

**RESOLUTION NO. 041725-03**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS  
AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF LA VERNIA  
AND THE CITY OF LA VERNIA MUNICIPAL DEVELOPMENT DISTRICT DATED APRIL  
17, 2025; EXECUTION OF ALL APPLICABLE DOCUMENTS BY THE MAYOR, AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, per Sec. 271.002, Purpose (a) of the Local Government Code, the legislature finds that the purchase or other acquisition or the use of property by governmental agencies and the financing of those activities are necessary to the efficient and economic operation of government; and

**WHEREAS**, per Local Government Code Title 8, Acquisition, Sale, or Lease of Property Subtitle C. Acquisition, Sale, or Lease Provisions Applying to More Than One Type of Local Government, Chapter 271, Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments, Subchapter A. Public Property Finance Act, Sec. 271.003. Definitions, the following definitions are provided:

- (1) "Contract" means an agreement entered into under this subchapter but does not mean a contract solely for the construction of improvements to real property.
- (2) "Governing body" means the board, council, commission, agency, court, or other body or group that is authorized by law to acquire personal property for each respective governmental agency.
- (3) "Governmental agency" means a municipality, county, school district, conservation and reclamation district, hospital organization, or other political subdivision of this state.
- (4) "Improvement" means a permanent building, structure, fixture, or fence that is erected on or affixed to land but does not include a transportable building or structure, whether or not it is affixed to land.
- (5) "Real property" means land, improvement, or an estate or interest in real property, other than a mortgage or deed of trust creating a lien on property or an interest securing payment or performance of an obligation in real property.

**WHEREAS**, the City of La Vernia ("City") and the La Vernia Municipal Development District find it in the best interest of both parties and the betterment of the community of La Vernia as a whole to enter into this contract; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:**

**Section 1.** The Agreement between the City of La Vernia and the La Vernia Municipal Development District shall be agreed upon as set forth in the attached, as **Exhibit A**.

**Section 2.** That the recitals contained in the preamble hereto are hereby found to be true, and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

**Section 3.** If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.

**Section 4.** That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public, and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, as required by Chapter 551, as amended, Texas Government Code.

**Section 5.** All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution, are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.

**Section 6.** This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 7.** This resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, and ADOPTED on this 17th day of April, 2025.

**City of La Vernia, Texas**

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Martin Poore, Mayor

**ATTEST:**

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Madison Farrow, City Secretary

**APPROVED AS TO FORM:**

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City Attorney

## **Exhibit A**