

ORDINANCE NO. 3419

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEER PARK AUTHORIZING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (ACT), AND ADDING TAX INCENTIVES WHICH MAY BE OFFERED BY THE CITY TO NOMINATE A QUALIFIED BUSINESS AN ENTERPRISE PROJECT (PROJECT) THROUGH THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK); AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, as amended, the City of Deer Park previously adopted Ordinance No. 3302 in 2009 which authorized participation in the Texas Enterprise Zone Program and established local incentives which may be offered to qualified businesses; and

WHEREAS, Section 2303.4051(g) of the Texas Government Code allows a municipality to extend additional incentives to incentives established by Ordinance 3302, including tax incentives, for qualified businesses in an enterprise zone by a separate ordinance.

WHEREAS, the governing body of the City of Deer Park now wishes to adopt an ordinance which provides for additional possible local incentives which may be offered to qualified businesses under the Texas Enterprise Zone Program.

WHEREAS, a public hearing regarding the establishment of additional possible incentives which may be offered to qualified businesses under the Texas Enterprise Zone Program was conducted on July 19, 2011;

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

I.

In addition to local incentives previously established by Ordinance 3302, the following additional local incentives, at the election of the governing body, are or will be made available to the nominated project or activity of the qualified business:

- a) The City may provide business and industrial development services, including:

- 1) Chapter 380 tax rebates for projects which significantly enhance the city's tax base;
 - 2) Freeport exemption on property tax for employer's inventory that is shipped outside of Texas;
 - 3) establishment of a Tax Increment Reinvestment Zone;
 - 4) promotion and marketing services.
- b) The City may provide regulatory relief to businesses, including:
- 1) zoning changes or variances to promote economic development in the zone;
 - 2) exemptions from unnecessary building code requirements; or
- c) The City may provide enhanced municipal services to businesses, including:
- 1) enhanced police and fire protection;
 - 2) institution of community crime prevention programs; or
- d) The City may provide improvements in community facilities, including:
- 1) capital improvements in water and sewer facilities;
 - 2) road repair; or
 - 3) creation or improvement of parks; or
- e) The City may assist in providing job training and employment services to businesses, including:
- 1) retraining programs;
 - 2) literacy and employment skills programs;
 - 3) vocational education;
 - 4) customized job training; or
- f) The City may waive development fees for projects in the zone; or
- g) The City may establish permitting preferences for businesses in the zone.

II.

The enterprise zone area within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

III.

This ordinance shall take effect from and after its passage as the law and charter in such case provided.

IV.

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Government Code of the State of Texas.

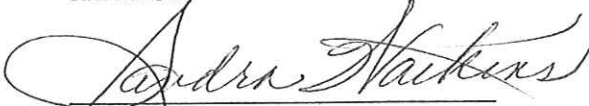
V.

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that it is necessary to provide economic support to businesses and provide additional income for the City and jobs for the City residents, thereby creating an emergency, for which the Charter requirements providing for the reading of Ordinances on three (3) several days should be dispensed with, and this ordinance should be passed finally on its first reading; and, accordingly, such requirement is dispensed with, and this ordinance shall take effect upon its passage and approval by the Mayor.

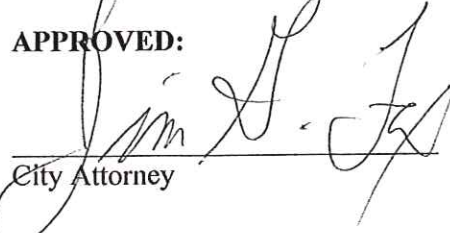
In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the 19th day of July, 2011, **by a vote of** 7 "Ayes" and 0 "Noes".


MAYOR, City of Deer Park, Texas

ATTEST:


City Secretary

APPROVED:


City Attorney