

RESOLUTION NO. R-2019-0475

WHEREAS, the City Council has determined that one of its priority goals is to encourage economic development within the city of Round Rock; and

WHEREAS, BGE, Inc. ("BGE") has leased a portion of the building located in the City of Round Rock at 101 West Louis Henna Boulevard, Austin, Texas 78728, known as "Frontera Crossing" (the "Facility"); and

WHEREAS, the Council wishes to promote economic development as contemplated by Chapter 380 of the Texas Local Government Code whereby BGE has leased and intends to improve the Facility; and

WHEREAS, BGE intends to add at least 80 employees within seven (7) years of the occupancy of the Facility; and

WHEREAS, §380.001 Local Government Code provides that a municipality may establish an economic development program ("Program") to promote local economic development and to stimulate business and commercial activity in the municipality; and

WHEREAS, the City Council has determined that the Program described in Exhibit "A" will encourage economic development within the City and will also meet the goals set forth in said §380.001, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City offers to BGE a §380.001 Program whereby the City will grant certain Economic Incentive Payments ("EIP's"), and

BE IT FURTHER RESOLVED

That the offer of the Program shall be as generally outlined in Exhibit "A" attached hereto and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 5th day of December, 2019.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk

EXHIBIT A

ECONOMIC DEVELOPMENT PROGRAM

The terms of the \$380,001 Economic Development Program to be offered to BGE, Inc. in exchange for BGE's lease of a portion of the building located at 101 West Louis Henna Boulevard, Austin, Texas 78728 are as generally outlined below:

1. BGE's intentions and obligations:
 - 1.1. Lease. BGE previously leased and occupied a portion of the building located in the City of Round Rock at 101 West Louis Henna Boulevard, Austin, Texas 78728, known as "Frontera Crossing".
 - 1.2. Investment. BGE intends to invest at least \$1,925,000 in the improvement of the Facility (including, without limitation, costs directly incurred as a result of the rehabilitation, reconstruction, repair or remodeling of the existing Facility and costs incurred for fixtures, equipment, and furniture purchased for the purpose of supporting BGE's business operation at the Facility).
 - 1.3. Jobs. BGE intends to create at least 80 new jobs within seven (7) years of its occupancy of the Facility.
 - 1.4. Compliance with regulations. BGE agrees that it will comply with the City's development approval processes and shall construct and install the improvements and lease and operate the Facility consistent with City ordinances, development regulations and requirements.
 - 1.5. Continuous operation. BGE agrees that it will continuously operate the Facility for a minimum of seven (7) years, except during periods of construction or reconstruction of the Facility or in the event of a casualty, condemnation or other force majeure event with respect to the Facility or a portion thereof.
2. City's obligations:
 - 2.1. Economic Incentive Payments. In consideration of BGE's compliance with the aforesaid intentions, the City agrees to grant Economic Incentive Payments to BGE in the amount of \$100,000.
3. The terms and provisions of this Program will be set out in more detail in the Economic Development Program Agreement of even date herewith.