

**RESOLUTION NO. 20240213-000**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS APPROVING AN AGREEMENT WITH THE ANGLETON BETTER LIVING CORPORATION REGARDING THE CONSTRUCTION OF CITY PARK AND DRAINAGE IMPROVEMENTS AND AUTHORIZING THE MAYOR AS THE DESIGNATED REPRESENTATIVE OF THE CITY TO EXECUTE SUCH AGREEMENT; AND APPROVING OTHER MATTERS RELATED THERETO**

THE STATE OF TEXAS §  
COUNTY OF BRAZORIA §

**WHEREAS**, at an election held within the City of Angleton, Texas (the “City”) on May 6, 2000 (the “2000 Election”), the voters approved a proposition authorizing the levy and collection of a sales and use tax within the City at the rate of one-half of one percent (the “Additional Sales Tax”) as authorized by the Development Corporation Act of 1979, Article 5190.6, Section 4B, Vernon’s Texas Revised Civil Statutes and the provisions of Chapters 501 and 505, Texas Local Government Code, as amended (collectively, the “Act”) for the following types of projects only: (1) community centers, parks and recreational facilities for families, elderly and youth; and (2) drainage improvements in flood prone areas of the city limits, which are beyond the responsibility of the Angleton Drainage District; together with the maintenance and operations expenses for any of the above projects; but not for the following purposes: (1) meals or entertainment to attract new or expanded business enterprises; and (2) salaries for administration of the Additional Sales Tax (collectively, the “Authorized Purposes”); and

**WHEREAS**, the Angleton Better Living Corporation (“Corporation”) was formed pursuant to the Act for the payment of the costs associated with the Authorized Purposes of the Corporation. Pursuant to the provisions of the Act, the City collects the Additional Sales Tax and pays it to the Corporation; and

**WHEREAS**, the City and the Corporation hereby find that the Park Facilities and Drainage Improvements (both terms as hereinafter defined) constitute a “Project” as that term is defined under Texas Local Government Code, Chapter 505.152 and Authorized Purposes under the Election; and

**WHEREAS**, the City and Corporation now wish to proceed with the following projects, having complied with the legal prerequisites for undertaking such projects under the Act: (i) the construction, acquisition, renovation and improvement of parks and recreational facilities within the City, including the Angleton Recreation Center, Abigail Arias Park, Freedom Park and BG Peck Soccer Complex (the “Park Facilities”); and (ii) drainage improvements in flood-prone areas in the City limits, which are beyond the responsibility of the Angleton Drainage District (the “Drainage Improvements,” and collectively with the Park Facilities, the “Authorized Project”); and

**WHEREAS**, the City has determined that the most economical means of financing the costs of and delivering the Authorized Project is for the City to issue its certificates of obligation (the “Certificates”) in an aggregate principal amount not to exceed \$4,500,000 for the purpose of the Authorized Project, with the agreement of the Corporation to (i) make payments to the City from the Additional Sales Tax in amounts sufficient to pay the debt service on the Certificates and any bonds issued to refund such Certificates as and when it becomes due, all as more specifically detailed in the schedules described in Section 1.04(b) of the Agreement Regarding the Construction of Improvements; and

**WHEREAS**, the City and Corporation intend that the Certificates and any bonds issued to refund such Certificates shall be considered self-supporting debt for purposes of House Bill 1869, 87<sup>th</sup> Legislature, Regular Session; and

**WHEREAS**, the City and Corporation wish to execute an “Agreement Regarding the Construction of Improvements” in substantially the form attached hereto as Exhibit A to formalize the commitment of the Corporation to make said payments to the City from the Additional Sales Tax in amounts sufficient to pay the debt service on the Certificates; and

**WHEREAS**, the meeting at which this Resolution is being considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code.

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

**SECTION 1.** That the Agreement Regarding the Construction of Improvements, in substantially the form attached hereto as Exhibit A, is hereby approved.

**SECTION 2.** That the Mayor is hereby authorized to execute the Agreement on behalf of the City. The City Council hereby ratifies the authority of the President of the Angleton Better Living Corporation to execute the agreement on behalf of the Corporation.

**SECTION 3.** That this Resolution shall be in full force and effect from and after its passage and adoption.

*[Execution Page to Follow]*

**PASSED AND APPROVED THIS THE 13 DAY OF JUNE 2024.**

CITY OF ANGLETON, TEXAS

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John Wright  
Mayor

ATTEST:

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Michelle Perez, TRMC  
City Secretary

**EXHIBIT A**