

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF NEW BRAUNFELS, TEXAS, DETERMINING COSTS OF THE PROPOSED PUBLIC IMPROVEMENTS IN THE SOLMS LANDING PUBLIC IMPROVEMENT DISTRICT, APPROVING A PROPOSED ASSESSMENT ROLL, CALLING A PUBLIC HEARING, AUTHORIZING PUBLICATION OF A NOTICE OF SUCH HEARING AND MAKING RELATED FINDINGS AND DETERMINATIONS, IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE**

**WHEREAS**, the City of New Braunfels, Texas (the “City”), is authorized under Chapter 372 of the Texas Local Government Code, as amended (the “Act”), to create a public improvement district;

**WHEREAS**, Solms Landing Development, LLC and The Jerome W. Timmermann Family Trust (collectively the “Original Developers”) filed with the City Secretary of the City a petition on August 9, 2018 (the “Original Petition”), requesting the establishment of a public improvement district;

**WHEREAS**, after providing all notices required by the Act and the Texas Government Code Chapter 551, the City Council on January 14, 2019 conducted a public hearing to consider comments for and against the creation of the District and the advisability of the proposed public improvements and, after closing the public hearing, passed and approved Resolution No. 2019-R09 on (the “PID Creation Resolution”) authorizing creation of the Solms Landing Public Improvement District (“District”);

**WHEREAS**, in accordance with Section 372.010 of the Act, notice of the resolution creating the District was published in the *New Braunfels Herald-Zeitung* on June 6, 2019;

**WHEREAS**, following creation, the Original Developers, along with Chupik Properties & Design, Inc. a Texas corporation (together with the Original Developers, the “Developers”) submitted an amended petition on February 26, 2021 (together with the Original Petition, the “Petition”) for the sole purpose of increasing the estimated costs of improvements within the District, which was approved by the City Council after conducting a hearing on April 12, 2021;

**WHEREAS**, the City has reviewed the Preliminary Service and Assessment Plan attached to this Resolution as “**Exhibit A**” and the Proposed Assessment Roll attached as “**Exhibit F**” to such Preliminary Service and Assessment Plan;

**WHEREAS**, in accordance with Section 372.016 of the Act, the City Council desires to make certain determinations and findings with regard to the total cost of the “Authorized Improvements” set forth in the Preliminary Service and Assessment Plan attached to this Resolution as “**Exhibit A**”;

**WHEREAS**, in accordance with Section 372.016 of the Act, the City Council also desires to approve the Proposed Assessment Roll, which is included as “**Exhibit F**” to the Preliminary Service and Assessment Plan attached to this Resolution as “**Exhibit A**,” cause the Proposed Assessment Roll to be filed with the City Secretary, and to direct the City Secretary to make the Proposed Assessment Roll available for public inspection and publish notice of the City Council’s intention to consider the proposed assessments at a public hearing, all in accordance with the requirements of the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT:**

**Section 1.** The findings set forth in the recitals of this Resolution are found to be true and correct and are incorporated into this Resolution for all purposes by this reference.

**Section 2.** The City Council hereby finds, declares, and directs:

(a) Determination of Cost. The cost determinations for the proposed Authorized Improvements set forth in the Preliminary Service and Assessment Plan attached to this Resolution as “**Exhibit A**” are hereby approved.

(b) Proposed Assessment Roll. The Proposed Assessment Roll included in the Preliminary Service and Assessment Plan attached to this Resolution as “**Exhibit A,**” stating the assessment against each parcel of assessable land in the District as determined by the method of assessment set forth in said Preliminary Service and Assessment Plan is hereby approved, and the City Council declares that the Proposed Assessment Roll is hereby filed with the City Secretary. The City Council hereby directs the City Secretary to make the Proposed Assessment Roll available for public inspection and publish notice of the City Council’s intention to consider the proposed assessments at a public hearing, which is hereby called for a date as determined by City staff, all in accordance with the requirements of the Act.

**Section 3.** City Council hereby authorizes and directs City Secretary to take the actions described in Section 2 of this Resolution and authorizes and directs staff to prepare the required resolutions, ordinances, agreements, service and assessment plan, assessment roll and other documents necessary for the City Council to effectuate the PID Creation Resolution and this Resolution.

**Section 4.** The City Council hereby declares that written notice of the date, hour and place of the meeting at which this Resolution was adopted, was posted and that such meeting was open to the public as required by law at all times when this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 5.** This Resolution shall take effect immediately from and after its passage.

**EXHIBIT LIST:**

Exhibit A – Preliminary Service and Assessment Plan (including the Proposed Assessment Roll)

**PASSED & APPROVED** by the **CITY COUNCIL** of the **CITY OF NEW BRAUNFELS** on the 11th day of **OCTOBER, 2021** on vote of \_\_\_\_ **AYES**; \_\_\_\_ **NAYS**; \_\_\_\_ **ABSTENTIONS**.

**THE CITY OF NEW BRAUNFELS, TEXAS**

**By:** \_\_\_\_\_  
Rusty Brockman, Mayor

**ATTEST:**

**By:** \_\_\_\_\_  
Caitlin Krobot, City Secretary

**EXHIBIT A**

(Preliminary Service and Assessment Plan – including the Proposed Assessment Roll)