

**ORDINANCE NO. 2024-28**

**AN ORDINANCE AMENDING ORDINANCE NO. 13-13, WHICH AMENDED ORDINANCE NO. 04-42 RELATING TO THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM IN ACCORDANCE WITH THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; EXPANDING THE LIST OF LOCAL INCENTIVES OFFERED WITHIN THE CITY'S JURISDICTION AND NOMINATING UNION CARBIDE CORPORATION TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) AS AN ENTERPRISE PROJECT (PROJECT) PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

**WHEREAS**, the City Commission of the City of Texas City, Texas (City) has previously passed Ordinance No. 04-42 and Ordinance No. 13-13, electing to participate in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act (the "Act") and offering a specific listing of local incentives to qualified applicants; and

**WHEREAS**, the City desires to amend Ordinance No. 13-13 to expand the list of local incentives the City offers to the more comprehensive list of local incentives as summarized on attached Exhibit A; and

**WHEREAS**, the City finds that it is in full compliance with Chapter 2303, Texas Government Code prior to nomination of an eligible business; and

**WHEREAS**, with proper notice to the public, a public hearing to consider this ordinance was held on Wednesday, November 20<sup>th</sup> 2024 during a meeting of the City Commission, in the Commission Chambers at City Hall, in the City of Texas City during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the City finds that Union Carbide Corporation meets the criteria for tax relief and other incentives adopted by the City on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Act, Union Carbide Corporation has applied to the City for designation as an enterprise project; and

**WHEREAS**, the project or activity is not located in an area designated as an enterprise zone.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS THAT:**

**SECTION 1:** The City finds that Union Carbide Corporation meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- A. Union Carbide Corporation is a “qualified business” under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body’s jurisdiction, located outside of an enterprise zone and at least thirty-five percent (35%) of the business’ new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and
- B. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
- C. The designation of Union Carbide Corporation as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**SECTION 2.** The City nominates Union Carbide Corporation for enterprise project status.

**SECTION 3.** The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

**SECTION 4.** That all other provisions of Ordinance No. 04-42 and Ordinance No. 13-13 shall continue in full force and effect.

**SECTION 5.** The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate five (5) years after the date of designation.

**SECTION 6.** This ordinance shall be finally passed and adopted on the date of its introduction and shall become effective from and after its passage as the law and charter in such case provides.

**PASSED AND ADOPTED this 20th day of November 2024.**

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Dedrick D. Johnson, Sr., Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

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Rhomari D. Leigh  
City Secretary

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Kyle L. Dickson  
City Attorney

## EXHIBIT A

	Name of Incentive	Description of Incentive	Availability
1	Local Sales Tax Refunds	The City may refund local sales/use taxes through Chapter 380 local incentive agreements	Citywide – case by Case Basis
2	Tax Abatement	The City may abate property taxes for certain projects located in the city.	Citywide – case by Case Basis
3	Tax Increment Financing	The City may create Tax Increment Finance zones to fund infrastructure improvement projects.	Citywide – case by Case Basis
4	Economic Development Sales Tax (4A) Contribution	Administered through 4A Economic Development Corporation	Citywide
5	Chapter 380	The City may provide grants and loans to promote economic growth	Citywide – case by Case Basis
6	Foreign Trade Zone	The City operates a Foreign Trade Zone (#199) in accordance with the Foreign Trade Zone Act.	Within FTZ # 199
7	Zoning Changes/Variances	The City may permit zoning changes or variances to promote economic development.	Citywide – case by Case Basis
8	Impact/Inspection Fee Waivers	The City may waive impact/ inspection fees to promote economic development.	Citywide – case by Case Basis
9	Streamlined Permitting (Including One-Stop Permitting)	The City may accelerate zoning permit procedures to provide regulatory relief and/or promote economic development.	Citywide – case by Case Basis
10	Improved Police and/or Fire Protection	Protection and safety of City residents	Citywide
11	Community Crime Prevention Programs	Citizen’s Police Academy, Crime Stoppers, Explorer Program, etc.	Citywide
12	Special Public Transit Routes, Fares, Shuttles	Enhanced community services	Citywide
13	Capital Improvements Plan for Water and Sewer Facilities	Improvement in public facilities	Citywide

14	Road Repair	Improvement in public facilities	Citywide
15	Creation or Improvement of Parks	The City may create or improve public parks to promote the health and well being of City residents.	Citywide
16	Low-Interest Loans for Housing Rehabilitation or New Construction	The City administers a Housing Rehabilitation Program through its Community Development department.	Citywide – Case by Case Basis
17	Use of Underutilized Public Buildings (i.e. School Buildings) for Economic Development Purposes	The City may use underutilized public buildings as incubators or to promote economic development.	Citywide – Case by Case Basis
18	Promotion and Marketing Service	Business Services	Citywide
19	Job Training, Retraining Program and Employment Services	Offered in conjunction with the local community colleges, Texas City High School, and other training providers	Citywide
20	Literacy and Employment Skills Services	Offered in conjunction with the local community colleges, Texas City High School, and other training providers.	Citywide
21	Vocational Education and Customized Job Training	Offered in conjunction with the local community colleges, Texas City High School, and other training providers.	Citywide
22	Other Tax Deferrals, Tax Refunds or Tax Incentives	The City may provide grants, loans and exemptions to promote economic growth	Citywide – Case by Case Basis