



AGENDA ITEM SUMMARY FORM

MEETING DATE: October 10, 2023

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

AGENDA CONTENT: Conduct a public hearing, discussion, and possible action on a request for approval of a Strategic Partnership Agreement (SPA) to be made and entered into by and between the City of Angleton, Texas, through its City Council, and Brazoria County Municipal Utility District No. 82, under the authority of Section 43.0751 of the Texas Local Government Code. The SPA will provide for an agreement regarding the land within the District that will become annexed into the City for the purpose of imposing and collecting Sales and Use Tax Revenues and for the other purposes set forth in the SPA. The subject property is more commonly known as Municipal Utility District No. 82, encompassing 911.12 acres, more or less located at the Ashland Development tract.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: None.

FUNDS REQUESTED: None.

FUND: None

EXECUTIVE SUMMARY:

The subject property is more commonly known as the District, encompassing 911.12 acres, more or less located at the Ashland Development tract bound by FM521 on the west, SH288 to the east, and Anchor Rd./CR 44 to the south, within the ETJ of the City of Angleton, Brazoria County, Texas. The Brazoria County Municipal Utility District No. 82 was authorized created by Acts 2021, 87th Leg., R.S., Ch. 113 (S.B. 2147), Sec. 1, effective May 23, 2021 and filed in January of 2022 with Secretary of State.

On June 27, 2023 City Council approved 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 (Exhibit A District Description & Map).

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, and firefighting facilities, as described in the executed development agreement.

This (SPA) Strategic Partnership Agreement establishes 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 SPA Agreement will define and clarify, through contractual agreement, the terms and conditions of the annexation of the District by the City and the relationship between the City and the District, including taxation and the provision of services by the City and matters related to the issuance of debt by the District.

Please note that the City Council will conduct two public hearings at 6:00 pm on Tuesday, October 10, 2023 and 6:00 p.m. on October 24, 2023.

During the two public hearings, Council will allow for public input, discussion, and take possible action on a request for approval of a Strategic Partnership Agreement (SPA) to be made and entered into by and between the City of Angleton, Texas, through its City Council, and Brazoria County Municipal Utility District No. 82, under the authority of Section 43.0751 of the Texas Local Government Code. The SPA will provide for the terms and conditions under which services that will be provided and funded by the City and the District, the limited purpose annexation of a portion of the District Property, and the eventual full purpose annexation of the District and covers the following:

- Certain areas within the Development may be developed for commercial uses; and the City desires to annex the commercial use areas of the Development for the sole and exclusive purpose of imposing and collecting sales and use taxes within such areas.
- The City and the District declare that TEX. LOCAL GOV'T CODE, section 43.0751(h) applies at the termination of the District, which will occur in 30 years (2053), or sooner pursuant to Section 3.01 of this Agreement.
- Provisions for City Fire Services, City's Solid Waste/Residential and Commercial trash services to be provided through the City's contracted vendor, and Police Protection are outlined in Article 4.

RECOMMENDATION:

Council should hold the public hearing and allow for public input, discussion, and take possible action on a request for approval of a Strategic Partnership Agreement (SPA) to be made and entered into by and between the City of Angleton, Texas, through its City Council, and Brazoria County Municipal Utility District No. 82, under the authority of Section 43.0751 of the Texas Local Government Code.