

**ORDINANCE NO. 2025-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HARLINGEN, TEXAS, REAFFIRMING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT"); CONFIRMING THE DESIGNATION OF A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES; PROVIDING AVAILABLE TAX INCENTIVES; AND ALLOWING FOR FUTURE NOMINATIONS OF QUALIFIED BUSINESSES AND ENTERPRISE PROJECTS TO BE APPROVED BY RESOLUTION IF NOMINEE MEETS ALL REQUIREMENTS AS ESTABLISHED BY THE ACT AND ANY OTHER APPLICABLE STATE LAW.**

**WHEREAS**, the City Council of the City of Harlingen ("City") has previously passed Ordinance No. 10-37 on August 18, 2010, electing to participate in the Texas Enterprise Zone Program; and

**WHEREAS**, the City Council of the City of Harlingen, Texas ("City") reaffirms its desire to create the proper economic and social environment to induce the investment of private resources in productive business enterprise located in severely distressed areas of the city and to provide employment to residents of such areas for qualified businesses and enterprise projects; and

**WHEREAS**, the City reaffirms the designation of a liaison to oversee qualified businesses and enterprise projects it nominates under the Act and to communicate and negotiate with the Office of the Governor Economic Development and Tourism ("EDT"), the Economic Development Bank ("Bank"), enterprise projects, and other entities in an enterprise zone or affected by an enterprise zone; and

**WHEREAS**, the City finds that local incentives may be made available to the nominated project or activity of the qualified business as a Texas State Enterprise Zone Project (the ("TEZ Project")) on a case-by-case basis, taking into consideration the merit and eligibility of the TEZ Project; and

**WHEREAS**, the local incentives offered under this ordinance are the same on this date as were outlined in Ordinance No. 10-37; and

**WHEREAS**, the City finds that the future nominations for a TEZ Project may be approved by resolution pursuant to Sec. 2303.4051(f), provided that such projects meet those requirements in accordance with Chapter 2303, Texas Government Code; 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**, a public hearing to consider this ordinance was held by the City Council on February 5, 2025; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARLINGEN:**

**SECTION 1.** The city finds that future nominations of a TEZ project may be approved by resolution pursuant to Sec. 2303.4051(f), provided that such project meets those requirements pursuant to Chapter 2303, Texas Government Code.

**SECTION 2.** The local incentives listed in Ordinance 10-37 passed on August 18, 2010, at the election of the governing body, have not changed and may be available to the TEZ Project on a case-by-case basis, taking into consideration the merit and eligibility of the TEZ Project.

**SECTION 3.** The enterprise zone areas within the City, including its extraterritorial jurisdiction ("ETJ"), are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

**SECTION 4.** The City Council reaffirms the designation of the Mayor, or her designee, as the City's liaison to oversee enterprise projects it has nominated under the act and to communicate and negotiate with the EDT, the Bank, enterprise projects, and other entities in an enterprise zone or affected by an enterprise zone.

**SECTION 5.** The enterprise projects shall take effect on the date of designation of the enterprise projects by EDT and terminate five years from their respective date of designation.

**SECTION 6.** Harlingen areas automatically qualify for designation as an enterprise zone if the areas meet the requirements of section 2303.101 of the Act. Subject to annual review, the Bank has designated Cameron County as an economically distressed county within the State of Texas and thus areas located within Cameron and the ETJ automatically qualify for designation as an enterprise zone pursuant to Chapter 2303 of the Act.

**SECTION 7.** The statements set forth in the recitals of this Ordinance are declared to be true and correct and are incorporated as part of this Ordinance.

**SECTION 8.** This Ordinance shall be in full force and effect upon the date of its passage by City Commission.

**SECTION 9.** This Ordinance shall supersede and be controlling over any conflicting provision in any ordinance or resolution previously approved or adopted by City Council.

**PASSED AND ADOPTED this 19<sup>th</sup> day of February, 2025.**

**CITY OF HARLINGEN**



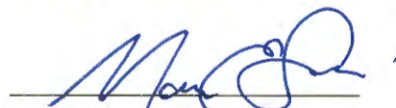
Norma Sepulveda, Mayor

**ATTEST:**



Hermelinda Gonzales, Interim City Secretary

**APPROVED AS TO FROM:**



Mark Sossi, City Attorney