

Ordinance NO. 20180220

A Ordinance OF THE CITY OF GRAPELAND, TEXAS CALLING FOR THE ELECTION THAT THE NECESSARY PROPSAL OR PROPSALS BE PLACED ON TH MAY 5, 2018 ELECTION PERTAINING TO CHANGING (DISOLVING) THE GRAPELAND ECONOMIC DEVELOPMENT CORPORATION (GEDC) TYPE B AND CREATING A GRAPELAND MUNICIPAL DEVELOPMENT DISTRICT, ESTABLISHING THE PROCEDURE THERFOR, AND PROVIDING FOR RELATED MATTERS

WHEREAS, on May 5, 2018 the date of the general election for Mayor and certain City Council positions "The General Election", there shall also be determined ballot measures regarding a Municipal Development District for the City of Grapeland (hereinafter, the Grapeland Municipal Development District which boundaries shall include the City and its Extraterritorial Jurisdiction), with provision that the boundaries will conform automatically to any changes in the boundaries of the municipality or the municipality's extraterritorial jurisdiction;

WHEREAS, the Texas Election Code is applicable to said election and the established procedures are consistent with the Code and designation of the voting place or places for the election; and

Whereas, the creation of a Municipal Development District as authorized under Local Government Code Title 12, Chapter 377, Subchapter A. and therein provide enhancement in: plans, acquiring, establishing, developing, constructing, or renovation of development projects beneficial to the City of Grapeland and its extraterritorial jurisdiction.

Whereas, creating a Municipal Development District and dissolving the currently economic development corporation, known as the Grapeland Economic Development Corporation (GEDC), will be on the condition that voters approve concurrently the creation of the Municipal Development District.

Whereas, it is established that the current economic development sales tax remains one half of one percent for the Municipal Development District.

WHEREAS, the City Council of the City of Grapeland believes the dissolvent of the Grapeland Economic Development Corporation and creation of the Grapeland Municipal District is to the best interest of future economic development for our Corporate and Extra Territorial Jurisdiction:

NOW THEREFORE; BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPELAND, TEXAS:

SECTION 1,

- A. At the General Election of the City of Grapeland, to be held on Saturday May 5, 2018, and in the area of the City's extraterritorial jurisdiction, there shall also be included on the ballots a proposal or proposals to determine whether to create a Municipal Development and whether to dissolve the existing Grapeland Economic Development Corporation on the condition and contingent that voters approve the creation of the new Grapeland Municipal Development District. The wording of the ballot if in two proposals shall be similar to the following examples (with ordinance authorizing the Mayor and Staff to determine the ballot proposals final wording and or revise as may be deemed appropriate for the ballot:

Ballot Proposal No.1: To approve the creation of the Grapeland Municipal Development District, subject to it replacing the current Grapeland Economic Development Corporation (Type B); the Municipal Development District creation is for the purpose of improving the potential for financing development projects beneficial to the district boundaries, with the economic development sales tax of one half of one percent sales tax rate remaining the same and being conferred to the Grapeland Municipal Development District boundaries for the specific use as authorized by local Government Code and applicable within the corporate City limits including the extraterritorial jurisdiction of the City of Grapeland, which boundaries shall automatically conform to any changes in the corporate and extraterritorial boundaries for the purpose of financing development projects beneficial to the district; however, such creation of the Grapeland Municipal Development District is to be effective, only if the dissolution and termination of the existing Grapeland Economic Development Corporation is approved by voters in the City.

_____ **Yes**

_____ **No**

Ballot Proposal No 2: To approve the dissolution/termination of the Grapeland Economic Development Corporation within the incorporated boundary, and such dissolution/termination to be effective only if the Creation of the Grapeland Municipal Development District is approved by voters, and therein the boundaries of the Municipal Development District will include the incorporated City limits and extraterritorial jurisdiction of the City of Grapeland, which boundaries shall automatically conform to any changes in the corporate and extraterritorial boundaries at the rate of one and one half a percent for the purpose of financing development projects beneficial to the district?

_____ **Yes**

_____ **No**

- B.** The boundary of the Grapeland Municipal Development District proposed to be created pursuant to Ballot Proposal No.1 shall be such that the District shall contain all of the City and all of the City's extraterritorial jurisdiction, both as of the date of the election and conforming automatically over time to any future changes in the boundaries of the City and the City's extraterritorial jurisdiction so that the entirety of such areas are contained within and create the boundaries of such District
 - C.** The Ballot Proposal No 1. Shall appear on the ballots of all voters residing with the boundaries of the City and its extraterritorial jurisdiction at the time of the election.
 - D.** Ballot Proposal No.2 shall appear on the ballots of voters residing within the boundaries of the existing Grapeland City limits (boundary of the Grapeland Economic Development Corporation)
1. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair, or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this resolution are declared to be severable.

PASSED AND APPROVED this 20th day of February, 2018

/s/ Bala E. Dailly
Mayor

ATTEST:

/s/ Jan Stuteville, Interim
City Secretary

APPROVED AS TO FORM:

/s/ _____
City Attorney