

RESOLUTION NO. 20160901-xxx

WHEREAS, Section 372.003(a) of the Texas Local Government Code authorizes the creation of public improvement districts by either a city or county and states *“If the governing body of a municipality or county finds that it promotes the interests of the municipality or county, the governing body may undertake an improvement project that confers a special benefit on a definable part of the municipality or county or the municipality's extraterritorial jurisdiction.”*; and

WHEREAS, Section 372.003(d) of the Texas Local Government Code states *“A county may establish a public improvement district unless within 30 days of a county's action to approve such a district, a home rule municipality objects to its establishment within the municipality's corporate limits or extraterritorial jurisdiction.”*; and

WHEREAS, Travis County approved creation of the WildHorse Public Improvement District (PID) on August 9, 2016, beginning a thirty day period ending on September 8, 2016, during which the City Council may object to the PID's creation; and

WHEREAS, the WildHorse PID is the first Texas county PID created in a city full-purpose annexed area; and

WHEREAS, the WildHorse PID development is located in the City's Desired Development Zone and its planned phased development will increase the housing supply in the eastern part of the City; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council _____ (**FILL IN THE BLANK WITH “does” or “does not”**) object to creation of the WildHorse PID.

BE IT FURTHER RESOLVED:

The Council is in agreement with conditions City staff has negotiated with WildHorse PID representatives as follows:

- 1) The proposed WildHorse PID bond issuance amount shall be increased to initially meet the request by Travis County for the City’s funding participation for one-third of the WildHorse Connector Road Phase 1 estimated at \$5 million to \$7 million.
- 2) Reimbursement for the WildHorse Connector Road Phase 1 shall be paid by the City over the ten year period after the first PID bonds are issued with a maximum reimbursement of \$7 million. Such reimbursement shall be reflected in the PID’s service and assessment plan, and used to reduce the PID special assessments. The City may prepay at any time without penalty.
- 3) The City's reimbursement for the Wildhorse Connector Road Phase 1 shall be contingent upon the City's concurrence with the developer's commitment to affordable housing as that commitment is evidenced by the relevant covenants in Travis County's first PID bond issue.
- 3)4) The City shall begin full purpose annexation of that portion of the PID currently not in the City’s full purpose jurisdiction by December 31, 2016 so the entire PID is located within the City’s full purpose jurisdiction.
- 4)5) Travis County shall require in the WildHorse PID financing documents that any property in the WildHorse PID owned by the City of Austin shall not be subject to PID assessments.
- 5)6) The City requests that the developer provide to the City an easement of twelve developable acres for future expansion of the existing WildHorse wastewater treatment plant located in the WildHorse subdivision.

BE IT FURTHER RESOLVED:

The City Manager is directed to inform the Travis County Commissioners Court of the City Council's action in writing prior to September 8, 2016.

ADOPTED: _____, 2016 **ATTEST:** _____

Jannette S. Goodall
City Clerk