

NOTICE OF MEETING
CITY OF GIDDINGS CITY COUNCIL
Municipal Bldg., Council Chamber,
118 E. Richmond St., Giddings, Texas

SPECIAL MEETING

Monday, December 15, 2014 – 5:30 P.M.

AGENDA

- I. Call to order
- II. Pledges to the US and Texas Flags
- III. Invocation & Welcome
- IV. Citizens' Comments
- V. Consent Agenda
 - a) Minutes of Regular Meeting held November 10, 2014.
- VI. New Business
 - a) Discuss request for water and sewer taps outside the city limits at 1004 Kay Street (Blk 4, Lot 20); and take action on same.
 - b) Discuss name for Industrial Park and entrance road into the park; and take action on same.
 - c) Discuss Resolution No. 321-2014 and Certificate for Resolution approving expenditure of up to \$2,500,000 by the GEDC for infrastructure and maintenance improvements for 290 Industrial Park; and take action on same.
 - d) Executive Session regarding GEDC real property, in accordance with Open Meetings Act, Government Code, Section 551.072.
 - e) Executive Session regarding Economic Development negotiations, in accordance with Open Meetings Act, Government Code, Section 551.087.
 - f) Action on Executive Session item (agenda item d).
 - g) Action on Executive Session item (agenda item e).
- VII. Adjournment

NOTE: City Council may go into executive/closed session on one or more of the above agenda items, in accordance with the Open Meetings Act, Government Code, Chapter 551.

I, the undersigned authority, do hereby certify that the above Notice of Meeting for the City of Giddings is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, in the City of Giddings City Hall, a place convenient and readily accessible to the general public at all times, and said Notice was posted on Friday, December 12, 2014 at 4:13p.m. and remained so posted continuously for at least 72 hours preceding the schedule time of said Meeting.

By:

Jessica Graefe
Jessica Graefe, City Secretary



City Council

Regular Meeting

December 8, 2014

The following were present: Mayor John Dowell; Mayor Pro Tem Fred Jones; Council Members Alan Casey, Linda Pruitt, and Doug Gaeke; City Attorney Charlie Crossfield, City Manager Ricky Jorgensen, and City Secretary Jessica Graefe. Absent: Council Member Joel Lopez (excused).

I. Call to Order

Mayor Dowell called to order the meeting of the City Council at 7:00 p.m. on Monday, December 8, 2014, at the Giddings Municipal Building.

II. Pledges to the US and Texas Flags

Pledges were said.

III. Invocation & Welcome

Council member Alan Casey gave the invocation and Mayor Dowell welcomed the visitors.

IV. Citizen's Comments

No comments.

V. Consent Agenda

Mayor Pro Tem Fred Jones moved to approve the consent agenda. The motion was seconded by Council Member Linda Pruitt.

Motion carried by the following vote:

AYE: four

NAY: none

a) Minutes of Regular Meeting held November 10, 2014.

VI. New Business

a) Mayor Pro Tem Fred Jones moved to approve the 2015 Holiday schedule as presented. The motion was seconded by Council Member Alan Casey.

Motion carried by the following vote:

AYE: four

NAY: none

New Year's Day	Thursday, January 1
Martin Luther King Jr. Day	Monday, January 19
President's Day	Monday, February 16
Good Friday	Friday, April 3
Memorial Day	Monday, May 25
Independence Day	Friday, July 3
Labor Day	Monday, September 7
Veteran's Day	Wednesday, November 11
Thanksgiving 2-days	Thursday, November 26 & Friday, November 27
Christmas 2-days	Thursday, December 24 & Friday, December 25

- b) Denise Harlan, Chamber of Commerce Director presented the quarterly report regarding use of Hotel/Motel Tax Revenue funds. (No action needed)
- c) Council Member Alan Casey moved to approve the current city attorney law firm (Sheets & Crossfield, PC) to also represent GEDC effective January 1, 2015. The motion seconded by Mayor Pro Tem Fred Jones.

Motion carried by the following vote:

AYE: four

NAY: none

- d) Council Member Alan Casey moved to accept James Parkers resignation from the GEDC board. The motion seconded by Council Member Doug Gaeke.

Motion carried by the following vote:

AYE: four

NAY: none

- e) Mayor Dowell opened the discussion for nominations to the GEDC board vacancy.

Mayor Pro Tem Fred Jones expressed his interest. The motion was seconded by Council Member Alan Casey.

Motion carried by the following vote:

AYE: four

NAY: none

- f) The need for a lift station with 2 or 3 pumps was discussed along with the cost for the GEDC project. (no action was taken)

- g & h) Mayor John Dowell called Council, City Manager, EDC Board President John Simmang, EDC Director Tonya Britton, and City Attorney into Executive Session at 7:39 p.m., regarding GEDC request to purchase real property, in accordance with the Texas Government Code, Section 551.072 and Economic Development negotiations, in accordance with the Texas Government

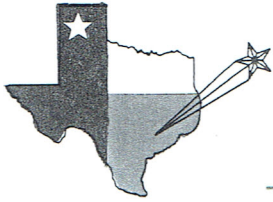
Mayor Dowell reconvened the open session at 8:45 p.m., and stated that no action was taken.

- i & j) No action is taken.

VII. Adjournment

Mayor Dowell adjourned the meeting at 8:46 p.m.

Minutes submitted by: Jessica Graefe, City Secretary



CITY OF GIDDINGS

118 E. RICHMOND STREET, GIDDINGS, TX 78942

979 540-2710 FAX 979 542-0950

REQUEST FOR UTILITY SERVICE Outside City Limits

DATE: 12-8-2014

I, Florencio Segura, hereby request the following:
(Printed Name)

P.O. Box 1052 Giddings TX 78942
(Mailing Address)

3/4 INCH WATER TAP # ✓

4 INCH SEWER TAP # ✓

Utility service(s) request is for ☒ RESIDENTIAL or ☐ COMMERCIAL use at the following location:
(Describe location and give 911 address, if available. Also, if for commercial use state type of business)

1004 Kay St Giddings TX 78942 BIK 4 Lot 20

The utility service is requested for property located outside the city limits of the City of Giddings.

- ATTACH A COPY OF RECORDED DEED TO PROPERTY AND A COPY OF RECORDED SUBDIVISION PLAT TO THIS APPLICATION
- ATTACH A COPY OF APPROVED LEE COUNTY ON-SIGHT SEWAGE DISPOSAL APPLICATION

I agree to pay all required fees and charges for the requested service(s), as set forth by the City of Giddings, Texas. All tap fees and deposits shall be paid prior to tap(s) being made. I understand that in order to receive city utility service, the residential or commercial facility for which I have requested utility service shall be in compliance with all City of Giddings Code of Ordinances. I agree that the City of Giddings may enter this property to access utility service equipment.

Florencio Segura
(Signature of Applicant)

457-87-8458
(Applicant Social Security #)

Applicant Driver's License #: 04612440

Applicant Phone Number(s): Home: 979-916- Cell: 979-716-2095

|||||

DIRECTOR OF PUBLIC WORKS - APPROVAL: ✓ Yes ☐ No

CODE COMPLIANCE OFFICE APPROVAL: ✓ Yes ☐ No

CITY OF GIDDINGS COUNCIL ACTION

Date: _____ Request GRANTED _____ Request DENIED _____

Janice Gage
City Secretary

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS
COUNTY OF LEE

WARRANTY DEED

DATE: February 25th, 2009

GRANTOR: Elizabeth Wolfe, Individually; and Elizabeth A. Wolfe as Trustee of the Crew Trust

GRANTOR'S MAILING ADDRESS: 8323 Vintage Creek, Spring, Lee County, Texas 77379

GRANTEE: Florencio Segura, a single person

GRANTEE'S MAILING ADDRESS: P. O. Box 1052, Giddings, Lee County, Texas 78942

CONSIDERATION:

Ten Dollars (\$10.00) cash and other good and valuable consideration, the receipt of which is acknowledged.

PROPERTY:

Being Lot Numbers Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), and Twenty (20), Block Number Four (4), Shady Oaks Estates, a subdivision located in Lee County, Texas, as shown on plat of said subdivision of record on Slide 39-B, Plat Records of Lee County, Texas. **SAVE AND EXCEPT:** A portion of Lot Number Seventeen (17), more particularly described by metes and bounds on Exhibit "A" consisting of 1 page attached hereto and made a part hereof for all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; taxes for the current year, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

No responsibility for validity of real estate title assumed by attorney preparing this instrument unless a written title opinion rendered.

EXECUTED this 25th day of February, 2009.

ACCEPTED:

Florencio Segura
Florencio Segura

STATE OF TEXAS
COUNTY OF Harris

This instrument was acknowledged before me on the 25th day of February, 2009, by Elizabeth Wolfe.



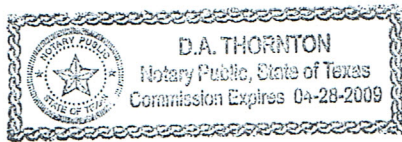
D.A. Thornton
Notary Public, State of Texas

Notary's name (Printed):

D.A. Thornton
Notary's commission expires: 4-28-09

STATE OF TEXAS
COUNTY OF Harris

This instrument was acknowledged before me on the 25th day of February, 2009, by Elizabeth A. Wolfe in her capacity as Trustee of the Crew Trust, on behalf of said trust.



D.A. Thornton
Notary Public, State of Texas

Notary's name (Printed):

D.A. Thornton
Notary's commission expires: 4-28-09

STATE OF TEXAS
COUNTY OF Lee

This instrument was acknowledged before me on the 27 day of February, 2009, by Florencio Segura.



Kathy Garza
Notary Public, State of Texas

Notary's name (Printed):

Notary's commission expires: _____

PREPARED IN THE LAW OFFICE OF:

Mark M. Humble
P. O. Drawer 1107
Cameron, Texas 76520
254/697-3454

CERTIFICATE FOR RESOLUTION

STATE OF TEXAS §

COUNTY OF LEE §

We, the undersigned officers of the City Council of the City of Giddings, Texas, hereby certify as follows:

1. That the City Council of the City of Giddings, Texas (the "City"), convened in regular session on the _____ day of _____, 2014, at the regular meeting place thereof, within the Giddings City Hall, and the roll was called of the duly constituted officers and members of the City Council and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GIDDINGS,
TEXAS APPROVING THE EXPENDITURE OF UP TO \$2,500,000 BY
THE GIDDINGS ECONOMIC DEVELOPMENT CORPORATION FOR
THE PROVISION OF CERTAIN INFRASTRUCTURE OF THE 290
INDUSTRIAL PARK AND MAKING CERTAIN FINDINGS RELATED
THERETO**

was duly introduced for the consideration of the City Council and read in full. It was then duly moved and seconded that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

AYES: _____

NOES: _____

2. A true, full and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Resolution has been duly recorded in the official minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the official minutes of said meeting pertaining to the adoption of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that the Resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551 of the *Texas Government Code*, as amended.

SIGNED on the _____ day of _____, 2014.

City Secretary

Mayor

(SEAL)

RESOLUTION NO. 321-2014

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GIDDINGS,
TEXAS APPROVING THE ISSUANCE OF BONDS BY THE GIDDINGS
ECONOMIC DEVELOPMENT CORPORATION AND MAKING
CERTAIN FINDINGS RELATED THERETO**

WHEREAS, the City of Giddings, Texas (the ACity@) has caused to be created the Giddings Economic Development Corporation (the ACorporation@) pursuant to the provisions of Article 5190.6, Section 4B Tex. Rev. Civ. Stat. (now Chapter 505 of the *Texas Local Government Code*, being the AAct@); and

WHEREAS, the Corporation desires to issue its \$2,500,000 Giddings Economic Development Corporation Economic Development Bonds, Series 2014 (the ABonds@), to pay for the Project (as defined below); and

WHEREAS, solely for satisfying the requirements of the Act, and for no other purposes whatsoever, the City is willing to approve the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Giddings, Texas:

1. That the above recitals are true and correct.
2. That the City hereby approves (i) the Resolution of the Corporation authorizing issuance of the Bonds; (ii) the use of the proceeds of the Bonds to finance the Project; and (iii) the Project.
3. That the purpose of the Bonds is to provide funds for purchase of approximately 155 acres of land to be purchased by the Corporation for use as an industrial park, and to install roads and other infrastructure (with the land and such infrastructure being the AProject@) and to pay the cost of professional services incurred in connection therewith, all as allowed by the Act.
4. That the amount of the Bonds shall be \$2,500,000.
5. THAT THE BONDS ARE NOT A LIABILITY OF THE CITY, AND THE CITY SHALL HAVE NO RESPONSIBILITY FOR PAYMENT OF THE BONDS.
6. That it is officially found and determined that this approval is given solely to satisfy the requirements of the Act and for no other purpose whatsoever. In particular, the City shall have no liability whatsoever in regard to the Bonds, it being understood that the Bonds are solely the obligation of the Corporation and not the obligation of the City.

Adopted on this _____ day of _____, 2014.

CITY OF GIDDINGS, TEXAS

By: _____
Its Mayor

ATTEST:

By: _____
City Secretary

RESOLUTION NO. 321-2014

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GIDDINGS, TEXAS
APPROVING THE EXPENDITURE OF \$2,50,000 BY THE GIDDINGS
ECONOMIC DEVELOPMENT CORPORATION FOR INFRASTRUCTURE
IMPROVEMENTS TO THE 290 INDUSTRIAL PARK AND MAKING
CERTAIN FINDINGS RELATED THERETO

WHEREAS, the City of Giddings, Texas (the "City") has caused to be created the Giddings Economic Development Corporation (the "Corporation") pursuant to the provisions of Chapter 505 of the Texas Local Government Code, being the ("Act"); and

WHEREAS, the Corporation desires to expend up to \$2,500,000 to pay for certain water, wastewater, roadway and other infrastructure improvements to the 290 Industrial Park; and

WHEREAS, solely for satisfying the requirements of the Act, and for no other purposes whatsoever, the City is willing to approve said expenditures;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Giddings, Texas:

1. That the above recitals are true and correct.
2. That the City hereby approves the expenditure of up to \$2,500,000 for certain water, wastewater, roadway and other infrastructure improvements to the 290 Industrial Park.
3. To pay for maintenance and operating cost.

That it is officially found and determined that this approval is given solely to satisfy the requirements of the Act and for no other purpose whatsoever. In particular, the City shall have no liability whatsoever in regard to the expenditures, which will be solely the liability of the Corporation..

Adopted on this ____ day of _____, 2014.

CITY OF GIDDING, TEXAS

By: _____
John Dowell, Mayor

ATTEST:

By: _____
Jessica Graefe, City Secretary

Budget vs Actual Scenario 1 - Includes only water bore under Hwy 290 (O'Malley's Water Probable Costs)						
Land Purchase & Financing	Projected	Incurred	Difference (\$)	Difference (%)	Actual Expended	Comments
Mittasch Estate	\$1,500,000.00	\$1,672,706.00	-\$172,706.00	-11.51%	\$1,672,706.00	
Union Pacific	\$0.00	\$33,730.00	-\$33,730.00		\$33,730.00	
Loan Interest Commitment (Over 15 year	\$730,882.07	\$730,882.07	\$0.00	0.00%	\$0.00	Paid over 15 year life of loan
Appraisal	\$2,500.00	\$2,500.00	\$0.00	0.00%	\$2,500.00	
U.P. Survey	\$0.00	\$2,432.00	-\$2,432.00		\$2,500.00	
Mittasch Estate Survey	\$6,300.00	\$6,300.00	\$0.00	0.00%	\$6,500.00	
Bond Attorney & Attorney General Fees	\$7,000.00	\$7,000.00	\$0.00	0.00%	\$7,000.00	
GEDC Attorney Fees (Real Estate Negoti	\$0.00	\$5,530.00	-\$5,530.00		\$5,530.00	ide \$3,000 in regular mtg fees
Estate Taxes	\$316.93	\$316.93	\$0.00	0.00%	\$0.00	
Development	Projected	Incurred	Difference (\$)	Difference (%)	Actual Expended	Comments
Centerpoint Energy Installation	\$1,500.00		\$1,500.00	100.00%		
BEFCO Phase I Onsite Infrastructure	\$1,400,000.00			0.00%		Phase I Paving, Drainage and Utilities (Construction Costs)
TXDOT Donation Agreement	\$9,788.00	\$9,788.00	\$0.00	0.00%	\$9,788.00	
TXDOT Donation Agreement Indirect	\$2,500.00	\$2,500.00	\$0.00	0.00%	\$2,500.00	
BEFCO Driveway Permit Acquisition	\$14,050.00	\$11,400.00	\$2,650.00	18.86%	\$11,400.00	
BEFCO Donation Agreement	\$472.50	\$472.50	\$0.00	0.00%	\$472.50	
BEFCO Donation Agreement	\$420.00	\$420.00	\$0.00	0.00%	\$420.00	
BEFCO Misc Meetings - thru Aug 2	\$1,732.50	\$1,732.50	\$0.00	0.00%	\$1,732.52	
BEFCO Misc Meetings - thru Aug 30	\$1,837.50	\$1,837.50	\$0.00	0.00%	\$1,837.50	
BEFCO Misc Meetings - thru Oct 4	\$315.00	\$315.00	\$0.00	0.00%	\$787.50	
BEFCO Misc Meetings - thru Nov 1	\$787.50	\$787.50	\$0.00	0.00%	\$315.00	
BEFCO Construction Cost Estimate	\$3,500.00	\$3,500.00	\$0.00	0.00%	\$3,500.00	
BEFCO Phase I Environmental Site Asses	\$3,250.00	\$3,250.00	\$0.00	0.00%	\$3,250.00	
BEFCO Meetings - Projected	\$6,000.00					
BEFCO Phase I Design	\$50,000.00					Contingency & Engineering
Traffic Engineering Analysis	\$23,950.00		\$23,950.00	100.00%		
O'Malley's - Sewer Probable Costs	\$378,700.00					Includes \$250,000 Lift Station
BEFCO Electrical Services	\$40,000.00		\$40,000.00	100.00%		
Topo Survey	\$17,000.00	\$6,300.00	\$10,700.00	62.94%		
Geotech Engineering Investigation	\$5,150.00		\$5,150.00	100.00%		
Utility Coordination	\$3,000.00		\$3,000.00	100.00%		
Subdivision Platting	\$7,500.00		\$7,500.00	100.00%		
FT TXDOT Inspector Deceleration & Light			\$0.00			Construction-related Expense
TXDOT Req'd Environmental Assessment	\$7,500.00		\$7,500.00	100.00%		In addition to ESA already performed. Req'd to obtain permit
Telecom			\$0.00			
O'Malley's - Water Probable Costs ?	\$880,000.00					
Legal Fees - Projected	\$10,000.00		\$10,000.00	100.00%		
Park Lights and Installation ¹						Unknown
Park Entrance Signage						Unknown
Total Expenses	\$5,115,952.00	\$ 2,503,700.00	\$111,950.00	2.19%	\$1,766,469.02	

Actual Expended (By Category)

Land: \$2,461,397

Development: \$36,003

Additional commitment of \$275,000 Cash Incentive currently under consideration

1. Bluebonnet electric reports that bringing 3 Phase overhead into the park will cost approximately \$10 per linear foot. Underground utilities will cost about \$27 per linear foot, for approximately 3,600 feet.