

RESOLUTION NO. 19- 37

A RESOLUTION OF THE CITY OF COMMERCE, TEXAS, A HOME RULE MUNICIPAL CORPORATION OF THE STATE OF TEXAS, DESIGNATING A CERTAIN AREA WITHIN THE CORPORATE BOUNDARIES OF THE CITY AS NEIGHBORHOOD EMPOWERMENT ZONE NO. 1 PURSUANT TO CHAPTER 378 OF THE TEXAS LOCAL GOVERNMENT CODE, PROVIDING FOR LOCAL INCENTIVES; PROVIDING LOCAL INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Commerce, Texas desires to encourage the investment of private resources in productive business enterprises and single-family housing units in historic and economically distressed areas of the City; and

WHEREAS, the City of Commerce, Texas desires to increase economic development within those areas; and,

WHEREAS, it is necessary and in the best interest of the City to create the Commerce Neighborhood Empowerment Zone No. 1 (the "Zone") pursuant to Chapter 378 of the Texas Local Government Code.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS:

SECTION 1. That the City designates an area more particularly described and illustrated in "Exhibit A" attached hereto and incorporated herein for designation as the Commerce Neighborhood Empowerment Zone No. 1.

SECTION 2. That the City Council as the governing body of the City of Commerce, Texas finds that the creation of the Zone will increase economic development within the Zone as well as throughout City and increase the rehabilitation and construction of affordable housing within the zone.

SECTION 3. That the City Council as the governing body of the City of Commerce, Texas finds that the creation of the Zone benefits and is for the public purpose of increasing the public health, safety, and welfare of the persons in municipality.

SECTION 4. That the City Council as the governing body of the City of Commerce, Texas finds that the creation of the Zone satisfies the requirements of Section 312.202 of the Tax Code.

SECTION 5. That the City Council as the governing body of the City of Commerce, Texas does hereby ordain and establish the following incentives for development within the Zone, and authorizes the City Manager or his or her designee to negotiate agreements effecting said incentives:

1. The City may enter into agreements, for a period of not more than ten (10) years, for the purpose of benefiting the zone, for refunds of municipal sales tax on sales made within the zone; and
2. The City may enter into agreements abating municipal property taxes on property within the Zone subject to the duration limits of Section 312.204 of the Tax Code; and

3. The City may enter into agreements establishing baseline performance standards, such as the Energy Star Program as developed by the US Department of Energy, LEED Certification as developed by the US Green Building Council, or other similar programs to encourage the use of alternative building materials that address concerns relating to the environment or to the building costs, maintenance, or energy consumption; and
4. The City Manager may authorize alternative construction methodologies and alternative building materials than those required by the City of Commerce Code of Ordinances; and
5. The City Manager may authorize alternative off-street parking requirements for single-family residential development within the Zone; and
6. The City Manager may waive, reduce or amend fees related to the construction of buildings within the Zone, including fees relating to the construction of buildings and impact fees; and
7. The City Manager may authorize the following economic incentives to promote and encourage single-family residential development within the zone:
 - a. Water and sewer tap fees waived if no utility cut is required;
 - b. Cash Rebate Incentive, for qualifying single-family remodels, up to three (3) years in the amount of the increment increase on the Hunt County Appraised Value from property's pre-construction and post-construction appraised value.

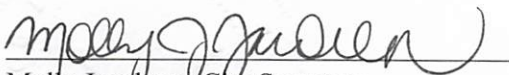
SECTION 6. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this resolution or the application thereby shall remain in effect, it being the intent of the City Council of the City, in adopting this resolution, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any portion or provision.

SECTION 7. Publishing and Effective Date. This Resolution shall be published and become effective according to law on the date of passage.

On motion by Council member, seconded by Council member, the above and foregoing Resolution was passed and approved at a Regular Meeting of the City Council of the City of Commerce, Texas, on this the 20th day of August, 2019.

Ayes: Wyman Williams, Jean Klaus, Becky Thompson, Stephanie Muller, Gene Lockhart
Nays: Ø
Abstentions: Ø

ATTEST:

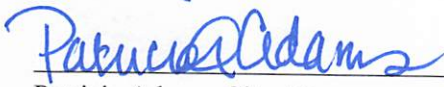

Molly Jacobsen, City Secretary

(Seal)

CITY OF COMMERCE, TEXAS


Wyman Williams, Mayor

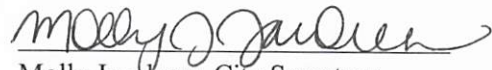
APPROVED AS TO FORM:



Patricia Adams, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution and that the same has not been repealed and is in full force and effect.

(Seal)



Molly Jacobsen, City Secretary
City of Commerce, Texas

EXHIBIT A



Beginning at the northwest corner of the zone at the intersection of Park Street and Highway 71/Bishop, thence south to the intersection of Park Street and Maple Street, thence east to the intersection of Maple Street and Mangum Street, then north to the intersection of Mangum and Spruce, thence east to the intersection of Spruce and Clark, thence north to the intersection of Clark and Chestnut, thence east to the Railroad, thence north to Sycamore, thence east to the intersection of Sycamore and Kennie, thence north to the intersection of Kennie and M L King, thence east to the intersection of Prichard Rd/CR4513, thence north to the southern edge of Property ID 106486, thence west to 4th Street, thence north to the intersection of 4th and Highway 71/Bishop, then west to the point of origin.