

ORDINANCE NO. 3746

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, TERMINATING NORTH RICHLAND HILLS TAX INCREMENT REINVESTMENT ZONE NUMBER 1/1A; DISSOLVING THE BOARD OF DIRECTORS; AUTHORIZING THE DISTRIBUTION OF TAX INCREMENT FUNDS OF THE ZONE TO TAXING ENTITIES PARTICIPATING IN THE ZONE AND OTHER RELATED ACTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on September 14, 1998, pursuant to the Tax Increment Financing Act, Texas Tax Code, Chapter 311, as amended (the “Act”), the City Council approved Ordinance No. 2333, which designated the North Richland Hills Tax Increment Reinvestment Zone Number 1 (the “Zone”) located within the City of North Richland Hills, created a Board of Directors (the “Board”) for the Zone, provided a termination date of 2019 for the Zone, and established a tax increment fund; and

WHEREAS, the participating entities in the North Richland Hills Tax Increment Reinvestment Zone Number 1 are: Birdville Independent School District (“BISD”), Tarrant County (the “County”), Tarrant County Hospital District (the “Hospital”), and Tarrant County College District (the “College”); and

WHEREAS, on October 20, 1998, the Board adopted the Finance Plan and Project Plan for the Zone (collectively the “Plans”), as required by Section 311.011(a) of the Act; and

WHEREAS, the City Council approved the Finance Plan and the Project Plan on October 26, 1998 and December 14, 1998, respectively; and

WHEREAS, pursuant to Section 311.007 of the Act, City Council adopted Ordinance No. 3029 on November 24, 2008, amending the Plans (jointly, the “First Amendments”) to enlarge the boundaries of the Zone by adding certain real property contiguous with the Zone (“Zone Number 1A”); and

WHEREAS, pursuant to Ordinance No. 2333, the Zone expires in 2019 or when debt obligations for the public infrastructure improvements expire, whichever comes first; and

WHEREAS, the projected development and all public infrastructure improvements detailed in the Plans, inclusive of the First Amendments, have been completed, and there are no outstanding project costs, tax increment bonds, notes or other debt obligations of the Zone; and

WHEREAS, the City Council finds that termination of the Zone and Zone 1/A (collectively "Tax Increment Reinvestment Zone Number 1/1A") is in the best interest of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:

SECTION 1: The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

SECTION 2: In accordance with State law, the City of North Richland Hills hereby terminates the North Richland Hills Tax Increment Reinvestment Zone Number 1 and its expansion Zone Number 1A, the associated Board of Directors, and the associated Tax Increment Reinvestment Fund, effective as of the Effective Date of this Ordinance.

SECTION 3: The City Council hereby directs the City Manager to pay all final City administrative costs; distribute all monies in the Tax Increment Fund to the participating taxing entities based on their property tax percentage contribution as reflected in the respective participation agreement; and make any necessary and related financial adjustments to carry out the purpose of this Ordinance.

SECTION 4: This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5: All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance

are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 27th day of June, 2022.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson,
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Mark C. Mills, Director of Finance