

ORDINANCE NO. 2023-07

AN ORDINANCE MAKING FINDINGS; DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT; ASSIGNING THE NAME "REINVESTMENT ZONE NUMBER 1 (ONE) OF THE CITY OF SWEETWATER, TEXAS" TO SAID ZONE; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING FOR ELIGIBILITY REQUIREMENTS FOR TAX ABATEMENT WITHIN SAID ZONE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND MAKING AN OPEN MEETING FINDING.

WHEREAS, the City Council of the City of Sweetwater, Texas, ("City"), as authorized by the property Redevelopment and Tax Abatement Act, Chapter 312, TEX. TAX CODE, ("the Act"), wishes to designate a new reinvestment zone in an effort to promote the development or redevelopment of a certain contiguous geographic area through the use of tax abatement; and

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

Section 1. Name of Ordinance: This Ordinance shall be known as "Reinvestment Zone No. 1 of the City of Sweetwater."

Section 2. Definitions. In this Ordinance, the following words shall be defined as follows:

- (a) **"Improvements"** shall include, for the purpose of establishing eligibility under Section 312.202, TEX. TAX CODE, new construction or redevelopment of current structures.
- (b) **"Property"** means the property covered in Reinvestment Zone shall include real and personal property located in the reinvestment zone.
- (c) **"Base Year"** the base year for determining increased value shall be the taxable value of the real property and any fixed improvements as of January 1 of the year in which the tax abatement is executed.

Section 3. Determinations. The City, after conducting a public hearing evidence and testimony of all persons wishing to be heard, hereby makes the following findings and determinations:

- (a) That a public hearing on the adoption of the Reinvestment Zone has been properly called, held and conducted and that the required notice of such hearing has been given to the public and to all taxing units overlapping the territory inside the proposed reinvestment zone;

(b) That the boundaries of the area of the proposed tax agreement shall be the area described in Exhibit "A" which is attached hereto and incorporated herein;

(c) That the creation of the reinvestment zone for commercial-industrial tax abatement with boundaries as described in Exhibit "A" will result in benefits to the City and to the Property included in the Reinvestment Zone and the improvements sought are feasible and practical and will be a benefit to the Property and to the City after the expiration of any agreement between the City and another party within the Reinvestment Zone;

(d) That the Reinvestment Zone, as defined in Exhibit "A", meets the criteria for the creation of a Reinvestment Zone as set forth below:

(1) TEX. TAX CODE, Section 312.202 (6) "be reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the Property and that would contribute to the economic development of the municipality."

(e) That the reinvestment zone as defined in Exhibit "A" meets the criteria for the creation of a reinvestment zone as set forth in the City of Sweetwater Guidelines and Criteria for Tax Abatement; and

(f) The area designated to be included in Reinvestment Zone No. 1 has been zoned Industrial (K) by the City of Sweetwater.

Section 4. Creation of Reinvestment Zone. Pursuant to the Property Redevelopment and Tax Abatement Act, Chapter 312, TEX. TAX Code, the City of Sweetwater hereby creates and designates a reinvestment zone for commercial- industrial tax abatement encompassing only the areas as described in Exhibit "A" which shall be known as Reinvestment Zone No. 1 of the City of Sweetwater, Texas.

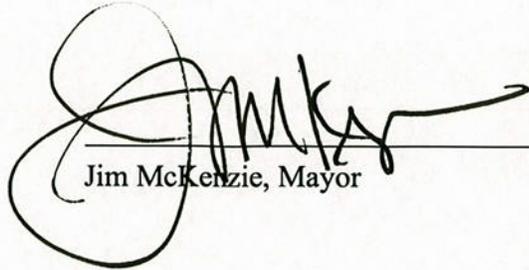
Section 5. Severability. If for any reason any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be held invalid, it shall not affect any valid provision of this or any other Resolution of the City of Sweetwater to which this Ordinance relates.

Section 6. Effective Date of Ordinance and Term of the Reinvestment Zone The provisions of this Ordinance, including the reinvestment zone designation shall be effective immediately upon passage, execution by the Mayor, and any required publication and shall expire five years after the date of the designation as Provided by TEX. TAX CODE, Section 312.203.

Section 7. Invalidity. If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

Section 8. Open Meeting Finding. That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sweetwater, Texas,
on this the 11th day of July, 2023.



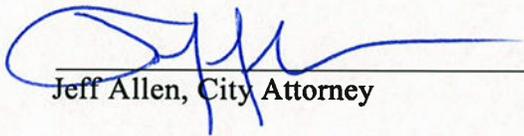
Jim McKenzie, Mayor

ATTEST:



Patty Torres, City Secretary

APPROVED AS TO FORM:



Jeff Allen, City Attorney

EXHIBIT "A"

REINVESTMENT ZONE NO. 1

BOUNDARY DESCRIPTION

Being all of Lots Fourteen (14), Fifteen (15), Sixteen (16), and Seventeen (17) of the Sweetwater Industrial Park (Nolan County Plat Records Slide 234A), Sweetwater, Nolan County, Texas, more particularly described on the following plat:

