

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 21466, PREVIOUSLY APPROVED BY CITY COUNCIL ON NOVEMBER 11, 1992, AS AMENDED, AND ORDINANCE NO. 23033 PREVIOUSLY APPROVED BY CITY COUNCIL ON FEBRUARY 12, 1997, AS AMENDED, TO (1) INCREASE THE GEOGRAPHIC AREA OF THE BISHOP/JEFFERSON SUB-DISTRICT BY APPROXIMATELY 7 ACRES TO INCLUDE PROPERTIES AT 1200 AND 1400 EAST JEFFERSON BOULEVARD; (2) INCREASE THE GEOGRAPHIC AREA OF THE CLARENDON/BECKLEY/KIEST SUB-DISTRICT BY APPROXIMATELY 11 ACRES TO INCLUDE: (a) APPROXIMATELY 4 ACRES GENERALLY ON THE NORTHEAST AND SOUTHEAST CORNERS OF GRANT STREET AND RIDGE STREET, WEST OF THE TERMINUS OF GRANT STREET AND NORTH OF THE TERMINUS OF RIDGE STREET, AND (b) APPROXIMATELY 7 ACRES GENERALLY IN THE 900 AND 1000 BLOCKS OF MORRELL AVENUE AT FERNWOOD AVENUE AND THE 1200 AND 1300 BLOCKS OF MORRELL AVENUE AT DENLEY DRIVE AND (3) MAKE CORRESPONDING MODIFICATIONS TO THE PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN ("PLAN"); ESTABLISHING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND ENACTING OTHER MATTERS RELATED THERETO.

WHEREAS, on November 11, 1992, the City Council authorized the designation of Tax Increment Financing Reinvestment Zone Number Three (the "Oak Cliff Gateway TIF District" or "TIF District" or "Zone") in accordance with the Tax Increment Financing Act, as amended, Texas Tax Code Chapter 311 (the "Act"), to promote orderly redevelopment in the TIF District that would not occur solely through private investment in the reasonably foreseeable future by Resolution No. 92-3946; Ordinance No. 21466, as amended; and

WHEREAS, on February 12, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan (the "TIF District Plan" or "Plan") for the Oak Cliff Gateway TIF District by Resolution No. 97-0483; Ordinance No. 23033, as amended; and

WHEREAS, the Act requires that, if an amendment proposes to reduce or increase the geographic area of the Zone, increase the amount of bonded indebtedness to be incurred, increase or decrease the percentage of a tax increment to be contributed by a taxing unit, increase the total estimated project costs, or designate additional property in the Zone to be acquired by the municipality, the approval must be by ordinance after the City holds a public hearing on such amendments and provides interested persons the opportunity to speak and present evidence for or against such amendment(s); and

WHEREAS, the City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the Oak Cliff Gateway TIF District, any other taxing districts, and any other interested persons to speak for or against the amendment; and

WHEREAS, on April 24, 2023, the Oak Cliff Gateway TIF District Board of Directors (the "TIF District Board") unanimously passed a motion adopting and recommending City Council approval of the following amendment to the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan: (1) increase the geographic area of the Bishop/Jefferson Sub-District by approximately 7 acres to include properties at 1200 and 1400 East Jefferson Boulevard; (2) increase the geographic area of the Clarendon/Beckley/Kiest Sub-District by approximately 11 acres to include: (a) approximately 4 acres generally on the northeast and southeast corners of Grant Street and Ridge Street, west of the terminus of Grant Street and north of the terminus of Ridge Street, and (b) approximately 7 acres generally in the 900 and 1000 blocks of Morrell Avenue at Fernwood Avenue and the 1200 and 1300 blocks of Morrell Avenue at Denley Drive; (3) make corresponding modifications to the TIF District's boundary and Plan; and

WHEREAS, on May 24, 2023, City Council authorized a public hearing to be held on June 14, 2023, to hear public comments regarding the proposed amendment in accordance with the Tax Increment Financing Act, codified as Texas Tax Code, Chapter 311. The public hearing was held on June 14, 2023 and was subsequently closed; and

WHEREAS, the Act requires the City to publish notice of the public hearing in a newspaper having general circulation in the City, and, in compliance with the Act, notice of the public hearing was published in Dallas Morning News, a daily newspaper of general circulation in the City, at least seven days before the date of the public hearing.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Ordinance No. 21466, as amended, previously approved on November 11, 1992, and Ordinance No. 23033, as amended, previously approved on February 12, 1997, are hereby further amended to: **(1)** increase the geographic area of the Bishop/Jefferson Sub-District by approximately 7 acres to include properties at 1200 and 1400 East Jefferson Boulevard; **(2)** increase the geographic area of the Clarendon/Beckley/Kiest Sub-District by approximately 11 acres to include: (a) approximately 4 acres generally on the northeast and southeast corners of Grant Street and Ridge Street, west of the terminus of Grant Street and north of the terminus of Ridge Street, and **(b)** approximately 7 acres generally in the 900 and 1000 blocks of Morrell Avenue at Fernwood Avenue and the 1200 and 1300 blocks of Morrell Avenue at Denley Drive; and **(3)** make corresponding modifications to the TIF District's boundary and Plan attached hereto as **Exhibit B**.

SECTION 2. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

SECTION 3. That the amendment to the Plan will result in benefits to the City and the property included in the TIF District.

SECTION 4. That the addition of the 18 acres will not result in more than thirty percent of the property in the TIF District being used for residential purposes pursuant to the Act.

SECTION 5. That the unimproved and underutilized property in the proposed expansion area substantially arrests or impairs the sound growth of the City, and improvements in the TIF District will significantly enhance the value of all the taxable real property in the TIF District, development or redevelopment in the proposed expansion area would not occur solely through private investment in the foreseeable future, and its inclusion will have an overall benefit to the TIF District and the City.

SECTION 6. That the proposed expansion will permit future improvements that will significantly enhance the value of all taxable real property in the TIF District and will be of general benefit to the City.

SECTION 7. That the tax increment base for the expansion area, which is the total appraised value of all taxable real property located in the expansion area, is to be determined as of January 1, 2023, the year in which the TIF District was amended to include the expansion area.

SECTION 8. That **Exhibit A** of Ordinance No. 21466, as amended, shall be completely deleted and the new attached **Exhibit A** shall be substituted.

SECTION 9. That **Exhibit A** and **Exhibit B** of Ordinance No. 23033, as amended, shall be completely deleted and the new attached **Exhibit A** and **Exhibit B** shall be substituted.

SECTION 10. That Ordinance No. 21466, as amended, and Ordinance No. 23033, as amended, will remain in full force and effect, save and except as amended by this Ordinance.

SECTION 11. That if any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or un-enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, Interim City Attorney

BY: 
Assistant City Attorney

Passed and correctly enrolled May 24, 2023