



AGENDA ITEM SUMMARY FORM

MEETING DATE: June 27, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Department Director

AGENDA CONTENT: Discussion and possible action on Resolution No. 20230627-006 granting consent to the creation of Brazoria County Municipal Utility District No. 82 per the development agreement with Anchor Holdings MP, LLC and Wildrock Holdings with the City of Angleton, Texas for the Ashland Development.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

In accordance with ARTICLE II, Section 2.02, the City Angleton, on the same date it approved the Ashland Development Agreement, consented to the creation of Brazoria County Municipal Utility District 82 ("District"), and authorized the creation of additional MUDs by way of division by the District. The City agreed to adopt a consent resolution approving the creation of Brazoria MUD 82 within (30) thirty days of the **Effective Date (June 6, 2023)**. In the executed version it is stated that the Developer may perform any of its obligations under the Development Agreement, by, with, or on behalf of the District, or any other MUD created by the District, is entitled to develop its facilities in accordance with the terms and standards contained in the Development Agreement.

Note that the Strategic Partnership Agreement (SPA) is to be finalized no later than ninety (90) days after June 6, 2023. The Strategic Partnership Agreement will later be executed, establishing mutual agreements, covenants and conditions between the City and Brazoria County Municipal Utility District No. 82, as it relates to both limited purpose and full purpose annexation in the future.

The Brazoria County Municipal Utility District No. 82 has been created over approximately 911.12 acres of land located partially within the extraterritorial jurisdiction of the City of Angleton, Texas (the "City"). The purpose of the District is for the purchase, construction, extension, improvement, maintenance and operation of a waterworks and sanitary sewer system and a storm and drainage system, recreational facilities (if allowed by applicable law), road facilities and, subject to the laws of the State of Texas and the rules of the Texas Commission on

Environmental Quality, firefighting facilities, as described in the executed development agreement.

Brazoria County Commissioners approved entering into an interlocal agreement between Brazoria County and Brazoria County Municipal Utility District No. 82 for the maintenance of public roads located within the boundaries of the District on June 13, 2023 under Order No. 7E.2. To-date, Brazoria County has also approved its separate Development Agreement with the developers, in which a copy will be sent to the City in the very near future. MUD No. 82 is scheduled to execute the agreement at the July 21, 2023 organizational meeting at 9:00 A.M.

RECOMMENDATION: City Council should approve the resolution granting consent to the creation of Brazoria County Municipal Utility District 82 per the development agreement with Anchor Holdings MP, LLC and Wildrock Holdings with the City of Angleton, Texas due to the contractual obligations of ARTICLE II, Section 2.02 in the executed document.