

ORDINANCE NO. 2013-09

AN ORDINANCE RENEWING THE DESIGNATION OF, AND RE-DESIGNATING, A CERTAIN AREA OF THE CITY OF BURNET AS REINVESTMENT ZONE NO. 3, CITY OF BURNET, TEXAS; PROVIDING SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the area of land described in the property descriptions attached to this ordinance as Exhibits "A" and "B" was designated as Reinvestment Zone No. 3, City of Burnet, Texas, by ordinance on the 27th day of July 2000; and

WHEREAS, the designation of such area as Reinvestment Zone No. 3 has expired and the City Council is authorized to renew such designation; and

WHEREAS, an public hearing regarding the initial designation was held before the City Council on the 20th day of July, 2000, after notice, as required by the laws of the State of Texas; and

WHEREAS, a re-designation public hearing was held before the City Council on the 21st day of May, 2013, after notice given in compliance with Section 312.201, Tax Code, and as required by the laws of the State of Texas; and

WHEREAS, all other required notices of such hearing have been provided; and

WHEREAS, upon such public hearing being convened, proper proof and evidence was presented that notices of such hearings had been published and provided, as required by law; and

WHEREAS, the City at such most recent public hearing, invited interested person to appear and contend for or against the re-designation and renewal of the reinvestment zone, the boundaries of the reinvestment zone, whether all or part of the territory which is described in Exhibits "A" and "B" should be included in such re-designated and renewed reinvestment zone, and whether the criteria for such zone has been met; and

WHEREAS, the City Council desires to renew and re-designate such reinvestment zone in order to promote the development or re-development of such geographic area, as authorized by the laws of the State of Texas.

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

Section I. Findings. That the facts and recitations hereinabove set out are hereby found and declared to be true and correct and are incorporated herein as findings of fact.

Section 2. Additional Findings. That after conducting such hearing and having heard such evidence and testimony, the City Council makes the following additional findings and determinations based on the evidence and testimony presented to it:

- a) That the public hearing on the renewal and re-designation of the reinvestment zone was properly called, noticed, held and conducted; and,
- b) That the City has jurisdiction to hold and conduct the public hearing on the renewal and re-designation of the reinvestment zone pursuant to the act; and
- c) That renewal and re-designation of the investment zone with the boundaries as described and set forth in Exhibits "A" and "B" will result in benefits to the City, its residents and property owners and to the property, residents and property owners in the reinvestment zone; and
- d) That the geographic area set forth in Exhibits "A" and "B" meets the criteria for the establishment of a reinvestment zone and the requirements of Section 312.202, Texas Tax Code, being an area whose development is reasonably likely to contribute to the community's growth; and
- e) The proposed reinvestment zone, as described, meets all other requirements and criteria of the laws of the State of Texas to be declared a reinvestment zone.

Section 3. Re-designation. That the City hereby renews and re-designates the areas described in the attached Exhibits "A" and "B", and made a part hereof for all purposes, as Reinvestment Zone No. 3, City of Burnet, Texas ("Zone"). The zone is being created for industrial/commercial tax abatement.

Section 4. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance 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 ordinance are declared to be severable.

Section 5. Effective Date. This ordinance shall take effect immediately from and after its passage.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on First Reading on this 21st day of May, 2013.

PASSED AND FINALLY APPROVED on this 28th day of May, 2013.

THE CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

