

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS APPROVING THE 2025 ANNUAL UPDATE TO THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR THE WHITECAP PUBLIC IMPROVEMENT DISTRICT NO. 1 IMPROVEMENT AREA #1 INCLUDING THE COLLECTION OF THE 2025 ANNUAL INSTALLMENTS.

WHEREAS, on May 17, 2022, the City Council of the City of Corpus Christi, Texas (the "City Council") passed and approved Resolution No. 032761 authorizing the creation of the Whitecap Public Improvement District in accordance with the Public Improvement District Assessment Act (the "Act"), which authorization was effective upon publication as required by the Act; and

WHEREAS, on February 20, 2024, the City Council adopted and approved Ordinance No. 033302 which approved the Whitecap Public Improvement District Service And Assessment Plan (the "2024 Service and Assessment Plan") for the District and levied assessments within Improvement Area #1 of the District; and

WHEREAS, on October 15, 2024, the City Council approved Ordinance No. 033492 which issued Improvement Area No. 1 Bonds; and

WHEREAS, the 2024 Service and Assessment Plan identified the authorized improvements to be constructed for the benefit of the assessed property within the District, set forth the costs of the authorized improvements, the indebtedness to be incurred for such authorized improvements, and the manner of assessing the property in the District for the costs of such authorized improvements based on the benefit provided to the assessed property in the District and the Assessment Roll adopted identified the assessments on each lot, based on the assessment method identified in the 2024 Service and Assessment Plan; and

WHEREAS, the 2024 Service and Assessment Plan and assessment roll is required to be reviewed and updated annually as described in Sections 372.013 and 372.014 of the Act; and

WHEREAS, the City Council now desires to proceed with the adoption of this Ordinance and approval of the "Whitecap Public Improvement District Amended and Restated Service and Assessment Plan" and the updated assessment roll attached thereto (the "2025 Amended and Restated Service and Assessment Plan"), in conformity with the requirements of the Act, as the Annual Service Plan Update for the District for 2025 (the "2025 Annual Service Plan Update") and to update the assessment roll; and

WHEREAS, the City Council finds the passage of this Ordinance to be in the best interest for the citizens of Corpus Christi, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1: That all matters stated in the recitals contained in the preamble of this Ordinance are found to be true and correct and are incorporated herein as if copied in their entirety

as findings of fact. All capitalized terms herein not otherwise defined shall have the meanings ascribed to such terms in the 2025 Amended and Restated Service and Assessment Plan.

SECTION 2: That the 2025 Amended and Restated Service and Assessment Plan and updated Assessment Roll attached hereto as Exhibit A are hereby accepted as provided, as the 2025 Annual Service Plan Update and in connection with the issuance of the Bonds.

SECTION 3: If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 4: That this Ordinance shall be cumulative of all other City Ordinances and all other provisions of other Ordinances adopted by the City which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 5: The City Secretary is directed to give notice of the authorization of the 2025 Annual Service Plan Update by recording this Ordinance in the Official Public Records of Nueces County, Texas on or before the seventh day after the final passage of this Ordinance.

SECTION 6: This Ordinance shall take effect immediately from and after its passage and in accordance with the provisions of the Act, and it is accordingly so ordained.

SECTION 7: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

SECTION 8: This Ordinance shall take effect and be in force immediately from and after its adoption on the date shown below in accordance with Texas Government Code, Section 1201.028, as amended.

[The remainder of this page intentionally left blank.]

PASSED AND APPROVED on this 29th day of July, 2025.

THE CITY OF CORPUS CHRISTI, TEXAS

Mayor

ATTEST:

City Secretary

(SEAL)

APPROVED THIS 29TH DAY OF JULY, 2025

Miles Risley, City Attorney

AFTER RECORDING RETURN TO:

City of Corpus Christi
Attn: City Secretary
1201 Leopard Street
Corpus Christi, Texas 78401

Exhibit A

2025 Annual Service Plan Update