

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, TO CREATE AND DESIGNATE REINVESTMENT ZONE 20-04 PURSUANT TO CHAPTER 312, TEXAS TAX CODE; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS; DESIGNATING A LIAISON TO ACT ON ALL MATTERS PERTAINING TO THE PROPERTY DEVELOPMENT AND TAX ABATEMENT ZONE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Corsicana, Texas (the “City”) desires to promote the development of a certain area within its jurisdiction by designating it a reinvestment zone; and

WHEREAS, the City Council desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in areas of the City and to provide employment to residents of the City; and

WHEREAS, the City Council desires to promote the development or redevelopment of a certain geographic area within its jurisdiction by the creation of a reinvestment zone for commercial/industrial reinvestment, as authorized by the Property Redevelopment and Tax Abatement Act, Chapter 312, Texas Tax Code (the “Act”); and

WHEREAS, the City held a public hearing on October 26, 2020, after publishing notice of such hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone; and

WHEREAS, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, whether all or part of the territory described in the ordinance calling such hearing should be included in such proposed reinvestment zone, and considered the concept of tax abatement; and

WHEREAS, by the approval of a Resolution on October 12, 2020, the City has approved Tax Abatement Guidelines, Criteria and Policies; and stating intent to participate in tax abatement; and

WHEREAS, it is the belief of the City Council that the premises do not include any property that is owned or leased by a member of the City Council or by a member of the City of Corsicana Planning and Zoning Commission or any other board or commission of the City having responsibility for the approval of the agreement. The parties recognize, and understand, that any property so owned is excluded by law from the property tax abatement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, THAT:

SECTION 1.
FINDINGS OF CITY COUNCIL

The City Council, after conducting such hearings and having heard such evidence and testimony, has made the following findings and determinations based upon the testimony presented to it:

- A. That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and delivered to all taxing units overlapping the territory inside the proposed reinvestment zone; and
- B. That the boundaries of the reinvestment zone should be approximately 15 acres as described and depicted in the attached Exhibit A; and
- C. That creation of the reinvestment zone for commercial/industrial tax abatement with the boundaries as described in Exhibit A will result in benefits to the City and to the land included in the zone, the improvements sought are feasible and practical, and would be a benefit to the land included in the reinvestment zone after the expiration of an agreement entered into under Section 312.204 of the Act; and
- D. That the reinvestment zone defined in Exhibit A meets the criteria for the creation of a reinvestment zone as set forth in Section 312.201 of the Act; and
- E. That it would reasonably be likely, as a result of the designation, to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would contribute to the economic development of the municipality.

SECTION 2.

Pursuant to the Act, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing the approximately 15 acres as described and depicted in Exhibit A attached hereto and the reinvestment zone is hereby designated and shall hereafter be designated as Reinvestment Zone Number 20-04, City of Corsicana, Texas.

SECTION 3.

The City Council hereby declares that, upon designation of the reinvestment zone, the City may provide, on a case-by-case basis, tax abatement incentives in accordance with the Act and the Guidelines, Criteria and Policies for the City of Corsicana, Texas.

SECTION 4.

The City Council directs and designates its City Manager as the City's authorized representative to set all matters pertaining to the nomination and designation of the area describes herein as a reinvestment zone.

SECTION 5.

The City Council further directs and designates the Economic Development Director of the City of Corsicana, Texas, as liaison for communication with the Texas Department of Economic

Development to oversee reinvestment zone activities and communications with applicable businesses.

SECTION 6.

This Ordinance shall become effective from and after its passage.

SECTION 7.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Corsicana, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 8.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 9.

The zone shall take effect on the effective date of this Ordinance and shall be in effect for five (5) years from that date, unless a longer period is authorized by law.

PASSED and APPROVED on this 26th day of **October, 2020**.

Don Denbow, Mayor

ATTEST:

Cathy McMullan, Acting City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney

EXHIBITS ATTACHED:

A Legal Description