

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3

Area #1 by the Improvement Area #1 Assessments, and the penalties and interest on annual installments and on delinquent annual installments of the Improvement Area #1 Assessments.

(F) The City Council closed the hearing, and, after considering all written and documentary evidence presented at the hearing, including all written comments and statements filed with the City, if any, determined to proceed with the adoption of Ordinance No. 20180823-073 (the “Assessment Ordinance”) in conformity with the requirements of the Act.

(G) There were no written objections or evidence submitted to the City Clerk in opposition to the 2018 Addendum, the allocation of Improvement Area #1 costs, the Improvement Area #1 Assessment Roll, or the levy of the Improvement Area #1 Assessments.

(H) The City Council approved and accepted the 2018 Addendum in conformity with the requirements of the Act and adopted the Assessment Ordinance for Improvement Area #1.

(I) The City Council found and determined that the Improvement Area #1 Assessment Roll and the 2018 Addendum should be approved and that the Improvement Area #1 Assessments should be levied as provided in the 2018 Addendum and the Improvement Area #1 Assessment Roll.

(J) Because of an administrative error, Exhibit A and Exhibit B to the Assessment Ordinance, each of which was approved by the Assessment Ordinance, contained contradictory information relating to the Improvement Area #1 Assessment Roll.

(K) On August 23, 2018, the City Council levied assessments on Improvement Area #1 in conformity with the Act and as provided in the Improvement Area #1 Assessment Roll attached as Appendix B-1 to the 2018 Addendum. The Improvement Area #1 Assessment Roll provides for amounts sufficient to complete the Authorized Improvements that were identified in the notice described in Part 1(D) above.

## **PART 2. ASSESSMENT ROLLS.**

Pursuant to Section 372.016 of the Act, the Improvement Area #1 Assessment Roll, a copy of which is attached as Exhibit A and incorporated for all purposes, was accepted and updated as the assessment roll of Improvement Area #1.

66 **PART 3. LEVY AND PAYMENT OF ASSESSMENTS FOR COSTS OF**  
67 **IMPROVEMENT PROJECT.**

68 (A) The City Council ratifies and confirms the assessment on each tract of property  
69 located within Improvement Area #1, as described in the 2018 Addendum and the  
70 Improvement Area #1 Assessment Roll, in the respective amounts shown on the  
71 Improvement Area #1 Assessment Roll, as a special assessment on the properties set  
72 forth in the Improvement Area #1 Assessment Roll.

73 (B) The levy of the Improvement Area #1 Assessments was effective on the date of  
74 execution of the Assessment Ordinance, and the Improvement Area #1 Assessments  
75 were levied strictly in accordance with the terms of the 2018 Addendum.

76 (C) The collection of the Improvement Area #1 Assessments shall be as described in the  
77 2018 Addendum.

78 **PART 4. INCORPORATION OF FINDINGS AND DETERMINATIONS.**

79 The findings and determinations of the City Council in Part 1 of this Ordinance are  
80 incorporated for all purposes.

81 **PART 5. SEVERABILITY.**

82 If any provision of this Ordinance or its application to any person or circumstance is  
83 held to be invalid, the remainder of this Ordinance and the application of the provision to  
84 other persons or circumstances shall be valid, and the City Council declares that this  
85 Ordinance would have been enacted without the invalid provision.

86 **PART 6. GOVERNING LAW.**

87 This Ordinance shall be construed and enforced in accordance with the laws of the  
88 State of Texas and the United States of America.

89 **PART 7. EFFECTIVE DATE.**

90 This Ordinance is passed on one reading as authorized by Texas Government Code  
91 Section 1201.028, and shall be effective immediately upon its passage and adoption.

95 **PASSED AND APPROVED:**

96  
97  
98 \_\_\_\_\_, 2019

§  
§  
§

\_\_\_\_\_  
Steve Adler  
Mayor

101 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
102 Anne L. Morgan Jannette S. Goodall  
103 City Attorney City Clerk