

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, ESTABLISHING THE CITY’S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE (ACT), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING CERTAINTEED LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) AS AN ENTERPRISE PROJECT (PROJECT); AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Bryan, Texas, (“City”) desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the City and to provide employment to residents of such area; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the CertainTeed LLC has applied to the City for designation of its new manufacturing facility as an enterprise project; and

WHEREAS, the property where the manufacturing facility is to be built is within the City limits, but is not located in an area designated as a 2020 enterprise zone; and

WHEREAS, the City finds that CertainTeed LLC meets the criteria for incentives adopted by the City and the County on the grounds that it will be located at a qualified business site, will create a higher level of employment, economic activity, and will further economic stability; and

WHEREAS, a public hearing to consider this resolution was held by the City on May 14, 2024 after notice was placed in a newspaper of general circulation as required by law; and

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

1.

The City nominates CertainTeed LLC’s new manufacturing facility in Bryan for enterprise project status;

2.

The following local incentives, at the election of the City Council, are or will be made available to the nominated project or activity of the qualified business:

- a) The City may provide regulatory relief to businesses, including:
  - 1) exemptions from unnecessary building code requirements, permit fees; and
  - 2) streamlined permitting.
  
- b) The City may provide enhanced services to businesses, including:
  - 1) ensuring police and fire protection provided by the City of Bryan; and
  - 2) improved transportation routes

- c) The City may provide improvements in community facilities, including:
  - 1) capital improvements in water and sewer facilities; and
  - 2) road repair.
- d) The City may provide business and industrial development services, including:
  - 1) provision of publicly owned land for development purposes, including infrastructure for industrial development; and
  - 2) promotion and marketing services through the City of Bryan and Brazos County Economic Development Foundation, Inc.
- e) The City, in coordination with Workforce Solutions – Brazos Valley and the Bryan Independent School District, may facilitate the provision of job training and employment services to businesses, including:
  - 1) retraining programs;
  - 2) literacy and employment skills programs;
  - 3) vocational education; or
  - 4) customized job training.

3.

The City Council of the City of Bryan directs and designates its City Manager as the City’s liaison to communicate and negotiate with the Office of the Governor’s Economic Development and Tourism Division (EDT) through the Economic Development Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.

4.

The City of Bryan finds that CertainTeed, LLC meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- a) CertainTeed LLC is a “qualified business” under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located outside of an enterprise zone in the governing body’s jurisdiction and at least thirty-five percent (35%) of the business’ new employees will be residents of an Enterprise Zone, economically disadvantaged individuals, or veterans; and
- b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area; and
- c) The designation of CertainTeed LLC as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

5.

The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate on the date that is not less than one (1) year or more than five (5) years after the date of designation.

6.

This ordinance shall take effect from and after its final passage. The effective date of this Ordinance will be May 14, 2024.

**PASSED, ADOPTED, AND APPROVED** after the first and only reading the \_\_\_\_\_ day of \_\_\_\_\_, 2024, at a regular meeting of City Council of the City of Bryan, Texas, by a vote of \_\_\_\_\_ yeses and \_\_\_\_\_ noes.

**ATTEST:**

**CITY OF BRYAN:**

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

\_\_\_\_\_  
Bobby Gutierrez, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Thomas A. Leeper City Attorney