

RESOLUTION NO. 20-R-03

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A PROGRAM AND EXPENDITURES FOR THE TRI COUNTY PARKWAY & INTERSECTION INFRASTRUCTURE IMPROVEMENTS BY THE CITY OF SCHERTZ ECONOMIC DEVELOPMENT CORPORATION; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Schertz Economic Development Corporation (“SEDC”) is a non-profit industrial development corporation duly established under the Development Corporation Act of 1979, as amended (Section 501.001 et seq. Texas Local Government Code, formerly the Development Corporation Act of 1979) (the “Act”); and

WHEREAS, all powers of the SEDC are vested in the SEDC Board of Directors (the “Board”) appointed by the governing body of the corporation’s authorizing unit; and

WHEREAS, Section 501.073 of the Act requires that the corporation’s authorizing unit approve all programs and expenditures of a corporation; and

WHEREAS, according to Section 501.103 of the Act, the Board has found that certain infrastructure improvements to Tri County Parkway, Lookout Road between Tri County Parkway and Doerr Lane, and the intersection at FM 3009 and Tri County Parkway (“Tri County Parkway & Intersection”) are necessary to promote or develop new or expanded business enterprises; and

WHEREAS, the Board has allocated FOUR MILLION AND FIFTY THOUSAND and NO/100 DOLLARS (\$4,050,000.00) to pay for the design, construction, and contingency to complete the Tri County Parkway & Intersection infrastructure improvements; and

WHEREAS, the funds will be used by the City of Schertz to design and construct the infrastructure improvements identified on Exhibit A hereto attached; and

WHEREAS, The SEDC held a public hearing at its October 17, 2019 meeting and the Board approved SEDC Resolution 2019-19 authorizing the Tri County Parkway & Intersection infrastructure improvement project subject to the City Council’s authorization.; and

WHEREAS, the SEDC has recommended that the City Council authorize the program and expenditures associated therewith this project; and

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

Section 1. The City Council hereby authorizes the program and expenditures of up to FOUR MILLION AND FIFTY THOUSAND and NO/100 DOLLARS (\$4,050,000.00) for the Tri County Parkway & Intersection infrastructure improvements identified on Exhibit A hereto attached.

Section 2. The recitals contained in the preamble hereof 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. 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 provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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, all as required by Chapter 551, Texas Government Code, as amended.

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

PASSED AND ADOPTED, this 7th day of January, 2020.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

Exhibit A

INFRASTRUCTURE IMPROVEMENTS

Infrastructure Improvement Area

