

**Ordinance designating 127.72 acres within the jurisdiction of the City of Corpus Christi as a Tax Increment Financing District to be known as "Reinvestment Zone Number Six, City of Corpus Christi, Texas" pursuant to petition by owners of Barisi Village properties; setting a maximum City financial participation and a maximum City contribution of \$32,000,000; and establishing a Board of Directors for the Reinvestment Zone.**

**WHEREAS**, the Texas Legislature has authorized cities to establish reinvestment zones by its enactment of the Tax Increment Financing Act, Chapter 311, Texas Tax Code ("Act");

**WHEREAS**, Barisi Village LLC, the sole owner of the subject property with the exception of the right-of-way known as Nile, has petitioned the City of Corpus Christi ("City") to establish a reinvestment zone ("Zone"), as authorized by section 311.005(a)(4) of the Act, within the area of the City as described in Exhibit "A," and depicted by map in Exhibit "B," which exhibits are attached to and incorporated into this ordinance; and the City has determined that the petition complies with all requirements of the Act;

**WHEREAS**, the City has prepared a preliminary reinvestment zone financing plan, a true and correct copy of which is attached to and incorporated into this ordinance as Exhibit "C," and has taken and shall take all other actions required under Section 311.003 of the Act;

**WHEREAS**, the preliminary reinvestment zone financing plan provides that the ad valorem taxes of the City constituting its tax increment are to be deposited into the Tax Increment Fund created by this ordinance, and that ad valorem taxes of any other taxing units constituting their respective tax increments may also be utilized for the purposes described in the preliminary financing plan;

**WHEREAS**, in compliance with the Act, the City called a public hearing to hear public comment on the creation of the proposed zone and its benefits to the City and the property in the proposed zone;

**WHEREAS**, in compliance with the Act, notice of the public hearing was published in the Corpus Christi Caller-Times, a daily newspaper having general circulation in the City, the publication date being not later than seven days prior to the date of the public hearing;

**WHEREAS**, the hearing was convened at the time and place mentioned in the published notice, to-wit, on \_\_\_\_\_, at the Regular Meeting of the City Council commencing at 11:30 a.m., at the Corpus Christi Regional Transportation Authority 2<sup>nd</sup> Floor Board Room, which hearing was conducted, in accordance with the Texas Open Meetings Act and then closed;

**WHEREAS**, the City, at the hearing, invited and permitted any interested person to speak for or against the creation of the zone, its boundaries, and the concept of tax increment financing;

**WHEREAS**, all owners of property located within the proposed zone were given a reasonable opportunity to protest the inclusion of the property in the proposed zone;

**WHEREAS**, City Council considered all information provided to it relevant to the merits of creating the zone, consistent with the criteria in Chapter 311; and

**WHEREAS**, all requirements of the Act have been met.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS, THAT:**

**SECTION 1. FINDINGS.** The City Council, after conducting the above-described public hearing and having heard all evidence and testimony, makes the following findings and determinations based on the evidence and testimony presented to it:

(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 Zone is a contiguous geographic area located wholly within the corporate limits of the City.

(c) That the proposed zone meets the criteria and requirements of Texas Tax Code §311.005 because the Zone is an area described in a petition requesting that the area be designated as a reinvestment zone by the owners of property constituting at least 50 percent of the appraised value of the property in the area according to the most recent certified appraisal roll for the county in which the area is located.

(d) That the total appraised value of taxable real property in the proposed reinvestment zone and in existing reinvestment zones within the City according to the most recent appraisal rolls for the City, does not exceed 25 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City.

(e) That the improvements to be implemented in the proposed zone will significantly enhance the value of all taxable real property in the proposed zone and will be of general benefit to the City.

(f) The development or redevelopment of the property in the proposed zone will not occur solely through private investment in the reasonably foreseeable future.

**SECTION 2. DESIGNATION AND NAME OF THE ZONE.** The City Council designates as a reinvestment zone the area described by the metes and bounds in Exhibit "A" and depicted by map in Exhibit "B" to promote development and redevelopment of the area, which development or redevelopment the City Council determines will not occur solely through private investment in the reasonably foreseeable future. The reinvestment zone shall be identified as Reinvestment Zone Number Six, City of Corpus Christi, Texas" ("Zone" or "Reinvestment Zone"). The Zone shall be informally referred to as TIRZ #6 (Barisi Village).

**SECTION 3. BOARD OF DIRECTORS.** That a Board of Directors for the Zone (the "Board") is established, which consists of up to 9 members. The Board shall be appointed as follows:

(a) Under Section 311.009(b), Tax Code, the respective governing bodies of each taxing unit other than the City each may appoint one member of the Board if the taxing unit has approved the payment of all or part of the tax increment produced by the unit into the tax increment fund for the zone. Each governing body may waive its right to appoint a director and is deemed to have waived the right if it has not made the appointment within thirty days of receiving written notice of its right to appoint.

(b) The member of the state senate in whose district the zone is located is a member of the board, and the member of the state house of representatives in whose district the zone is located is a member of the board, except that either may designate another individual to serve in the member's place at the pleasure of the member.

(c) The remaining members of the Board are appointed by the City Council of the City. All members appointed by the Board must meet eligibility requirements, as set forth in the Act.

(d) Terms of Board members, except for the members of the state senate and state house of representatives, are two years. Officers must be appointed as provided in the Act.

(e) The Board shall make recommendations to the City Council concerning the administration of the Zone. The Board shall prepare and adopt a project plan and reinvestment zone financing plan for the Zone and submit the plans to the City Council for its approval under Section 311.011, Texas Tax Code. The Board shall exercise other powers and responsibilities with respect to the Zone only to the extent expressly granted by the City Council by ordinance or resolution.

**SECTION 4. DURATION OF THE ZONE.** The Zone shall take effect immediately upon the passage of this Ordinance. Termination of the Zone occurs on December 31, 2043, at an earlier or later time designated by subsequent ordinance of the City Council, at the

time as all project costs, and all tax increment bonds and interest on any bonds, have been paid in full, or at the time that the total amount of increment collected from all participating tax entities reaches the maximum increment collection of \$60,000,000.

**SECTION 5. TAX INCREMENT BASE.** That the Tax Increment Base of the City or any other taxing unit participating in the Zone is the total appraised value of all real property taxable by the City or other taxing unit participating in the Zone and located in the Zone, determined as of January 1, 2024, the year in which the Zone is designated as a reinvestment zone (the "Tax Increment Base"), is shown in **Exhibit "D"**, which will be attached to and incorporated in this ordinance. The valuations as of January 1, 2023, are included in the Exhibit "D" at the time of designation, but must be replaced with the January 1, 2024, valuations once the certified roles are available to the City.

**SECTION 6. TAX INCREMENT FUND.** There is created and established a Tax Increment Fund for the Zone, which may be divided into the accounts and subaccounts, as deemed necessary or convenient under generally accepted accounting principles for government, into which all tax increments, less any amounts not required to be paid into the Tax Increment Fund under the Act, are to be deposited. The Tax Increment Fund may be utilized only for purposes permitted by the Act and managed under the Act.

**SECTION 7. CITY'S PLEDGED INCREMENT.** The amount of tax increment that the City contributes to the Tax Increment Fund for each year of the remain term is as shown in the table below. The City's total contribution will not exceed \$32,000,000.

Tax years 2025-2033	95%
Tax year 2034	90%
Tax year 2035	80%
Tax year 2036	70%
Tax year 2037	60%
Tax year 2038	50%
Tax year 2039	40%
Tax year 2040	30%
Tax year 2041	20%
Tax year 2042	15%
Tax year 2043	10%
Tax year 2044	5%

**SECTION 8. IMPLEMENT THE PROJECT PLAN.** The City Council finds that the creation of the Zone and the expenditure of moneys on deposit in the Tax Increment Fund, which are necessary or convenient to the creation of the Zone or to the implementation of the

project plan for the Zone, constitute a program to promote local economic development and to stimulate business and commercial activity in the City.

**SECTION 9. SEVERABILITY.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision of this ordinance be given full force and effect for its purpose.

Introduced and voted on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED and APPROVED on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Paulette Guajardo, Mayor

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Rebecca Huerta, City Secretary