

RESOLUTION NO. 20260811-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, ACCEPTING A SERVICE AND ASSESSMENT PLAN FOR AUTHORIZED IMPROVEMENTS WITHIN THE AUSTIN COLONY PUBLIC IMPROVEMENT DISTRICT; SETTING A DATE FOR PUBLIC HEARING ON THE PROPOSED LEVY OF ASSESSMENTS; AUTHORIZING THE PUBLICATION AND MAILING OF NOTICE; ENACTING OTHER PROVISIONS RELATING THERETO; AND PROVIDING FOR THE EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the "PID Act") authorizes the City of Angleton, Texas (the "City") to create a public improvement district (a "PID") within the corporate boundaries and the extraterritorial jurisdiction of the City; and

WHEREAS, the City Council (the "City Council") of the City, received a Petition requesting the establishment of a PID (to be known as the "Austin Colony Public Improvement District") (the "District") within the corporate limits of the City which was signed by the owners of more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment and the record owners of more than fifty percent (50%) of the area of all taxable real property within the proposed boundaries of the District that was liable for assessment, and as such, the Petition complied with the Act; and

WHEREAS, on August 24 2021, the City Council of the City (the "City Council") passed and approved Resolution No. 20210824-024 creating the District covering approximately 164.5 acres of land described by metes and bounds in said Resolution; and

WHEREAS, pursuant to Sections 372.013, 372.014, and 372.016 of the Act, the City Council has directed the preparation of a preliminary service and assessment plan for the financing of certain public improvements within the District (the "Authorized Improvements"); and

WHEREAS, the preliminary service and assessment plan, which is attached hereto as Exhibit "B" and incorporated herein for all intents and purposes, (the "Preliminary Plan") covers a period of at least five years and defines the annual indebtedness and the projected costs of the Authorized Improvements within the District; and

WHEREAS, the Preliminary Plan also includes assessment plans that apportion the cost of the Authorized Improvements to be assessed against property within the District, and such apportionment is made on the basis of special benefits accruing to the assessed property within the District because of the Authorized Improvements; and

WHEREAS, the City Council also directed the preparation of an assessment roll for the District that states the assessment against each parcel of land within the District (the "Proposed Assessment Roll") and such Proposed Assessment Roll is attached to and a part of the Preliminary Plan; and

WHEREAS, the PID Act requires that the Proposed Assessment Roll be filed with the municipal secretary of the City (the “City Secretary”), and be subject to public inspection; and

WHEREAS, after determining the total costs of the Authorized Improvements for the District, the City Council notes that the Preliminary Plan and Proposed Assessment Roll may be changed as the City Council deems appropriate before such Preliminary Plan and Proposed Assessment Roll are adopted as final by the City Council; and

WHEREAS, the City has determined to call a public hearing regarding the proposed levy of assessments pursuant to the Preliminary Plan and the Proposed Assessment Roll on property within the District, pursuant to Section 372.016 of the Act; and

WHEREAS, the City desires to publish and mail notice of such public hearing in order to provide notice to all interested parties of the City's proposed levy of assessments against such property in the District, pursuant to Section 372.016 of the Act; and

WHEREAS, the City desires to file the Preliminary Plan and Proposed Assessment Roll with the City Secretary such that they are available for public inspection pursuant to Section 372.016 of the Act; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, STATE OF TEXAS:

Section 1. *Findings.* The findings and determinations set forth in the preamble hereto are hereby incorporated by reference for all purposes.

(a) The City Council does hereby accept the Preliminary Plan for the District, including the Proposed Assessment Roll, in the form attached as Exhibit B and which is incorporated herein for all purposes. All capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Preliminary Plan.

(b) The City Council hereby determines that the total costs of the Authorized Improvements to be financed by the District are as set forth in the Preliminary Plan.

(c) The City Council’s final determination and approval of the costs of the Authorized Improvements, or any portion thereof, shall be subject to and contingent upon City Council's approval of a final, updated Service and Assessment Plan which will include a final Assessment Roll, after the properly noticed and held an assessment hearing.

(d) The Proposed Assessment Roll states the assessments and the projected annual installments proposed to be levied against each parcel of land in the District that benefits from the Authorized Improvements, as determined by the method of assessment chosen by the City in the Authorization Resolution and as more fully described in the Preliminary Plan.

(e) The City Council hereby authorizes and directs the filing of the Proposed Assessment Roll with the City Secretary and directs the City Secretary to make the same available for public inspection.

Section 2. Calling Public Hearing. The City Council hereby calls a public hearing (the "Public Hearing") for 6:00 p.m. on _____, 2026, at the regular meeting place of the City, the City Council Chamber at 121 S. Velasco, Angleton, Texas 77515 to consider approving the Preliminary Plan, with such changes and amendments as the City Council deems necessary, and the Proposed Assessment Roll with such amendments to the assessments on any parcel as the City Council deems necessary, as the final Service and Assessment Plan (the "Final Plan") and final Assessment Roll (the "Final Roll") for the District. After all objections made at such hearing have been heard, the City Council may (i) levy the assessments as special assessments against each parcel of property in the District as set forth in the Final Plan, including the Final Roll; (ii) specify the method of payment of the assessments; and (iii) provide that assessments be paid in periodic installments.

Section 3. Notice of Public Hearing. Notice of the Public Hearing setting out the matters required by Section 372.016 of the Act and substantially in the form, which is attached as Exhibit A, and incorporated herein for all intents and purposes, shall be given by publication at least eleven (11) days before the date of the hearing, in a newspaper of general circulation in the City. Notice of such hearing shall also be given by the City Secretary, by mailing a copy of the notice containing the information required by Section 372.016(b) of the Act to the last known address of each owner of property liable for an assessment in the proposed Final Roll as reflected on the tax rolls of the Denton County Appraisal District.

Section 4. Participation at Public Hearing. All residents and property owners within the District, and all other persons, are hereby invited to appear in person, or by their attorney, and contend for or contest the Preliminary Plan and the Final Roll and the proposed assessments and offer testimony pertinent to any issue presented on the amount of the assessments, purpose of the assessments, special benefit of the assessments, and the costs of collection and the penalties and interest on delinquent assessments. At or on the adjournment of the hearing conducted pursuant to Section 372.016 on the proposed assessments, the City Council must hear and pass on any objection to a proposed assessment. The City Council may amend a proposed assessment on any parcel in the District. The failure of a property owner to receive notice does not invalidate the proceeding.

Section 5. Conducting the Public Hearing. The City Council shall convene at the location and at the time specified in the notice described above for the Public Hearing and shall conduct the Public Hearing in connection with its consideration of the Final Plan, including the Final Roll, for the District and the levy of the proposed assessments, including costs of collection, penalties and interest on delinquent assessments. At the Public Hearing, the City Council will hear and pass on any objections to the Preliminary Plan and the Proposed Assessment Roll and the levy of the proposed assessments (which objections may be written or oral). At or on the adjournment of the Public Hearing, the City Council may amend a proposed assessment on any parcel in the District. After all objections, if any, have been heard and passed upon, the City may (i) levy the assessments as special assessments against each parcel of property in the District as set forth in the Final Plan

and Final Roll for the District, (ii) specify the method of payment of the assessments, and (iii) provide that the assessments be paid in periodic installments.

Section 6. *Filing of Proposed Assessment Roll.* The proposed Final Roll shall be filed in the office of the City Secretary and be made available to any member of the public who wishes to inspect the same.

Section 7. *Further Action.* The City Secretary is hereby authorized and directed to take such other actions as are required, including providing notice of the Public Hearing as required by the Texas Open Meetings Act and placing the Public Hearing on the agenda for the June 25, 2026, meeting of the City Council.

Section 8. *Effective Date.* This resolution shall be effective immediately upon its passage and approval.

[Signature Page Follows]

INTRODUCED, READ AND PASSED by the affirmative vote of the City Council of the City of Angleton on this the 11th day of August, 2026.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Desiree Henson, TMC
City Secretary

EXHIBIT "A"

CITY OF ANGLETON
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of the City of Angleton, Texas, at 6:00 p.m. on _____, 2026, at the regular meeting place of the City, the City Council Chamber at 121 S. Velasco, Angleton, TX 77515. The public hearing will be held to consider proposed assessments to be levied against certain assessable property in the Austin Colony Public Improvement District (the "District") pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the "Act").

The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include (i) landscaping; (ii) erection of fountains, distinctive lighting and signs; (iii) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way; (iv) construction or improvement of pedestrian malls; (v) acquisition and installation of pieces of art; (vi) acquisition, construction or improvement of libraries; (vii) acquisition, construction, or improvement of off-street parking facilities; (viii) acquisition, construction, improvement, or rerouting of mass transportation facilities; (ix) acquisition, construction, improvement of water, waste water or drainage facilities or improvements; (x) the establishment or improvement of parks; (xi) projects similar to those listed in (i) – (x); (xii) acquisition by purchase or otherwise, of real property in connection with an authorized improvement; (xiii) special supplemental services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; (xiv) payment of expenses incurred in the establishment, administration and operation of the District, including the costs of financing the public improvement listed above; (xv) the development, rehabilitation or expansion of affordable housing; and (xvi) payment of expenses associated with operating and maintain the improvements listed above. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment, administration and operation of the District is \$31,250,000 plus the annual cost of operation and maintenance and supplemental services, if any. The City will pay no costs of the Authorized Improvements or operation and maintenance costs from funds other than assessments levied on property within the PID. The remaining costs of the proposed improvements will be paid from sources other than those described above.

The boundaries of the District include approximately 164.5 acres of land located within the City of Angleton, Texas. Said Property being generally located on _____ and east of _____, out of the J. DeJ Valderas Survey Survey, Abstract No. 380, Brazoria County, Texas, as more particularly described by a metes and bounds description available at Angleton City Hall located at 121 S. Velasco, Angleton, TX 77515 and available for public inspection.

All written or oral objections relating to the levy of the proposed assessments will be considered at the public hearing.

A copy of the Preliminary Service and Assessment Plan, including the proposed Assessment Roll, for the District, which includes the assessments to be levied against each parcel in the District, is available for public inspection at the office of the City Secretary, located at 121 S. Velasco, Angleton, TX 77515

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this ____ day of _____, 2026.

/s/ _____
City Secretary

EXHIBIT "B"
PRELIMINARY SERVICE AND ASSESSMENT PLAN