

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS APPROVING
THE FISCAL YEAR 2017/2018 SERVICES AND ASSESSMENT PLAN
FOR THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT
("PID"); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING
AN EFFECTIVE DATE**

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, owners of real property located at the juncture of US 287 and SH 360, delivered to the City of Mansfield a Petition to establish the South Pointe Public Improvement District (the "PID"); and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on January 11, 2016, conducted a public hearing on the advisability of the improvements, and adjourned such public hearing; and

WHEREAS, the City Council passed and adopted Resolution No. RE-3214-16 on February 22, 2016 establishing the South Pointe PID; and

WHEREAS, after proper notice and public hearing as required by the Act, on April 26, 2016, the City Council approved Ordinance No. OR-2003-16 accepting a service and assessment plan, assessment roll, budget and manner of assessment for the PID; and

WHEREAS, as required by Section 372.013 of the Act, staff and council have reviewed the service and assessment plan for the purpose of determining the annual budget for the PID; and

WHEREAS, the Council has determined that it is not necessary to revise the service and assessment plan; and

WHEREAS, it is now necessary for the City Council to approve the FY 2017/2018 budget for the PID; and

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

Section 1. The City Council of the City of Mansfield, in accordance with Chapter 372, Texas Local Government Code, hereby approves the FY 2017/2018 budget, attached hereto as **Exhibit A**.

Section 2. The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the Council hereby incorporates such recitals as part of this Ordinance.

Section 3. Should any paragraph, sentence, 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 declared to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Mansfield Code of Ordinances as a whole.

Section 4. This Ordinance shall take effect immediately from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.

FIRST READING APPROVED ON THE _____ DAY OF _____, 2017.

SECOND READING APPROVED ON THE _____ DAY OF _____, 2017.

DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS _____ DAY OF _____, 2017.

David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney