

RESOLUTION NO. 2021-12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LA FERIA APPROVING A PROJECT OF THE LA FERIA ECONOMIC DEVELOPMENT CORPORATION AS AUTHORIZED BY SECTION 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of La Feria has historically been prone to heavy rains and flooding, which has caused damage and loss to businesses located within the City; and

WHEREAS, the La Feria Economic Development Corporation is an in economic development corporation created pursuant to Chapters 501, 502 and 505 of the Texas Local Government Code, as amended; and

WHEREAS, Section 505.158 of the Texas Local Government Code provides that for a municipality with a population of 20,000 or less, “project” 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, the City of La Feria has historically been prone to heavy rains and flooding, which has historically resulted in infrastructure and property destruction, including but not limited to damage to streets and businesses, including several downtown businesses; as well as economic disruption, and the lowering of the quality of life for residents and visitors;

WHEREAS, the City of La Feria finds that the continued likelihood of flooding places City businesses at risk of property, inventory, and fixture damage and loss;

WHEREAS, the City further finds that flooding can also lead to the loss of business revenue and stability as businesses have to shut their doors to clean up after a flood, business insurance premiums are increased, or customers are unable to travel on public streets to patronize businesses; or, flooding can lead to the permanent closure of businesses unable to recover from the resulting damage and loss;

WHEREAS, the City agrees with the National Association of City Transportation Officials’ contention that streets are the “foundation of our urban economies,” and so further finds that the poor condition of City streets due to flooding or other damage is detrimental to the business and economic development and expansion of the City;

WHEREAS, the City further finds that the funding for improvements to certain City streets and roads, water and sewer utilities, drainage, site improvements, and related improvements as provided in Exhibit “A” are necessary to promote and develop new and expanded business enterprises by mitigating the hazards and identified herein and therefore reducing the risk of loss suffered by businesses, and making the City of La Feria a more attractive and economically viable place for businesses to locate, relocate, or expand;

WHEREAS, the City further finds that the funding for improvements to certain City land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements, including the public works facility, wastewater and street improvements as provided in Exhibit “A” will promote new and expanded business development by mitigating the hazards and identified herein and therefore reducing the risk of loss suffered by businesses, and making the City of La Feria a more attractive and economically viable place for businesses to locate, relocate, or expand; and

WHEREAS, the City of La Feria finds that the performance agreements under this project are consistent with and meet the definition of “project” as that term is defined in Chapter 501 and 505 of the Texas Local Government Code, and in particular Section 505.158 of the Texas Local Government Code;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LA FERIA:

Section 1. That the foregoing recitals are hereby found to be true and correct findings of the City Commission of the City of La Feria and are fully incorporated into the body of this Resolution.

Section 2. That the City Commission of the City of La Feria finds and determines that the approval of a Project for certain street, drainage, and infrastructure improvements promotes new and expanded business development, and is otherwise consistent with Section 505.158 of the Act.

Section 3. That the City Commission hereby authorizes the project and authorizes the Mayor to execute this Resolution.

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 Commission 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 second reading, and it is so resolved.

PASSED AND APPROVED by the City Commission of La Feria on first reading this the 29th day of June, 2021.

PASSED, APPROVED AND DULY RESOLVED on second reading on this the 13th day of July 2021.

APPROVE:

Olga Maldonado

Olga Maldonado, Mayor

ATTEST:

Amanda Morales

Amanda Morales, City Secretary