

## **RESOLUTION NO. 2025-033**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS, APPROVING A TYPE B ECONOMIC DEVELOPMENT PROJECT AND PERFORMANCE AGREEMENT, BY AND BETWEEN THE BANDERA ECONOMIC DEVELOPMENT CORPORATION AND THE CITY OF BANDERA, TEXAS, A TEXAS TYPE A GENERAL-LAW MUNICIPALITY, FOR ECONOMIC DEVELOPMENT PURPOSES AUTHORIZED PURSUANT TO SECTIONS 501.152 AND 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, the Bandera Economic Development Corporation (hereinafter referred to as the “BEDC”) is a Type B Economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

**WHEREAS**, Texas Local Government Code § 501.152, in pertinent part, defines the term project to include “land, buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for: public park purposes and events; parks and park facilities; open space improvements; and related store, restaurant, concession and other related improvements that enhance any of the items described by this section”; and

**WHEREAS**, Texas Local Government Code § 505.158 provides that “[f]or a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, “project” also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation’s board of directors to promote new or expanded business development.” Further, the statute provides that “[a] Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation’s authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings”; and

**WHEREAS**, BEDC has approved a project with the City of Bandera, a Texas Type A general-law municipality, and the Performance Agreement is attached hereto as “Exhibit A”; and

**WHEREAS**, the City Council of the City of Bandera, Texas, finds and determines that the expenditure as specified in the Performance Agreement, attached hereto as “Exhibit A,” will promote new or expanded business development, and otherwise meets the definition of “project,” as that term is defined by Sections 501.152 and 505.158 of the Texas Local Government Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS, AS FOLLOWS:**

**Section 1.** That the foregoing recitals are hereby found to be true and correct findings of the City of Bandera, Texas, and are fully incorporated into the body of this Resolution.

**Section 2.** That the City Council of the City of Bandera, Texas, finds and determines that the project and Performance Agreement attached hereto as Exhibit A, will promote new and expanded business development, and is otherwise consistent with Sections 501.152 and 505.158 of the Texas Local Government Code.

**Section 3.** That the City Council of the City of Bandera, Texas, following the second reading of this Resolution authorizes the project and Performance Agreement attached hereto as Exhibit A, and authorize the Mayor to execute this Resolution.

**Section 4.** That this Resolution shall become effective from and after its passage.

**DULY RESOLVED** by the City Council of the City of Bandera, Texas, on this the 23rd day of September 2025.

**APPROVED:**

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Denise Griffin, Mayor

**ATTEST:**

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Jill Shelton, City Secretary

## **Exhibit A**

### Performance Agreement