

**CITY OF SEABROOK  
RESOLUTION NO. 2022-28**

**EDC PROJECT DESIGNATION FOR TRANSWESTERN DEVELOPMENT COMPANY, L.L.C., AFFILIATE, TDC BAYPORT GP, L.P., AND APPROVAL OF EDC EXPENDITURES FOR PROMOTION OF NEW BUSINESS FOR CONSTRUCTION OF A WAREHOUSE LOCATED AT 5803 OLD HIGHWAY 146, PURSUANT TO ECONOMIC DEVELOPMENT AGREEMENT**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, APPROVING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE BUSINESS INCENTIVES TO TRANSWESTERN DEVELOPMENT COMPANY, L.L.C., AFFILIATE TDC BAYPORT GP, L.P., IN AN AMOUNT NOT TO EXCEED \$50,000 FOR PROMOTION OF NEW RETAIL BUSINESS FOR CONSTRUCTION OF A WAREHOUSE LOCATED AT 5803 OLD HIGHWAY 146, PURSUANT TO THE TERMS AND CONDITIONS OF THE “ECONOMIC DEVELOPMENT AGREEMENT”, ATTACHED HERETO**

**WHEREAS**, on January 18, 1992, the voters of the City of Seabrook authorized the City of Seabrook to adopt a one-half cent sales and use tax to pay for the costs of projects authorized by Section 4B of Article 5190.6, V.T.C.S., as amended, and to pay for the principal and interest of bonds or other obligations issued to pay the costs of such designated projects; and

**WHEREAS**, the Seabrook Economic Development Corporation (“EDC”) was established to oversee the expenditures of tax monies, and bylaws were established for the operation of the EDC; and

**WHEREAS**, the EDC has analyzed potential projects that will meet the enabling legislation’s purposes and assist it in attracting new businesses, expanding existing businesses, creating jobs, and assisting in other statutorily authorized economic development programs; and

**WHEREAS**, the EDC has determined to undertake a project for economic development by providing funding from EDC sales tax revenue, for construction of a 454,600 square foot Class A warehouse, and related improvements, to promote or develop new or expanded business enterprises and/or create or retain primary jobs in or near the City of Seabrook, such incentives not to exceed \$50,000, by reimbursement of referenced City permit fees, all as provided and controlled in the “Economic Development Agreement”, (“Agreement”), attached hereto and incorporated by reference, as generally authorized under Texas Local Government Code, Chapters 501, 505, including Sections 505.158, 505.302 and related provisions, and for designation as an authorized project of the EDC being submitted for City Council approval; and

**WHEREAS**, the EDC met on March 10,, 2022, and at that time took formal action to support and approve funding of incentives requested by Transwestern Development Company, L.L.C., a Delaware limited liability company and an affiliate of the owner and developer, TDC Bayport GP, L.P., for the construction on the property located at 5803 Old Highway 146, (more particularly described in Exhibit “A” referenced as the “Project Facilities” in the Agreement), of a 454,600 square foot Class A warehouse, and related improvements for an estimated improved value of \$24,000,000 after completion pursuant to the Agreement, attached hereto and incorporated by reference, (“Project”); and

**WHEREAS**, a public hearing was conducted by the EDC on April 14, 2022 to receive public input for such Project; and

**WHEREAS**, the EDC has determined to proceed with the subject Project, subject to City Council approval of the Agreement in accordance with law; and

**WHEREAS**, the City Council (“City”) desires to encourage the development or redevelopment within the city limits of the City of Seabrook, by specifically approving the EDC funding, as provided herein of Project incentives requested by Transwestern Development Company, L.L.C., a Delaware limited liability company and an affiliate of the owner and developer, TDC Bayport GP, L.P., (“Applicant”) pursuant to the Agreement, attached hereto, as approved by the EDC and submitted to City Council for final approval; and

**WHEREAS**, the City Council finds that the funding incentives by the EDC pursuant to the Agreement, as provided herein will be reasonably likely to contribute to new or expanded business enterprises and the potential of the creation or retention of primary jobs, as provided by Chapters 501 and 505 of the Texas Local Government Code;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:**

**Section 1.** That the facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

**Section 2.** That the funding through EDC sales tax revenue for this Project to assist TDC Bayport GP, L.P. for the construction of a 454,600 square foot Class A warehouse, and related improvements to promote or develop new or expanded business enterprises and/or the creation or retention of primary jobs, as provided in the Economic Development Agreement, attached hereto, is appropriate.

**Section 3.** The incentive funding by the EDC requested by Transwestern Development Company, L.L.C., a Delaware limited liability company for affiliate the owner and developer, TDC Bayport GP, L.P., LLC reimbursing City permit fees not to exceed \$50,000, as specifically provided by the “Economic Development Agreement” (“Agreement”), and as approved by the Seabrook Economic Development Corporation (“SEDC”), attached hereto and incorporated by reference, is hereby approved by the City Council of the City of Seabrook.

**ADOPTED AND APPROVED** this the 2<sup>nd</sup> day of August, 2022.

**PASSED, APPROVED, AND ADOPTED** on second and final reading this \_\_ day of \_\_\_\_\_, 2022.

CITY OF SEABROOK, TEXAS

BY: \_\_\_\_\_  
Thomas G. Kolupski  
Mayor

ATTEST:

\_\_\_\_\_  
Robin Lenio, TRMC  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven L. Weathered  
City Attorney