

ORDINANCE NO. 2017-0-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS, DESIGNATING A REINVESTMENT ZONE FOR TAX ABATEMENT PURPOSES PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE REINVESTMENT ZONE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, pursuant to Chapter 312 of the Texas Tax Code, the City of Palacios (the "City") may designate an area within the City as a reinvestment zone (the "zone") if the area satisfies the requirements of certain sections of Chapter 312 of the Texas Tax Code; and

WHEREAS, the City of Palacios desires to designate the area described in attached Exhibit "A", (the "zone") as a reinvestment zone under the provisions of Chapter 312 of the Texas Tax Code; and

WHEREAS, a public hearing before the Palacios City Council was set for the City Council Chambers located at 311 Henderson, Palacios, Texas, April 11, 2017 at 6:30 p.m. to receive comments concerning the designation of proposed Reinvestment Zone for Serendipity HC 1031 LLC. The notice of such hearing was published on March 29, 2017, such date being no later than the seventh date before the date of the public hearing; and

WHEREAS, the Palacios City Council called a public hearing and published notice of such public hearing as required by all taxing units within the jurisdiction of the proposed Reinvestment Zone for Serendipity HC 1031 LLC for Property Redevelopment and Tax Abatement; and

WHEREAS, evidence was received and presented at the public hearing in favor of the creation of the proposed zone under the provisions of Chapter 312, Texas Tax Code, and no one appeared or presented evidence in opposition to the creation of the proposed zone; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS:

SECTION 1. Findings

- (a) That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.
- (b) That the City Council further finds and declares that the proposed improvements in the zone are feasible and practical and would be a benefit to the land included in the reinvestment zone and to the City after the expiration of a tax abatement agreement and will be of general benefit to the City.
- (c) That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 312.202, and that it is reasonably likely, as a result of the designation, to contribute to the retention and expansion of primary employment and to attract major investment in the zone that will benefit the property and contribute to the economic development of Palacios, Texas.
- (d) That the City Council has previously established guidelines and criteria governing tax abatement agreements entered into by the City of Palacios regarding property within the zone.

SECTION 2. Designation of the Zone

That the City Council, acting under the provisions of Chapter 312, Texas Tax Code, does hereby designate as a reinvestment zone the area described in the attached Exhibit "A".

SECTION 3. Duration of the Zone

That the zone shall take effect immediately on the passage of this Ordinance and its designation as a reinvestment zone shall expire five years after its designation.

SECTION 4. Severability

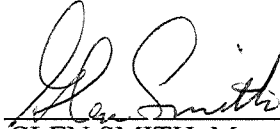
If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person to set circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining provisions of this Ordinance or their application to other persons or set of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or regulations connected herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

SECTION 5. Effective Date

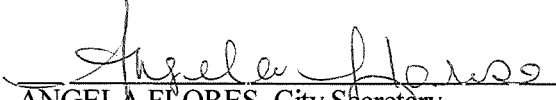
This ordinance shall become effective after its approval and adoption upon second and final reading and its publication pursuant to law.

PASSED, APPROVED AND ADOPTED on 11th day of April, 2017.

CITY OF PALACIOS, TEXAS


GLEN SMITH, Mayor

ATTEST:


ANGELA FLORES, City Secretary

APPROVED AS TO FORM:



RANDALL B. STRONG, City Attorney