

CITY OF MANOR, TEXAS

RESOLUTION NO. 2021-07

A RESOLUTION OF THE CITY OF MANOR, TEXAS DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE MANOR HEIGHTS PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY SERVICE AND ASSESSMENT PLAN, INCLUDING THE PROPOSED ASSESSMENT ROLLS; CALLING FOR NOTICE OF A PUBLIC HEARING FOR MAY 5, 2021 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE MANOR HEIGHTS PUBLIC IMPROVEMENT DISTRICT; DIRECTING THE FILING OF THE PROPOSED ASSESSMENT ROLLS WITH THE CITY SECRETARY TO MAKE SAID PROPOSED ASSESSMENT ROLLS AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS RELATED TO THE FOREGOING

RECITALS

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the "Act") authorizes the governing body (the "City Council") of the City of Manor, Texas (the "City") to create a public improvement district within the City and its exterritorial jurisdiction; and

WHEREAS, on November 7, 2018, the City Council conducted a public hearing to consider a petition received by the City on September 10, 2018, titled "Petition for the Creation of a Public Improvement District to Finance Improvements to Manor Heights," requesting the creation of a public improvement district; and

WHEREAS, on November 7, 2018, after due notice and a public hearing, the City Council approved Resolution No. 2018-10 (the "Authorization Resolution"), authorizing, establishing and creating the Manor Heights Public Improvement District (the "District") and determining the advisability of the improvement; and

WHEREAS, the City Council authorized additional land to be added to the boundaries of the District pursuant to Resolution No. 2020-11, adopted by the City Council on October 7, 2020; and

WHEREAS, the City authorized the creation of the District and the issuance of up to \$30,000,000.00 in bonds for the District to finance certain public improvements authorized by the Act for the benefit of the property within Improvement Area #1, Improvement Area #2, and the Major Improvement Area of the District (the "Authorized Improvements"); and

WHEREAS, the anticipated levy and assessment amount for the Authorized Improvements (as defined in the Preliminary SAP) is approximately \$27,383,147, as referenced in Exhibit C of the Preliminary SAP; and

WHEREAS, the City Council and the City staff have been presented a "Manor Heights Public Improvement District Preliminary Service and Assessment Plan", including the proposed Assessment Rolls attached as Exhibit F for the Improvement Area #1 Assessment Roll, Exhibit H for the Improvement Area #2 Assessment Roll, and Exhibit J for the Major Improvement Area Assessment Roll (the "Proposed Assessment Rolls"), dated April 21, 2021 (collectively, the "Preliminary SAP"), a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes; and

WHEREAS, the Preliminary SAP sets forth the estimated total costs of certain Authorized Improvements to be financed by the District for the initial phase of development and the Proposed Assessment Rolls state the assessments proposed to be levied against each parcel of land in the District as determined by the method of assessment and apportionment chosen by the City; and

WHEREAS, the Act requires that the Proposed Assessment Rolls be filed with the City Secretary of the City (the "City Secretary") and be subject to public inspection; and

WHEREAS, the Act requires that a public hearing (the "Assessment Hearing") be called to consider the Preliminary SAP and proposed assessments and requires the City Council to hear and pass on any objections to the Preliminary SAP and proposed assessments at, or on the adjournment of, the Assessment Hearing; and

WHEREAS, the Act requires that notice of the Assessment Hearing be mailed to property owners liable for assessment and published in a newspaper of general circulation in the

City and the extraterritorial jurisdiction of the City before the tenth (10th) day before the date of the Assessment Hearing.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS AS FOLLOWS:

SECTION 1. The recitals set forth above in this Resolution are true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2. The City Council does hereby accept the Preliminary SAP, dated April 21, 2021, for the District, including the Proposed Assessment Rolls, a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes. All capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Preliminary SAP.

SECTION 3. The City Council hereby determines that the total estimated costs of the Authorized Improvements to be financed by the District are set forth in Exhibit C of the Preliminary SAP, which costs do include the payment of expenses incurred in the administration of the District or related to the issuance of any bonds.

SECTION 4. The City Council's final determination and approval of the estimated costs of the Authorized Improvements, or any portion thereof, shall be subject to and contingent upon City Council approval of a final Service and Assessment Plan which will include the final Assessment Rolls, after the properly noticed and held Assessment Hearing.

SECTION 5. The Proposed Assessment Rolls state the assessment proposed to be levied against each parcel of land in the District as determined by the method of assessment chosen by the City in the Authorization Resolution and as more fully described in the Preliminary SAP.

SECTION 6. The City Council hereby authorizes and directs the filing of the Proposed Assessment Rolls with the City Secretary and the same shall be available for public inspection.

SECTION 7. The City Council hereby authorizes, and calls, a meeting and a public hearing (the Assessment Hearing as defined above) to be held on May 5, 2021 at 7:00 p.m. at City Hall, 105 E. Eggleston Street, Manor, Texas 78653, at which the City Council shall, among

other actions, hear and pass on any objections to the proposed assessments; and, upon the adjournment of the Assessment Hearing, the City Council will consider an ordinance levying the assessments as special assessments on property within the District (which ordinance shall specify the method of payment of the assessments).

SECTION 8. The City Council hereby approves of without exception the publication by the City Secretary of the Assessment Hearing to be held on May 5, 2021, in substantially the forms attached hereto as **Exhibit B** in the April 23, 2021 edition of the *Manor Journal*, and incorporated herein for all purposes, a newspaper of general circulation in the City and in the extraterritorial jurisdiction of the City, before the tenth (10th) day before the date of the Assessment Hearing, as required by Section 372.016(b) of the Act.

SECTION 9. When the Proposed Assessment Rolls are filed with the City Secretary, the City Council hereby authorizes and directs the City Secretary to mail to owners of property liable for assessment notice of the Assessment Hearing to be held on May 5, 2021, as required by Section 372.016(c) of the Act.

SECTION 10. City staff is authorized and directed to take such other actions as are required (including, but not limited to, notice of the public hearing as required by the Texas Open Meetings Act) to place the public hearing on the agenda for the May 5, 2021 meeting of the City Council.

SECTION 11. This Resolution shall become effective from and after its date of passage in accordance with law.

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PASSED AND APPROVED on this the 21st day of April 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.,
Mayor

ATTEST:

Lluvia T. Almaraz,
City Secretary

EXHIBIT A

PRELIMINARY SERVICE AND ASSESSMENT PLAN

EXHIBIT B

**CITY OF MANOR, TEXAS
NOTICES OF PUBLIC HEARING**

NOTICE OF PUBLIC HEARING
TO CONSIDER PROPOSED ASSESSMENTS TO BE LEVIED AGAINST PROPERTY LOCATED IN THE MAJOR
IMPROVEMENT AREA OF THE MANOR HEIGHTS PUBLIC IMPROVEMENT DISTRICT

Notice is hereby given that the City Council of the City of Manor, Texas, will hold a public hearing in the Council Chambers at Manor City Council Chambers, 105 E. Eggleston St., Manor, Texas 78653 on May 5, 2021, at 7:00 p.m. to consider proposed assessments to be levied against the assessable property located in the Major Improvement Area of the Manor Heights Public Improvement District (the “District”) pursuant to the provisions of Chapter 372, Texas Local Government Code. Written and oral objections will be considered at the hearing. The meeting may also be held via telephonic or videoconference meeting. Please visit www.cityofmanor.org for more for detailed instructions on how to participate in a telephonic or videoconference meeting.

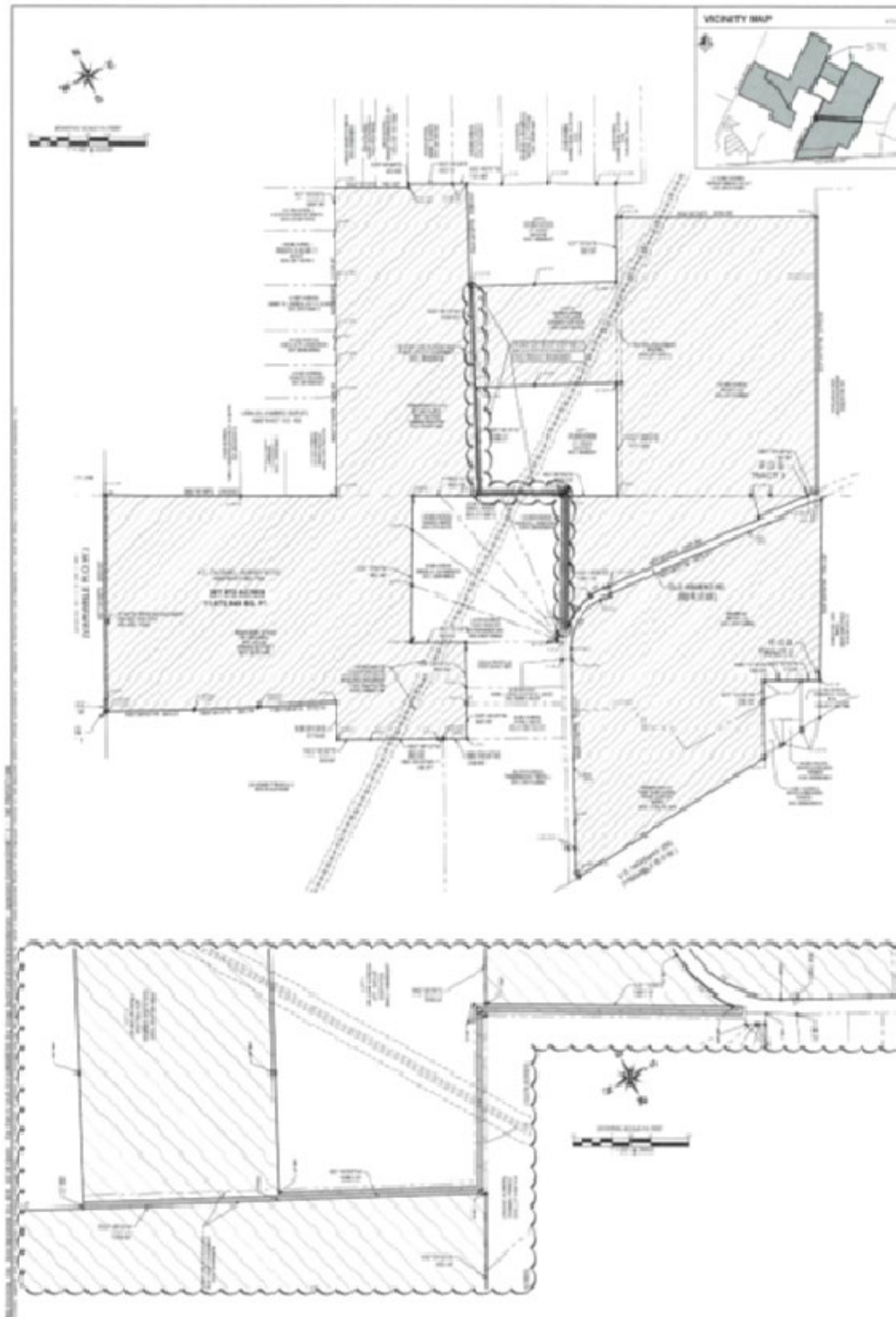
General Nature of Public Improvements: The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act that are necessary for the development of the Property, which public improvements will generally include: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, parking structures, sidewalks, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District (the “Authorized Improvements”). The Major Improvement Area is anticipated to include acquisition, design, construction, and/or improvement of a wastewater treatment plant, streets, roadways, and right-of-way acquisition, as well as the payment of costs associated with the public improvements described herein (the “Major Improvements”).

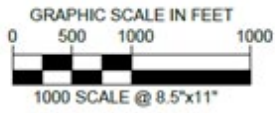
Estimated Total Cost of Public Improvements: The total cost of the public improvements to be funded by the District is approximately \$30,000,000.00, including issuance and required reserves related to the proposed issuance of bonds to fund the construction of the public improvements.

District Boundaries: The District includes approximately 602 acres located east of Bois D. Arc Road and North of US Highway 290 (the “Property”). The Major Improvement Area, comprised of approximately 369.22 acres, is located within the Property as generally depicted on Exhibit A attached hereto.

Materials: The field notes, a copy of the proposed service and assessment plan, and assessment roll are available for inspection at Manor City Hall at 105 E. Eggleston St., Manor, Texas 78653.

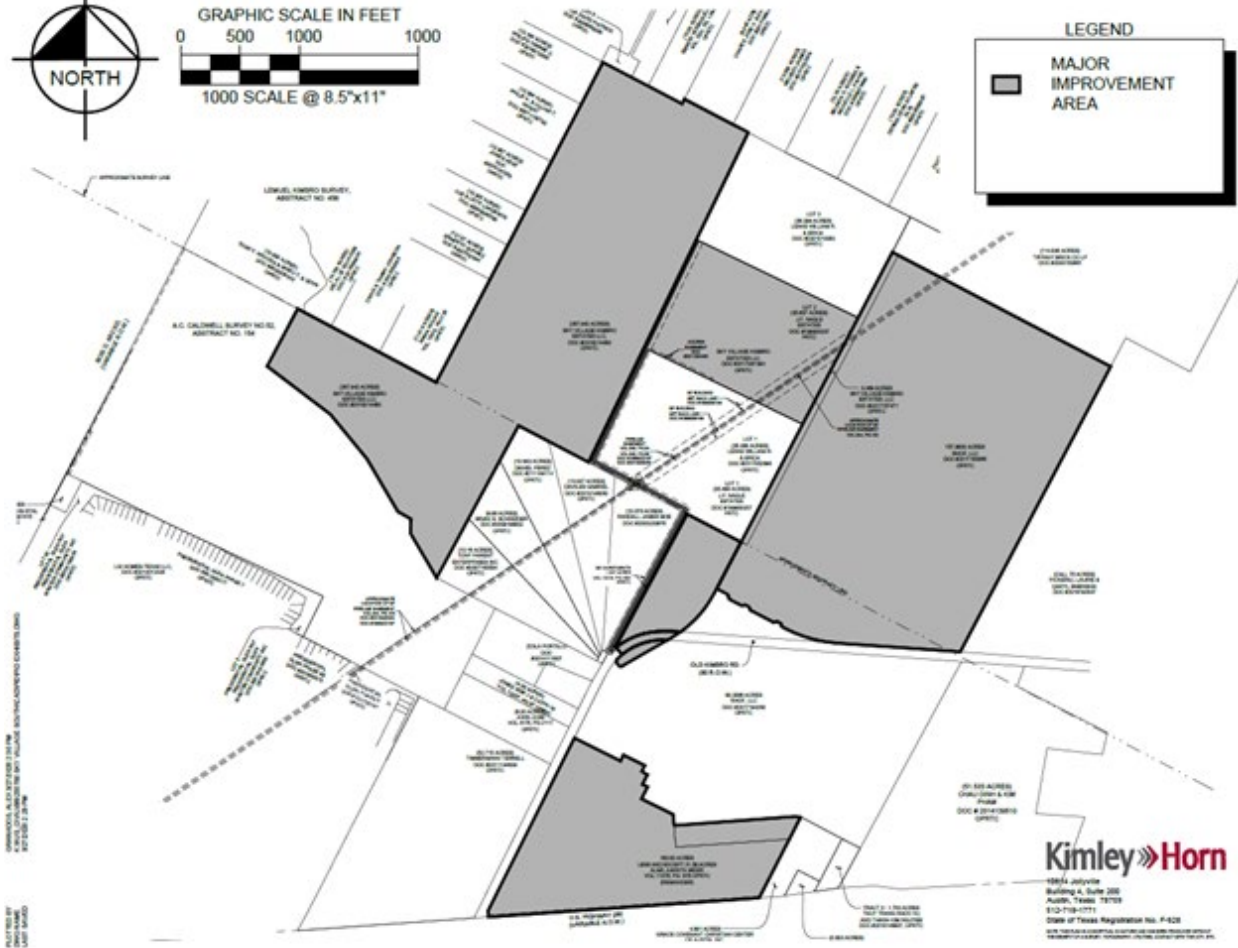
Exhibit A





LEGEND

MAJOR IMPROVEMENT AREA



PREPARED BY
LARRY HANCOCK

Kimley»Horn

1804 JACOBSON
Building 4, Suite 200
Austin, Texas 78701
512-718-0711
State of Texas Registration No. F-628

**NOTICE OF PUBLIC HEARING
TO CONSIDER PROPOSED ASSESSMENTS TO BE LEVIED AGAINST PROPERTY LOCATED IN
IMPROVEMENT AREA #1 OF THE MANOR HEIGHTS PUBLIC IMPROVEMENT DISTRICT**

Notice is hereby given that the City Council of the City of Manor, Texas, will hold a public hearing in the Council Chambers at Manor City Council Chambers, 105 E. Eggleston St., Manor, Texas 78653 on May 5, 2021, at 7:00 p.m. to consider proposed assessments to be levied against the assessable property located in Improvement Area #1 of the Manor Heights Public Improvement District (the “District”) pursuant to the provisions of Chapter 372, Texas Local Government Code. Written and oral objections will be considered at the hearing. The meeting may also be held via telephonic or videoconference meeting. Please visit www.cityofmanor.org for more for detailed instructions on how to participate in a telephonic or videoconference meeting.

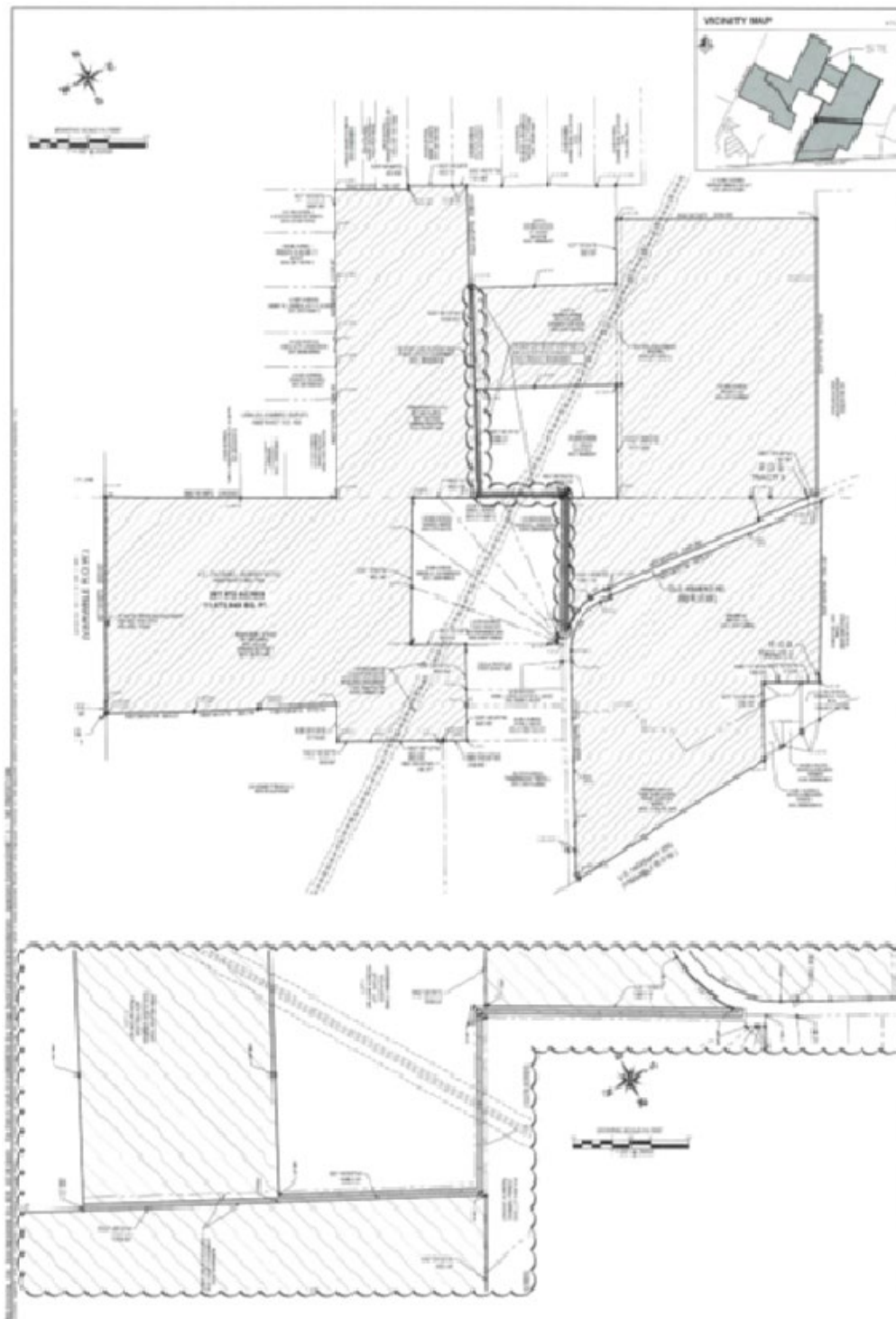
General Nature of Public Improvements: The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act that are necessary for the development of the Property, which public improvements will generally include: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, parking structures, sidewalks, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District (the “Authorized Improvements”). Improvement Area #1 is anticipated to include acquisition, construction, and/or improvement of streets, roadways, rights-of-way and related facilities, acquisition, construction, and/or improvement of water, wastewater, and drainage facilities, and establishment, design, construction, and/or maintenance of ancillary features to parks and open space, including but not limited to trails, as well as the payment of costs associated with the public improvements described herein (the “Improvement Area #1 Improvements”).

Estimated Total Cost of Public Improvements: The total cost of the public improvements to be funded by the District is approximately \$30,000,000.00, including issuance and required reserves related to the proposed issuance of bonds to fund the construction of the public improvements.

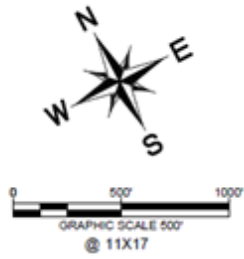
District Boundaries: The District includes approximately 602 acres located east of Bois D. Arc Road and North of US Highway 290 (the “Property”). Improvement Area #1, comprised of approximately 127.372 acres, is located within the Property as generally depicted on Exhibit A attached hereto.




Materials: The field notes, a copy of the proposed service and assessment plan, and assessment roll are available for inspection at Manor City Hall at 105 E. Eggleston St., Manor, Texas 78653.

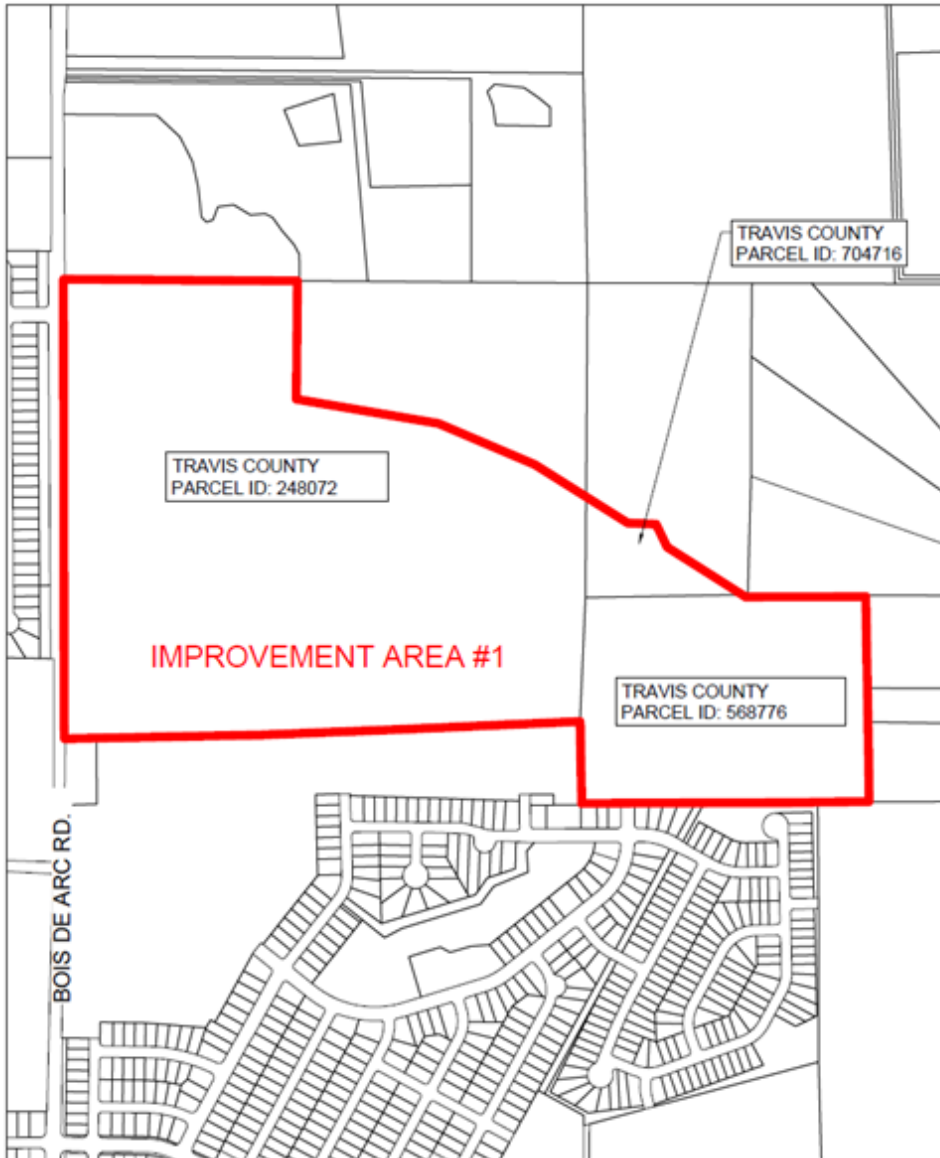
Exhibit A



LEGEND



	BOUNDARY
	IA #1
	TAX PARCEL BOUNDARY



- IMPROVEMENT AREA #1

NOTICE OF PUBLIC HEARING
TO CONSIDER PROPOSED ASSESSMENTS TO BE LEVIED AGAINST PROPERTY LOCATED IN
IMPROVEMENT AREA #2 OF THE MANOR HEIGHTS PUBLIC IMPROVEMENT DISTRICT

Notice is hereby given that the City Council of the City of Manor, Texas, will hold a public hearing in the Council Chambers at Manor City Council Chambers, 105 E. Eggleston St., Manor, Texas 78653 on May 5, 2021, at 7:00 p.m. to consider proposed assessments to be levied against the assessable property located in Improvement Area #2 of the Manor Heights Public Improvement District (the "District") pursuant to the provisions of Chapter 372, Texas Local Government Code. Written and oral objections will be considered at the hearing. The meeting may also be held via telephonic or videoconference meeting. Please visit www.cityofmanor.org for more for detailed instructions on how to participate in a telephonic or videoconference meeting.

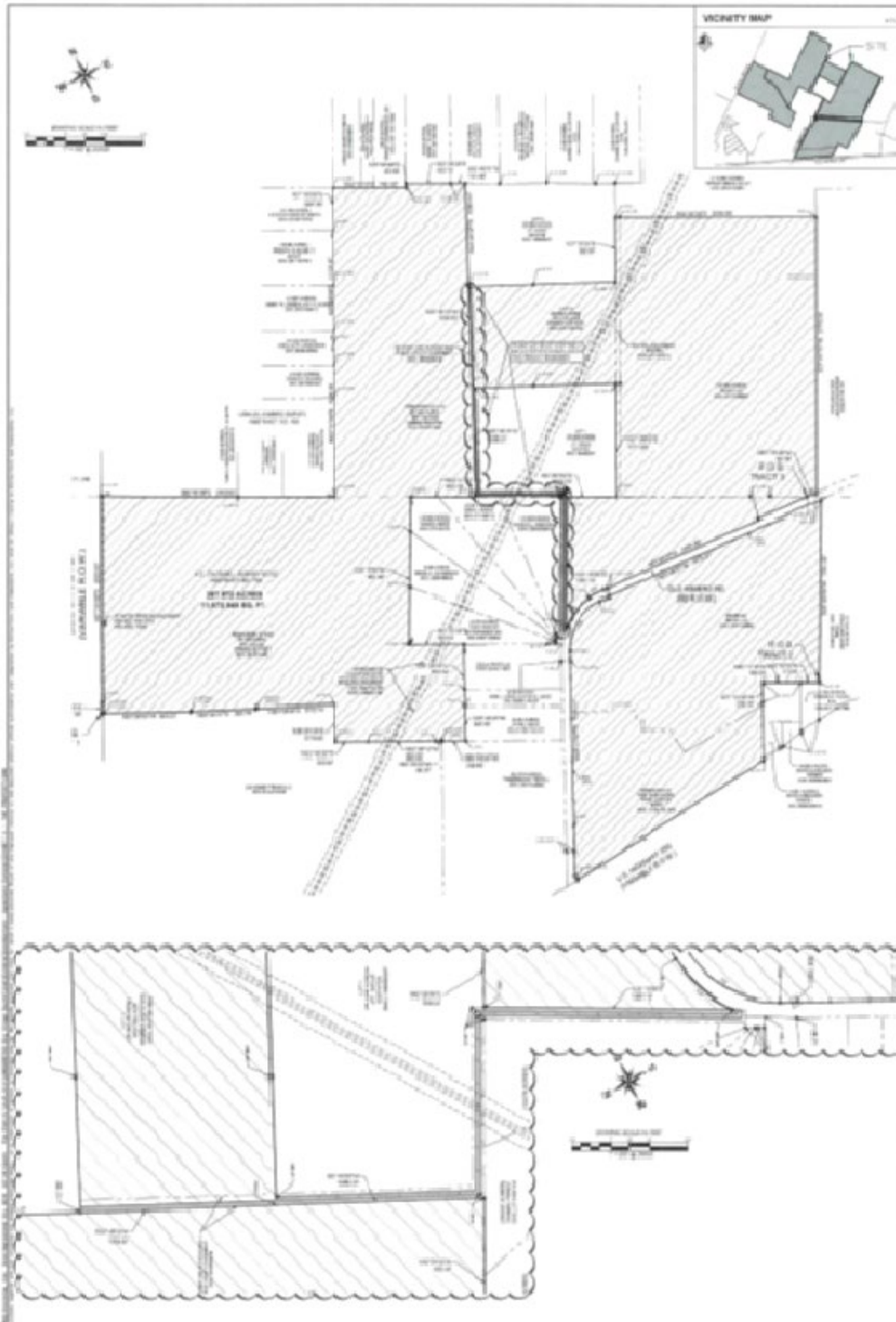
General Nature of Public Improvements: The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act that are necessary for the development of the Property, which public improvements will generally include: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, parking structures, sidewalks, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District (the "Authorized Improvements"). Improvement Area #2 is anticipated to include acquisition, construction, and/or improvement of streets, roadways, rights-of-way and related facilities, and acquisition, construction, and/or improvement of water, wastewater, and drainage facilities , as well as the payment of costs associated with the public improvements described herein (the "Improvement Area #2 Improvements").

Estimated Total Cost of Public Improvements: The total cost of the public improvements to be funded by the District is approximately \$30,000,000.00, including issuance and required reserves related to the proposed issuance of bonds to fund the construction of the public improvements.

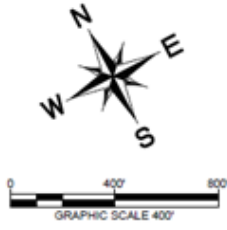
District Boundaries: The District includes approximately 602 acres located east of Bois D. Arc Road and North of US Highway 290 (the "Property"). Improvement Area #2, comprised of approximately 105.63 acres, is located within the Property as generally depicted on Exhibit A attached hereto.




Materials: The field notes, a copy of the proposed service and assessment plan, and assessment roll are available for inspection at Manor City Hall at 105 E. Eggleston St., Manor, Texas 78653.

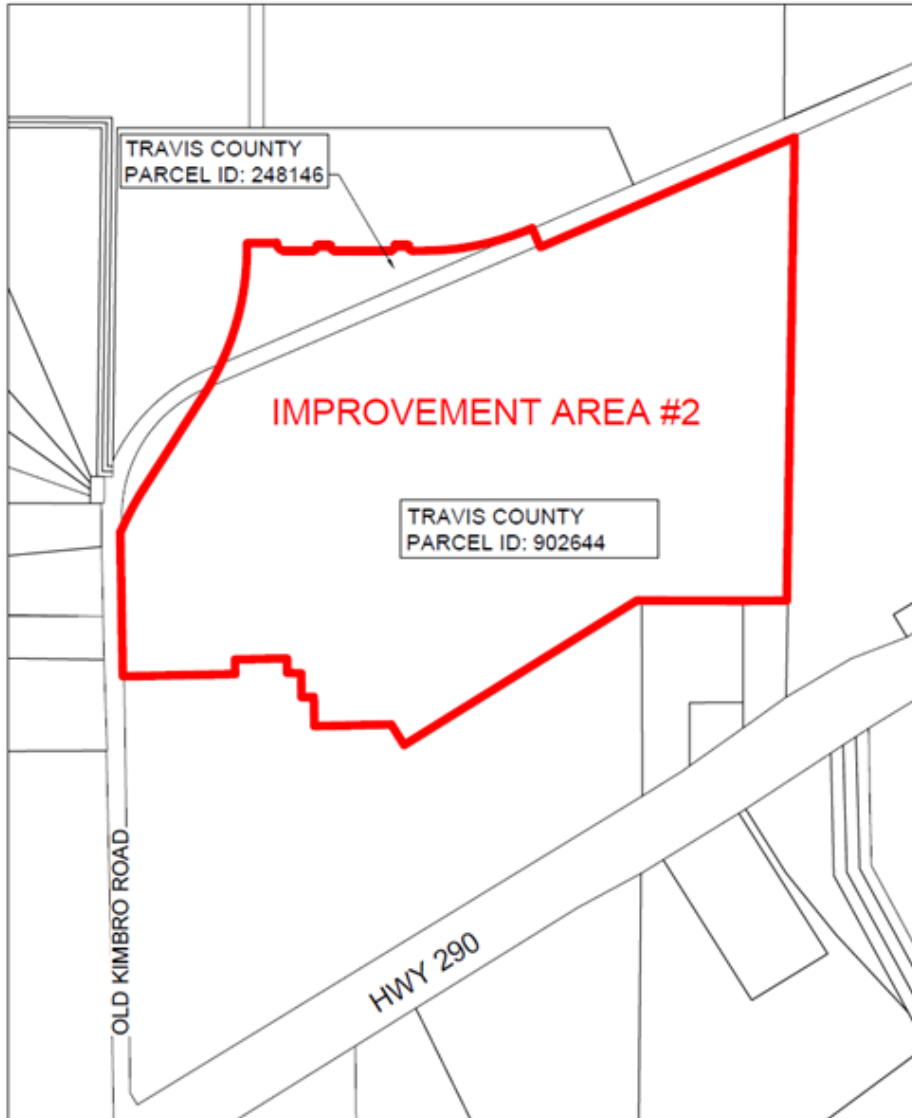
Exhibit A



LEGEND



	BOUNDARY
	IA #2
	TAX PARCEL BOUNDARY



- IMPROVEMENT AREA #2