

ORDINANCE NO. _____

AN ORDINANCE DESIGNATING A 5.293 ACRE TRACT OF LAND, KNOWN AS OAKMONT CENTRE SEC. 5, BLOCK B, LOT 1, ROUND ROCK, WILLIAMSON COUNTY, TEXAS, OWNED BY FOG BREAK, LTD., AS REINVESTMENT ZONE NO. 26 FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT, CITY OF ROUND ROCK, TEXAS, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO.

WHEREAS, the City Council of the City of Round Rock, Texas (the "City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone for commercial/industrial tax abatement, as authorized by Chapter 312, Tax Code, V.A.T.S. (the "Code"); and

WHEREAS, the City Council called a public hearing for 7:00 P.M. on the 14th day of November, 2013, to consider establishment of a reinvestment zone, such date being seven (7) days after the date of publication of the notice of such public hearing and the notification of other taxing jurisdictions as required by the Code; and

WHEREAS, the City at such hearing invited any interested persons to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the Ordinance calling such hearing should be included in such proposed reinvestment zone, the concept of tax abatement; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and no opponents of the reinvestment zone appeared to contest creation of the reinvestment zone; Now Therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK,
TEXAS, THAT:**

I.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

II.

The City Council, after conducting such hearings and having heard such evidence and testimony, has made the following findings and determinations based on the testimony presented to it:

- (a) That a public hearing on the adoption of the reinvestment zone has been properly called, held, and conducted and that notices of such hearing have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone;
- (b) That the boundaries of the reinvestment zone should be the area as described in Exhibit A;
- (c) That creation of the reinvestment zone for commercial/industrial tax abatement with boundaries as described above will result in benefits to the City and to the land included in the zone and the improvements sought are feasible and practical;
- (d) That the reinvestment zone as defined above meets the criteria for the creation of a reinvestment zone as set forth in Section 312.202 of the Code in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City; and
- (e) That the reinvestment zone as defined above meets the criteria for the creation of a reinvestment zone as set forth in the City of Round Rock criteria and guidelines adopted by Ordinance No. G-12-11-08-G3 on November 8, 2012.

III.

Pursuant to Section 312.201 of the Tax Code, V.A.T.S., the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing only the area described in Exhibit "A" and such reinvestment zone is hereby designated as Reinvestment Zone No. 26, City of Round Rock, Texas.

IV.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2013.

Alternative 2.

READ and **APPROVED** on first reading this the _____ day of _____, 2013.

READ, APPROVED and **ADOPTED** on second reading this the _____ day of _____, 2013.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk