

RESOLUTION NO. 2022 - 30

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CHAPTER 380
PROGRAM AGREEMENT FOR ECONOMIC DEVELOPMENT
INCENTIVES BY AND BETWEEN MICHAEL WHITE AND THE CITY OF
COMMERCE, TEXAS RELATIVE TO THE CONSTRUCTION OF A NEW
BUILD IN COMMERCE, TEXAS LOCATED AT 1702 CLARK STREET**

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 21st day of June 2022, at 6:00 p.m.; a majority of council members being present and constituting a quorum, the following resolution was adopted:

WHEREAS, The City of Commerce (hereinafter referred to as "CITY" has found that providing a Neighborhood Empowerment Zone program consisting of tax abatement or rebate, lien waivers, and permit and tap fee waivers to Michael White (hereinafter referred to as "OWNER") in exchange for OWNER'S completion of the project proposed by OWNER will promote local economic development and stimulate the residential propertytax base within the City of Commerce (hereafter referred to as "PROJECT"); and

WHEREAS, CITY has determined that the PROJECT will directly establish a public purpose and that all transactions involving the use of public funds and resourcesin the establishment and administration of the PROGRAM contain controls likely to ensurethat the public purpose is accomplished; and

WHEREAS, Chapter 380 of the Local Government Code provides statutory authority for establishing and administering the PROJECT provided herein; and,

WHEREAS, Chapter 378 of the Local Government Code provides statutory authority for establishing and administering the Neighborhood Empowerment Zone; and

WHEREAS, the City of Commerce established designated Neighborhood Empowerment Zone No. 1 by resolution and in accordance with statutory processes; and

WHEREAS, the Commerce City Council has elected to participate in economic development incentives in accordance with V.T.C.A. Local Government Code, Chapter 380, and has adopted policy statements, guidelines, criteria and procedures for evaluating and considering applications and agreements for such incentives;

NOW THEREFORE, BE IT RESOLVED, that all of the recitals contained in the preamble of this resolution are found to be true and are adopted as findings of fact by this governing body and as part of its official record; and

BE IT FURTHER RESOLVED That the City Manager or his designee is authorized to execute a Chapter 380 Program Agreement for Economic Development Incentives with OWNER to provide certain economic incentives associated with the construction of a new home on the property located at Legal Description: ORIG TOWN OF COMMERCE LOTS 4A & 4B OF BLOCK 52, BEING A REPLAT OF LOT 4 OF BLOCK 52 ACRES 0.374; and

BE IT FURTHER RESOLVED In authorizing the execution of and in executing the referenced agreement, the City of Commerce, Texas, through its City Council and City officials, hereby exercises a governmental function in accordance with but not limited to Section 101.0215 of the Texas Civil Practices and Remedies Code;

BE IT FURTHER RESOLVED A substantial copy of the Neighborhood Empowerment Zone Agreement for Economic Development Incentives is attached hereto as Exhibit "A" and incorporated herein for all intents and purposes; and

BE IT FURTHER RESOLVED that the Mayor of the City of Commerce, Texas, Teddy Reel, be authorized and he is authorized to affix his signature to this resolution.

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to this Resolution.

PASSED BY THE GOVERNING BODY of the City of Commerce, Texas, at a regular meeting of the City Council of Commerce, Texas, on the 21st day of June 2022.

ATTEST:


Molly Jacobsen, City Secretary

CITY OF COMMERCE

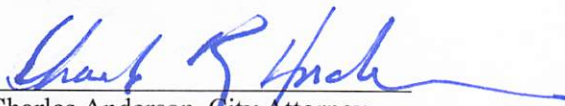

Teddy Reel, Mayor

(Seal)

Resolution.NEZAgreement.1702Clark.6.21.2022

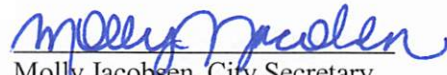
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APPROVED AS TO FORM:


Charles Anderson, 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