

## **ORDINANCE NUMBER 1096**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING TITLE III: "ADMINISTRATION", CHAPTER 31 "FINANCE AND TAXATION", SECTION 31.16 "TAX INCREMENT FINANCING DISTRICT, REINVESTMENT ZONE" OF THE CITY OF BURKBURNETT CODE OF ORDINANCES; PROVIDING AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; ; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND SPECIFYING THE EFFECTIVE DATE.**

**WHEREAS**, the City of Burkburnett (the "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code;

**WHEREAS**, by Ordinance 708, dated February 20, 2006, codified as Title III "Administration", Chapter 31 "Finance and Taxation" in the City of Burkburnett Code of Ordinances, the Board of Commissioners of the City of Burkburnett ("City") pursuant to the provisions of Chapter 311, Texas Tax Code, created Reinvestment Zone Number One, City of Burkburnett, Texas, (the "Zone"); and

**WHEREAS**, the Board of Directors of the Zone has adopted and recommended, and the City has approved, the Project Plan and Reinvestment Zone Financing Plan (the "Plan") for the Zone; and

**WHEREAS**, Chapter 311 of the Texas Tax Code authorizes amendments to the Plan; and

**WHEREAS**, the City Commission created a Board of Directors for the zone consisting of five members as set out in the Burkburnett Code of Ordinances, Title III "Administration", Chapter 31 "Finance and Taxation", Section 31.16(C) Tax Increment Financing District, Reinvestment Zone; and

**WHEREAS**, the Board of Commissioners finds that the Texas Tax Code Section 311.009 provides the board of directors of a reinvestment zone shall consist of at least five and not more than fifteen members and the Board of Commissioners desires to increase the number of members from five to seven members.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:**

**SECTION 1.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. Amendment.** The City of Burkburnett Board of Commissioners hereby amends Title III “Administration”, Chapter 31 “Finance and Taxation”, Section 31.16(C). The provision is amended as follows:

Section 131.16 “Tax Increment Financing District, Reinvestment Zone”

(C) The city hereby creates a Board of Directors for the zone, which shall consist of seven members, at least six of which shall be appointed by the Board of Commissioners, one by the Wichita County Commission. Three Board members shall have initial appointments terminating on December 31, 2007. Two Board members shall have initial appointments terminating on December 31, 2006. All subsequent appointments shall be made for two-year staggered terms. In the event that no successor has been appointed by December 31 of any year, such member shall continue to serve until his or her successor is appointed.

**SECTION 3.** This Ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this ordinance. Ordinances, or parts thereof, in force at the time this ordinance shall take effect and that are inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with this ordinance.

**SECTION 4.** In the event that any one or more of the provisions of this Ordinance should be declared to be invalid, unenforceable, or illegal, such invalidity, unenforceability, or illegality shall not affect the validity, enforcement, or legality of the remaining portions of this Ordinance.

**SECTION 5.** It is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that notice of the time, place, and purpose of said meeting was given.

**SECTION 6.** That this Ordinance shall take effect immediately upon its passage.

**PASSED AND APPROVED ON THIS 18TH DAY OF AUGUST 2025.**

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Lori Kemp, Mayor

**ATTEST:**

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Nikki Tepfer, City Clerk