

RESOLUTION NO. 2023-56

A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, STATING THAT THE CITY COUNCIL CALLING FOR A PUBLIC HEARING ON THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT AND BEING LOCATED WITHIN THE CITY OF TOMBALL; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council (the “City Council”) of the City of Tomball, Texas (the “City”) has received a petition (the “Petition”) requesting creation of a public improvement district (the “PID”) under Chapter 372 of the Texas Local Government Code (the “Act”), from the record owners of taxable real property representing more than fifty percent (“50%”) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Harris County) in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment in the proposed PID; and

WHEREAS, the Petition, a copy of which is attached hereto as Exhibit 1, has been examined, verified, and found to meet the requirements of Sections 372.005(a) and 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the boundaries of the proposed PID are described in the Exhibit A to the Petition, said area for the PID being partially within the extraterritorial jurisdiction of the City and partially within the corporate limits of the City; and

WHEREAS, the City Council accepts the Petition and desires to schedule a public hearing to consider the creation of the PID to finance the following public improvements (collectively, the "Authorized Improvements"): (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking, and right-of-way; (ii) design construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting, and nay similar items located therein; (iii) design, construction, and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction, and other allowed costs related to gas, water, wastewater, and drainage (including detention) improvements and facilities; (v) design, construction, and other allowed costs related to projects similar to those listed in subsections (i) – (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) – (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) – (v) above, and costs of establishing, administering and operating the district. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. That a public hearing is hereby scheduled at 6:00 P.M. on January 15, 2024, in the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375 to receive public comment on the creation of the PID in the area described in Exhibit A to the Petition, pursuant to the Act; and

Section 2. That notice of said hearing, in the substantially final form set forth in Exhibit 2 attached hereto, with such changes as may be approved by the City's counsel, shall be published in a newspaper of general circulation in the City and in a newspaper of general circulation in the City before the 15th day prior to the hearing as required by the Act; and

Section 3. That written notice, in the substantially final form set forth in Exhibit 2 attached hereto with such changes as may be approved by the City's counsel, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment within the PID, before the 15th day prior to the date set for the hearing; and

Section 4. That all of the above recitals are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein; and

Section 5. That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision; and

Section 6. That this Resolution shall be in full force and effect from and after its passage, and it is accordingly resolved.

PASSED, APPROVED, AND RESOLVED this _____ day of _____ 2023.

Lori Klein Quinn, Mayor

ATTEST:

Tracylynn Garcia, City Secretary