



Recommendation for Action

File #: 22-2656, **Agenda Item #:** 11.

9/1/2022

Posting Language:

Approve a resolution authorizing the issuance by Pilot Knob Municipal Utility District No. 3 of Unlimited Tax Bonds, Series 2022, in the amount of \$12,400,000.

Lead Department:

Financial Services Department.

Fiscal Note:

This item has no fiscal impact.

For More Information:

Belinda Weaver, City Treasurer, 512-974-7885; Virginia Collier, Program Manager III, 512-972-0117; Andrei Lubomudrov, Senior Planner, 512-974-7659.

Council Committee, Boards and Commission Action:

August 10, 2022 - Recommended by the Water and Wastewater Commission on a vote of 6-0 with Commissioner Michel recusing, Commissioner Penn and Commissioner Navarro absent, and two vacancies.

Additional Backup Information:

Pilot Knob Municipal Utility District No. 3 (District), a political subdivision of the State of Texas, was created under the laws of the State of Texas by House Bill No. 1758, Acts of the 82nd Texas Legislature, Regular Session (2011), Chapter 987, codified as Chapter 8377, Subtitle F, Title 6, Texas Special District Local Laws Code (Enabling Legislation), and operates under Chapters 49 and 54 of the Texas Water Code. The Enabling Legislation became effective May 25, 2011, and created the District, subject to the consent of the City.

The City consented to the creation of the District by Council action taken March 22, 2012 (Consent Ordinance) and under the terms of the April 13, 2012 Consent Agreement between the City, the District, and Carma Easton LLC, a Texas limited liability company (Developer). The City and the District entered into a Strategic Partnership Agreement (SPA) dated as of June 4, 2012, as authorized by Section 43.0751, Texas Local Government Code. The SPA sets forth the terms and conditions of the City's annexation of the land within the District and frames the terms by which the District will continue to exist as a limited district, Pilot Knob Limited District No. 3 following the City's full-purpose annexation of the land within the District as provided in Consent Agreement and the SPA.

The District, which currently contains 677.567 acres of land, is within the extraterritorial jurisdiction of the City in southeast Travis County, Texas. The District is approximately eight miles southeast of the downtown portion of the City, adjacent to the east side of McKinney Falls Parkway and approximately one mile west of U.S. Highway 183. An extension of William Cannon Drive, the initial phases of which are under construction, bisects the District in an east-west direction. Cottonmouth Creek traverses the District in a north-south direction. The Austin-Bergstrom International Airport is approximately four miles to the northeast of the District.

The District is required to obtain City approval for all bond sales pursuant to the Consent Agreement. In 2021, City Council approved total bond issuances of \$17.855 million for the District. The City has received a request from the District to approve the District's bond sale in the amount of \$12.4 million for the Water and Waste Water Drainage proposition. After the proposed bond issue, approximately \$50.2 million in authorized but unissued bonds will remain in this proposition, with an additional approximately \$7.7 million unissued for the Recreational proposition, and approximately \$40.6 million unissued for the Road proposition.

The proceeds from the proposed bond sale will be used for (i) Easton Park Section 2B, Phases 1, 2, and 3 water, wastewater and drainage facilities; (ii) Easton Park Section 2C, Phases 1 & 2 water, wastewater and drainage facilities; (iii) engineering costs; (iv) land costs; and (v) city inspection and review fees; as well as various project and issuance related costs.

The City is the retail provider of water and wastewater service.

The District bonds are the sole obligation of the District until the City full purpose annexes the District. The first eligible date for the City to annex the District pursuant to the Consent Agreement is December 31, 2037.

City departmental staff from Austin Water, the Housing and Planning Department, Parks and Recreation Department, and Watershed Protection Department reviewed the District's Consent Agreement and its amendments. The District was found to be in compliance with the terms of the Consent Agreement. The City's Financial Services Department and the City's Financial Advisor have reviewed the District's proposed bond sale and recommend approval.

Strategic Outcome(s):

Government that Works for All.