

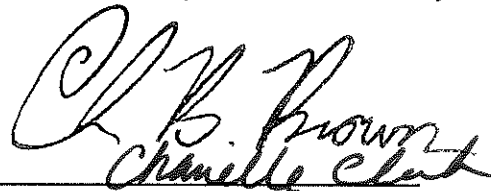
Controller's Office

To the Honorable Mayor and City Council of the City of Houston:

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the ordinance set out below that:

- () Funds have been encumbered out of funds previously appropriated for such purpose.
- () Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.
- () Funds will be available out of current or general revenue prior to the maturity of any such obligation.
- () No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
- () The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.
- () A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated herein by this reference.

(X) Other - Contingent on receipt of tax increment



Date: 12-13, 2022

City Controller of the City of Houston

FUND REF: N/A AMOUNT: N/A ENCUMB. NO.: RF50091-23

075941

City of Houston, Texas, Ordinance No. 2022 - 979

AN ORDINANCE APPROVING AND AUTHORIZING A SECOND AMENDMENT TO INTERLOCAL AGREEMENT AMONG THE CITY OF HOUSTON, TEXAS, THE HARRIS COUNTY, TEXAS, REINVESTMENT ZONE NUMBER TWENTY-FOUR, CITY OF HOUSTON, TEXAS (GREATER HOUSTON ZONE), AND THE HARRIS COUNTY REDEVELOPMENT AUTHORITY, RELATING TO THE PARTICIPATION OF THE CITY OF HOUSTON IN REINVESTMENT ZONE NUMBER TWENTY-FOUR, CITY OF HOUSTON, TEXAS (GREATER HOUSTON ZONE); AND DECLARING AN EMERGENCY.

Handwritten initials: H, SP, MS

* * * *

WHEREAS, by Ordinance 2012-1048 (the "Original Ordinance"), the City of Houston (The "City"), following a public hearing, designated Reinvestment Zone Number Twenty-Four (the "Zone"), in accordance with Chapter 311 of the Texas Tax Code; and

WHEREAS, by Ordinance 2022-977¹ (the "Amended Ordinance") the City has amended certain provisions of the Original Ordinance relating to the composition of the board of directors for the Zone and amount of the City's participation in the Zone; and

WHEREAS, by Ordinance 2014-714 the City, Harris County, Texas ("County"), Harris County Redevelopment ("Authority"), and the Zone entered into an Interlocal Agreement effective July 25, 2014, as amended by that First Amended Interlocal Agreement approved by the City by Ordinance 2015-815 on August 26, 2015 (as amended, the "Participation Agreement" or "Agreement") relating to the City and County participation in the Zone and setting forth various obligations of the Parties with respect to the operation and administration of the Zone and the handling of the tax increments collected from the property within the Zone; and

WHEREAS, the City's initial contribution to the Zone was limited to five percent (5%) of the City Tax Increment (as defined in the Participation Agreement) which is retained by the City for administrative costs of operating the Zone; and

WHEREAS, the Second Amended Project Plan and Reinvestment Zone Financing Plan (as amended, the "Plan") was approved by Ordinance 2020-846 and provided for an increase in the City participation rate to 75% (which includes the 5% retained for administrative costs, which will continue to be so retained) and states that the increased level of tax increment resulting for the City's increased participation shall be used to fund projects consistent with the Plan that are approved by the City; and

WHEREAS, the City, County, Authority and Zone wish to further amend the Agreement to increase the City's participation in the Zone; **NOW, THEREFORE**

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

Section 1. That the City Council hereby approves and authorizes the contract, agreement, or other undertakings described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents on behalf of the City of Houston. The City Secretary is hereby authorized to attest to all signatures and to affix the seal of the City to all such documents. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under such contract, agreement, or other undertaking without further authorization from Council.

Section 2. That there exists a public emergency requiring that this Ordinance

¹ Amended Ordinance number to be inserted by City Secretary upon passage.

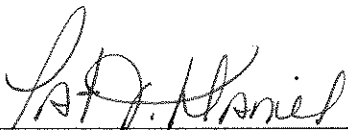
be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 14th day of December, 2022.

APPROVED this _____ day of _____, 2022.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 20 2022.


City Secretary

(Prepared by Legal Department )
(KK:gd September 2, 2022 Senior Assistant City Attorney
(Requested by Andy Icken, Chief Development Officer, Office of the Mayor)
(L.D. File No. 042-2200070-001)

Meeting 12/14/2022

| Aye | No | |
|------------------------------------|---------|------------------------|
| ✓ | | Mayor Turner |
| | | Council Members |
| ✓ | | Peck |
| ✓ | | Jackson |
| ✓ | | Kamin |
| ✓ | | Evans-Shabazz |
| ✓ | | Martin |
| ✓ | | Thomas |
| ✓ | | Huffman |
| ✓ | | Cisneros |
| ✓ | | Gallegos |
| ✓ | | Pollard |
| ✓ | | Castex-Tatum |
| ✓ | | Knox |
| ✓ | | Robinson |
| Absent on personal business | | Kubosh |
| ✓ | | Plummer |
| ✓ | | Alcorn |
| Caption | Adopted | |

Captions Published in DAILY COURT REVIEW

Date: 12/20/2022

EXHIBIT "A"

SECOND AMENDMENT TO INTERLOCAL AGREEMENT

WHEREAS, pursuant to Ordinance 2022-____ (the “Amended Ordinance”) the City has amended certain provisions of the Original Ordinance relating to the composition of the board of directors for the Zone and amount of the City’s participation in the Zone; and

WHEREAS, the Parties entered into an Interlocal Agreement effective July 25, 2014, as amended by that First Amended Interlocal Agreement approved by the County on July 14, 2015, the Zone and the Authority on June 24, 2015 and by the City on August 26, 2015 (as amended, the “Participation Agreement” or “Agreement”) relating to the City and County participation in the Zone and setting forth various obligations of the Parties with respect to the operation and administration of the Zone and the handling of the tax increments collected from the property within the Zone; and

WHEREAS, the City’s initial contribution to the Zone was limited to five percent (5%) of the City Tax Increment (as defined in the Participation Agreement) which is retained by the City for administrative costs of operating the Zone.

WHEREAS, the City has elected to increase the amount of its participation in the Zone to be used for projects within the Zone to be selected and approved by the City in accordance with the terms hereof; and

WHEREAS, the City and the County have approved an amendment to the Plan (as defined in the Participation Agreement) to increase the City participation to seventy-five percent (75%) of the City’s Tax Increment (as herein defined); and

NOW, THEREFORE, the Parties agree to amend the Participation Agreement in accordance with the following.

1. Article II. Definitions: Article II of the Participation Agreement is amended by adding the following new or revised defined terms:

- a. "City Tax Increment" means, for each year, the amount of property taxes levied and assessed by the City on the Captured Appraised Value.
- b. "City Tax Increment Participation" means the City's annual ad valorem tax increment payments to the TIRZ pursuant to Section IVA of the Agreement.
- c. "Plan" shall mean the Second Amended Project Plan as approved by the City by Ordinance 2020-848.

2. Article III. Background: Article III of the Participation is amended by adding the following paragraph:

"Notwithstanding anything in this Article to the contrary, the City's participation in the zone shall be seventy-five percent (75%) of the of the City's Tax Increment. All of the City's Tax Increment Participation shall be used, consistent with the Project Plan, for project costs approved by the City associated with City projects."

3. Article IV. Obligations of the County. Subsection F. of Article IV of the Participation Agreement shall be deleted in its entirety and replaced with the following:

F. Board of Directors

Notwithstanding any provision herein to the contrary and in accordance with Ordinance 2022-_____, which amended the original ordinance designating the TIRZ, the Board of Directors of the TIRZ shall consist of eleven (11) members. The County shall have the continuing, unequivocal right throughout the term of this agreement to recommend to the Mayor of the City for nomination and appointment to the TIRZ Board of Directors and thereafter at all times maintain five (5) members on the TIRZ Board of Directors. Pursuant to Chapter 311 of the Texas Tax Code the County may appoint one additional director to the Board of Directors without action by the City so long as the County is a participating taxing unit in the Zone. The City shall have the right to

appoint five (5) members on the TIRZ Board of Directors. If more than two taxing units that levy taxes on real property in the Zone and have approved the payment of all or part of the tax increment produced by the taxing unit into the tax increment fund for the Zone appoint a director, the number of directors on the Board of Directors shall be increased by two for each taxing unit above two that appoints a director to the Board, provided further that the maximum number of directors shall not exceed fifteen (15). The County shall be entitled to appoint a person to one position of each of the two positions created as a result of more than two taxing units appointing directors. The County may also appoint and maintain as many non-voting ex officio members on the TIRZ Board as the County may desire.

4. Article V. Obligations of the City and the TIRZ. Article V. of the Participation Agreement is amended by adding the following paragraph prior to subsection A. of the Article:

The City shall pay amounts pursuant to this Agreement representing a total of seventy-five percent (75%) of the City Tax Increment in the Zone, consisting of (i) an amount equal to five percent (5%) of the City Tax Increment in the Zone to be retained by the City for administrative costs in administering the Zone, and (ii) an amount equal to seventy percent (70%) of the City Tax Increment in the Zone to be deposited into the Tax Increment Fund which funds shall be administered by the City and used for payment of the costs of projects consistent with the plan and approved by the City (“City Projects”).

5. Except as expressly provided herein the Interlocal Agreement, as amended and modified by this First Amendment, is hereby ratified and Confirmed.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the City, County, the Authority and the TIRZ have made and executed this First Amendment in multiple copies, each of which is an original.

ATTEST/SEAL:

CITY OF HOUSTON

By: _____
City Secretary

By: _____
Sylvester Turner
Mayor, City of Houston

APPROVED AS TO FORM:

COUNTERSIGNED:
CONTROLLER, CITY OF HOUSTON

By: _____
Name: _____

Senior City Attorney

By: _____

Date Signed: _____

ATTEST/SEAL:

**TAX INCREMENT REINVESTMENT
ZONE NUMBER TWENTY-FOUR,
CITY OF HOUSTON, TEXAS**

By _____
Name: _____
Secretary, Board of Directors

Adrienne Holloway signed by:
By: _____
Adrienne Holloway

Chairperson, Board of Directors
9/15/2022
Date Signed: _____

(signatures continue on following page)

ATTEST/SEAL:

By: _____
Name:
Secretary, Board of Directors

**HARRIS COUNTY
REDEVELOPMENT AUTHORITY**

DocuSigned by:
Adrienne Holloway
By: AFF8C7FA25EE418...
Adrienne Holloway
Chairperson, Board of Directors
Date Signed: 9/29/2022

APPROVED AS TO FORM:

County Attorney

By: _____
Assistant County Attorney

HARRIS COUNTY

By: _____
County Judge, Harris County
Date Signed: _____