

Agenda Item Details

Meeting	Mar 05, 2024 - Bryan City Council Second Regular Meeting
Category	6. 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	E. Approval of a Chapter 380 Economic Development Agreement between the City of Bryan and Cimarron, L.L.C., for a mixed use development at the intersection of Hardy Weedon Road and State Highway 30 in southeast Bryan
Type	Action (Statutory)
Preferred Date	Mar 05, 2024
Absolute Date	Mar 05, 2024
Fiscal Impact	Yes
Dollar Amount	815,000.00
Budgeted	No
Budget Source	Fund 515 and Future Ad Valorem
Goals	Economic Development Infrastructure

Summary:

The City of Bryan was approached by Cimarron, LLC (Developer) who owns approximately 102 acres located at Hardy Weedon Road and State Highway 30 in southeast Bryan. The Developer is requesting assistance from the City of Bryan to access public sewer for a mixed-use development at this location.

Tri-party discussions with the Developer, the City of Bryan, and the City of College Station to acquire public sewer to the development have been on-going for approximately two (2) years. The public sewer service in this part of Bryan is provided by the City of College Station; therefore, both the Developer and the City of Bryan need City of College Station approvals to finalize the design and construction of the lift station.

The City of College Station has approved the plans for this lift station and the associated sewer infrastructure for the development. The proposed lift station, as designed, will serve a larger area than the 102-acre development site. The additional area located in the City of Bryan but outside the limits of the development is eligible for oversize participation from the City of Bryan.

The Developer also is requesting assistance with the construction of the lift station through a reimbursement based on the increase of ad valorem for this mixed-use development.

The proposed structure of the Chapter 380 Economic Development Agreement is set as a not to exceed amount of \$815,000 (\$200,000 oversized participation, \$615,000 reimbursable) and is proposed to be distributed as follows:

- \$200,000 upon completion and acceptance of the public lift station (oversize participation portion)
- Annual payments based on increased ad valorem tax value on the proposed mixed-use development and actual taxes collected by the City of Bryan. The Developer may receive 50 percent of the taxes collected.
- The Developer is responsible for the minimum tax base increases for the years 2025 through 2029 as follows:
 - 2025 - \$12,000,000
 - 2026 - \$24,000,000
 - 2027 - \$36,000,000
 - 2028 - \$48,000,000
 - 2029 - \$60,000,000
- There will be no annual payment if a benchmark is not met
- The term of the Agreement is until December 31, 2029
- If the Agreement is terminated because of the inability of the Developer to cure a breach of the Agreement, the Developer must repay any portion of the incentive they received up to that point in time.

Staff Analysis and Recommendation:

Staff recommends the City Council approve the Chapter 380 Economic Development Agreement in order to prepare for the continuing growth of the southeast side of Bryan and to ensure services are available to allow for denser development for a mix of both residential and commercial uses.

Options:

1. Approve the Chapter 380 Economic Development Agreement
2. Modify the Chapter 380 Economic Development Agreement, which may require future consideration by the City Council
3. Do not approve the Chapter 380 Economic Development Agreement

Attachments:

1. Cimarron, LLC Chapter 380 Economic Development Agreement

[Cimarron 380 Agreement signed CDS 2.19.24.pdf \(3,344 KB\)](#)