



Recommendation for Action

File #: 23-2295, Agenda Item #: 138.

7/20/2023

Posting Language

Set a public hearing to consider the proposed Whisper Valley Public Improvement District Improvement Area #3 assessment roll and the levying of the Improvement Area #3 assessments. (Suggested date: August 31, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas). Related to Item #20.

Lead Department

Financial Service Department

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

December 1, 2022 - Council approved Ordinance No. 20221201-006 authorizing the issuance of City of Austin, Texas Special Assessment Revenue Bonds, Series 2022, and authorizing all related documents and fees.

July 28, 2022 - Council approved Ordinance No. 20210729-042 adopting the 2022 Annual Service and Assessment Plan Update.

October 1, 2020 - Council adopted Ordinance No. 20201001-039 approving a Whisper Valley Improvement Area #2 assessment roll and levying assessments on benefited properties within Whisper Valley Improvement Area #2.

March 28, 2019 - Council approved Ordinance No. 20190328-008 authorizing the issuance of revenue bonds in an estimated amount not to exceed \$4,500,000 and authorizing all related documents and fees.

February 7, 2019 - Council ratified and confirmed Ordinance No. 20180823-073 pertaining to the 2018 Service and Assessment Plan and the Assessment Roll.

August 23, 2018 - Council approved Ordinance No. 20180823-073 levying the Improvement Area #1 assessments and approving the 2018 Service and Assessment Plan.

September 17, 2015 - Council approved Ordinance No. 20150917-008 authorizing negotiation and execution of an amendment to the Water Cost Reimbursement Agreement.

November 3, 2011 - 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, 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.

August 26, 2010 - Council approved 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 48-inch and 24-inch water mains; 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 the limited purposes of planning and zoning; and approved Ordinance No. 20100826- 025 adopting a regulatory plan for the Whisper Valley annexation area.

June 18, 2009 - Council approved the Whisper Valley Development Agreement.

For More Information:

Marija Jukic, Controller, 512-974-2951; Kim Euresti, Deputy Controller, 512-974-2232

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 was purchased by Taurus of Texas Holdings L.P. June 2006. The site plan includes approximately 7,500 single and multi-family homes, more than 2 million square feet of retail and office space, and 700 acres of open space to be dedicated to the City for trails and parkland usage.

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

In November 2011, Special Assessment Revenue Bonds, Subordinate Series in the amount of \$15,500,000 and Senior Series in the amount of \$16,500,000 were sold to finance the infrastructure improvements. In March 2019, Council authorized the issuance of Special Assessment Revenue Bonds, series 2019 in the amount of \$4,500,000 to finance the infrastructure improvements for Improvement Area #1. In December 2022, Council authorized the issuance of Special Assessment Revenue Bonds, series 2022 in the amount of \$6,820,000 to finance the infrastructure improvements for Improvement Area #2. Existing assessments are used to make the debt service payments on the outstanding bonds, fund required reserves, and cover costs of administering the PID.

Improvement Area #3 assessments will be used to finance infrastructure improvements benefiting Improvement Area #3, and, if bonds are issued, to finance such improvements, make the debt service payments on bonds, fund required reserves, and cover costs of administering the PID. All such costs will be paid either by the developer or by the Improvement Area #3 assessments.

Prior to levying the Improvement Area #3 assessments, state law requires the Council to approve a preliminary Service and Assessment Plan and proposed assessment roll, to file these with the City Clerk, and to hold a public hearing after publishing notice in a newspaper of general circulation.

Whisper Valley PID Bonds:

| Original Issue Date | Series | Original Issue Amount | Amount Outstanding as of June 30, 2023 |
|---------------------|---------------------------|-----------------------|--|
| November 3, 2011 | Senior Bonds, Series 2011 | \$15,500,000 | \$8,425,000 |
| November 3, 2011 | Subordinate Series, 2011 | 16,500,000 | 0 ⁽¹⁾ |
| March 28, 2019 | Series 2019 | 4,500,000 | 4,260,000 |
| December 22, 2022 | Series 2022 | 6,820,000 | 6,820,000 |

(1) The Subordinate Bond was paid off on December 1, 2016

