

RESOLUTION NO. R-2022-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE EXPENDITURE OF BASTROP ECONOMIC DEVELOPMENT FUNDS FOR AN INFRASTRUCTURE PROJECT IN THE BASTROP BUSINESS AND INDUSTRIAL PARK IN AN AMOUNT NOT TO EXCEED ONE MILLION SIX HUNDRED TWENTY THOUSAND DOLLARS (\$1,620,000.00); REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bastrop Economic Development Corporation (“BEDC”) is a public instrumentality and non-profit industrial development corporation duly established and operating under Local Government Code, Chapters 501 and 505 *et seq.*, as amended, known as the Development Corporation Act of 1979 (the “Act”), and is acting with the approval of the governing body of the City of Bastrop, Texas (the “City”); and

WHEREAS, the Texas Local Government Code (LGC), Section 501.103 authorizes the expenditure of Bastrop Economic Development Corporation (“BEDC”) funds for a project that the BEDC’s Board of Directors determines to be necessary and suitable to promote or develop new or expanded business enterprises, limited to streets and roads, rail spurs, water and sewer utilities, electric and gas utilities, drainage, site improvements, and related improvements; and

WHEREAS, the BEDC is the current property owner of the majority of property (“Property”) located in the Bastrop Business and Industrial Park; and

WHEREAS, after careful evaluation and consideration by the BEDC, it has determined that a project proposing to design targeted infrastructure and improvements within the southern portion of the Bastrop Business and Industrial Park (“Project”), the scope of which includes, without limitation, the design of a roadway and related infrastructure, is necessary and suitable to promote or develop new or expanded business enterprises and, further, that such infrastructure is limited to permissible infrastructure as an authorized project pursuant to Section 501.103 of the Texas LGC; and

WHEREAS, Doucet & Associates has provided the BEDC with a proposal to provide engineering services for the southern portion of the Bastrop Business and Industrial Park in the amount of \$1,618,403; and

WHEREAS, the Board of Directors of the BEDC met on September 19, 2022, and took formal action making required findings, and supporting and authorizing funding for various Type B Corporation projects; and

WHEREAS, the City has reviewed the September 19, 2022, actions of the BEDC related to the Project noted herein, has considered and evaluated that Project, and has found it meritorious of the City Council’s authorization and approval.

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

Section 1. Findings and Determination. The City Council hereby finds and determines that it is in the best interest of the BEDC and the City to authorize funding for the Project, as authorized by the Texas Local Government Code, Section 501.103.

Section 2. Authorization of Expenditure. The City Council of the City of Bastrop, Texas, hereby authorizes the funding of the Project in an amount not to exceed \$1,620,000.00, as estimated and requested by the BEDC.

Section 3. Open Meeting. The City Council hereby finds and determines that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose at which it was read was given in accordance with Chapter 551, Texas Government Code.

Section 4. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

Section 5. 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 6. This Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 25th day of October 2022.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney