

CITY OF PFLUGERVILLE, TEXAS

RESOLUTION NO. _____

**RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS,
AUTHORIZING AND CREATING THE MEADOWLARK PRESERVE
PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH
CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE;
PROVIDING FOR RELATED MATTERS; AND PROVIDING AN
EFFECTIVE DATE**

WHEREAS, the City Council of the City (the “City Council”) of Pflugerville, Texas (the “City”) has received a petition (the “Petition”) requesting creation of a public improvement district (the “District”) under Chapter 372 of the Texas Local Government Code (the “Act”), from the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Travis County) in the proposed District and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment under the proposal (the “Petitioners”); and

WHEREAS, the Petition has been examined, verified, and found to meet the requirements of Section 372.005(b) of the Act and to be sufficient for consideration by the City Council;

WHEREAS, pursuant to Section 372.0055 of the Act, the City Council estimates the current appraised value of taxable real property liable for assessment in the District at \$3,015,000, and the cost of the Authorized Improvements (defined herein) at \$25,000,000, and the City Council acknowledges that the value of the District estimated herein is based on unimproved land; and

WHEREAS, the boundaries of the proposed District are depicted on Exhibit A attached hereto, said area for the District being within the boundaries and/or the extraterritorial jurisdiction of the City; and

WHEREAS, after providing all notices required by the Act, the City conducted a public hearing on the advisability of the improvements described in the Petition;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

SECTION 1. The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are hereby approved and incorporated by reference as though fully set forth herein.

SECTION 2. The Petition submitted to the City was filed with the City Secretary and complies with Subchapter A of the Act.

SECTION 3. Pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a), and 372.009(b), the City Council after considering the Petition and

the evidence and testimony presented at the public hearing on September 27, 2022, hereby finds and declares:

- (a) **Advisability of the Proposed Improvements.** It is advisable to create the District to provide the Authorized Improvements (as described below). The Authorized Improvements are advisable and desirable Improvements for the District.
- (b) **General Nature of the Authorized Improvements.** The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act (the “Authorized Improvements”) that are necessary for the development of the Property, which Authorized Improvements include: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, swimming pools, sidewalks, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) - (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) - (vii) above, including costs of establishing, administering and operating the District.
- (c) **Estimated Costs of the Authorized Improvements and Apportionment of Costs.** The estimated cost to design, acquire and construct the Authorized Improvements is \$25,000,000.00 (including issuance and other financing costs).
- (d) **Boundaries of the District.** The boundaries of the District are depicted on Exhibit A.
- (e) **Proposed Method of Assessment.** The City shall levy an assessment on each parcel of the property within the District in a manner that results in imposing equal shares of the costs on property similarly benefitted. Any assessments may be paid in full at any time (including interest and principal), and, if not paid in full, may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessments and must continue for a period necessary to retire the indebtedness for those Authorized Improvements (including interest).
- (f) **Management of the District.** The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

- (g) **Apportionment of Cost between the City and the District.** Approval and creation of the District will not obligate the City to provide any fund to finance the proposed public improvements. All of the costs of the proposed public improvements will be paid by assessments of the property within the District and from other sources of funds, if any available to the owner of the Land.
- (h) **Advisory Board.** The District shall be managed without the creation of an advisory body.

SECTION 4. The Meadowlark Preserve Public Improvement District is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements and services for the District contained in this Resolution. The Authorized Improvements are authorized to be made in accordance with the service and assessment plan for the Meadowlark Preserve Public Improvement District and other agreements between the City and the Petitioner to be approved by the City Council at a future meeting.

SECTION 6. This Resolution shall take effect immediately from and after its passage and the District shall be authorized at such time as required by law.

[Signature page follows.]

PASSED & APPROVED by the **CITY COUNCIL** of the **CITY OF PFLUGERVILLE**, on the ____ day of _____, 2022 on vote of __ AYES; __ NAYS; __ ABSTENTIONS.

Victor Gonzales, MAYOR
CITY OF PFLUGERVILLE

ATTEST:

CITY SECRETARY
CITY OF PFLUGERVILLE

EXHIBIT A

[SEE ATTACHED]

PID LEGAL DESCRIPTION