



Legislation Details (With Text)

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**File created:** 1/10/2020      **In control:** Office of Economic Development

**On agenda:** 2/26/2020      **Final action:** 2/26/2020

**Title:** Authorize an amendment to the By-Laws for the Board of Directors of Tax Increment Financing Reinvestment Zone Number Thirteen (Grand Park South TIF District) to modify: (1) the board composition in accordance with amendments to the Tax Increment Financing Act; (2) the project design review process; and (3) related matters hereto - Financing: No cost consideration to the City

**Sponsors:**

**Indexes:** 7

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**Attachments:** 1. Resolution, 2. Exhibit A

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Economic and Neighborhood Vitality

**AGENDA DATE:** February 26, 2020

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Office of Economic Development

**EXECUTIVE:** Michael Mendoza

**SUBJECT**

Authorize an amendment to the By-Laws for the Board of Directors of Tax Increment Financing Reinvestment Zone Number Thirteen (Grand Park South TIF District) to modify: **(1)** the board composition in accordance with amendments to the Tax Increment Financing Act; **(2)** the project design review process; and **(3)** related matters hereto - Financing: No cost consideration to the City

**BACKGROUND**

During the 2011 State legislative session, there were amendments to the Tax Increment Financing (“TIF”) Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the “Act”) that impacted the composition of TIF District Boards of Directors (the “Board”). Prior to the 2011 amendments, the TIF Act allowed taxing entities (other than the City that created the TIF district) to have at least one representative on a TIF Board, regardless of financial participation of the taxing entities. Effective September 1, 2011, only those taxing entities that have approved the payment of all or a portion of the tax increment produced by the taxing entity into the TIF Fund for that district may appoint one member to the Board.

As a result of the 2011 TIF Act amendment, for most TIF districts including Grand Park South, the Dallas Independent School District, the Dallas County Community College District (DCCCD), and the Dallas County Hospital District (DCHD) are no longer eligible to appoint a board representative. Only the City and Dallas County have committed to financial participation in the Grand Park South TIF District. The total number of board members will be reduced to seven - an increase from five to six members for City appointment and Dallas County remaining with one appointment.

In 2012, the By-Laws for nearly all of the City's active TIF districts were amended to reflect the 2011 amendments to the TIF Act. However, since the Grand Park South TIF District did not have an active Board at that time, the By-Laws could not be amended. In 2018, after enough members were appointed, the Board for the Grand Park South TIF District was reactivated. On December 10, 2018, the Grand Park South TIF Board reviewed and adopted this amendment to the By-Laws and forwarded a recommendation of approval to City Council.

The City of Dallas and Dallas County are the only taxing entities financially participating in the Grand Park South TIF District. This item amends the ordinance that created the District and the District's By-Laws to reduce the total number of Board members from ten to seven. As amended, the Board will include six representatives appointed by City Council and one representative appointed by the Dallas County Commissioners Court.

This item also amends the sections of the By-Laws pertaining to the design review process to reflect that projects seeking TIF Funds are required to go through a peer review process supported by the City's Planning and Urban Design Department with most projects having a formal review by the Urban Design Peer Review Panel. The goal of the peer review process is to provide objective, consistent design review across all the TIF districts in the City. The amendment does provide for the Board's ability to reinstate a TIF district design review committee if it becomes necessary in the future. The amended By-Laws are attached to the resolution.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On October 26, 2005, City Council held a public hearing and authorized the establishment of Tax Increment Reinvestment Zone Number Thirteen, the Grand Park South TIF District, by Resolution No. 05-3066; Ordinance No. 26147, as amended.

On May 24, 2006, City Council authorized the By-Laws for the Grand Park South TIF District Board of Directors by Resolution No. 06-1482.

On June 13, 2007, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Grand Park South TIF District by Resolution No. 07-1738; Ordinance No. 26773.

On December 10, 2018, the Grand Park South TIF District Board of Directors reviewed and adopted this amendment to the By-Laws and forwarded a recommendation of approval to City Council.

### **FISCAL INFORMATION**

No cost consideration to the City.