

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, DISSOLVING TAX INCREMENT REINVESTMENT ZONE NUMBER TEN, CITY OF EL PASO, TEXAS, AND TERMINATING THE BOARD OF DIRECTORS OF THE ZONE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of El Paso, Texas (the "City"), pursuant to Chapter 311 of the Texas Tax Code (the "Act"), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act: and

WHEREAS, the City Council of City of El Paso, Texas (the "City"), previously created Tax Increment Reinvestment Zone Number 10 (the "Zone"), pursuant to the authority granted by Chapter 311 of the Texas Tax Code (the "Act"), and

WHEREAS, on December 19, 2017, the City Council of the City of El Paso, Texas, approved Ordinance No. 018749, approving the creation of the Zone to promote development or redevelopment within the Zone; and

WHEREAS, on May 29, 2018, the City Council of the City of El Paso, Texas, approved Ordinance No. 018791, expanding the boundary of the Zone; and

WHEREAS, on June 6, 2023, the City Council of the City of El Paso, Texas, approved Ordinance No. 019509, reducing the boundaries of the Zone; and

WHEREAS, the City Council finds that the purposes for which the Zone was created have been substantially fulfilled and/or the continuation of the Zone is no longer necessary; and

WHEREAS, all project costs and obligations of the Zone have been paid: and

WHEREAS, no bonds have been issued for the Zone thus far; and

WHEREAS, pursuant to Section 311.017(a) of the Texas Tax Code, a municipality may dissolve a reinvestment zone by ordinance once all project costs, tax increment bonds, and interest on those bonds have been paid or the City has otherwise provided for the payment of such obligations

WHEREAS, notice of the public hearing on the dissolution of the Zone was introduced on June 24, 2025: and

WHEREAS, at the public hearing on July 8, 2025, interested persons were allowed to speak for or against the dissolution of the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act: and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on July 8, 2025; and

WHEREAS, the City has taken all actions required to dissolve the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act, and all other laws applicable to the creation of the Zone; and

WHEREAS, upon the dissolution of the Zone, a remaining balance exists in the Tax Increment Fund (“TIF”) established for the Zone, and the City Council finds its appropriate and in the public interest to reallocate any remaining balance to the General Fund to reimburse or fund certain eligible expenses related to improvements, operations, and maintenance of City projects within the boundaries of the former Zone.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THAT:

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS.

That the City Council, after conducting the above-described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearing on the dissolution of the reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and
- (b) That the purposes for which the reinvestment zone was created have been substantially fulfilled and/or the continuation of the reinvestment zone is no longer necessary.

SECTION 3. DISSOLUTION.

The Tax Increment Reinvestment Zone Number 10, City of El Paso, Texas, is hereby dissolved effective September 1, 2025, in accordance with Section 311.017(a) of the Texas Tax Code.

SECTION 4. TERMINATION OF BOARD.

The Board of Directors of the Tax Increment Reinvestment Zone Number 10 is hereby disbanded and shall have no further authority or responsibility after the effective date of this Ordinance.

SECTION 5. DISPOSITION OF FUNDS.

Any remaining funds in the Tax Increment Reinvestment Zone Number 10’s tax increment fund shall be transferred to the City of El Paso’s General Fund or expended in accordance with the final project plan, as permitted by applicable law.

SECTION 6. REALLOCATION OF PORTION OF TIF FUNDS TO GENERAL FUND FOR CITY PROJECTS WITHIN THE FORMER ZONE.

Upon dissolution of the Tax Increment Reinvestment Zone 10, the City Manager, or designee, is hereby authorized to reallocate and transfer any remaining balance from the Tax Increment Fund to the City of El Paso's General Fund. Such funds shall be used solely for the purpose of reimbursing or funding expenses incurred by the City related to improvements, operations, or maintenance of City projects located within the boundaries of District 1, and take all steps necessary, including the execution of any required documents, in order to effectuate this authority.

SECTION 7. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of El Paso hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 8. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City of El Paso for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the City Charter.

PASSED AND ADOPTED on this ____ day of _____ 2025.

CITY OF EL PASO, TEXAS:

Renard U. Johnson
Mayor

ATTEST:

Laura Prine
City Clerk

APPROVED AS TO FORM:

Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:

Karina Bragalla
Director of Economic and International
Development