

RESOLUTION NO. R-2017-12

A RESOLUTION OF THE CITY COUNCIL OF CITY OF BASTROP, TEXAS, APPROVING A PROJECT TO CONDUCT A COMPREHENSIVE DRAINAGE STUDY OF PINE FOREST UNIT 6 SUBDIVISION USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION IN AN AMOUNT EXCEEDING \$10,000 IN ACCORDANCE TO SECTION 505.158(b) OF THE LOCAL GOVERNMENT CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of the Bastrop Economic Development Corporation (“BEDC”) met on February 27, 2017, and at that time took formal action to support and provide funds for various 4B projects; and

WHEREAS, Section 505.158(b) of the Local Government code, a/k/a the Texas Economic Development Act, mandates that prior to the BEDC funding a project that does not directly create primary jobs, involving an expenditure by the BEDC of more than \$10,000, per project, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council, on two separate occasions; and

WHEREAS, the Pine Forest Unit 6 Subdivision (“Subdivision”) in the City of Bastrop (“City”) platted in 1979 contains 6.25 miles of existing creeks and associated floodplains and floodways; and,

WHEREAS, the Subdivision has historically experienced extensive and repeated flooding rendering a vast number of the lots unbuildable as the Subdivision currently exists; and,

WHEREAS, due to the current condition of the Subdivision as it relates to the pervasive flooding, approximately 60% of the lots have defaulted on taxes and have been acquired by the taxing entities; and,

WHEREAS, it is in the best interest of the taxing entities and the Corporation for the defaulted lots to be developable for their highest and best use; and,

WHEREAS, the City’s Comprehensive Plan encourages subdivisions where there is residential, parks and green space, and compatible commercial development in a cohesive pattern; and,

WHEREAS, the Bastrop area is experiencing growth that has outpaced available and affordable housing; and,

WHEREAS, a comprehensive drainage study of the Subdivision is needed before any redevelopment can occur; and,

WHEREAS, the Texas Local Government Code Chapter Section 505.152 authorizes the expenditure of Corporation funds for a project that the board of directors of the Economic Development Corporation determines to be required or suitable for use for parks and park facilities, open space improvements, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described by this section; and,

WHEREAS, the Texas Local Government Code Chapter Section 505.153 authorizes expenditure of Corporation funds for a project that the board of directors of the Economic Development Corporation determines to be required or suitable for use for the promotion of development and expansion of affordable housing, as described by 42 U.S.C. Section 12745; and,

WHEREAS, the Texas Local Government Code Chapter Section 505.158 authorizes a Corporation created by a municipality of 20,000 or less to fund a project that 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; and,

WHEREAS, it is hereby officially found and determined 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; and,

WHEREAS, the City has reviewed the February 27, 2017, actions of the Bastrop EDC related to the project noted herein, has considered and evaluated that project, and has found it meritorious of the Council's approval.

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

Section 1: Findings and Determination

- a. The Council hereby finds and determines that it is in the best interest of the Corporation to make funding available to the City for reimbursement of costs incurred for the completion of a comprehensive drainage study in an amount not to exceed \$75,100.00.
- b. The Council hereby finds and determines that Texas Local Government Code Chapter Section 505.152 authorizes the expenditure of Corporation funds for this study because the City agrees that 15% of the lots owned by the taxing entities shall be dedicated for use as parks and park facilities or open space improvements.
- c. The Council hereby finds and determines that Texas Local Government Code Chapter Section 505.153 authorizes expenditure of Corporation funds for this

project because the City agrees that some of the lots owned by taxing entities shall be reserved for use for the promotion of development and expansion of affordable housing, as described by 42 U.S.C. Section 12745.

- d. The Council hereby finds and determines that drainage improvements, including a comprehensive drainage study, constitute an expenditure for targeted infrastructure that will promote new or expanded business development.

Section 2. Authorization of expenditure

- (1) The City Council of the City of Bastrop, Texas, hereby approves the following project, which had been approved for funding by the Bastrop EDC:
 - a. To fund a project (a Comprehensive Drainage Study of the Pine Forest Unit 6 Subdivision) in an amount not to exceed \$75,100.00.
- (2) The City Manager is hereby authorized to convey a copy of this Resolution of approval, as appropriate.
- (3) That this Resolution shall take effect immediately from and after its passage, and is accordingly so resolved.

READ and ACKNOWLEDGED on First Reading on the 28th of March 2017.

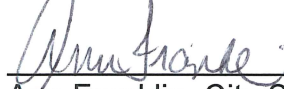
READ and ADOPTED on Second Reading on the 11th day of April 2017.

APPROVED:



Ken Kesselus, Mayor

ATTEST:



Ann Franklin, City Secretary