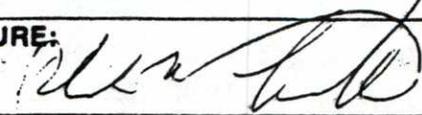


SUBJECT: An Ordinance authorizing an Interlocal Agreement between the City, Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace) and the Houston Independent School District.		Category #	Page 1 of _____	Agenda Item #
FROM (Department or other point of origin): Planning and Development Department		Origination Date 1/21/97	Agenda Date	
DIRECTOR'S SIGNATURE: 		Council District affected: C - Wong		
For additional information contact: Phone: Robert M. Litke 754-0008		Date and identification of prior authorizing Council action: None		
RECOMMENDATION: (Summary) Adopting an ordinance that authorizes an Interlocal Agreement between the City of Houston, the Reinvestment Zone Number One, City of Houston, Texas, and the Houston Independent School District.				
Amount and Source of Funding:			F&A Budget:	
SPECIFIC EXPLANATION: In December 1995, the Houston Independent School District (HISD) Board of Trustees voted to participate in Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace) subject to an agreement with Lamar Terrace. In December 1996, the HISD Board of Trustees approved this agreement which provides for 100% participation by HISD up to \$0.96/\$100 valuation, and other terms and conditions. On December 3, 1996, the Lamar Terrace board of directors approved the Interlocal Agreement between the zone, the city, and school district. This ordinance authorizes the Interlocal Agreement previously approved by the HISD Board of Trustees and the reinvestment zone Board of Directors. It is recommended the City Council approve the ordinance. CC: Dan Jones, Agenda Director Jimmie Schindewolf, Chief of Staff Richard Lewis, F&A Director Gene L. Locke, City Attorney				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

City of Houston Ordinance No. 97-118

AN ORDINANCE APPROVING AND AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF HOUSTON, HOUSTON, REINVESTMENT ZONE NUMBER ONE AND THE HOUSTON INDEPENDENT SCHOOL DISTRICT FOR THE PARTICIPATION OF THE HOUSTON INDEPENDENT SCHOOL DISTRICT IN REINVESTMENT ZONE, CITY OF HOUSTON, TEXAS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

* * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON:

Section 1. The City Council hereby approves and authorizes the contract, agreement or other undertaking described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents on behalf of the City of Houston. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 2. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking described in the title of this ordinance, in the event of changed circumstances.

Section 3. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.

Section 4. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

FORM 132.M
(Approving/Authorizing)

PASSED AND ADOPTED this 29th day of January, 1997.

APPROVED this _____ day of _____, 19____.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is FEB 04 1997.

Carla Russell
City Secretary

(Prepared by Legal Dept.
(JSW:WHU: 12/27/96)
(Requested by Director, Finance & Administration)
(L.D. File No. 34-96301-01)

J. W. Wiginton
Assistant City Attorney

c:®wpdocs®whor1351

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

INTERLOCAL AGREEMENT

I. PARTIES

A. Address

THIS INTERLOCAL AGREEMENT ("Agreement") is made by and between the CITY OF HOUSTON, TEXAS ("City"), a municipal corporation and home-rule city of the State of Texas principally situated in Harris County, acting by and through its governing body, the City Council; the HOUSTON INDEPENDENT SCHOOL DISTRICT ("HISD"), located at 3830 Richmond Avenue, Houston, Texas 77027; and the REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS ("Lamar Terrace Zone"), a reinvestment zone created by the City of Houston pursuant to Chapter 311 of the Texas Tax Code, acting by and through its Board of Directors. This Agreement is made pursuant to Chapter 791 of the Texas Government Code and Subsection 311.013(g) of the Texas Tax Code.

The initial addresses of the parties, which one party may change by giving written notice of its changed address to the other parties, are as follows:

City	HISD
Director of Finance and Administration Department or Designee City of Houston P. O. Box 1562 Houston, Texas 77251	Houston Independent School District Hattie Mae White Administration Building 3830 Richmond Avenue Houston, Texas 77027-5838

Lamar Terrace Zone

Reinvestment Zone Number One, City of Houston, Texas
c/o Mr. David Hawes, Zoning Administrator
HHNW Consultants
11743 West Bellfort, Suite 309
Stafford, Texas 77477

B. Index

The City, HISD and the Lamar Terrace Zone hereby agree to the terms and conditions of this Agreement. This Agreement consists of the following sections:

Section	Description	Page
I.	Parties	1
II.	Definitions	5
III.	Background	6
IV.	Obligations of HISD	6
V.	Obligations of City and Lamar Terrace Zone	8
VI.	Term and Termination	9
VII.	Miscellaneous	9
Exhibit "A" —	City of Houston Ordinance No. 90-1452	
Exhibit "B" —	City of Houston Ordinance No. 92-1674	

C. Parts Incorporated

All of the above described sections and documents are hereby incorporated into this Agreement by this reference for all purposes.

IN WITNESS HEREOF, the City, HISD and the Lamar Terrace Zone have made and executed this Agreement in multiple copies, each of which is an original.

CITY OF HOUSTON

HOUSTON INDEPENDENT SCHOOL DISTRICT

Mayor

Date

Paula Arnold

President, Board of Trustees

Date

ATTEST/SEAL:

City Secretary

Date

Laura Brite

Secretary, Board of Trustees

Date

COUNTERSIGNED:

City Controller

Date

Rodriguez

Superintendent of Schools

Date

APPROVED:

Director

Date

Department of Finance and Administration

APPROVED AS TO FORM:

Attorney

Donald R Boehm

12/12/96

Date

APPROVED AS TO FORM:

Jo Wignall

Sr. Assistant City Attorney Date

L.D. No. 349630101

REINVESTMENT ZONE NUMBER ONE
CITY OF HOUSTON, TEXAS (Lamar Terrace Zone)

 1-17-97
By: _____ Date
Title: Chairman, Board of Directors

ATTEST/SEAL:

By: _____ Date
Title: Secretary, Board of Directors

[The remainder of this page is intentionally left blank.]

II. DEFINITIONS

As used in this Agreement, the following terms shall have meanings set out below:

"Agreement" means this agreement between the City, HISD and Lamar Terrace Zone.

"Agreement Term" is defined in Section VII.

"Captured Appraised Value" means the captured appraised value of the Lamar Terrace Zone as defined by Chapter 311, Texas Tax Code.

"City" is defined in Section I of this Agreement and includes its successors and assigns.

"Countersignature Date" means that date shown as the date countersigned by the City Controller on the signature page of this Agreement.

"HISD" is defined in Section I of this Agreement and includes its successors and assigns.

"HISD Tax Increment Participation" means the amount of the HISD Tax Levy on the Captured Appraised Value which HISD agrees to contribute to the Lamar Terrace Zone pursuant to Subsection A and B of Section IV of this Agreement.

"Lamar Terrace Area" shall mean the Lamar Terrace subdivision area of the City and neighboring areas, as more particularly described in Ordinance No. 90-1452 and Ordinance No. 92-1674.

"Lamar Terrace Zone" means Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace), created by the City on December 12, 1990 by Ordinance No. 90-1452, and enlarged on December 22, 1992, by Ordinance No. 92-1674, both attached as Exhibits "A" and "B," respectively, and includes its successors and assigns.

"Tax Increment Fund" means the tax increment fund created by the City in the City Treasury for the Lamar Terrace Zone.

Otherwise, the terms used herein shall have the meanings ascribed to them in Chapter 311, Texas Tax Code or the Texas Education Code, as applicable.

III. BACKGROUND

By Ordinance No. 90-1452, dated December 12, 1990, the City created the Lamar Terrace Zone for the purposes of redevelopment in the Lamar Terrace Area. By Ordinance No. 92-1674, dated December 22, 1992, the City expanded the boundaries of the Lamar Terrace Zone. The City and Harris County currently contribute their tax increments produced in the Lamar Terrace Zone to the Lamar Terrace Zone. HISD desires to participate in the Lamar Terrace Zone in consideration for the agreements set forth below.

IV. OBLIGATIONS OF HISD

A. Tax Increment Participation by HISD

For and in consideration of the agreements of the parties set forth herein, and subject to the remaining subsections of this section, HISD agrees to participate in the Lamar Terrace Zone by contributing one hundred percent (100%) of the tax increment produced in the Lamar Terrace Zone attributable to HISD to the Tax Increment Fund during the term of this agreement.

B. Tax Increment Limitation

The amount to be contributed by HISD (the "HISD Tax Increment Participation") is the amount of taxes collected by HISD each year during the term of this Agreement at an HISD tax rate levy of \$0.96 per \$100 of valuation on the Captured Appraised Value. If the total tax levy is less than \$0.96 per \$100 valuation, then the HISD Tax Increment Participation is the total tax levy of HISD.

HISD's obligation to participate in the Lamar Terrace Zone shall be restricted to its tax increment collected on the Captured Appraised Value in the Lamar Terrace Zone. HISD shall not be obligated to pay its HISD Tax Increment Participation from other HISD taxes or revenues or until the HISD Tax Increment in the Lamar Terrace Zone is actually collected. The obligation to pay the HISD Tax Increment Participation shall accrue as taxes representing the HISD tax increment are collected by HISD and payment shall be due on the first day of each calendar quarter. The City and the Lamar Terrace Zone agree that no interest or penalty will be charged to HISD. Taxes collected by HISD on the Captured Appraised Value as a result of an HISD tax levy at a tax rate greater than \$0.96 per \$100 valuation shall be retained by HISD.

C. Changes in Applicable Laws

In the event that the laws applicable to HISD or tax increment reinvestment zones are changed so that the participation of HISD in the Lamar Terrace Zone decreases the amount of state and local funds available to HISD, the City and the Lamar Terrace Zone agree that the HISD Tax Increment Participation shall be decreased by the amount of the decrease in HISD state and local funding as a result of HISD's participation in the Lamar Terrace Zone.

D. Expansion of Lamar Terrace Zone

The obligation of HISD to participate in the Lamar Terrace Zone is limited to the area described in Exhibits "A" and "B" attached hereto. HISD's participation shall not extend to the tax increment on any additional property added to the Lamar Terrace Zone by the City unless HISD approves the participation.

E. Board of Directors

HISD shall have the unequivocal right to appoint to and maintain one (1) member on the Lamar Terrace Zone Board of Directors. HISD may also appoint and maintain as many nonvoting ex officio members on the Lamar Terrace Board of Directors as HISD may desire.

V. OBLIGATIONS OF CITY AND LAMAR TERRACE ZONE

A. Street Right of Way

To the extent requested by HISD, the City and the Lamar Terrace Zone agree that monies from the Tax Increment Fund shall be used, at no cost to HISD, to pay to the City the following costs that otherwise would be incurred by HISD with respect to the construction and operation of any educational facilities constructed by or on behalf of HISD in the Lamar Terrace Zone: (a) the cost of abandonment of any street right of way by the City on behalf of HISD and (b) the cost of water and sewer utility connections and construction outside the boundaries of HISD property. The City shall use proceeds from the preceding sentence for infrastructure improvements or other projects identified in the Lamar Terrace Zone Project Plan and Reinvestment Zone Financing Plan. The Lamar Terrace Zone Project Plan and Reinvestment Zone Financing Plan shall be amended to the extent necessary to authorize the payments contemplated by this subsection.

B. Project Plans and Financing Plans

The parties agree that the Superintendent of Schools of HISD shall be permitted to review and comment upon any amendments to the Lamar Terrace Zone project plan and reinvestment zone financing plan before any amendments to these plans are submitted to the City Council for City approval.

C. Control of Educational Facilities

The parties agree that all decisions regarding location, construction and educational content of HISD educational facilities in or to serve the Lamar Terrace Zone will be in the control of HISD. If the Lamar Terrace Zone acquires property for the construction of an educational facility to be operated by HISD to serve the Lamar Terrace Zone, the Lamar Terrace Zone shall convey the property to HISD at the request of HISD. The parties anticipate that the zoning regulations for the Lamar Terrace Zone will be amended to provide for the construction of a school in the Lamar Terrace Zone by or on behalf of HISD in conformance with plans to be developed by HISD in the future. If the zoning regulations have not been so amended by the time that HISD desires to begin construction, the parties agree that the Lamar Terrace Zone zoning regulations will not apply to the construction and that this Agreement will control. Nothing in this subsection shall be construed to relieve HISD of the obligation to comply with all City ordinances and regulations applicable to the construction and operation of any educational facility by or on behalf of HISD in the Lamar Terrace Zone.

D. Public Improvement District Assessments

The City agrees that HISD shall not be obligated to pay any assessment to the City for any public improvement district created in the Lamar Terrace Zone unless the City and HISD enter into a contract providing for such an assessment.

VI. TERM AND TERMINATION

A. Agreement Term

This Agreement shall become effective as of the date of the final signature hereto, and shall remain in effect until December 31, 2010.

The first payment of increment taxes by HISD under this Agreement shall be for those taxes levied by HISD in the year 1996 and the last payment by HISD under this Agreement is for those taxes levied by HISD in the year 2010.

VII. MISCELLANEOUS

A. Severability

In the event any term, covenant or condition herein contained shall be held to be invalid by any court of competent jurisdiction, such invalidity shall not affect any other term, covenant or condition herein contained, provided that such invalidity does not materially prejudice either HISD, the City or the Lamar Terrace Zone in their respective rights and obligations contained in the valid terms, covenants or conditions hereof.

In the event any term, covenant or condition shall be held invalid and affects in any manner the limitations on HISD's contributions or participation, then this Agreement shall be void as to HISD and HISD shall have no liability for any incremental or other payments as may otherwise be provided for in this Agreement.

B. Entire Agreement

This Agreement merges the prior negotiations and understandings of the parties hereto and embodies the entire agreement of the parties, and there are no other agreements, assurances, conditions, covenants (express or implied) or other terms with respect to the covenants, whether written or verbal, antecedent or contemporaneous, with the execution hereof.

C. Written Amendment

Unless otherwise provided herein, this Agreement may be amended only by written instrument duly executed on behalf of each party.

D. Notices

All notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third (3rd) day following deposit in a United States Postal Service post office or receptacle with proper postage affixed (certified mail, return receipt requested) addressed to the respective other party at the address prescribed in Section I of this Agreement or at such other address as the receiving party may have theretofore prescribed by notice to the sending party.

E. Non-Waiver

Failure of any party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon default or failure of performance shall not be considered a waiver of the right to insist on, and to enforce by any appropriate remedy, strict compliance with any other obligation hereunder or to exercise any right or remedy occurring as a result of any future default or failure of performance.

F. Assignment

No party shall assign this Agreement at law or otherwise without the prior written consent of the other parties.

No party shall delegate any portion of its performance under this Agreement without the written consent of the other parties.

G. Successors

This Agreement shall bind and benefit the parties and their legal successors. This Agreement does not create any personal liability on the part of any officer or agent of the City or of any trustee, officer, agent or employee of HISD.

H. No Waiver of Immunity

No party hereto waives or relinquishes any immunity or defense on behalf of itself, its trustees, officers, employees, and agents as a result of its execution of this Agreement and performance of the covenants contained herein.

City of Houston Ordinance No. 90-1452

AN ORDINANCE DESIGNATING A PORTION OF THE LAMAR TERRACE SUBDIVISION AS REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS; CREATING A BOARD OF DIRECTORS FOR SUCH ZONE; PROVIDING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council has received a petition (the "Petition") requesting that a portion of the Lamar Terrace subdivision in the City of Houston, Texas (the "City") be designated as a reinvestment zone under the provisions of Chapter 311 of the Texas Tax Code; and

WHEREAS, the Petition was submitted by the owners of property constituting at least fifty percent of the appraised value of property in the proposed reinvestment zone according to the most recent certified appraisal roll for Harris County, the county in which the proposed zone is located; and

WHEREAS, the City Council passed Resolution No. 90-184 which authorized the preparation of a preliminary reinvestment zone financing plan and the publication of notice of a public hearing on the creation of the proposed zone; and

WHEREAS, the City has prepared a preliminary reinvestment zone financing plan and has presented such plan to the governing body of each taxing unit that levies real property taxes in the proposed reinvestment zone and provided notice to each such taxing unit of the public hearing on the creation of the proposed zone; and

WHEREAS, the preliminary reinvestment zone financing plan provides that only City ad valorem taxes are to be deposited into the tax increment fund, and that the taxes of no other taxing unit are to be utilized in the financing of the proposed zone; and

WHEREAS, a notice of the December 12, 1990 public hearing concerning the creation of the Zone was published on December 3, 1990 in the Houston Chronicle, a newspaper of general circulation in the City; and

WHEREAS, Harris County, pursuant to Section 311.003, Texas Tax Code, has waived the Tax Code requirement that it receive sixty days' notice of the public hearing on the creation of the proposed zone by action of its Commissioner's Court on November 27, 1990; and

WHEREAS, the Houston Independent School District, pursuant to Section 311.003, Texas Tax Code, has waived the requirement that it receive sixty days' notice of the public hearing on the creation of the proposed zone by action of its Board of Trustees on December 6, 1990; and

WHEREAS, at the public hearing, interested persons were allowed to speak for or against the creation for the proposed zone, its boundaries, or the concept of tax increment financing; and

WHEREAS, evidence was received and presented at the public hearing in favor of the creation of the proposed zone under the provisions of Chapter 311, Texas Tax Code; NOW, THEREFORE,

EXHIBIT A
PAGE 2 OF 11

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. Findings

1. The proposed reinvestment zone meets the criteria of Section 311.005 of the Texas Tax Code in that with regard to the area of such zone:
 - a. The proposed zone is a contiguous geographic area located wholly within the corporate limits of the City of Houston;
 - b. The proposed zone is predominantly open and because of obsolete platting or the deterioration of structures or site improvements substantially impairs or arrests the sound growth of the City;
 - c. The proposed zone is an area that substantially impairs or arrests the sound growth of the City; retards the provision of housing accommodations; constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare in its present condition and use because of the presence of unsanitary and unsafe conditions, the deterioration of site or other improvements, the predominance of inadequate sidewalk and street layout; and the existence of conditions that endanger life or property by fire or other cause;

EXHIBIT A
PAGE 3 OF 11

- d. The total appraised value of taxable real property in the proposed zone, or in existing reinvestment zones, if any, does not exceed fifteen percent of the total appraised value of taxable real property in the municipality and in the industrial districts created by the City;
- e. The proposed reinvestment zone does not contain more than fifteen percent of the total appraised value of real property taxable by Harris County or the Houston Independent School District;
- f. The proposed improvements in the zone will significantly enhance the value of all the taxable real property in the proposed zone and will be of general benefit to the municipality;
- g. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

Section 2. Creation of the Zone

The City, acting under the provisions of Chapter 311, Texas Tax Code, including Section 311.005(a)(5), does hereby create and designate a reinvestment zone over the area described in Exhibit "A" and depicted in the map attached hereto as Exhibit "B" and that such reinvestment zone shall hereafter be identified as Reinvestment Zone Number One, City of Houston, Texas, (the "Zone").

EXHIBIT A
PAGE 4 OF 11

Section 3. Board of Directors

There is hereby created a Board of Directors for the Zone which shall consist of nine (9) members. Position One on the Board of Directors shall be filled by the State Senator representing the area included within the Zone or his designee. Position Two on the Board shall be filled by the State Representative representing the area included within the Zone or his designee. The City Council of the City shall appoint the remaining seven (7) members of the Board to Positions Three through Nine. Persons appointed to these Positions must meet the eligibility requirements of Chapter 311 of the Texas Tax Code to serve as members of the Board of Directors.

The first two directors or their designees shall be members of the board by operation of law pursuant to Section 311.009(b) Texas Tax Code. The second three directors shall be appointed for two year terms while the last four directors shall be appointed to one year terms. All subsequent appointments shall be for staggered terms. The City Council hereby appoints the member of the Board appointed to Position No. 3 to serve as the chair of the Board for a term beginning January 1, 1991, and ending December 31, 1991. Thereafter, the City Council annually shall appoint a member to serve as chairman for a term of one year beginning January 1, of the following year. The City Council authorizes the Board of Directors to elect from its members a vice chairman and such other officers it sees fit.

EXHIBIT A
PAGE 5 OF 11

The Board of Directors shall make recommendations to the City Council concerning the administration of the Zone. It shall prepare or cause to be prepared and adopt a project plan and a financing plan for the Zone as described in Section 311.011, Texas Tax Code and must submit such plans to the City Council for its approval. The City hereby delegates to the Board of Directors all powers necessary to prepare and implement such project plan and financing plan, subject to approval by the City Council, including the power to employ such consultants as may be reasonably required to assist the Board in the preparation of the project plan and financing plan and in the issuance of tax increment obligations.

Section 4. Administration of the Lamar Terrace Public Improvement District.

The Board of Directors of the Zone shall also manage and administer the Lamar Terrace Public Improvement District created by City of Houston Resolution No. 90-182, passed November 7, 1990 in accordance with a Memorandum of Agreement to be negotiated between the City and the Board of Directors of the Zone.

Section 5. Duration of the Zone.

The Zone shall take effect on January 1, 1991, and termination of the operation of the Zone shall occur on December 31, 2031 or at an earlier time designated by subsequent ordinance, or at such time, subsequent to the issuance of tax increment bonds, as all project costs, tax increment bonds, and the interest on those bonds, have been paid in full.

EXHIBIT A
PAGE 6 OF 11

Section 6. Tax Increment Base

The Tax Increment Base for the Zone, which is the total appraised value of all taxable real property in the zone, is to be determined as of January 1, 1991, the year in which the Zone was designated a reinvestment zone.

Section 7. Tax Increment Fund.

There is hereby created and established a Tax Increment Fund for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinances, into which all Tax Increments are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for Texas cities. Tax Increments shall equal the amount by which the then-current appraised value of all taxable real property located in the Zone exceeds its Tax Increment Base as defined in Section 311.012(c) of the Texas Tax Code, less any other funds which are to be allocated from the Tax Increment pursuant to the Act. All revenues from the sale of any tax increment bonds or notes hereafter issued by the City may be deposited into such fund or subaccount from which money will be disbursed to pay Project Costs for the Zone as defined by the Texas Tax Code or to satisfy the claims of holders of tax increment bonds or notes issued for the Zone. Pursuant to the provisions of Section 311.011(f), Texas Tax Code, one-third of the Tax Increment Fund is hereby dedicated to providing low-income housing in the City during the term of the Zone, and shall be aside in a separate fund established for that purpose.

Section 8. Severability

If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 9. Open Meetings

It is hereby found, determined and declared that a 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 rapidly accessible at all times to the general public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Article 6252-17, Vernon's Texas Civil Statutes, as amended, 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 10. Notices.

That the contents of the notice of public hearing, which hearing was held before the City Council on December 12, 1990, and the publication of said notice, is hereby ratified, approved and confirmed.

EXHIBIT A
PAGE 8 OF 11

Section 11. Emergency.

There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 12th day of December, 1990.

APPROVED this _____ day of _____, 19_____.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 13 1990.

[Signature]
City Secretary

(Prepared by Legal Dept. Jawn Meich - 726) JK
(DRU/pas 12/06/90) Assistant City Attorney
(Requested by Hal Caton, Acting Director, Department of Planning and Development)
(L.D. File No. 61-90035-01)
DRU834

EXHIBIT A
PAGE 2 OF 11

Being a tract or parcel containing approximately 42.2 acres of land situated in the H. Sanderson Survey A-725 and the Chas. Sage Survey A-697, Harris County, Texas and a part of Lamar Terrace, a Subdivision of 125 acres recorded February 15, 1950, Volume 32, Page 68 of the Harris County Map Records (H.C.M.R.).

Being comprised of all Lots in Blocks 1 through 8 and the public streets upon which said lots face within said Subdivision, said 42.2 acres being more particularly described as follows:

BEGINNING at the southeast corner of said Subdivision in the northerly right-of-way (R.O.W.) line of Richmond Avenue (100 feet wide) and the westerly R.O.W. of Rice Avenue;

THENCE, N 89° 36' W along the northerly R.O.W. of Richmond Avenue 1030.00 feet to a point for corner in the easterly R.O.W. of Yorktown, also the most southwesterly corner of Lot 1 Block 8 of said Subdivision;

THENCE, continuing North along the easterly R.O.W. of Yorktown 720.21 feet to a point being the Point of Curvature of a curve to the right with a Radius of 767.06 feet, a Length of 424.93 feet and a Delta angle of 31° 57' 08";

THENCE, continuing along said curve in the easterly R.O.W. of Yorktown to a Point of Reverse Curvature beginning a curve to the left having a Radius of 822.06 feet, a Length of 458.40 feet and a Delta angle of 31° 57' 06" to a point of tangency;

THENCE, continuing North along said curve in the easterly R.O.W. of Yorktown 310.21 feet to a point on said easterly R.O.W. and the northerly R.O.W. of Fayette, also being the southeast corner of Lot 1 Block 1 of said Subdivision;

THENCE, continuing along the easterly R.O.W. of Yorktown on a curve to the right having a Radius of 260.49 feet, a Length of 183.38 feet and a Delta angle of 40° 28', a distance of 113.36 feet to a point for corner being the northwest corner of Lot 1 Block 1 of said Subdivision;

THENCE, S 89° 36' E along the back lotline of Lots 1 through 13 of Block 1 of said Subdivision 765.81 feet to a point for corner being the northeast corner of Lot 13 Block 1 and in the westerly R.O.W. of Rice Avenue;

THENCE, South along said westerly of Rice Avenue R.O.W. 1985.72 feet to the POINT OF BEGINNING and containing approximately 42.2 acres of land.

lb/c:mb.96

EXHIBIT A
PAGE 10 OF 11

ALABAMA (80' R.O.W.)

ELBERG (80' R.O.W.)

BOUNDARY OF PROPOSED T.I.R.Z.

1	2	3	4	5	6	7	8	9	10	11	12	13
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PATETTE (80' R.O.W.)

1	2	3	4	5	6	7	8	9	10	11	12	13
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20	25	24	23	22	21	20	19	18	17	16	15	14
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VAL VERDE (80' R.O.W.)

1	2	3	4	5	6	7	8	9	10	11	12	13
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20	25	24	23	22	21	20	19	18	17	16	15	14
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HIDALGO (80' R.O.W.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
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20	29	27	26	25	24	23	22	21	20	19	18	17	16	15
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NAVARRO (80' R.O.W.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
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33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17
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LAMPASAS (80' R.O.W.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
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34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18
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FAIRDALE (80' R.O.W.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
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33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17
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Mc CULLOCH CIRCLE (80' R.O.W.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
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RICHMOND AVENUE (100' R.O.W.)

BOUNDARY OF PROPOSED T.I.R.Z.



BOUNDARY OF PROPOSED T.I.R.Z.

TOWN (80' R.O.W.)

ICE AVENUE (80' R.O.W.)

EXHIBIT A
PAGE 11 OF 11

LAMAR TERRACE T.I.R.Z.

AN ORDINANCE ENLARGING THE BOUNDARIES OF REINVESTMENT ZONE NO. 1, CITY OF HOUSTON, TEXAS; MAKING CERTAIN FINDINGS AND PROVISIONS RELATED THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Houston pursuant to the provisions of Chapter 311, Texas Tax Code, created Reinvestment Zone No. 1, City of Houston, Texas (the "Zone") by Ordinance No. 90-1452 passed December 12, 1990; and

WHEREAS, the City Council has received a petition under the provisions of Section 311.005(a)(5), Texas Tax Code, requesting that an additional portion of the Lamar Terrace subdivision be included in the Zone pursuant to the provisions of Chapter 311, Texas Tax Code; and

WHEREAS, the petition was submitted by and behalf of the owners of property constituting at least 50% of the appraised value in the area proposed to be added to the Zone according to the most recent certified appraisal roll for Harris County, the county in which the proposed Zone is located; and

WHEREAS, the petition requests that no ad valorem tax revenues other than those of the City of Houston be utilized by the enlarged Reinvestment Zone No. 1, City of Houston; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

SECTION 1. The area proposed to be included in the Zone meets the requirements of Section 311.005 of the Texas Tax Code in that

(a) the proposed area is located wholly within the corporate limits of the City of Houston;

(b) the proposed area is predominantly open and because of obsolete platting or the deterioration of structures or site improvement substantially impairs and arrests the sound growth of the City;

(c) the proposed area substantially impairs and arrests the sound growth of the City; retards the provision of housing accommodations; constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare in its present condition and use because of the presence of unsanitary and unsafe conditions the deterioration or other improvements the predominance of inadequate sidewalk and

street layout and existence of conditions that endanger life or property by fire or other cause;

(d) the total appraised value of taxable real property in the enlarged zone or in any other existing reinvestment zones if any does not exceed 15% of the total appraised value of taxable real property in the City and in the industrial districts created by the City;

(e) the proposed enlarged zone does not contain more than 15% of the total appraised value of real property taxable by Harris County or the Houston Independent School District;

(f) the proposed improvements in the enlarged zone will significantly enhance the value of all taxable real property in the proposed zone and will be of general benefit to the municipalities;

(g) that the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

SECTION 2. Enlargement of the Zone.

The City, acting under the provisions of Chapter 311, Texas Tax Code, including Section 311.005(a)(5) and 311.007(b) does hereby enlarge Reinvestment Zone No. 1, City of Houston, by adding the area described in Exhibit "A" and depicted in the map attached hereto. A map of the area to be added to the Zone is attached as Exhibit "B".

SECTION 3. The Zone shall be enlarged effective January 1, 1993.

SECTION 4. The tax increment base for the enlarged Zone shall include the tax increment base established by Ordinance 90-1452 and after January 1, 1993 shall include the tax increment base attributable the land added to the Zone by this ordinance.

SECTION 5. The creation of Reinvestment Zone No. 1, City of Houston by Ordinance No. 90-1452 is hereby ratified and confirmed.

SECTION 6. Severability.

If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable the invalidity or unenforceability of such section, paragraph, clause or provision shall not effect any of the remaining provisions of this ordinance.

SECTION 7. Open Meetings.

It is officially found, determined and declared that the meeting at which this Ordinance was adopted was open to the public and public notice of the time, place and subject matter of the public business was considered at such meeting, including this Ordinance was given all as required by the Texas Revised Civil Statutes Annotated Article 6252-17, as amended.

SECTION 8. Emergency.

There exists a public emergency requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event the Mayor fails to sign this ordinance within five (5) days after its passage and adoption it shall take effect in accordance with Article VI, Section 6, Houston City Charter passed and adopted this

22nd day of December 1992.

PASSED AND ADOPTED this 22nd day of December 1992.

APPROVED this ___ day of _____, 1992.

CITY OF HOUSTON, TEXAS

Mayor

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 28 1992.

[Signature]

City Secretary

[Signature]
Assistant City Attorney

(Prepared by Legal Dept.
BFW - 12/18/93

0184290

EXHIBIT B
PAGE 3 OF 5

CAPTION PUBLISHED IN DAILY COURIER
REVIEW
DATE: DEC 29 1992

DESCRIPTION OF
PROPOSED ANNEXATION AREA
CITY OF HOUSTON REINVESTMENT ZONE NUMBER ONE

Being a tract or parcel containing approximately 73.3 acres of land situated in the H. Sanderson Survey A-725 and the Charles Sage Survey A-697, Harris County, Texas and a part of Lamar Terrace, a Subdivision of 125 acres recorded August 14, 1950, Volume 32, Page 68 of the Harris County Map Records (H.C.M.R.).

Being comprised of all Lots in Blocks 9 through 25 and the public streets upon which said lots face within said Subdivision, said 73.3 acres being more particularly described as follows:

BEGINNING at the southwest corner of City of Houston Reinvestment Zone Number One, said point also being the Southwest corner of Lot 1 Block 8 of said Subdivision, said point also being the intersection of the Northerly right-of-way (R.O.W.) line of Richmond Avenue (100 feet wide) and the Easterly R.O.W. of Yorktown Street (60 feet wide);

THENCE, N 89° 36' W along the Northerly R.O.W. of Richmond Avenue 1503.75 feet to a point for corner in the Easterly R.O.W. of Chimney Rock Road, said point also being the most Southwesterly corner of Lot 6 Block 25 of said Subdivision;

THENCE, N 00° 05' W along the Easterly R.O.W. of Chimney Rock Road 1938.62 feet to a point, said point being the most Northwesterly corner of Lot 23 Block 18 of said subdivision;

THENCE, S 89° 29' E along the Boundary Line of said Subdivision 687 feet to a point, said point being the common corner of lots 5, 6, 13 and 14 Block 18 of said Subdivision;

THENCE, continuing along said Subdivision Boundary Line N 00° 15' W 305.00 feet to a point on the Southerly R.O.W. of Alabama Street, said point also being the Northwest corner of Lot 1 Block 18 of said Subdivision;

THENCE, continuing along the Southerly R.O.W. of Alabama S 89° 54' E 1238.58 feet to a point, said point being the Point of Tangency of a Curve having a Radius of 50 feet, and also being the Southeastery corner of the Alabama Street and the Yorktown Street Rights-of-way.

THENCE, Southerly along the Easterly R.O.W. of Yorktown Street being a Curve to the Left with a Radius of 50.00 feet, a Length of 66.39 feet and a Delta angle of 76° 04' 28", to a point of reverse curvature;

THENCE, continuing Southerly along said Easterly R.O.W. of Yorktown being a curve to the right with a Radius of 420.49 feet, a Length of 193.04 feet and a Delta angle of 26° 18' 11", to a point of reverse curvature;

THENCE, continuing Southerly along the easterly R.O.W. of Yorktown being a curve to the left having a Radius of 260.49 feet, a Length of 183.38 feet and a Delta angle of 40° 28', passing at a length of 70.02 feet the Northwest corner of said Reinvestment Zone, to a point of tangency, said point of tangency being on the North R.O.W. of Fayette Street and also being the Southwest corner of Lot 1 Block 1 of said Subdivision;

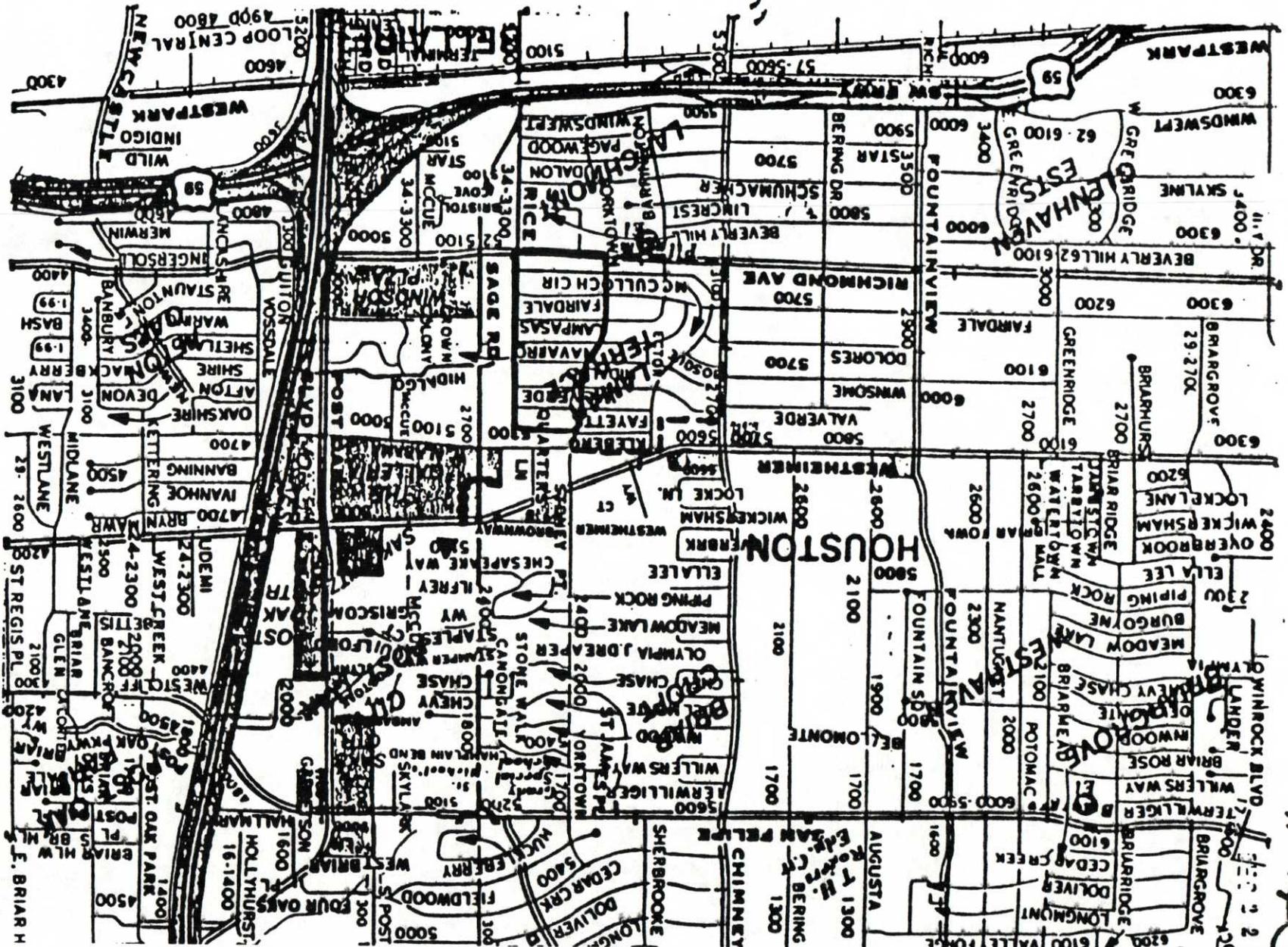
THENCE, South continuing along said Easterly R.O.W. of Yorktown and with the West Boundary of said Reinvestment Zone, passing at 280.00 feet the North R.O.W. of Val Verde Street, a distance of 310.21 feet to a point of curvature within the R.O.W. of Val Verde Street,

THENCE, continuing along the Easterly R.O.W. of Yorktown and with the West Boundary of said Reinvestment Zone, on a curve to the right having a Radius of 822.06 feet, a Length of 458.4 feet and a Delta angle of 31° 57' 06", to a point of reverse curvature

THENCE, continuing along the Easterly R.O.W. of Yorktown and with the West Boundary of said Reinvestment Zone, on a curve to the left having a Radius of 767.06 feet, a Length of 424.93 feet and a Delta angle of 31° 57' 06", to a point of tangency within the R.O.W. of Lampasas Street;

THENCE, South Continuing along said Easterly R.O.W. of Yorktown and with the West Boundary of said Reinvestment Zone, 720.21 feet to the POINT OF BEGINNING and containing approximately 73.3 acres of land

C:\meter\kannaumb
May 15, 1992



Reinvestment Zone # 1
 Proposed Annexation

EXHIBIT B
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