

City of Eden
Special Session

The city council of the City of Eden met in special session on Thursday April 29, 2021 at 5:30 p.m. in the council chambers of City Hall.

Mayor & City Council Members

Mayor Agapito Torres

Councilperson Don "Butch" Williams

Absent

Councilperson Luz Saavedra

Councilperson Jennifer Martinez

Councilperson Angela Quiroz-Regalado-

Mayor Pro Tem Eddy Markham

City Staff/Appointed Officials

City Administrator Laura Beeson

1. Discussion and possible action regarding the sale and transfer of property consisting of 46.47 acres in the Eden Industrial Park, specifically Tracts 2-3, 5-6, and 8-21, Eden Industrial Park Abstract 1632, Survey 4, T. B. Drinkard, to the Eden Economic Development Corporation with the following provisions:
 - a. That the Eden Development Corporation use the property in a manner that primarily promotes a public purpose of the City; and
 - b. That ownership of the property automatically reverts back to the City should the Eden Development Corporation at any time fail to use the property in that manner

Mayor Torres provided information regarding recent discussions and negotiations with the Eden Economic Development Corporation representatives regarding the sale of property located in the Eden Industrial Park. All discussions and negotiations were aimed at maintaining the original intent of the property to be used for economic development. After several discussions regarding the sale price per acre, a tentative agreement was reached at \$1300 per acre transferred. Originally, Tracts 2-3, 5-6, and 8-21 were all considered for the transfer to the Eden Economic Development Corporation. However, further investigation determined that there is a cell tower on Tract 2, a cell tower on Tract 3, the City of Eden's deep well is located on Tract 4, and there is a West Central Wireless cell tower on Tracts 5 and 6. Because of these active leases on Tracts 2-3 and 5-6, and the City's deep well on Tract 4, all concerned felt that the City needed to maintain possession of these tracts. There are about 30 acres remaining in Tracts 8-21, and these are the tracts under consideration for transfer to the Eden Economic Development Corporation to be used for the purpose of promoting economic development.

A discussion was held regarding who is responsible for the road development, road maintenance, and who is responsible for paying for title insurance and survey costs. Councilmember Markham noted that he is not opposed to paying some of the closing costs, and Councilmember Williams suggested maybe the costs could be shared. A consensus was reached that road development would be the responsibility of the land owner with possible help from the Eden Economic Development Corporation, and with the City of Eden providing the same road maintenance as all other streets in the City.

An additional discussion was held regarding the need to include the provisions laid out in Section 253.012 of the Local Government Code which state: 1) that the Eden Development Corporation use the property in a manner that primarily promotes a public purpose of the City; and 2) that ownership of the property automatically reverts back to the City should the Eden Development Corporation at any time fail to use the property in that manner. City Administrator Laura Beeson explained that according to City Attorney Jeff Betty, these provisions are required, and if they are not included, the property would need to be sold at auction.

Councilmember Markham made a motion to approve the sale and transfer of Tracts 8-21 in the Eden Industrial Park, Abstract 1632, Survey 4, T. B. Drinkard, to the Eden Economic Development Corporation at a cost of \$1300 per acre with the inclusion of the two provisions from Section 253.012 of the Local Government Code which state: 1) that the Eden Development Corporation use the property in a manner that primarily promotes a public purpose of the City; and 2) that ownership of the property automatically reverts back to the City should the Eden Development Corporation at any time fail to use the property in that manner, and with the City paying the cost of the Title Policy. This motion was seconded by Councilmember Williams, and approved 4-0.

With no further business, the meeting was adjourned.

Mayor, Agapito Torres

Laura Beeson, City Administrator