

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS
ACCEPTING THE PRELIMINARY SERVICE AND ASSESSMENT PLAN FOR
MANSFIELD PUBLIC IMPROVEMENT DISTRICT NO. 2; SETTING A DATE FOR A
PUBLIC HEARING ON THE PROPOSED LEVY OF ASSESSMENTS; AUTHORIZING
THE PUBLICATION OF NOTICE AND MAILING OF NOTICE; AND ENACTING
OTHER PROVISIONS RELATING THERETO**

WHEREAS, the City of Mansfield ("City") is a home rule municipality operating under and governed by the laws and Constitution of the State of Texas; and,

WHEREAS, on January 19, 2024, the City received a petition ("Petition") meeting the requirements of Sec. 372.005 of the Public Improvement District Assessment Act ("Act") for the establishment of a public improvement district for the area to be known as "Mansfield Public Improvement District No. 2" (the "District"); and,

WHEREAS, on February 12, 2024 the City Council ("City Council") accepted the Petition and called a public hearing for March 14, 2024 on the creation of the District and the advisability of certain public improvement to be constructed within the District; and,

WHEREAS, on March 14, 2024, after due notice, the City Council of the City opened a public hearing in the manner required by law on the advisability of the public improvements and services described in the petition as required by Section 372.009 of the PID Act; and,

WHEREAS, on April 22, 2024, the City passed a resolution creating the District; and,

WHEREAS, Launch Development Finance Advisors, LLC ("Launch") has been engaged by the City to prepare an initial service plan for the District; and,

WHEREAS, in consultation with the City, the Developer, and their respective representatives, Launch has prepared a Preliminary Service and Assessment Plan for the District (the "Preliminary Service and Assessment Plan"), which provides an assessment plan for the District, identifies the nature of the Improvement Project to be undertaken by the City, identifies the boundaries of the District, and estimates the projected annual improvement costs; and,

WHEREAS, Launch has also prepared the Proposed Assessment Rolls that identify the parcels to be assessed and apportions the total costs of the Improvement Project to be assessed in the District; and,

WHEREAS, a copy of the Preliminary Service and Assessment Plan and the Proposed Assessment Rolls is attached as Exhibit "A"; and,

WHEREAS, the Preliminary Service and Assessment Plan provides for the method of assessment of the costs of the Improvement Project; and,

WHEREAS, the Proposed Assessment Rolls set forth the proposed assessments against

each benefited parcel of real property in the District and is attached to the Preliminary Service and Assessment Plan; and,

WHEREAS, the City Council notes that the Preliminary Service and Assessment Plan may be amended with such changes as the City Council deems appropriate before such Preliminary Service and Assessment Plan is adopted by the City Council; and,

WHEREAS, pursuant to Section 372.016 of the Act, the City has determined to call a public hearing regarding the levy of assessments pursuant to the Preliminary Service and Assessment Plan and Proposed Assessment Rolls; and,

WHEREAS, pursuant to Section 372.016 of the Act, the City desires to publish notice of a public hearing to consider adopting the Proposed Assessment Rolls and the Preliminary Service and Assessment Plan (the "Notice") in order to provide notice to all interested parties of the City's proposed levy of assessments against property in the District; and,

WHEREAS, the City desires to file the Proposed Assessment Rolls with the City Secretary such that they are available for public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

SECTION 1.

That the findings and recitations set out in the preamble are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2.

That the City Council hereby calls a public hearing for 6:00 P.M. on May 13 2024 in the Council Chambers of Mansfield City Hall, 1200 E. Broad St., Mansfield, Texas 76063, to consider approving the Preliminary Service and Assessment Plan, with such changes and amendments as the City Council deems necessary, and the Proposed Assessment Rolls with such amendments to the assessments on any parcel as the City Council deems necessary as the final Service and Assessment Plan and Assessment Rolls of the District, respectively. After all objections made at such hearing have been heard, the City Council may (1) levy the assessments as special assessments against each benefitted parcel of property in the District as set forth in the Proposed Assessment Rolls; (ii) specify the method of payment of the assessment; and (iii) provide that assessments be paid in periodic installments. Notice of the hearing setting out the matters required by Section 372.016 of the Act shall be given by publication at least ten (10) days before the date of the hearing, in a newspaper of general circulation in the City and its extraterritorial jurisdiction. Notice of such hearing shall also be given by the City Secretary, by mailing a copy of the notice containing the information required by Section 372.016(b) of the Act at least ten (10) days prior to the hearing to the current address of each owner of property liable for an assessment in the Proposed Assessment Rolls as reflected on the tax rolls of the Tarrant County Appraisal District. All residents and property owners within the District, and all other persons, are hereby invited to appear in person, or by

their attorney, and contend for or contest the Proposed Assessment Rolls, and the proposed assessments and offer testimony pertinent to any issue presented on the amount of the assessments, purpose of the assessments, special benefit of the assessments, and the costs of collection and the penalties and interest on delinquent assessments. At or on the adjournment of the hearing conducted pursuant to Section 372.016 on the proposed assessments, the governing body of the municipality must hear and pass on any objection to a proposed assessment. The governing body may amend a proposed assessment on any parcel. The failure of a property owner to receive actual notice does not invalidate the proceeding.

SECTION 3.

That the City Secretary is directed to cause notice of said hearing, in the substantially final form set forth in Exhibit "B" attached hereto, with such changes as may be approved by the City Attorney, or designee, to be published pursuant to Section 372.016 of the Act. That such publication shall occur before the 10th day before the date of the Public Hearing.

SECTION 4.

That the City Council of the City shall convene at the location and at the time specified in the notice described above for the public hearing and shall conduct the public hearing in connection with its approval of the Service and Assessment Plan and the Assessment Rolls of the District and the levy of the proposed assessments, including costs of collection, penalties and interest on delinquent assessments. At such public hearing, the City Council of the City will hear and pass on any objections to the Proposed Assessment Rolls and the levy of the proposed assessments (which objections may be written or oral). At or on the adjournment of the hearing, Council may amend a proposed assessment on any parcel. After all objections, if any, have been heard and passed upon, the City may (i) levy the assessments as special assessments against each parcel of property in the District as set forth in the Proposed Assessment Rolls, (ii) specify the method of payment of the assessment, and (iii) provide that the assessments be paid in periodic installments.

SECTION 5.

That the Proposed Assessment Rolls shall be filed in the office of the City Secretary and be made available to any member of the public who wishes to inspect the same.

SECTION 6.

That the City Secretary is hereby authorized and directed to take such other actions as are required, including providing notice of the Public Hearing as required by the Texas Open Meetings Act and placing the Public Hearing on the agenda for the May 13, 2024 meeting of the City Council.

SECTION 7.

That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid

provision.

SECTION 8.

That this Resolution shall be effective from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
MANSFIELD THIS 22ND DAY OF APRIL, 2024.**

Michael Evans, Mayor

ATTEST:

Susana Marin, City Secretary