

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, APPROVING THE TERMINATION OF A CHAPTER 380 AND ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF BURLESON, THE TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO, THE BURLESON 4A ECONOMIC DEVELOPMENT CORPORATION, AND BTX OLD TOWN, LLC (CSO#1625-12-2020) AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO TERMINATE THE AGREEMENT.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City entered into a chapter 380 and economic development and performance agreement for public and private improvements with the Tax Increment Financing Reinvestment Zone Number Two, the Burleson 4A Economic Development Corporation, and BTX Old Town, LLC on or about December 14, 2020 (CSO#1625-12-2020) (hereinafter “Agreement”); and

WHEREAS, on or about August 22, 2024, BTX Old Town, LLC, sent the City written notice requesting termination of the Agreement pursuant to section 9.01(b) due to the cost of environmental mitigation for the real property located at 114 W Ellison St in Burleson, Johnson County, Texas; and

WHEREAS, the City and BTX Old Town, LLC, cannot establish a mutually-agreeable mitigation plan for the real property located at 114 W Ellison St in Burleson, Johnson County, Texas; and

WHEREAS, the City Council, after reviewing the matter, desires that the City terminate the Agreement pursuant to section 9.01(b); and

WHEREAS, the City Council desires to authorize the City Manager to execute on behalf of the City documents necessary for the termination of the Agreement pursuant to section 9.01(b) of the Agreement.

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

Section 1.

The City Manager, Tommy Ludwig, is authorized to execute on behalf of the City documents necessary for the termination of the Agreement pursuant to section 9.01(b) of the Agreement.

Section 2.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 3.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney