

RESOLUTION NO. 2021-R 36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, APPROVING A RECOMMENDATION OF THE NEW BRAUNFELS ECONOMIC DEVELOPMENT CORPORATION TO MAKE A PROJECT EXPENDITURE OF UP TO \$375,000 TO THE CITY OF NEW BRAUNFELS FOR A PROFESSIONAL SERVICES AGREEMENT WITH BAIN MEDINA BAIN, INC. FOR FINAL DESIGN OF A PORTION OF THE DRY COMAL HIKE AND BIKE TRAIL; AND APPROVAL FOR THE CITY MANAGER TO ENTER A REIMBURSEMENT AGREEMENT WITH UNION PACIFIC RAILROAD FOR PRELIMINARY DESIGN APPROVAL OF A PROPOSED PROTECTIVE STRUCTURE AT AN ESTIMATED TOTAL OF \$15,000 AS PART OF THE PROJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels Economic Development Corporation (“EDC”) Board of Directors met on May 20, 2021 to consider a request from the City of New Braunfels (“City”) for up to \$375,000 for final design of a portion of the Dry Comal Creek Hike and Bike Trail (“DCT”) between Walnut Avenue and Landa Park; and

WHEREAS, the City completed preliminary design of this portion of the DCT and submitted it to the Metropolitan Planning Organization’s (“MPO”) Call for Projects in 2021; and

WHEREAS, the completion of the Dry Comal Creek Trail was ranked as a strategic priority for the EDC and would be an asset owned and maintained by the City’s Parks and Recreation Department; and

WHEREAS, the EDC is an economic development corporation formed by the City of New Braunfels pursuant to the Local Government Code, Chapters 501-505 that is authorized by Chapter 505.152 to undertake a project for public park purposes and park facilities and related improvements; and

WHEREAS, the estimated total cost of the EDC’s financial contribution is \$375,000; and

WHEREAS, the EDC Board of Directors held a public hearing on May 20, 2021, to solicit public comment about the City’s funding request; and

WHEREAS, the EDC Board of Directors, after discussing the request, voted to approve a grant in an amount of up to \$375,000 for the City of New Braunfels to fund the final design of a portion of the DCT; and

WHEREAS, the DCT traverses Union Pacific Railroad’s (“UPRR”) Right of Way and will require the City reimburse UPRR or its agents for design review and expenses for a protective structure at a cost not to exceed \$15,000; and

WHEREAS, the City will fund this design review expense incurred by UPRR or its agents; and

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 grant to the City of New Braunfels in an amount up to \$375,000 for funding the final design of this portion of the DCT is hereby approved.

SECTION 2: That a contract between the EDC and City will be executed to fulfill the terms and conditions of the grant and the City Manager is authorized to execute the Agreement on behalf of the City.

SECTION 3: That this Resolution shall become effective from and after the date of its passage.

PASSED, ADOPTED AND APPROVED this 14th day of June 2021.

CITY OF NEW BRAUNFELS, TEXAS

By: _____
Rusty Brockman, Mayor

ATTEST:

Caitlin Krobot, City Secretary