

# AGENDA



## Recommendation for Council Action

### AUSTIN CITY COUNCIL

Regular Meeting: June 28, 2018

Item Number: **014**

#### Controller's Office

Approve a resolution adopting the Whisper Valley Public Improvement District 2019 Annual Service and Assessment Plan Update (as it relates to the Master Improvement Area) and the Preliminary 2018 Addendum to the Whisper Valley Public Improvement District Service and Assessment Plan (as it relates to the Improvement Area #1). Related to Items #13 and #73.

<b>Lead Department</b>	Controller's Office
<b>Fiscal Note</b>	The City, as administrator for the PID, submitted a budget for the PID in the amount of \$1,967,271. This amount includes \$1,967,271 in 2019 assessments. Appropriation of the \$1,967,271 in the Financial Services Special Revenue Fund will require Council authorization, and possible adjustment, after the assessment roll hearing on August 9, 2018.
<b>Prior Council Action</b>	<p>June 18, 2009- Council approved the Whisper Valley Development Agreement.</p> <p><b>August 26, 2010-</b> Council approved an Ordinance No. 20100826-004 authorizing negotiation and execution of an amended and restated cost reimbursement agreement with Club Deal 120 Whisper Valley, LP for construction of a 48 and 24 inch water main; for the design of a wastewater treatment plant; Approved Resolution No. 20100826-026 authorizing creation of a Public Improvement District for the Whisper Valley Area; Approved Ordinance No. 20100826-024 annexing the Whisper Valley Annexation Area for limited purposes of planning and zoning; Approved Ordinance No. 20100826-025 adopting a regulatory plan for the Whisper Valley annexation area.</p> <p><b>November 3, 2011-</b> Council approved Ordinance No. 20111103-012 accepting and approving a Service and assessment Plan and Assessment Roll. Approved Ordinance No. 20111103-054 authorizing the issuance of City of Austin, Texas Special Assessment Revenue Bonds, Senior Series 2011, in an amount not to exceed \$16,500,000</p>

	<p>and Approved Ordinance No. 20111103-055 authorizing the issuance of City of Austin, Texas Special Assessment Revenue Bonds, Subordinate Series 2011, in an amount not to exceed \$18,800,000.</p> <p><b>September 17, 2015-</b> Council approved Ordinance No. 20150917-008 authorizing negotiation and execution of an amendment to the Water Cost Reimbursement Agreement (CRA).</p> <p><b>November 3, 2016-</b>Council approved Resolution No. 20161103-013 approving the Service and Assessment Plan Update for 2017.</p> <p><b>June 15, 2017-</b>Council approved Resolution No. 20170615-013 adopting the 2017 Addendum Service and Assessment Plan and Service and Assessment Plan Update for 2018.</p>
<b>For More Information</b>	Diana Thomas, Controller, 512-974-1166; Maria Stuart, Accounting Manager, 512-974-2647

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### **Additional Backup Information:**

Whisper Valley is a mixed-use planned community located in the SH 130 corridor in the City of Austin's Desired Development Zone. The Whisper Valley property (2,065 acres) was purchased by Taurus of Texas Holdings L.P. in June 2006 and is located east of SH 130. The site plan includes approximately 7,500 single and multi-family homes, and more than 2 million square feet of retail and office space. In addition, 700 acres of open space is to be dedicated to the City for use as trails and parkland.

The Public Improvement District (PID) provides the financing mechanism through the apportionment, levying and collection of assessments to support the issuance of debt for the basic infrastructure for the planned community (water, wastewater and roads).

On November 3, 2011, Special Assessment Revenue Bonds, Subordinate Series, in the amount of \$18,485,168.10 and Senior Series in the amount of \$15,500,000, were sold to finance the infrastructure improvements. The Subordinate bond was paid in full in 2016. Assessments will be used to make the debt service payments on the Senior bond, fund required reserves and cover costs of administering the PID.

The Service and Assessment Plan covers a period of at least five years and must be updated annually for the purpose of determining the annual budget for improvements and defining the annual assessment, as required by Chapter 372 of the Texas Local Government Code. The Service and Assessment Plan describes the property included in the PID, outlines financing requirements, defines the authorized improvements and associated costs, explains the assessment plan and assessment methodology, defines the terms of the assessments and allocation among land parcels, covers the payment and collection of assessments and explains the assessment roll process. Council approval is required to adopt the annual service plan update.

The following table summarizes annual Council action requirements:

<b>Austin City Council Action</b>	<b>Council Meeting</b>
Approve an ordinance approving <i>proposed</i> assessment roll.	Meeting #1
Approve a resolution adopting PID's service and assessment plan update and Preliminary 2018 Addendum to the Service and Assessment Plan.	Meeting #1
Set a public hearing on PID's proposed assessment roll.	Meeting #1
Conduct a public hearing on PID's proposed assessment roll.	Meeting #2
Approve an ordinance authorizing <i>final</i> assessment roll and levying special assessments.	Meeting #2

The table below reflects the actions taken by Council with regard to the assessments to the property owners:

Council Approved Ordinance for Assessment Roll			Council Approved Levying the Assessment		
Assessment Year	Date Approved	Agenda #	Ordinance #	Date Approved	Agenda #
2015	November 20, 2014	#029	20141211-230	December 11, 2014	#230
2016	November 19, 2015	#028	20151217-095	December 17, 2015	#095
2017	November 3, 2016	#012	20161201-052	December 1, 2016	#052
2018	June 15, 2017	#012	20170810-025	August 10, 2017	#025