

ORDINANCE NO. 2017-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE UPDATED SERVICE PLAN, INCLUDING PROVISIONS RELATED TO ASSESSMENTS FOR THE HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT; APPROVING A FISCAL YEAR 2018 ASSESSMENT ROLL FOR THE DISTRICT; AND CONTAINING OTHER PROVISIONS RELATED TO THE HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT AND THE HUNTERS CROSSING LOCAL GOVERNMENT CORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Hunters Crossing Public Improvement District (the "PID") has been duly created by the City of Bastrop, Texas (the "City"), and is operating under the authority of Chapter 372, Texas Local Government Code, the Public Improvement District Assessment Act (the "Act"); and

WHEREAS, in accordance with the Act, the City previously determined the estimated cost of certain public improvements for the PID ("Public Improvements"), the method of assessment for the costs of such Public Improvements, and adopted a Service and Assessment Plan (the "Service Plan") for the PID; and

WHEREAS, pursuant to the Act, Service Plan including provisions related to assessments was filed with the City Secretary, and the statutory notice of the public hearing regarding the assessments was provided in compliance with the Act;

WHEREAS, after such notice was provided as required by the Act, the City Council of the City of Bastrop held a public hearing to consider the assessments on the property in the PID, heard and passed on any objections to the proposed assessments, and closed the public hearing; and

WHEREAS, the Hunters Crossing Local Government Corporation (the "Corporation") has been created by the City in order to implement the Service Plan for the PID and to perform other functions delegated to it by the City; and

WHEREAS, the Act provides that the Service Plan is to be reviewed and updated annually, and the City Council of the City of Bastrop finds the Corporation has conducted such review; and

WHEREAS, the Corporation has recommended that the Service Plan, including the provisions related to assessments contained therein, should be updated; and

WHEREAS, the Corporation has submitted such proposed assessments attached hereto as Exhibit A, to this City Council for its review, approval and further action; and

WHEREAS, the City Council having considered such proposed assessments, has determined that the proposed budget and such assessments are in the best interest of the Hunters Crossing Public Improvement District and, therefore, the Council desires to approve and adopt assessments by formal action.

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

Section 1: The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2: The City Council of the City of Bastrop hereby accepts the Service Plan as historically reviewed and updated by the Corporation and finds that all such past and present reviews, including the assessments included therein, have been conducted in accordance with all applicable law.

Section 3: The City Council of the City of Bastrop has reviewed the recommendations of the Corporation regarding the assessments for Hunters Crossing PID and agree with same.

Section 4: The City Council of the City of Bastrop hereby finds that the operation and maintenance assessment roll as included in Exhibit A attached hereto and incorporated in this Ordinance, is necessary to fund operation and maintenance costs related to the Hunters Crossing PID and approves Exhibit A as the Fiscal Year 2018 operation and maintenance assessment roll of the Hunters Crossing PID.

Section 7: The City Council of the City of Bastrop hereby finds that the capital assessment roll as included in Exhibit A attached hereto and incorporated in this Ordinance, which relates solely to the original historic capital costs, continues to be correct as set forth in the original Service Plan and should not be changed, and the City Council approves Exhibit A as the Fiscal Year 2018 capital assessment roll of the Hunters Crossing PID.

Section 8: The City Council of the City of Bastrop directs that the assessment roll attached hereto as Exhibit A be filed with the City Secretary and further directs the City Manager, or her assignee, to provide the assessment roll to the Bastrop County Tax Assessor-Collector no later than close of business on September 29, 2017, and to request that such assessments be assessed to and collected from property owners in the PID.

Section 9: The City Council of the City of Bastrop further authorizes and directs the City Manager to take any other action that may be necessary or convenient to effectuate the findings and to accomplish the objectives of this Ordinance.

Section 10: Should any paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance, as a whole or any part or provision thereof, other than the part or parts adjudged to be invalid, illegal, or unconstitutional.

Section 11: This Ordinance shall be in full force and effect from and after its adoption by the City Council, pursuant to applicable State and local laws and the City Charter.

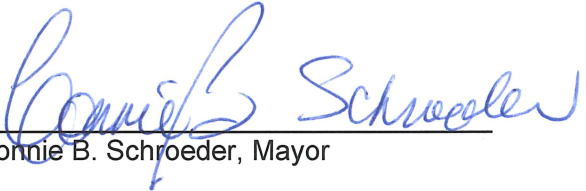
Section 12: All other ordinances in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency.

Section 13: The City Council of the City of Bastrop, Texas met in a public meeting on September 26, 2017, and adopted this ordinance with a majority vote.

READ and ACKNOWLEDGED on First Reading on the 26th day of September 2017.

READ and ADOPTED on Second Reading on the 28th day of September 2017.

APPROVED:




Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Joseph J. Gorfida, Jr.
Interim City Attorney

EXHIBIT A
Hunters Crossing Public Improvement District
Assessments for Operations and Maintenance Project Costs Fiscal Year 2018

Master Plan Tract Description	Land Use	2018 Operation & Maintenance Assessment	2018 Capital Assessment
HXR 1	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 2	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 3A	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 3B	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 3C	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 4A	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 4B	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 5	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 7A	Single Family	\$ 23.16 per lot	\$338 per lot
HXR 7B	Single Family	\$ 23.16 per lot	\$338 per lot
HXC 1 (Chilis, Lot 1)	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 1 (Balance of retail, Lot 2)	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 1 (Lot 3)	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 2	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 3	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 4	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 5	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 6	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 7	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 8	Commercial	\$ 0.0317 per sq ft	\$ 0.0710 per sq ft
HXC 1, Lot 1	Commercial	\$ 14,348	N/A
HXM 1	Multi-Family	\$ 0.0317 per sq ft	\$ 0.068 per sq ft
HXM 2	Multi-Family	\$ 0.0317 per sq ft	\$ 0.068 per sq ft
HXM 3	Multi-Family	\$ 0.0317 per sq ft	\$ 0.068 per sq ft