

RESOLUTION NO. 2021-27

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, APPROVING THE BELTMILL PUBLIC IMPROVEMENT DISTRICT PRELIMINARY SERVICE AND ASSESSMENT PLAN, INCLUDING THE PROPOSED ASSESSMENT ROLL; DIRECTING THE FILING OF SAID PROPOSED ASSESSMENT ROLL WITH THE CITY SECRETARY; CALLING A PUBLIC HEARING TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE BELTMILL PUBLIC IMPROVEMENT DISTRICT; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the “Act”), authorizes the City Council (the “Council”) of the City of Saginaw, Texas (the “City”), to create a public improvement district within the City's corporate limits and extraterritorial jurisdiction; and

WHEREAS, on March 16, 2021, the Council approved Resolution No. R-2021-10, authorizing, establishing and creating the Beltmill Public Improvement District (the “District”); and

WHEREAS, the Council and City staff have been presented with the “Beltmill Public Improvement District Preliminary Service and Assessment Plan”, including the proposed assessment roll (the “Proposed Assessment Roll”) attached thereto (the “Preliminary SAP”), a copy of which is attached hereto as **Exhibit A** and incorporated herein for all purposes; and

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

WHEREAS, the Act requires (i) that a public hearing (the “Assessment Hearing”) be held to consider proposed assessments and (ii) the Council to hear and pass on any objections to the 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 assessments and published in a newspaper of general circulation in the City before the 10th day before the date of the Assessment Hearing; and

WHEREAS, the Council finds it to be in the public interest to (i) accept the Preliminary SAP and the Proposed Assessment Roll, (ii) establish a date and time for the Assessment Hearing and (iii) take such further action as required by the Act.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, THAT:

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

if fully set forth herein.

SECTION 2. The Preliminary SAP for the District, including the Proposed Assessment Roll, is hereby accepted.

SECTION 3. The Proposed Assessment Roll shall be filed with the City Secretary and the same shall be available for public inspection.

SECTION 4. A public hearing (the Assessment Hearing as defined above) shall be conducted during the regular meeting of the Council to be held on December 7, 2021 at 6:00 p.m., during which the Council shall, among other actions, hear and pass on any objections to the proposed assessments. Upon the adjournment of the Assessment Hearing, the Council may consider an ordinance approving the levy of assessments on certain benefitted property within the District.

SECTION 5. The City Secretary is hereby authorized and directed to (i) publish notice of the Assessment Hearing, in substantially the form attached hereto as **Exhibit B** and incorporated herein for all purposes (the “Notice”), in a newspaper of general circulation in the City, as required by Section 372.016(b) of the Act, and (ii) mail the Notice to owners of property liable for the assessments as set forth in the Proposed Assessment Roll, as required by Section 372.016(c) of the Act.

SECTION 6. This Resolution shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED on November 16, 2021.

CITY OF SAGINAW

TODD FLIPPO, MAYOR

ATTEST:

JANICE ENGLAND, CITY SECRETARY

Exhibit A

**BELTMILL PUBLIC IMPROVEMENT DISTRICT
PRELIMINARY SERVICE AND ASSESSMENT PLAN**

Exhibit B

CITY OF SAGINAW, TEXAS NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of the City of Saginaw, Texas at 6:00 p.m. on December 7, 2021, at Saginaw City Hall Council Chambers, 6:00 p.m. at Saginaw City Hall, 333 West McLeroy Blvd, Saginaw, Texas 76179, The public hearing will be held to consider proposed assessments to be levied against certain assessable property within the Beltmill Public Improvement District (the “District”) pursuant to the provisions of Chapter 372 of the Texas Local Government, as amended (the “Act”).

The general nature of the proposed public improvements includes the design, acquisition, construction, and improvement of public improvement projects authorized by §372.003(b) of the Act that are necessary for the development of the property, which public improvements will include, but not be limited to: (1) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, and rights-of-way; (2) design, construction and other allowed costs related to storm drainage improvements; (3) design, construction and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities; (4) design, construction and other allowed costs related to erection of fountains, distinctive lighting and signs, and acquisition and installation of pieces of art; (5) design, construction and other allowed costs related to parks, open space, and recreational improvements, including trails, landscaping, and irrigation related thereto; (6) design, construction and other allowed costs related to projects similar to those listed in subsections (1) - (5) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (7) design, construction and other allowed costs related to special supplemental services for improvement and promotion of the District, including services related to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; (8) payment of expenses incurred in the establishment, administration and operation of the District; and (9) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the “Authorized Improvements”). The Authorized Improvements shall promote the interests of the City and confer a special benefit upon the property in the District that is subject to the assessments. The total cost of the Authorized Improvements is approximately \$9,879,534.

The boundaries of the District include approximately 115.432 acres of land generally located south of Ranch Road, east of Saginaw Boulevard, north of Bailey Boswell Road, and west of Wagley Robertson Road, as more particularly described by a metes and bounds description available for public inspection at the City Secretary’s office in Saginaw City Hall, 333 West McLeroy Blvd, Saginaw, Texas 76179.

All written or oral objections on the proposed assessments within the District will be considered at the public hearing.

A copy of the Proposed Assessment Roll relating to the Authorized Improvements to be undertaken at this time, which includes the assessments to be levied against certain assessable parcels in the District, is available for public inspection at the City Secretary’s office in Saginaw City Hall, 333 West McLeroy Blvd, Saginaw, Texas 76179.