

**RESOLUTION NO. 2019-R \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPROVING A RECOMMENDATION OF THE NEW BRAUNFELS ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE A PROJECT EXPENDITURE NOT TO EXCEED \$100,000 FOR DUE DILIGENCE AND NECESSARY CLOSING COSTS AS PART OF THE PURCHASE OF APPROXIMATELY 60 ACRES OF LAND ADDRESSED AS 440 KOHLENBERG ROAD, FOR A PROJECT FOUND BY THE BOARD OF DIRECTORS TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES THAT CREATE OR RETAIN PRIMARY JOBS; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City of New Braunfels City Council and the New Braunfels Economic Development Corporation (“EDC”) Board of Directors recognize the importance of partnering to fund a variety of quality of life projects; and

WHEREAS, on May 16, 2019, after publishing public notice and holding a public hearing at a regularly called meeting, the Board of Directors of the New Braunfels Economic Development Corporation (the “EDC”) voted to approve a project expenditure of up to \$4,000,000.00 for the purchase of the approximate 60 acres of land addressed as 440 Kohlenburg Road, located within the corporate city limits, Comal County, Texas; and

WHEREAS, ownership of this land will allow the EDC to facilitate the development of industrial or commercial space for primary employers; and

WHEREAS, the EDC can hold the land for resale at a later date or convert it for an eligible use as denoted in Chapters 501 and 505 of the Texas Local Government Code; and

WHEREAS, the item approved by the EDC on May 16<sup>th</sup> included the costs of the land acquisition and did not include up to \$100,000 for necessary due diligence work and closing costs; and

WHEREAS, on May 28, 2019, the City Council approved payment up to \$35,675 in due diligence and closing costs to Kimley-Horn and Associates for survey and due diligence work related to the EDC’s land acquisition; and

WHEREAS, the EDC wishes to allocate up to \$100,000 for necessary due diligence work and closing costs, including reimbursement to the City for any related costs expended on behalf of the EDC; and

WHEREAS, after public notice was issued and a public hearing was held at a meeting on June 20, 2019, the EDC Board of Directors voted to approve a project expenditure of up to \$100,000 for due diligence and closing costs related to the acquisition of 60 acres of land addressed as 440 Kohlenburg Road, for a project found by the Board of Directors to promote or develop new or expanded business enterprises that create or retain primary jobs, as authorized by Local Government Code, section 505.152.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

SECTION 1: That the recommendation of the New Braunfels Economic Development Corporation to provide a project expenditure not to exceed \$100,000 for due diligence and closing costs, as part of the EDC's purchase of approximately 60 acres of land addressed as 440 Kohlenburg Road, for a project found by the Board of Directors to promote or develop new or expanded business enterprises that create or retain primary jobs, is hereby approved.

SECTION 2: That this Resolution shall become effective from and after the date of its passage.

PASSED, ADOPTED AND APPROVED this \_\_\_\_\_ day of June 2019.

CITY OF NEW BRAUNFELS, TEXAS

By: \_\_\_\_\_  
Barron Casteel, Mayor

ATTEST:

\_\_\_\_\_  
Patrick D. Aten, City Secretary