

**CITY OF CORPUS CHRISTI, TEXAS
RESOLUTION NO. _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS, ACCEPTING A PETITION TO CREATE THE MIRABELLA PUBLIC IMPROVEMENT DISTRICT; CALLING FOR A PUBLIC HEARING UNDER SECTION 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE CREATION OF THE MIRABELLA PUBLIC IMPROVEMENT DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF CORPUS CHRISTI, TEXAS; TO CONSIDER THE FEASIBILITY AND ADVISABILITY OF ESTABLISHING THE DISTRICT; AUTHORIZING AND DIRECTING THE PUBLICATION AND MAILING OF NOTICES OF THE PUBLIC HEARING; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 372 of the Texas Local Government Code (the “*Act*”) authorizes the creation of public improvement districts; and

WHEREAS, on October 29, 2024, the owners of real property delivered to the City of Corpus Christi, Texas (the “*City*”) a petition for the property described in Exhibit A thereto (the “*Petition*”, which is attached as **Exhibit A** and incorporated herein for all purposes) meeting the requirements of the Act and indicating: (i) the owners of more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment, and (ii) the owners of more than fifty percent (50%) of the area of all taxable real property liable for assessment within the District have executed the Petition requesting that the City Council create the Mirabella Public Improvement District (the “*District*”); and

WHEREAS, the Act states that the Petition is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment under the proposal, or more than fifty percent (50%) of all record owners of property liable for assessment; and

WHEREAS, the Act further requires that prior to the adoption of the resolution creating the District, the City Council must hold a public hearing on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City.

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

Section 1. The findings set forth in the recitals of this Resolution are found to be true and correct and are hereby approved and incorporated by reference as though fully set forth herein.

Section 2. The City Council calls a public hearing to be scheduled at or after 11:30 a.m. on December 3, 2024, to be held at the regular meeting place of the City Council of the City at City Hall located at 1201 Leopard Street, Corpus Christi, Texas on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City. Attached hereto as **Exhibit B** is a form of the Notice of Public Hearing, the form and substance of which is hereby adopted and approved. All residents and property owners within the District, and all other persons, are hereby invited to appear in person, or by their attorney, and speak on the creation of the District.

Section 3. The City Council hereby authorizes and directs the City Secretary, on or before November 17, 2024, in accordance with the Act, to: (a) publish notice of the public hearing in a newspaper of general circulation in the City and in the part of the City's extraterritorial jurisdiction in which the proposed District is to be located or in which the improvements are to be undertaken; and (b) mail notice of the public hearing to the owners of property located in the proposed District as reflected on the tax rolls.

Section 4. If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision.

Section 5. This Resolution shall be in full force and effect from and after the date of its passage, and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS THIS THE 29th DAY OF OCTOBER, 2024.

CITY OF CORPUS CHRISTI, TEXAS

Paulette Guajardo, Mayor

ATTEST:

Rebecca L. Huerta, City Secretary

APPROVED THIS 29th DAY OF OCTOBER, 2024

Miles Risley, City Attorney

EXHIBIT A
PETITION FOR CREATION

EXHIBIT B

CITY OF CORPUS CHRISTI, TEXAS NOTICE OF PUBLIC HEARING REGARDING THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended, notice is hereby given that the City Council of the City of Corpus Christi, Texas (“City”), will hold a public hearing to accept public comments and discuss the petition (the “Petition”), filed by Rhodes Development Inc., a Texas corporation, and The London Proper, LLC, a Texas limited liability company (together, the “Petitioners”), requesting that the City create the Mirabella Public Improvement District (the “District”) to include property owned by the Petitioners.

Time and Place of the Hearing. The public hearing will start at or after 11:30 a.m. on December 3, 2024 at the regular meeting place of the City Council of the City at City Hall located at 1201 Leopard Street, Corpus Christi, Texas.

General Nature of the Proposed Authorized Improvements. The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Public Improvement District Assessment Act, codified as Chapter 372, Texas Local Government Code, as amended (the “Act”), that are necessary for the development of the property within the District, which public improvements (collectively, the “Authorized Improvements”) may include, but not be limited to: (i) design, engineering, construction and other allowed costs related to street and roadway improvements, including sidewalks, drainage, utility construction and relocation, signalization, landscaping, lighting, signage, entry monuments, off-street parking and right-of-way; (ii) design, engineering, and construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features, or amenities such as trails, playgrounds, walkways, artwork, lighting, and similar items located therein; (iii) design, engineering, construction and other allowed costs related to sidewalks and landscaping, and hardscaping, fountains, lighting and signage; (iv) design, engineering, construction and other allowed costs related water, wastewater and drainage (including detention); (v) acquisition, by purchase or otherwise, of real property in connection with any Authorized Improvement; (vi) design, engineering, construction and other allowed costs related to projects similar to those listed in subsections (i) – (v) above authorized by the Act, including off-site projects that provide a benefit to the property within the District (the “Subject Property”); (vii) special supplemental services for improvement and promotion of the District that are allowed or permitted by the Act, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; (viii) payment of costs associated with establishment, administration, and operation of the District and those related to operating and maintaining the Authorized Improvements; and (x) payment of costs associated with developing and financing the Authorized Improvements, and costs of establishing administering and operating the District. These Authorized Improvements shall confer a special benefit on the Subject Property proposed for inclusion within the District.

Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements, including eligible costs related to the establishment, administration and operation of the District and expenses associated with financing Authorized Improvements is \$110,600,000.

Proposed District Boundaries. The District is proposed to include approximately 297.148 acres of land as more particularly described by a metes and bounds description available from the City Secretary's Office at City Hall located at 1201 Leopard Street, Corpus Christi, Texas and available for public inspection during regular business hours.

Proposed Method of Assessment. City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessments and must continue for a period necessary to retire the indebtedness issued to finance or refinance those Authorized Improvements (including interest).

Proposed Apportionment of Cost between the District and City. City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District property. No municipal property in the District shall be assessed. The Petitioners may also pay certain costs of the improvements from other funds available to it as developer of the District.