

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, DESIGNATING A CERTAIN AREA AS A TAX ABATEMENT REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT, TO BE KNOWN AS REINVESTMENT ZONE NO. 42; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Mansfield, Texas (hereinafter referred to as the "City") desires to promote the development or redevelopment of a certain contiguous geographic area within the City of Mansfield, Texas, by the creation of a reinvestment zone for commercial-industrial tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended; and

WHEREAS, a public hearing before the City Council of the City of Mansfield, Texas, was scheduled and held at _____ p.m. on _____, such date being at least seven (7) days after the date of publication of the notice of such public hearing, pursuant to Section 312.201(d) of the Texas Tax Code, as amended; and

WHEREAS, the City Council of the City of Mansfield, Texas, held such public hearing after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed Reinvestment Zone No. 42; and

WHEREAS, the City at such public hearing invited any interested person to appear and speak for or against the creation of Reinvestment Zone No. 42, the boundaries of the zone, whether all or part of the territory should be included in such proposed zone, and the concept of tax abatement.

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

SECTION 1.

The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2.

The City, after conducting the public hearing and having heard such evidence and testimony has made the following findings and determinations based upon the testimony presented:

- (a) That a public hearing on the adoption of Reinvestment Zone No. 42 has been properly called, held and conducted, and that notice of such hearing has been published as required by law and mailed to all property taxing units overlapping the territory inside the proposed Reinvestment Zone No. 42; and
- (b) That the boundaries of Reinvestment Zone No. 42 should be the area as described and/or depicted in Exhibit A, which is attached hereto and incorporated herein for all purposes; and
- (c) That creation of Reinvestment Zone No. 42 will result in benefits to the City and to the land included within the zone, and the improvements sought are feasible and practical; and
- (d) That Reinvestment Zone No. 42 meets the criteria for the creation of a tax abatement reinvestment zone as set forth in Section 312.202(a) of the Texas Tax Code, as amended, and in particular Section 312.202(a)(6) of the Texas Tax Code, in that it is “reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City”; and
- (e) That Reinvestment Zone No. 42 as described an/or depicted in Exhibit A meets the criteria for the creation of a reinvestment zone as set forth in the City of Mansfield Policy Statement for Tax Abatement (2016); and
- (f) That the improvements proposed for the Reinvestment Zone are feasible and practical and would be a benefit to the land to be included in the zone and to the City after the expiration of any tax abatement agreement.

SECTION 3.

Pursuant to Section 312.201 of the Texas Tax Code, as amended, the City hereby creates a tax abatement reinvestment zone for commercial-industrial tax abatement encompassing only the area described and/or depicted in Exhibit A, and such zone is hereby designated, and for identification shall be known as “Reinvestment Zone No. 42”.

SECTION 4.

Reinvestment Zone No. 42 shall take effect immediately upon passage of this ordinance. Reinvestment Zone No. 42 is effective for five (5) years and may be renewed for periods not to exceed five (5) years.

SECTION 5.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Mansfield, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 6.

Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect/ the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 7.

This Ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED ON FIRST READING this ____ day of _____, 2016.

Mayor

ATTEST:

City Secretary

PASSED AND APPROVED ON SECOND READING this ____ day of _____, 2016.

Mayor

ATTEST:

City Secretary

DULY PASSED ON THE THIRD AND FINAL READING this ____ day of _____, 2016.

Mayor

ATTEST:

City Secretary

EFFECTIVE:_____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Exhibit A

Legal Description
Reinvestment Zone No. _____
City of Mansfield, Texas