

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE BOUNDARIES OF TAX INCREMENT REINVESTMENT ZONE NUMBER FOUR, CITY OF MANSFIELD, TEXAS (“TIRZ #4”); APPROVING A FINAL PROJECT AND FINANCE PLAN FOR TIRZ #4; MAKING CERTAIN FINDINGS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

WHEREAS, the City of Mansfield, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code, as amended (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and,

WHEREAS, pursuant to and as required by the Act, the City Council of the City (the “City Council”) prepared a *Tax Increment Reinvestment Zone Number Four, City of Mansfield, Texas, Preliminary Project and Finance Plan* for Tax Increment Reinvestment Zone Number Four, City of Mansfield, Texas (“TIRZ #4”); and,

WHEREAS, on December 12, 2022, the City Council approved Ordinance No. 2285-22 creating TIRZ #4 (the “Creation Ordinance”), pursuant to the Act, which established the boundaries for TIRZ #4 containing approximately _____ acres described and depicted in the Creation Ordinance; and,

WHEREAS, the City may amend the boundary of TIRZ #4, including adding to or removing property from TIRZ #4, subject to the requirements of the Act; and,

WHEREAS, the City Council desires to add certain property to TIRZ #4 by expanding TIRZ #4 to include all of the real property as shown on the attached **Exhibit A**, and consisting of approximately _____ acres (the “TIRZ Expansion Area”); and,

WHEREAS, the City has prepared the *Tax Increment Reinvestment Zone Number Four, City of Mansfield, Texas, Final Project and Finance Plan* (the “Plan”), attached hereto as **Exhibit B (to be attached)**, inclusive of the TIRZ Expansion Area; and,

WHEREAS, a notice of public hearing on amending TIRZ #4 was published in the Fort Worth Star Telegram, a newspaper of general circulation within the City, on November 27, 2024, which date is not later than the seventh (7th) day prior to the public hearing held on December 9th, 2024; and,

WHEREAS, on December 9th, 2024, the City Council held a public hearing to amend the boundaries of TIRZ #4 to include the TIRZ Expansion Area, and consider approval of the Plan; and,

WHEREAS, at the public hearing interested persons were allowed to speak for or against including the TIRZ Expansion Area in TIRZ #4, the proposed amended boundaries of TIRZ #4, and the concept of tax increment financing, and owners of property in the TIRZ

Expansion Area were given a reasonable opportunity to protest the inclusion of their property in TIRZ #4; and,

WHEREAS, the City has taken all actions required to create and amend TIRZ #4 including, but not limited to, all actions required by the Act, the Texas Open Meetings Act, and all other laws applicable to the creation and amendment of TIRZ #4; and,

WHEREAS, on December 9th, 2024, the Board of Directors for TIRZ #4 recommended approval of the TIRZ Expansion Area and adoption of the Plan.

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

**SECTION 1.
RECITALS**

The recitals, findings, and determinations contained in the preamble to this Ordinance are incorporated into the body of this Ordinance as if fully set forth herein and are hereby found and declared to be true and correct legislative findings and are adopted as part of this Ordinance for all purposes, including the applicable recitals, legislative, and factual findings in the Creation Ordinance.

**SECTION 2.
BOUNDARY AMENDMENT**

The City Council does hereby amend the boundary of TIRZ #4 to include the TIRZ Expansion Area, as depicted on the attached **Exhibit A**, which is incorporated herein for all purposes. The City Council hereby finds and determines that the property located in the Zone satisfies the conditions and criteria required by the Act, which are identified in the Creation Ordinance and incorporated into this Ordinance.

**SECTION 3.
PLAN**

The City Council does hereby adopt and approve the Plan, a copy of which is attached hereto as **Exhibit B, to be attached**, which will be incorporated herein for all purposes. The City Council finds and determines that the Plan is economically feasible and conforms with and satisfies all requirements set forth in Section 311.011 of the Act.

**SECTION 4.
AUTHORIZATION**

Pursuant to Section 311.010(h) of the Act and Article III, Section 52-a of the Texas Constitution, the City Council hereby authorizes the Board, as necessary or convenient to implement the Plan and achieve its purposes, to establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of TIRZ

#4, eliminating unemployment and underemployment in TIRZ #4, and developing or expanding transportation, business, and commercial activity in TIRZ #4, including programs to make grants of land and buildings and make grants from the fund for TIRZ #4 for activities that benefit TIRZ #4 and stimulate business and commercial activity in TIRZ #4. In addition, the City Council hereby authorizes the Board to exercise all of the powers of the City under Chapter 380, Texas Local Government Code, as amended.

Pursuant to Section 311.013(l) of the Act, seventy-five percent (75%) of the City's ad valorem real property taxes collected and received by the City on the captured appraised value in TIRZ #4, shall be the portion of the City tax increment deposited into the TIRZ fund for TIRZ #4. To the extent allowed by law, the City may also deposit into the TIRZ fund seventy-five percent (75%) of the business personal property taxes collected and received by the City in TIRZ #4 on the captured appraised value of business personal property in TIRZ #4.

Pursuant to Section 311.0123 of the Act, fifty percent (50%) of the unrestricted one percent (1%) general fund municipal sales and use taxes attributable to TIRZ #4 and actually received by the City above the "Sales Tax Base", as that term is defined in the Act, will be deposited into the TIRZ fund.

SECTION 5. SEVERABILITY

If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be invalid, the validity of the remaining provisions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no provision of this Ordinance shall become inoperative because of the invalidity of another provision; and, therefore, all provisions of this Ordinance are declared severable for that purpose.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage in accordance with the Charter of the City, as provided by law.

DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 9TH DAY OF DECEMBER, 2024

Michael Evans, Mayor

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ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

Andy Messer, City Attorney