

MINUTES  
OF  
CITY OF WHARTON  
SPECIAL CITY COUNCIL MEETING  
AUGUST 3, 2006

Mayor Bryce D. Kocian declared a Special Meeting duly open for the transaction of business at 5:04 P.M.

Councilmembers present were: Mayor Bryce D. Kocian, Councilmembers V. L. Wiley, Jr., David Samuelson, Ken Freese, Don Mueller, Domingo Montalvo, Jr., and Ray Linseisen.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., City Secretary Lisa Stavena, Assistant to City Manager Jackie Jansky, and Assistant City Attorney Amy Rod

Visitors present were: David Schroeder, Raymond Harrison, Jr., Rosemary Rust, Jim Cockrell, and Heather Chappell.

The third item on the agenda was public comments. No comments were given. No action was taken.

The fourth item on the agenda was to review and consider the request by Ms. Rosemary Rust for the creation of a Reinvestment Zone and/or Neighborhood Empowerment Zone for the property south of FM 102 adjacent to Highway 59 being generally known as a certain 35.76 acre tract of land situated in the A.J. Timber League, Abstract No. 34, Wharton County, Texas:

**A. Public Hearing:** A public hearing regarding the designation of a Reinvestment Zone.

Mayor Bryce D. Kocian opened the Public Hearing for comments at 5:06 p.m.

No comments were given.

Mayor Bryce D. Kocian closed the Public Hearing at 5:07 p.m.

**B. Ordinance:** An ordinance designating certain property as herein legally described, including certain lots and blocks as therein contained, a Reinvestment Zone and providing that said Reinvestment Zone shall hereinafter be referred to as City of Wharton Reinvestment Zone No. 06-02 said property being generally known as a certain 35.76 acre tract of land situated in the A.J. Timber League, Abstract No. 34, Wharton County, Texas, and making other findings and conclusions as required by law.

City Manager Andres Garza, Jr. presented a copy of the letter dated July 10, 2006 from Ms. Rosemary Rust requesting the City of Wharton consider establishing a Reinvestment Zone and/or an empowerment zone for the Rust property located in the City limits south of FM 102 and adjacent to U.S. Highway 59. He stated that the City Council Finance Committee met July 20, 2006 to discuss Ms. Rust's request and would discuss her request with the full City Council during the meeting. He then presented a draft copy of the ordinance that would create a

Reinvestment Zone within the City limits. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve Ordinance No. 2006-11, which read as follows:

**CITY OF WHARTON  
ORDINANCE NO. 2006-11**

**AN ORDINANCE DESIGNATING CERTAIN PROPERTY AS HEREIN LEGALLY DESCRIBED, INCLUDING CERTAIN LOTS AND BLOCKS AS THEREIN CONTAINED, A REINVESTMENT ZONE AND PROVIDING THAT SAID REINVESTMENT ZONE SHALL HEREINAFTER BE REFERRED TO AS CITY OF WHARTON REINVESTMENT ZONE NO. 06-02 SAID PROPERTY BEING GENERALLY KNOWN AS A CERTAIN 35.76 ACRE TRACT OF LAND SITUATED IN THE A.J. TIMBER LEAGUE, ABSTRACT NO. 34, WHARTON COUNTY, TEXAS; BEING OUT OF THAT CERTAIN CALLED 1569.8 ACRE TRACT IN WHARTON COUNTY, TEXAS, AND MAKING OTHER FINDINGS AND CONCLUSIONS AS REQUIRED BY LAW.**

**WHEREAS**, heretofore previously, a notice having been given to the presiding officer of all taxing entities levying and collecting taxes within the area encompassed in the property to be included in the reinvestment zone and said notice having stated the date and time of the required public hearing to create a reinvestment zone in a form as attached hereto and marked Exhibit "A"; and,

**WHEREAS**, notice having been duly published in the official newspaper of the City of Wharton at least seven days prior to the start of the public hearing as to the date and time of said public hearing and intent to create the proposed reinvestment zone; and,

**WHEREAS**, a public hearing was duly convened in accordance with the requirements of law by the Honorable Mayor of the City of Wharton during the meeting of the Wharton City Council occurring on the 3<sup>rd</sup> day of August 2006 and all persons appearing there were given an opportunity to speak and all written documentation and/or exhibits were made available to the Wharton City Council; and,

**WHEREAS**, the Wharton City Council finds and determines that the property as hereinafter described should be included in a reinvestment zone.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS:**

**Section I.** The Wharton City Council, for and on behalf of the City of Wharton makes the following findings of fact in accordance with a proposal to create a new reinvestment zone in the City of Wharton, being hereafter known as the City of Wharton Reinvestment Zone No. 06-02, and in this regard, the Wharton City Council finds and determines:

