

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING A PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER TWELVE, CITY OF MESQUITE, TEXAS (IH-20 BUSINESS PARK); MAKING A FINDING REGARDING FEASIBILITY; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended (the “**Act**”), the City of Mesquite, Texas (the “**City**”), established the IH-20 Business Park Reinvestment Zone Number Twelve, City of Mesquite, Texas (the “**Zone**”) to promote development or redevelopment in the Zone pursuant to Ordinance No. 4579, incorporated herein by reference and approved by the City Council on July 2, 2018 (“**Ordinance No. 4579**”); and

WHEREAS, pursuant to City Ordinance No. 4579, a tax increment of fifty percent (50%) was provided and a tax increment fund was created and established for the Zone (the “**Tax Increment Fund**”); and

WHEREAS, with the passage of Ordinance No. _____, incorporated herein by reference and approved by the City Council on July 6, 2021, the Zone’s boundaries as established by Ordinance No. 4579 (the “**Original Zone Boundaries**”) were enlarged to include approximately 13 acres of City rights-of-way adjacent to the Zone (the “**Adjacent Rights-of-Way**”) and approximately 828 acres of noncontiguous land generally located south of Scyene Road, west of Lawson Road, north of Berry Road, and east of Ashley Furniture Industries Distribution Center (the “**Noncontiguous Area**”), and being located within the corporate limits and extraterritorial jurisdiction of the City (collectively the “**Enlargement Area**”), as described and depicted in Exhibits B and B-1 to Ordinance No. _____ and also described and depicted in the Project and Financing Plan as defined below; and

WHEREAS, on July 6, 2021, the Board of Directors of the Zone (the “**Board**”), prepared and adopted a project plan and reinvestment zone financing plan for the Zone, a true and correct copy of which is attached hereto as Exhibit 1 and made a part hereof for all purposes (the “**Project and Financing Plan**”); and

WHEREAS, in compliance with the Act, the Board hereby submits the Project and Financing Plan to the City Council for approval; and

WHEREAS, the Board respectfully recommends approval of the Project and Financing Plan by the City Council in order to promote development or redevelopment of the Zone; and

WHEREAS, the City Council finds that approving the Project and Financing Plan is in the best interest of the City and its citizens.

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

SECTION 1. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated and adopted as part of this ordinance for all purposes.

SECTION 2. The City Council finds that the Project Plan and Financing Plan submitted to the City Council includes the following information required by Section 311.011 of the Act:

A. The Project and Financing Plan includes:

- (1) A description and map showing existing uses and conditions of real property in the Zone and proposed uses of that property;
- (2) Proposed changes of zoning ordinances, the master plan of the City, building codes, other municipal ordinances, and subdivision rules and regulations, if any, of Dallas County, Texas, if applicable;
- (3) A list of estimated non-project costs; and
- (4) A statement of a method of relocating persons to be displaced, if any, as a result of implementing the plan.

B. The Project and Financing Plan includes:

- (1) A detailed list describing the estimated project costs of the Zone, including administrative expenses;
- (2) A statement listing the proposed kind, number, and location of all public works or public improvements to be financed by the Zone;
- (3) A finding that the plan is economically feasible and an economic feasibility study;
- (4) The estimated amount of bonded indebtedness to be incurred;
- (5) The estimated time when related costs or monetary obligations are to be incurred;
- (6) A description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the

property taxes of each taxing unit anticipated to contribute tax increment to the Zone that levies taxes on real property in the Zone;

- (7) The current total appraised value of taxable real property in the Zone;
- (8) The estimated captured appraised value of the Zone during each year of its existence; and
- (9) The duration of the Zone.

SECTION 3. In accordance with the Act, the City Council has reviewed the Project and Financing Plan and hereby finds that such Project and Financing Plan is feasible.

SECTION 4. In accordance with the Act, the City Council hereby approves and adopts the Project and Financing Plan.

SECTION 5. The City Manager, or the City Manager's designee, is hereby authorized to execute all documents and take all actions necessary or requested to implement the Project and Financing Plan.

SECTION 6. All ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 7. It is hereby declared to be the intent of the City Council that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by a final judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs or sections of this Ordinance, the City Council hereby declaring that this ordinance would have been enacted by the City Council without the incorporation of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph or section.

SECTION 8. This ordinance shall take effect immediately upon passage of this ordinance.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 6th day of July 2021.

Bruce Archer
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary



David L. Paschall
City Attorney

EXHIBIT 1

Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twelve, City of Mesquite, Texas (IH-20 Business Park)

(to be attached)