

ORDINANCE NO. _____

ONE READING ORDINANCE DESIGNATING A CERTAIN GEOGRAPHIC AREA IN THE CITY OF CORPUS CHRISTI AS “PROJECT FINANCING ZONE [NUMBER ONE], CITY OF CORPUS CHRISTI, TEXAS” AND PROVIDING AN EXPIRATION DATE FOR THE ZONE; MAKING CERTAIN FINDINGS RELATED THERETO; DIRECTING THAT THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS BE NOTIFIED OF THE ZONE’S CREATION WITHIN THIRTY (30) DAYS OF ITS DESIGNATION; REQUESTING THAT THE COMPTROLLER DEPOSIT INCREMENTAL HOTEL-ASSOCIATED TAX REVENUES FROM THE ZONE INTO A SUSPENSE ACCOUNT HELD IN TRUST FOR THE CITY’S QUALIFIED PROJECT ACTIVITIES; PROVIDING FOR NOTIFICATION TO THE COMPTROLLER IN THE EVENT THAT QUALIFIED PROJECT ACTIVITIES ARE ABANDONED OR NOT COMMENCED WITHIN FIVE YEARS OF THE INITIAL DEPOSIT TO THE SUSPENSE ACCOUNT; AND CONTAINING OTHER RELATED MATTERS.

WHEREAS, the City of Corpus Christi (the “City”) had a population of 317,863 persons according to the 2020 Census and Nueces County, Texas (the “County”) had a population of 353,178 persons according to the 2020 Census; and

WHEREAS, the City’s Convention Center Complex, which includes the Convention Center, the Selena Auditorium, and the Arena, is a “qualified project” under Section 351.1015(a)(5) and Section 351.1015(a)(6), as amended, Texas Tax Code (“**Qualified Project**”); and

WHEREAS, the Qualified Project is an eligible project and is located in a municipality described by Section 151.1015(b)(2), as amended Texas Tax Code (as amended by HB 5012 of the 88th Texas Legislature, Regular Session); and

WHEREAS, as authorized by Section 351.1015(a)(4), as amended, Texas Tax Code, the City Council wishes to designate an area of the City that is within a three-mile radius of the center of the Qualified Project as a project financing zone in order to assist in the financing of costs associated with the payment of bonds or other obligations issued or incurred to acquire, lease, construct, improve, expand, enlarge, renovate, modernize, equip, operate, and maintain the Qualified Project (collectively, “**Qualified Project Activities**”); and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. Designation of Zone; Expiration.

That the City Council hereby designates the area depicted in the map attached hereto as Exhibit “A”, which is hereby made a part of this Ordinance for all purposes, as a project financing zone pursuant to and in accordance with Section 351.1015, as amended, Texas Tax Code. This project financing zone shall be known as “Project Financing Zone [Number One], City of Corpus Christi, Texas” (the “**Zone**”). The Zone shall expire on the thirtieth (30th) anniversary of the effective date of this Ordinance or, so long as there are no outstanding Qualified Project Activities existing at the time, an earlier expiration date designated by an ordinance adopted by the City Council after the effective date of this Ordinance.

SECTION 2. Findings.

That after reviewing all information before it regarding the establishment of the Zone, the City Council hereby makes the following determinations and findings of fact:

- (a) The statements and facts set forth in the recitals of this Ordinance are true and correct.
- (b) The City is an “eligible central municipality”, as such term is defined in Section 351.001(7)(B), as:
 - (i) The City has a population of 250,000 or more;
 - (ii) The City is located wholly or partly on a barrier island that borders the Gulf of Mexico;
 - (iii) The County has a population of 300,000 or more; and
 - (iv) The City has adopted a capital improvement plan to expand the Qualified Project.
- (c) The Qualified Project constitutes a “qualified project,” as such term is defined in Section 351.1015(a)(5) and Section 351.1015(a)(6), as amended, Texas Tax Code.
- (d) The latitude and longitude of the Qualified Project is 27.8079 North, - 97.3951 West.
- (e) The boundaries of the Zone encompass an area that is within a three-mile radius of the center of the Qualified Project.

SECTION 3. Notifications to Comptroller.

That the City Council hereby directs the City Manager, or their designee, to notify the Texas Comptroller of Public Accounts (the “**Comptroller**”) of the designation of the Zone within thirty (30) calendar days of the date of adoption of this Ordinance and to request the Comptroller (i) to deposit incremental hotel-associated revenue collected by the Comptroller into a suspense account (the “**Suspense Account**”) pursuant to the terms and conditions of Section 351.1015, as amended, Texas Tax Code and (ii) to notify the City in writing of the date of the first deposit into the Suspense Account. In addition, the City Manager, or their designee, is hereby directed to notify the Comptroller in the event that Qualified Project Activities are abandoned or not commenced within five (5) years of the date of the Comptroller’s first deposit to the Suspense Account.

SECTION 4. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. Effect of Headings. The Section headings herein are for convenience only and shall not affect the construction hereof.

SECTION 6. Severability. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance or the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 7. Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 8. Incorporation of Findings and Determinations. The findings and determinations of the City Council contained in the preamble of this Ordinance are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section.

SECTION 9. Effective Date. This Ordinance shall take effect and be in force immediately from and after its adoption on the date shown below in accordance with Texas Government Code, Section 1201.028, as amended.

SECTION 10. One Reading. This section constitutes a written request by the mayor or majority of the members of the City Council for this Ordinance to be passed finally on the date of introduction due to emergency. The City Council finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs; and suspends the City Charter rule that requires consideration of and voting upon ordinances at two regular meetings so that this Ordinance is passed and takes effect upon first reading as an emergency measure.

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PASSED, APPROVED AND ADOPTED on the ____ day of December, 2024.

CITY OF CORPUS CHRISTI,
TEXAS

Mayor

ATTEST:

City Secretary

(SEAL)

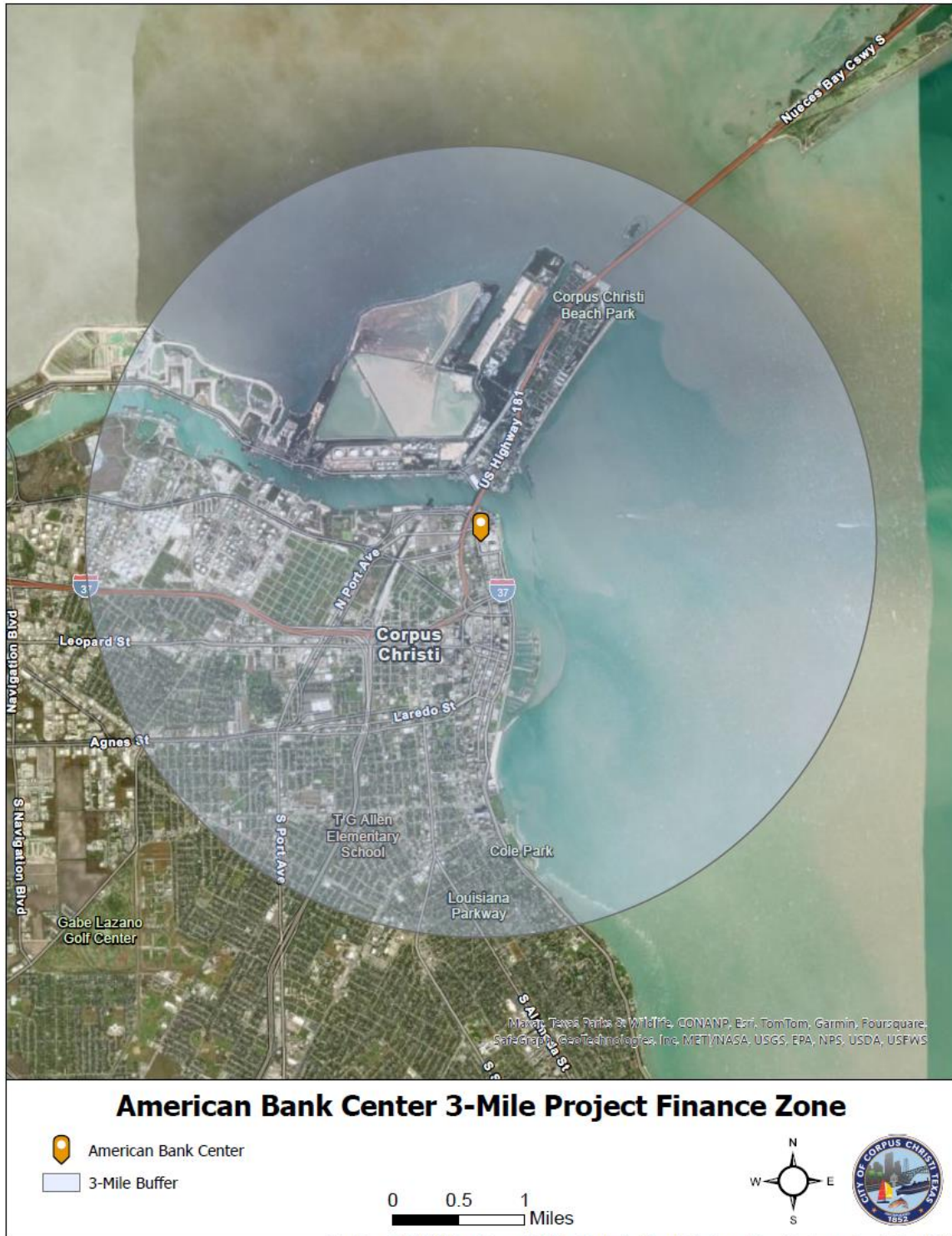
APPROVED THIS ____ DAY OF DECEMBER, 2024:

Miles Risley, City Attorney

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EXHIBIT A

Map of Zone



City of Corpus Christi\IT GIS Team - Documents\GIS Map or Data Requests\Economic Development\EconomicDevelopment_ConventionCenter\MapXY