

Agenda Item Details

Meeting	Nov 14, 2019 - Bryan City Council Special Meeting
Category	4. Statutory (Automatic Approval) Agenda - This agenda consists of items previously approved by Council action such as adoption of items that are part of an approved budget or capital improvement projects, first and only readings of ordinances, interlocal agreements, or action that is required by law or delegated to the City Manager. Items may be removed from the statutory agenda for separate consideration at the request of two Councilmembers
Subject	C. Adoption of a resolution of the City Council of the City of Bryan, Texas, consenting to the issuance of a tax exempt note by Mart Cultural Facilities Corporation for the Heart Of Texas Goodwill Industries, Inc.
Type	Action (Statutory)
Preferred Date	Nov 18, 2019
Absolute Date	Nov 18, 2019
Budgeted	No
Goals	Service

Summary:

The Heart of Texas Goodwill Industries, Inc. ("Goodwill"), wants to finance the construction and equipment for an approximately 25,000 square foot building located at 2710 Boonville Road, Bryan, Texas, to be used as a Goodwill store, job connection center, and a donation/processing center. Goodwill plans to finance the project in part through the issuance of a tax exempt note to be issued by the Mart Cultural Facilities Corporation (the "Mart Corporation"), in an aggregate maximum principal amount not to exceed \$5,000,000. On November 12, 2019, at 3:00 p.m., at the Bryan Goodwill facility at 2600 Texas Avenue, Bryan, Texas, Goodwill will have held the required public hearing regarding the financing.

State and federal regulations require that such a note be approved by the jurisdictions in which the project is located. Goodwill has requested the City's approval with regard to the issuance of the Note solely for the purpose of satisfying (i) the provisions of Section 147(f) of the Internal Revenue Code of 1986 as amended (which requires for tax purposes that the Note be approved by a jurisdiction in which the Project is located) and the requirements of Section 221.030(a)(1)(B) of the Texas Health and Safety Code (which requires the permission of the City for the Mart Corporation to exercise its powers for a project located within the City).

The City of Bryan will have no liability for either the project or repayment of the loan. Additionally, the approval sought is solely for the tax exempt loan and is not related to zoning, building permits, or any other form of approval the City of Bryan may require related to the construction of the Goodwill project. The Goodwill loan also will have no impact on Bryan's ability to issue tax exempt bonds.

Goodwill will request separate approval from Brazos County.

Staff Analysis and Recommendation:

Staff recommends approving the resolution, which provides consent to the issuance of a tax exempt note by Mart Cultural Facilities Corporation for the Heart Of Texas Goodwill Industries, Inc.

Options:

1. Approve the resolution
2. Do not approve the resolution

Attachments:

1. Resolution authorizing the financing
2. Document from attorneys for Goodwill requesting City of Bryan approval for the financing
3. Notice of Public Hearing associated with the financing

[Resolution - Heart of Texas Goodwill 2019.pdf \(19 KB\)](#)

[GOODWILL 2019 - Memo to Bryan City Council.pdf \(170 KB\)](#)

[GOODWILL 2019 - Notice of Public Hearing.pdf \(88 KB\)](#)