

RESOLUTION NO.

WHEREAS, on August 26, 2010, the City of Austin, Texas (City) passed Resolution No. 20100826-026 authorizing the creation of the Whisper Valley Public Improvement District (District) pursuant to Texas Local Government Code Chapter 372 (Act); and

WHEREAS, the City authorized the creation of the District to finance certain public improvements authorized by the Act for the benefit of the property within the District (Authorized Improvements); and

WHEREAS, the development of the District is occurring in multiple phases, as described in the Preliminary Service and Assessment Plan (Preliminary SAP), the first phase being approximately 80.0 acres located within the District (Improvement Area #1), the second phase being approximately 54.5 acres located within the District (Improvement Area #2), and the remaining property to be developed as future improvement areas, being approximately 1,931.5 acres located within the District; and

WHEREAS, the Whisper Valley Public Improvement District 2020 Amended and Restated Service and Assessment Plan (2020 SAP), including the proposed assessment roll for Improvement Area #2 (Proposed Assessment Roll and, together with the 2020 SAP, the Preliminary SAP) is attached as Exhibit A; and

21 **WHEREAS**, the Preliminary SAP sets forth the estimated total costs of
22 certain Authorized Improvements benefitting the property within Improvement
23 Area #2 to be financed by the District, and the Proposed Assessment Roll states the
24 assessments proposed to be levied against each parcel of land in Improvement
25 Area #2, as determined by the method of assessment chosen by the City; and

26 **WHEREAS**, the Act requires that the Proposed Assessment Roll be filed
27 with the City Clerk and be subject to public inspection; and

28 **WHEREAS**, the Act requires that a public hearing (Assessment Hearing) be
29 called to consider proposed assessments and requires the Council to hear and pass
30 on any objections to the proposed assessments at, or on the adjournment of, the
31 Assessment Hearing; and

32 **WHEREAS**, the Act requires that notice of the Assessment Hearing be
33 mailed to property owners liable for assessment and published in a newspaper of
34 general circulation in the City and the City's extraterritorial jurisdiction before the
35 10th day before the date of the Assessment Hearing;

36 **WHEREAS**, the Council's final determination and approval of the costs of
37 the Authorized Improvements benefitting property located in Improvement Area
38 #2 shall be subject to and contingent upon the Council's approval, after the
39 Assessment Hearing, of a final Service and Assessment Plan, including the final
40 Assessment Roll; and

41 **WHEREAS**, the Proposed Assessment Roll shows the assessment proposed
42 to be levied against each parcel of land in Improvement Area #2 of the District as
43 determined by the method of assessment chosen by the City, as described in the
44 Preliminary SAP; **NOW, THEREFORE**,

45 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
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47 The Council approves the Preliminary SAP for the District, including the
48 Proposed Assessment Roll. All capitalized terms not otherwise defined in this
49 Resolution shall have the meanings given them in the Preliminary SAP.

50 **BE IT FURTHER RESOLVED:**

51 The Council determines that the total costs of the Authorized Improvements
52 benefitting property located in Improvement Area #2 to be financed by the District
53 are as set forth in Section V.C(3) of the Preliminary SAP, which costs do not
54 include the payment of expenses incurred in the administration of the District.

55 **BE IT FURTHER RESOLVED:**

56 The Council directs that the Proposed Assessment Roll be filed with the City
57 Clerk and be available for public inspection.

58 **BE IT FURTHER RESOLVED:**

59 The Council authorizes the Assessment Hearing to be held on October 1,
60 2020, at 10:00 a.m. at City Hall, 301 W. Second Street, Austin, Texas 78701.

BE IT FURTHER RESOLVED:

The Council directs the City Clerk to publish notice of the Assessment Hearing to be held on October 1, 2020, in substantially the form attached as Exhibit B, in a newspaper of general circulation in the City and the City's extraterritorial jurisdiction, on or before September 20, 2020.

BE IT FURTHER RESOLVED:

When the Proposed Assessment Roll is filed with the City Clerk, the Council directs the City Clerk to mail to owners of property liable for assessment notice of the Assessment Hearing to be held on October 1, 2020.

ADOPTED: _____, 2020

ATTEST: _____

Jannette S. Goodall
City Clerk