

City of Houston, Texas, Ordinance No. 2013-1128

AN ORDINANCE TERMINATING REINVESTMENT ZONE NUMBER FOUR, CITY OF HOUSTON, TEXAS (VILLAGE ENCLAVES ZONE) ON DECEMBER 31, 2013; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, The City of Houston by Ordinance No. 1996-1014 (the "Designation Ordinance"), adopted on September 25, 1996, created and designated Reinvestment Zone Number Four, City of Houston, Texas (the "Zone") pursuant to Chapter 311, Tax Increment Financing Act, Texas Tax Code, (the "Act"); and

WHEREAS, the Designation Ordinance provided that the Zone would terminate on December 31, 2016 "or at such time designated by subsequent ordinance;" and

WHEREAS, the City approved a Project Plan and Reinvestment Zone Financing Plan (collectively, the "Plans") for the Zone by Ordinance No. 1997-0599, as amended by Ordinance No. 1999-0731, which provided for, among other Project Costs, shared educational facilities; and

WHEREAS, the City, the Zone, and Houston Independent School District ("HISD") entered into an Interlocal Agreement ("Agreement") effective October 7, 1997, whereby HISD agreed to participate in the Zone by paying HISD tax increments into the tax increment fund for the Zone; and

WHEREAS, the Agreement provides that two-thirds of tax increments contributed by the City and HISD to the tax increment fund of the Zone (after payment of certain developer debt) would be paid to HISD for the cost of shared educational facilities in an amount not to exceed \$45 million plus the cost of financing; and

WHEREAS, the Agreement provides that HISD may terminate the Agreement when all project costs and obligations of the Zone have been paid; and

WHEREAS, on November 14, 2013, the Board of Trustees of HISD found that the City and the Zone had satisfied all their obligations under the Agreement and voted to terminate the Agreement; and

WHEREAS, on December 9, 2013, the Board of the Zone found that:

- (1) all project costs of the Zone have been paid;
- (2) the objectives of the Plans have been accomplished;
- (3) neither the Zone nor the City has any outstanding obligations with respect to the Zone;
- (4) all Developer Debt has been paid; and

(5) HISD has terminated the Agreement and its obligation to participate in the Zone; and

WHEREAS, the Board of the Zone also adopted a Resolution Recommending Termination of Reinvestment Zone Number Four, City of Houston, Texas, which it forwarded to the Mayor.

WHEREAS, the City Council finds that:

- (1) all project costs of the Zone have been paid;
- (2) the objectives of the Plans have been accomplished;
- (3) neither the Zone nor the City has any outstanding obligations with respect to the Zone;
- (4) all Developer Debt has been paid; and
- (5) HISD has terminated the Agreement and its obligation to participate in the Zone; and

WHEREAS, the City Council finds that it is appropriate to terminate the Zone prior to the date established in the Designation Ordinance, and that the termination of the Zone should be effective at the end of the current year, on December 31, 2013;
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

Section 2. That Reinvestment Zone Number Four, City of Houston, Texas, is hereby terminated effective December 31, 2013.

Section 3. That a public emergency exists requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND APPROVED this 11th day of December, 2013.



Mayor of the City of Houston

(Prepared by Legal Department DERAZAH F. ALICE)
(DFM:dfm December 4, 2013 Senior Assistant City Attorney)
(Requested by Andy Icken, Chief Development Officer)
(L.D. File No. _____)

AYE	NO	
✓		MAYOR PARKER
....	COUNCIL MEMBERS
✓		BROWN
✓		DAVIS
✓		COHEN
✓		ADAMS
✓		MARTIN
✓		HOANG
✓		PENNINGTON
✓		GONZALEZ
	ABSENT ON PERSONAL BUSINESS	RODRIGUEZ
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		BURKS
✓		NORIEGA
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	