

**ORDINANCE NO. 2005-03**

**AN ORDINANCE APPROVING THE APPOINTMENT OF DIRECTORS FOR POSITION NUMBERS ONE THROUGH SEVEN TO THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, CITY OF PENITAS, AND APPOINTING THE CHAIR OF THE BOARD OF DIRECTORS OF ZONE NO. 1; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.**

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**WHEREAS**, the City Council has adopted Ordinance No. 2004--05 designating a contiguous area within the City of Peñitas as Reinvestment Zone Number One, City of Peñitas, Texas ("Zone No. 1") under the provisions of Chapter 311 of the Texas Tax Code; and

**WHEREAS** the City Council amended Ordinance No. 2004-05 with the adoption of Ordinance No. 2005-01; and

**WHEREAS**, Ordinance 2005-03 established a Board of Directors for Zone No. 1 which shall consist of seven (7) members, being positions One (1) through five (5), to be nominated and appointed by City Council; position No. 6 being nominated by the County of Hidalgo, if the County approves payments of all or part of the tax increments attributable to the County, and Position No. 7 to be nominated by the La Joya Independent School District; and

**WHEREAS**, the City Council hereby nominates the appointment of the duly qualified persons listed below to Positions 1 through 5 for the terms as described below and requests the consent and approval of the City Council of such appointment; and

**WHEREAS**, the City Council hereby nominates and appoints the duly qualified person listed in Position 1, (insert name of Chairman), to serve as Chairman of the Board of Directors for the duration of his term and requests the consent and approval of the City Council of such appointment **NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEÑITAS:**

**Section 1. Findings**

(a) That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.

(b) It is hereby found and declared that all of the nominees listed in Section 3 are either (i) qualified voters of the City or (ii) at least 18 years of age and own real property in the Zone, and /or (iii) are designated representatives of property owners in the Zone.

**Section 2. Consent To and Approval of Appointment to the Board of Directors**

That the City Council does hereby consent to and approve of the appointment to the Board of Directors of Reinvestment Zone Number One, City of Peñitas, Texas, of the duly qualified persons to Positions 1 through 7 as described:

<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
	One/Chairman	December 30, 2007
	Two	December 30, 2006
	Three	December 30, 2007
	Four	December 30, 2006
	Five	December 30, 2007

Six (County)

December 30, 2006

Seven (ISD)

December 30, 2007

**Section 4. Appointment of Chairman of the Board of Directors**

That the City Council does hereby consent to and approve of the appointment of (insert Name of Chair) as the Chairman of the Board of Directors of the Zone, and such person to serve in such position until December 30, 2005 or until his successor is appointed and qualified.

**Section 5. 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 its meeting, as required by the Open Meetings Law, Texas Government Code, Ch. 551, 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.

This Ordinance shall be effective on the date of passage in accordance with the Peñitas City Charter.

**PASSED AND APPROVED** on first reading on the 5<sup>th</sup> day of April, 2005.

ATTEST:

CITY OF PEÑITAS, TEXAS:

By: \_\_\_\_\_  
City Secretary, Cindy Hernandez

By: \_\_\_\_\_  
Mayor Servando Ramirez