

**JOINT RESOLUTION 2022-09**

**JOINT RESOLUTION OF SEABROOK ECONOMIC DEVELOPMENT CORPORATION AND CITY OF SEABROOK**

**PROPOSED SEDC PROJECT – RETENTION OF AN INDEPENDENT CONSULTANT FOR UPDATE OF THE COMPREHENSIVE MASTER PLAN INCLUDED IN PROJECTS FUND BUDGET LINE ITEM 707-5617 FOR FISCAL YEAR 2021/2022**

**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 (“SEDC”) was established to oversee the expenditures of tax monies, and bylaws were established for the operation of the SEDC; and

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

**WHEREAS**, the Seabrook Economic Development Corporation (“SEDC”) met on March 10, 2022 and at that time took formal action to support and approve funding for an independent contractor for professional consulting services for the future development of the City, by updating the Seabrook Comprehensive Master Plan, a long range development tool that would include provisions on land use, economic development, transportation, and public facilities, in accordance with section 213.002 of the Texas Local Government Code, in an amount not to exceed \$115,000, (“Project”); and

**WHEREAS**, the SEDC has evaluated whether the expenditure for such Project in such amount from its economic development sales and use tax proceeds relates to promote new or expanded business development and/or the creation or retention of primary jobs, and/or related uses pursuant to the Texas Local Government Code and has determined that such funding is appropriate for such purposes; and

**WHEREAS**, the SEDC is permitted to undertake projects that include the “*land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements*” and finds that the Project will promote new or expanded business development, and that it may use such sales tax proceeds to fund the Project; and

**WHEREAS**, notice of this Project was posted on the city bulletin board on Thursday, March 24, 2022 and published in the city’s official newspaper, Thursday, March 24, 2022; and

**WHEREAS**, such publication and posting notified the public of a 60 day comment period to end on May 24, 2022 and of a public hearing to be held by the SEDC on Thursday, April 14, 2022 prior to expenditure of funds for the Project, pursuant to Section 505.159 of the Texas Local Government Code; and

**WHEREAS**, SEDC has evaluated the proposed Project for funding for its Fiscal Year 2021/2022 budget for approval and finds sufficient funds for such purpose; and

**WHEREAS**, pursuant to Texas Local Government Code Section 505.158, and prior to the SEDC funding a project involving an expenditure by the SEDC of more than \$10,000, per project, the City Council is required to adopt a Resolution authorizing the project, which Resolution shall be read by the City Council, on two separate occasions with all notice(s) and City Council determines that hearing(s) have been provided in accordance with law; and

**WHEREAS**, the City has reviewed the actions of the SEDC related to the Project noted herein, has considered and evaluated that project, has found it meets eligibility for City Council's approval and determination of a consultant for the Project within the budgeted amount;

**NOW THEREFORE, BE IT RESOLVED BY THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS AND THE CITY COUNCIL OF THE CITY OF SEABROOK:**

**Section 1.** That SEDC will undertake to establish the Project, in an amount not to exceed \$115,000, during the fiscal year 2021/2022 with funds available and as stated in its adopted budget pursuant to City Council approval.

**Section 2.** That this Project will not exceed the total approved appropriation for this Project, an amount determined necessary for inclusion in Budget Line Item 707-5617, after adoption and approval by the SEDC Board of Directors and City Council in accordance with law.

**Section 3.** That this Resolution be attached to the Fiscal Year 2021/2022 SEDC Budget, forwarded to the Seabrook City Council, including the Notice of the Project and minutes of the Public Hearing of Thursday, April 14, 2022 conducted pursuant to Section 505.159 of the Texas Local Government Code.

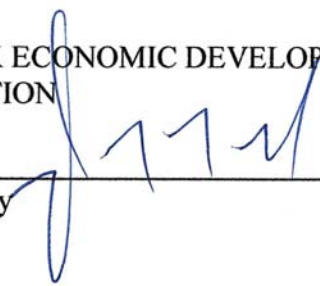
**Section 4.** That following approval of the budget for this Project by the Board of Directors, the Seabrook City Council, and publication of the statutory notice identifying this Project, that expenditures for this Project, as identified in Sections 1 and 2, be thereafter approved and allocated subject to the budget cap determined by the EDC Board of Directors and the Seabrook City Council.

**SEDC:**

PASSED, APPROVED AND ADOPTED THIS 14 DAY OF April 2022.

SEABROOK ECONOMIC DEVELOPMENT CORPORATION

Paul Dunphey  
Chairman



ATTEST:



Secretary  
Ernie Davis

**CITY OF SEABROOK:**

PASSED ON FIRST READING this the \_\_\_ day of \_\_\_\_\_, 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