

AGENDA

Special Called
Commissioners Meeting
September 10, 2012
7:00 P.M.-City Hall
501 Sheppard Road
Burkburnett, Texas 76354

Item 1. Mayor: Call meeting to order.

Item 2. Mayor to close the special called meeting and open the "Budget Hearing" to discuss the Fiscal Year 2012-2013 City Operating Budget.

Item 3. Mayor to close the Budget Hearing and re-open the special called Commissioners meeting.

Item 4. Discuss and take any action necessary for any changes to the proposed Fiscal Year 2012-13 City Operating Budget.

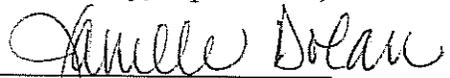
Item 5. Resolution Number 533. A resolution authorizing an economic incentive agreement between the Burkburnett Development Corporation and Southern Star, Inc., 2nd and final reading.

Item 6. City Manager's report.
A. Budget Status

Item 7. Council Comments.

Item 8. Adjournment.

I, Janelle Dolan, City Clerk for the City of Burkburnett, Texas do hereby certify that I posted this agenda on the glass front door of the City Hall, facing the outside at 10:00 a.m. Friday, September 7, 2012 in compliance with the Open Meeting Act Chapter 551.


Janelle Dolan, City Clerk
Posted 9/7/2012 @ 10:00 am

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (940) 569-2263 for further information.



Board of Commissioners Agenda Memo

From: Tim James, P.E. – City Manager

Date: September 10, 2012

Item: Discuss and take any action necessary on Resolution 533

Background

The BDC met on August 14th and recommended economic development incentives for Southern Star, Inc. in the amount of \$55,000. The agreement will require two readings. This represents the second reading.

Fiscal Impact

The funds for the agreement would be provided through the BDC budget.

Options

- Approve the economic development incentive with Southern Star, Inc.
- Recommend alternate incentives
- Take no Action

Staff Recommendation

Staff recommends that the Commission approve the economic development incentives with Southern Star, Inc.

Attachments

- Resolution 533

RESOLUTION NUMBER 533

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AUTHORIZING AN ECONOMIC INCENTIVE AGREEMENT BETWEEN THE BURKBURNETT DEVELOPMENT CORPORATION AND SOUTHERN STAR, INC OF BURKBURNETT PROVIDING FOR ECONOMIC INCENTIVES IN RETURN FOR THE EXPANSION AND RETENTION OF BUSINESS ENTERPRISES WITHIN BURKBURNETT, TEXAS.

WHEREAS, the Burkburnett Development Corporation (the "BDC") is a Type B economic development corporation created by the City of Burkburnett, Texas (the "City"), which has a population of less than 20,000; and

WHEREAS, the BDC has proposed entering into an agreement with Southern Star, Inc of Burkburnett wherein the BDC will convey to Southern Star, Inc of Burkburnett property located at 1 Commerce Drive, Burkburnett, Texas 76354 (Lot 1, Block 2, Burkburnett Development Corporation, an Addition to the City of Burkburnett, Wichita County, Texas), which represents an economic incentive package worth \$55,000.00 provided for the expansion of business within Burkburnett, Texas, the terms of which are more specifically described below; and

WHEREAS, Southern Star, Inc estimates it will construct and complete improvements to the subject property, relocate and begin operations as soon as possible, no later than 12 months from the date of this resolution, and will maintain twenty five (25) or more jobs each year at such location; and

WHEREAS, this resolution has been given two readings before the Board of Commissioners: one on August 20, 2012 and another on the date this resolution was approved; and

WHEREAS, this resolution was approved in a meeting, which was open to the public and preceded by proper notice as required by Chapter 551 of the Texas Government Code;

NOW, THEREFORE, be it

RESOLVED, that the BDC is hereby authorized to enter into *an agreement* with Southern Star, Inc. of Burkburnett to provide \$55,000.00 in economic incentives, by conveying title to 1 Commerce Drive, Burkburnett, Texas 76354 (Lot 1, Block 2, Burkburnett Development Corporation, an Addition to the City of Burkburnett, Wichita County, Texas), to Southern Star Inc. of Burkburnett, for which Southern Star of Burkburnett shall execute a Promissory Note for the principle sum of Fifty Five Thousand and no/100 (\$55,000.00), which shall be secured by a Deed of Trust. Said Note shall bear interest at the rate of 0% per annum and shall be paid in five (5) years; provided, however, that the BDC shall apply a credit of \$11,000.00 per year on the principle of the Note for each year that Southern Star, Inc. of Burkburnett shall maintain twenty-five or more jobs at such location. Southern Star, Inc. of Burkburnett shall submit to an annual audit by the BDC for the purpose of assessing compliance with this agreement. In the event that Southern Star, Inc. of Burkburnett is found not to have maintained the requisite jobs in any one year, it shall have the election of paying \$11,000.00 in principal reduction within thirty (30) days of said audit or the BDC shall accelerate and call the Note due in order to foreclose on said property; and

BE IT FURTHER RESOLVED that the officers of the City are hereby authorized and directed to take such action as may be reasonably necessary to carry this resolution into effect.

First reading on August 20, 2012.

APPROVED on this the 10th day September, 2012, Second and Final Reading.

Carl Law, Mayor

Janelle Dolan, City Clerk