

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS APPROVING AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND BITTERBLUE, INC. AND RESOLVING OTHER MATTERS RELATED THERETO

WHEREAS, on June 19, 2025, the City Council (the “City Council”) of the City of Fair Oaks Ranch, Texas (the “City”) may adopt a resolution creating the Post Oak Public Improvement District (the “District”) in accordance with Chapter 372, Texas Local Government Code, as amended (the “Act”), and

WHEREAS, the City desires to approve the “Professional Services Reimbursement Agreement” (the “Professional Services Agreement”) between the City and Bitterblue, Inc., a Texas corporation (the “Developer”), and

WHEREAS, the Professional Services Agreement defines the terms and conditions under which moneys may be advanced by the Developer of property within the District for the purposes of reimbursing certain expenses incurred by the City relating to the levy of assessments and potential issuance of bonds by the City which are secured by assessments levied against certain property within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

- Section 1** The City Council hereby authorizes the City Manager to execute an agreement with Bitterblue, Inc., attached as **Exhibit A**, for professional services and to execute all applicable documents to effectuate this resolution.
- Section 2.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the Council.
- Section3.** If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.
- Section 4.** That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 5.** All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.

- Section 6.** This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 7.** This resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, and ADOPTED on this 17th day of April 2025.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney