

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE BOUNDARIES OF TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE, CITY OF MANSFIELD, TEXAS; APPROVING AN AMENDED AND RESTATED FINAL PROJECT AND FINANCE PLAN FOR TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE, CITY OF MANSFIELD, TEXAS; 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 Financing Reinvestment Zone Number One, City of Mansfield, Texas, Preliminary Project and Finance Plan* (the "Preliminary Project and Finance Plan") for Tax Increment Financing Reinvestment Zone Number One, City of Mansfield, Texas ("TIRZ #1"); and,

**WHEREAS**, on December 13, 2006, the City Council approved Ordinance No. 1608 creating TIRZ #1 (the "Creation Ordinance"), pursuant to the Act, which contained approximately 3,100 acres; and,

**WHEREAS**, on August 27, 2007, Ellis County agreed to participate in TIRZ #1 by approving a participation agreement; and,

**WHEREAS**, on November 28, 2007, the City Council approved Ordinance No. OR-1655-07, which approved the *Tax Increment Financing Reinvestment Zone Number One, City of Mansfield, Texas, Final Project and Finance Plan* (the "Final Project and Finance Plan"); and,

**WHEREAS**, on February 26, 2008, Tarrant County agreed to participate in TIRZ #1 by approving a participation agreement; and,

**WHEREAS**, the City may amend the boundary of TIRZ #1, including adding to or removing property from TIRZ #1, subject to the requirements of the Act; and,

**WHEREAS**, on April 10, 2023 the TIRZ Board and City Council approved the amendment of the TIRZ#1 boundary to include approximately 38 acres of land within the corporate limits of the City, (the "Original Expansion"); and,

**WHEREAS**, the City Council has a desire to add certain property to TIRZ #1, generally located north of Magnolia Street, East of N Walnut Creek Dr, and West of Carlin Road, and consisting of approximately 70.7 acres, as depicted on **Exhibit A** attached hereto (the "Additional Expansion"); and,

**WHEREAS**, the City Council has prepared the *Tax Increment Financing Reinvestment Zone Number One, City of Mansfield, Texas, Amended and Restated Final Project and Finance Plan* (the “Amended Plan”), attached hereto as **Exhibit B**, inclusive of the Original Expansion and the Additional Expansion; and,

**WHEREAS**, a notice of public hearing on amending TIRZ #1 was published in the Fort Worth Star Telegram, a newspaper of general circulation within the City, on April 27, 2023, which date is not later than the seventh (7<sup>th</sup>) day prior to the public hearing held on May 8, 2023; and,

**WHEREAS**, on May 8, 2023, the City Council held a public hearing on the following: (i) amending the boundaries of TIRZ #1 to include the Additional Expansion, and (ii) considering the approval of the Amended Plan; and,

**WHEREAS**, at the public hearing on May 8, 2023, interested persons were allowed to speak for or against including the Additional Expansion in the TIRZ #1, the proposed amended boundaries of TIRZ #1, and the concept of tax increment financing, and owners of property in the Additional Expansion were given a reasonable opportunity to protest the inclusion of their property in TIRZ #1; and,

**WHEREAS**, the City has taken all actions required to create and amend TIRZ #1 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 #1; and,

**WHEREAS**, on May 8, 2023, the Board of Tax Increment Financing Reinvestment Zone Number One, City of Mansfield, Texas recommended approval of the Amended Plan, a copy of which is attached hereto as **Exhibit B**.

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

## **SECTION 1.**

### **RECITALS**

That 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 in this Section and are hereby found and declared to be true and correct legislative findings and are adopted as part of this Ordinance for all purposes.

## **SECTION 2.**

### **BOUNDARY AMENDMENT**

That the City Council does hereby amend the boundary of TIRZ #1 to include the Additional Expansion, as depicted on **Exhibit A** and incorporated herein for all purposes.

**SECTION 3.**

**AMENDED PLAN**

That the City Council does hereby approve the Amended Plan, a copy of which is attached hereto as **Exhibit B** and incorporated herein for all purposes.

**SECTION 4.**

**SEVERABILITY**

That 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 5.**

**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 8<sup>TH</sup> DAY OF MAY, 2023.**

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**Michael Evans**, Mayor

**ATTEST:**

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**Susana Marin**, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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**Bradley Anderle**, City Attorney