

RESOLUTION NO. 2024 - _____

A RESOLUTION OF THE CITY OF MONTGOMERY, TEXAS, APPROVING AN EXPENDITURE TO CONTRIBUTE TO THE CONSTRUCTION OF A WATER MAIN FOR MONTGOMERY INDEPENDENT SCHOOL DISTRICT'S CAREER AND TECHNICAL EDUCATION (CTE) CAMPUS DEVELOPMENT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Montgomery Economic Development Corporation ("EDC") is a Type B Economic Development Corporation, of the City of Montgomery, Texas (the "City"), organized and operated pursuant to Chapters 501 and 505, Texas Local Government Code; and

WHEREAS, Subsection 505.158, Texas Local Government Code, requires that a Type B Corporation authorized by a city with a population of 20,000 or less that approves a project requiring an expenditure of \$10,000 or more may not undertake the project until the governing body of the city adopts a resolution authorizing the project after giving the resolution at least two separate readings; and

WHEREAS, Subsection 505.158(a), Texas Local Government Code defines an authorized "project" for a Type B Economic Development Corporation created by a city with a population of 20,000 or less to include expenditures found by the corporation's board of directors to promote new or expanded business development; and

WHEREAS, pursuant to Section 501.073, Texas Local Government Code, the City will approve all programs and expenditures of the EDC and annually review the financial statements of the corporation; and

WHEREAS, the Board of Directors of the EDC has approved a \$75,000.00 contribution toward the construction and oversizing of a City water main related to Montgomery Independent School District's CTE campus development; and

WHEREAS, the City Council found that the project would promote new or expanded business enterprises in and near the City of Montgomery; and

WHEREAS, the action authorized by this Resolution is in furtherance of the public interest, for the good government, peace, order, trade and commerce of the City and necessary and proper for carrying out of the authority granted by law to the City and the EDC;

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

I.

The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Council hereby incorporates such recitals as a part of this Resolution.

II.

This Resolution shall be and is hereby cumulative of all other resolutions of the City and this resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

III.

If any section, subsection, sentence, clause or phrase of this resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

IV.

This resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Montgomery, Texas, and upon approval thereof by the Mayor of the City of Montgomery, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Montgomery, Texas this _____ day of _____, 2024.

THE CITY OF MONTGOMERY, TEXAS

Sara Countryman, Mayor

ATTESTED TO:

Diana Titus, Assistant City Secretary

APPROVED AS TO FORM:

City Attorney