

ORDINANCE NO. 2138

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS APPROVING AND ADOPTING THE 2019 SERVICE PLAN; THE 2018 ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR THE 2018 CALENDAR YEAR FOR PROPERTY LOCATED IN THE ENCLAVE AT RIVER PARK PUBLIC IMPROVEMENT DISTRICT.

WHEREAS, Chapter 372 (Public Improvement District Assessment Act) of the Texas Local Government Code (Act) authorized the creation of the Enclave at River Park Public Improvement District (District); and

WHEREAS, on August 19, 2014, the City Council passed Resolution 14-32 establishing the District; and

WHEREAS, on August 28, 2018, the City Council held a public hearing, properly noticed under the Act, to consider the levy of the proposed assessments on property located within the District for calendar year 2018; and

WHEREAS, at the August 28, 2018 public hearing, the City Council provided the public an opportunity to state their objections to the proposed assessment, NOW, THEREFORE;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS:

Section 1. That the facts and recitations set forth in this ordinance are declared true and correct.

Section 2. That the assessments set out in **Exhibit A**, attached and incorporated into this ordinance:

(a) should be made and levied against the property and property owners within the District;

(b) are in proportion to the benefits to the property for the services and improvements in the District; and

(c) establish substantial justice, equality, and uniformity in the amount assessed against each property owner for the benefits received and burdens imposed.

Section 3. That the 2019 Service Plan set out in **Exhibit B** is feasible and sound and will serve the needs of the property owners in the District and that the assessment rate of \$970 per lot is reasonable and consistent with the special benefits conferred by the District.

Section 4. That the procedures followed and apportionment of the cost of the services and improvements in the District comply with applicable law and the purpose for which the District was formed.

Section 5. That the following are exempted from the payment of the assessment and are excluded from the assessment roll:

- (a) property owned by a utility that is located in a public street or rights-of-way;
- (b) property owned by the City and used for a public purpose; and
- (c) property platted as a “Landscape Reserve” on the plats filed as File No. 20130247 and File No. 20140222 in the real property records of Fort Bend County.

Section 6. That the assessments shown on Exhibit A are levied and assessed against the property in the District and against the record owner of the property identified by the Fort Bend County Appraisal District records.

Section 7. That the assessment shown in Exhibit A:

- (a) accrues interest at a rate of 0% from the effective date of this Ordinance until February 1, 2019;
- (b) accrues interest, penalties, and attorney’s fees in the same manner as a delinquent ad valorem tax after February 1, 2019, until paid; and
- (c) is a lien on the property shown in Exhibit A and the personal liability of the property owner.

Section 8. That the provisions of this ordinance are severable and the invalidity of any part of this ordinance will not affect the validity of the remainder of the ordinance.

APPROVED on first consideration on _____.

ADOPTED on second consideration on _____.

Joe R. Zimmerman, Mayor

ATTEST:

Glenda Gundermann, City Secretary

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Jisha Day".

Attachments:

Exhibit A (pdf) – 2018 Assessment Roll for property located in the Enclave at River Park Public Improvement District.

Exhibit B – 2019 Service Plan for the Enclave at River Park Public Improvement District

Exhibit B

Enclave at River Park PID Service Plan for FY2019 – 2023

Fiscal Year	2019	2020	2021	2022	2023
<u>Revenues</u>					
Fund Balance Draw	\$ 492,417				
Net Assessment	130,950	\$ 109,503	\$ 103,207	\$ 96,840	\$ 90,423
City Contribution	44,250	61,230	63,060	64,960	66,910
Total Revenues	670,000	170,733	166,267	161,800	157,333
<u>Expenses</u>					
Developer Reimb	490,000				
Debt Service	179,100	169,733	165,267	160,800	156,333
Collection Costs	1,000	1,000	1,000	1,000	1,000
Total Expenses	\$ 670,000	\$ 170,733	\$ 166,267	\$ 161,800	\$ 157,333

Enclave at River Park PID Assessment Plan

The Enclave at River Park PID assessment rate is \$970 per lot for 2018.

PID Assessment bills are mailed by the Fort Bend County Tax Office directly to the property owners (to the mailing address listed with the Tax office) and will be collected on the schedule listed below:

Mailed no later than December 31

Due by January 31

Delinquent on February 1

Penalties and interest accrue to delinquent PID assessments just as with delinquent property taxes. The penalty rate on delinquent PID assessment levies is 10% per year. PID assessments remain with the property and continue to accrue penalties until paid in full with the Fort Bend County Tax Office.