

RESOLUTION R2020-07

A RESOLUTION BY THE COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT MADE PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 380 WITH BURNET ECONOMIC DEVELOPMENT CORPORATION, REGARDING THE GRANT OF CERTAIN INCENTIVES RELATING TO IMPROVEMENTS TO A SECTION OF HOUSTON CLINTON DRIVE FOR THE BENEFIT OF BEDC'S HWY 281 SOUTH BUSINESS PARK; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code authorizes a local government to establish and provide for the administration of one or more programs, for making loans and grants and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality;

WHEREAS, under Chapter 380 of the Texas Local Government Code, City has adopted an economic development program to promote local economic development and stimulate business and commercial activity within the City limits;

WHEREAS, Burnet Economic Development Corporation's ("BEDC") was established by the City Council of the City of Burnet as a Type B Economic Development Corporation in part for creating new economic development opportunities in the community; and

WHEREAS, BEDC, in furtherance of such purpose the BEDC purchased a 13.51 acre parcel on the west side of U. S. HWY 281 South (the "Property"); and

WHEREAS, BEDC desires to make improvements to the segment of Houston Clinton Drive abutting the property and provide utilities to the Property in order to make the Property more attractive for economic development; and

WHEREAS, City Council finds that the development of the Property, will contribute to the economic development of the City by the potential creation of new jobs and increased employment, generating, increased development, increased real property value and tax revenue for the City, increased related neighborhood services and shall have both a direct and indirect positive overall improvement/stimulus in the local and state economy;

WHEREAS, City desires to offer incentives to BEDC to enable BEDC to develop the Properties pursuant to the attached 380 Agreement (the "Agreement") in substantial conformity with the City's economic development plan; and

WHEREAS, City and BEDC are executing and entering into this Agreement to set forth certain terms and obligations of City and BEDC with respect to such matters, including any grant payment, rebate or other incentives made to BEDC of certain City funds for BEDC's investment, construction and use of the Properties;

WHEREAS, the Parties recognize that all agreements of the Parties hereto and all terms and provisions hereof are subject to the laws of the State of Texas and all rules, regulations and interpretations of any agency or subdivision thereof at any time governing the subject matters hereof;

WHEREAS, the Parties agree that all conditions precedent for this Agreement to become a binding agreement have occurred and been complied with, including all requirements pursuant to the Texas Open Meetings Act and all public notices and hearings; if any, have been conducted in accordance with Texas law;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS:

Section one. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section two. Authorization. The City Manager is hereby authorized to execute, on behalf of the City, an Agreement, substantially similar to Exhibit "A", attached hereto, and such ancillary documents reasonably necessary to fulfill the purpose of this resolution.

Section three. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.


Section four. Conflicts. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

Section five. Severability. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.


Section six. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND APPROVED on this the 28th day of April 2020.

CITY OF BURNET, TEXAS


Crista Goble Bromley, Mayor

Attest:


Kelly Dix, City Secretary

