

City of Houston, Texas, Ordinance No. 2011-533

AN ORDINANCE EXTENDING THE DURATION OF REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS (MIDTOWN ZONE) TO DECEMBER 31, 2033; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, by Ordinance No. 1994-1345, adopted December 14, 1994 (“Creation Ordinance”), the City Council designated Reinvestment Zone Number Two, City of Houston, Texas (“Zone”), over the area generally referred to as Midtown, pursuant to Chapter 311 of the Texas Tax Code, to provide for the development or redevelopment of land within the boundaries of the Zone; and

WHEREAS, in the Creation Ordinance, the termination date specified for the Zone was December 31, 2025, establishing a 30-year duration period for the Zone; and

WHEREAS, the intent in creating the Zone was to revitalize Midtown into a viable residential community with supporting commercial development; and

WHEREAS, although a broad public infrastructure rehabilitation and improvement program has been undertaken since the Zone’s creation in 1994, the revitalization of the Zone has had an unforeseen demand on already-distressed public infrastructure in the area;

WHEREAS, the City and the Zone are commencing a broad public infrastructure rehabilitation and improvement program, pursuant to the Zone’s

Project Plan and Reinvestment Zone Financing Plan, as amended (the "Plans"), which will revitalize the Zone; and

WHEREAS, because the Plans are now more extensive, it will take longer to implement the public infrastructure improvement programs and revitalization projects in the Plans, rendering inadequate the initially-established 30-year duration for the Zone; and

WHEREAS, the addition of eight years to the duration of the Zone, for a total duration period of 38 years, will permit the Zone to complete the purposes for which it was established under current conditions and circumstances and to implement the Plans; and

WHEREAS, an amendment to the Plans to extend the Zone's duration for an additional eight years has been approved by the Zone's Board of Directors and submitted to the City for review and approval; and

WHEREAS, pursuant to Acts 2009, 81st Leg., Ch. 910, effective June 19, 2009, amending Section 311.017(a) of the Texas Tax Code, the City Council may, by ordinance, extend a reinvestment zone's termination date to a date later than the date originally established for termination of the zone; and

WHEREAS, the Zone's Board of Directors has requested the City Council to extend the termination date of the Zone for an additional eight years; and

WHEREAS, the findings contained in the Creation Ordinance continue to apply to the Zone, and all terms and conditions of the Creation Ordinance, except as modified herein, remain in full force and effect; **NOW, THEREFORE;**

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

Section 1. That the facts contained in the recitals herein are hereby found to be true and correct.

Section 2. That the termination date of Reinvestment Zone Number Two, City of Houston, Texas, is hereby extended to December 31, 2033. Except as provided in the preceding sentence of this Ordinance, the Creation Ordinance shall continue in full force and effect.

Section 3. That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings law, Tex. Gov't Code Ann., Ch. 551; and that this meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof was discussed, considered and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

Section 4. That a public emergency exists requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this ordinance shall take effect immediately upon its passage and approval by the Mayor; provided, however, that if 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 22nd day of June, 2011.

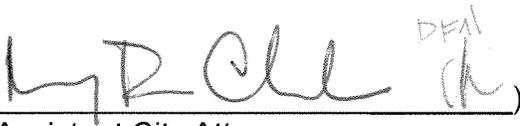
APPROVED this ____ day of _____, 2011.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is JUN 28 2011.



City Secretary

(Prepared by Legal Department 
(MFC:mfc June 7, 2011 Assistant City Attorney
(Requested by Andrew F. Icken, Chief Development Officer)
(L. D. File No. 0610800104011)

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AYE	NO	
✓		MAYOR PARKER
....	COUNCIL MEMBERS
✓		STARDIG
✓		Johnson
	✓	CLUTTERBUCK
✓		ADAMS
	ABSENT	SULLIVAN
✓		HOANG
✓		PENNINGTON
✓		GONZALEZ
	ABSENT	RODRIGUEZ
✓		COSTELLO
✓		LOVELL
✓		NORIEGA
✓		BRADFORD
✓		JONES
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: JUN 28 2011