections received and an estimate used for March, FY23 sales tax revenue is trending above budgeted levels. October through February collections were \$164,209 above budget.

Financial Statements – Fund 250

The ***Economic Development*** operations report shows an operating surplus of \$593,741 for the second quarter of FY23. In December, BCDC sold 6.413 acres in the Brenham Business Center to Capital Westview Partners, LLC. Of the \$336,319 sales price, \$27,302 was recognized as Capital Westview’s contribution towards the shared detention pond. Matching contributions for Main Street Incentive Grants were made to two businesses and totaled \$18,500. All operating expenditures are within budgeted levels.

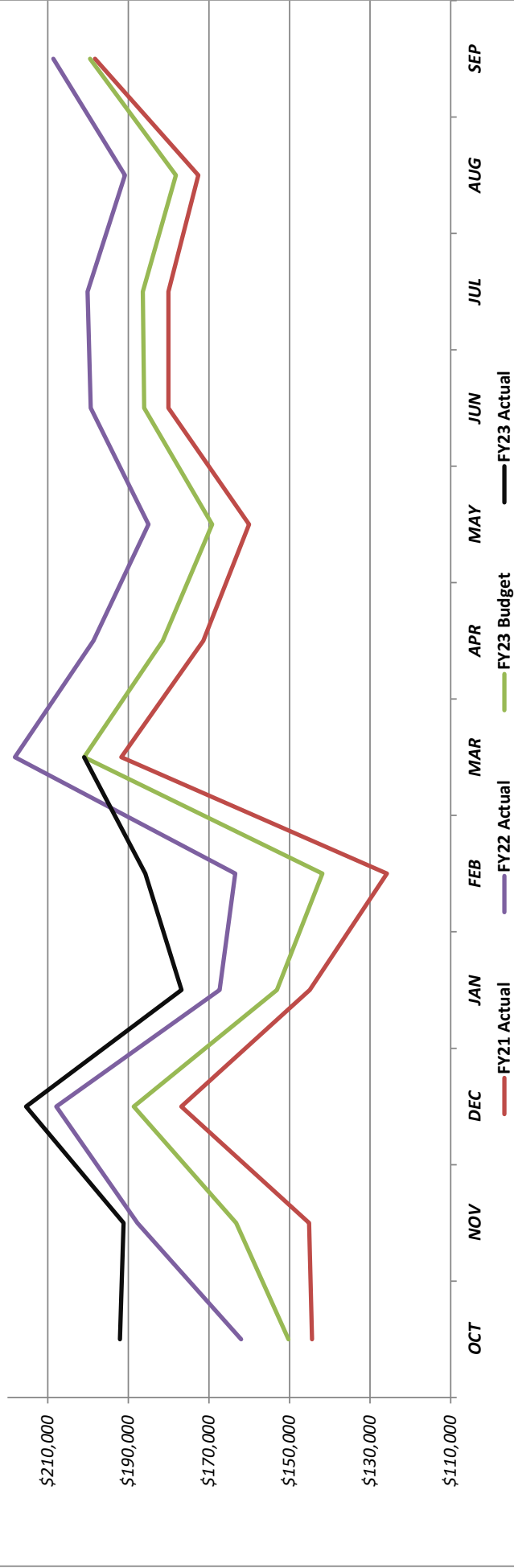
The ***Recreation*** side ended the quarter with an operating surplus of \$608,556. Seven (7) of the seventeen (17) parks and recreation projects funded in the FY23 budget were completed as of March 31, 2023. The remaining projects will begin and/or be completed in the third and fourth quarters of FY23.

BCDC Capital Projects – Fund 252

Engineering work continues for the Brenham Family Park. Year to date, \$5,318 has been paid to Quiddity Engineering for Phase I(a) park improvements and \$29,763 has been paid to Strand Associates related to road improvements at the main creek crossing in the park. Because BCDC has not actually received the funds for the \$750,000 Texas Parks and Wildlife Grant, it is not yet reflected on this financial statement. The available fund balance for the Brenham Family Park as of March 31, 2023 is \$1,068,602.

After reviewing this information, should you have any questions prior to Thursday’s meeting, do not hesitate to contact me directly at 979-337-7570.

**BCDC FUND SALES TAX BY MONTH
FY21 , FY22 & FY23**



Budget vs. Actual Based on Allocated Budget

Difference	41,860	27,979	26,746	23,658	43,966	(0)							
Cummulative	41,860	69,839	96,585	120,243	164,209	164,209							164,209

BRENHAM COMMUNITY DEVELOPMENT CORPORATION
ECONOMIC DEVELOPMENT
YEAR TO DATE PRO FORMA PERFORMANCE
FOR THE QUARTERS ENDING MARCH 31, 2022 AND 2023

	YTD Actual 3/31/2022	YTD Actual 3/31/2023	Percent Incr (Decr)
<u>Revenues</u> <i>35% of Combined</i>			
Sales Tax	391,684	418,383	6.82%
Washington County Eco. Dev. Contribution	50,000	50,000	0.00%
Lease of Land - Hay Production	3,309	2,849	-13.90%
Lease of Land - Irby	-	114,479	F
Sale of Land	127,460	309,017	E
Dentention Pond Contributions	11,890	27,302	E
Interest	224	21,365	9437.79%
	584,567	943,394	61.38%
<u>Expenditures</u>			
Economic Development Operations	142,068	165,542	16.52%
Economic Development Incentives	-	-	
Economic Dev. Programs & Partnerships-Main Street	19,187	18,500	D
Lawn Maintenance	3,925	2,500	-36.31%
Services - Street Lights Electrical	3,525	2,962	-15.97%
Legal Fees	1,349	5,313	293.85%
Notes Payable to City - Principal & Interest	111,265	112,789	C
Total Expenditures	281,319	307,606	9.34%
Revenues Over (Under) Expenditures from Operations	303,248	635,788	
<u>Other Financing Sources (Uses)</u>			
Repayments to Recreation for FY20 Internal Transfer	(42,047)	(42,047)	A
Traffic Signal Costs @ Hwy 290 Feeder	-	-	
Total Other Financing Sources (Uses)	(42,047)	(42,047)	
Total Surplus (Deficit)	261,201	593,741	
Beginning Fund Balance	402,557	1,223,440	
Ending Fund Balance	663,758	1,817,181	

A - Year 3 of 10 - Repayment of Internal Transfer (Loan) from Recreation for construction of detention ponds.

B - Year 4 of 10 - Repayment of Internal Transfer (Loan) from Recreation for construction of detention ponds.

C - Notes Payable to the City consist of:

2010 Note Payable - \$1M for SWIP III (Weige tract) 122 acre land purchase; matures 9/1/2029; remaining principal balance \$468,137, approx. \$360,000 accrued interest balance.

2017 Note Payable - \$500,000 for SWIP IV (Gurrech tract) 44.9 acre land purchase; matures 8/15/2026; remaining principal balance \$265,000

D - The following payments have been made for Main St. Economic Development Partnerships/Programs:

\$	7,500	Brenham Heritage Museum	Main St. EIIG Grant Match
	7,500	Top Floor Cars	Main St. EIIG Grant Match
	3,500	Brenham Heritage Museum	Main St. Incentive Grant Match
	\$ 18,500		

E - Land Sales & Detention Pond Contributions

	Detention Pond		
Sale of Land	Contributions	Total Proceeds	
\$ 309,017	\$ 27,302	\$ 336,319	Sale of 6.413 acres in BBC to Capital Westview Partners in Dec. 2022.

F - Lease signed in Aug. 2022 with Irby Construction Company for the lease of 28.67 acres of land, terminates Aug. 2023.

BRENHAM COMMUNITY DEVELOPMENT CORPORATION
RECREATION
YEAR TO DATE PRO FORMA PERFORMANCE
FOR THE QUARTERS ENDING MARCH 31, 2022 AND 2023

	<u>YTD Actual</u> <u>3/31/2022</u>	<u>YTD Actual</u> <u>3/31/2023</u>	<u>Percent</u> <u>Incr (Decr)</u>
<u>Revenues</u> <i>65% of Combined</i>			
Sales Tax	694,214	743,892	7.16%
Interest	416	39,674	9437.10%
	<u>694,630</u>	<u>783,566</u>	12.80%
<u>Expenditures</u>			
Aquatic Center Replace Metal Furniture	39,151	-	
Aquatic Center Seal Exterior Brick	27,164	25,424	
Aquatic Center Competition & Therapy Pool Lighting	-	27,741	
Aquatic Center Leisure Pool Sand Filter	-	12,195	
Aquatic Center Refurbish Mini Playscape	-	9,800	
Aquatic Center Aflex Inflatables	-	16,007	
Kenjura Field - Replace Scoreboard	20,781	-	
Henderson Park - Paint Iron Bridges	66,663	100,000	
Henderson Park - Resurface Korth & Fink Fields	30,642	-	
Fireman's Park - Refurbish Skate Park Equipment	-	25,890	
Linda Anderson Park - Resurface Parking Lot	80,382	-	
Shulte & Henderson Fields - Turf Home Plates	13,920	-	
Brenham Family Park - Infrastructure Costs	265,000	-	
Total Expenditures	<u>543,703</u>	<u>217,057</u>	
Revenues Over (Under) Expenditures from Operations	150,927	566,509	
<u>Other Financing Sources (Uses)</u>			
Repayments to Recreation for FY20 Internal Transfer	42,047 A	42,047 B	
Total Other Financing Sources (Uses)	<u>42,047</u>	<u>42,047</u>	
Total Surplus (Deficit)	<u>192,974</u>	<u>608,556</u>	
Beginning Fund Balance	873,846	1,305,310	
Ending Fund Balance	<u><u>1,066,820</u></u>	<u><u>1,913,866</u></u>	

A - Year 3 of 10 - Repayment of Internal Transfer (Loan) from Recreation for construction of detention ponds.

B - Year 4 of 10 - Repayment of Internal Transfer (Loan) from Recreation for construction of detention ponds.

BRENHAM COMMUNITY DEVELOPMENT CORPORATION
CAPITAL PROJECTS FUND
AS OF MARCH 31, 2023

<u>Funds Available</u>	Budget	Actual to Date
Brenham Family Park		
FY14 Transfer from BCDC - Brenham Family Park Infrastructure Costs	657,000	657,000
FY14 Transfer from BCDC - Brenham Family Park Title Policy Costs	6,877	6,877
FY15 Contribution from Developer - Road Construction	735,044	735,044
FY17 Transfer from BCDC - Brenham Family Park Master Plan	46,442	46,442
FY19 Transfer from BCDC - Brenham Family Park Grant Match	500,000	500,000
FY21 Transfer from BCDC - Archaeological Study & Add'l Engineering	106,030	106,030
FY21 Transfer from BCDC - Environmental Assessment	17,500	17,500
FY22 Transfer from BCDC - Brenham Family Park Infrastructure Costs	265,000	265,000
Sub Total - Brenham Family Park	2,333,893	2,333,893
Interest Income	37,970	37,970
Total Funds Available	2,371,863	2,371,863
<u>Use of Funds</u>		
Brenham Family Park		
FY14 Land - Title Policy	6,877	6,877
FY15 Road construction to cul de sac - 25% City / 75% Kruse	967,743	967,743
FY15 City Reimb of J&C road construction invoices paid by Developer	17,601	17,601
FY15 Gessner Engineering - soil testing - 25% City / 75% Kruse	12,315	12,315
FY17/FY18 Jones & Carter - Park Master Plan	46,442	46,442
FY21 Archaeological Survey	18,732	18,732
FY21 Environmental Assessment - Wild Associates	24,000	24,000
FY21 Geotechnical Engineering - Terracon Consultants	20,200	20,200
FY21 Jones & Carter/Quiddity - Phase 1(a) Engineering - grant match portion	158,000	144,837
FY21 Jones & Carter/Quiddity Phase 1(a) Engineering	94,500	-
Creek crossing/Dam (Pond Contribution)	225,000	44,513
Road extension to new park	72,000	-
Water line materials	71,452	-
Sewer line materials	30,000	-
Construction expenses related to TPW Grant Match for Phase I(a)	607,000	-
Sub Total - Brenham Family Park	2,371,863	1,303,260
Total Uses	2,371,863	1,303,260
Fund Balance	-	1,068,602