



ORDINANCE NO. 178-2024

**AN ORDINANCE THE CITY OF THE CITY OF PATTISON, TEXAS
AMENDING ORDINANCE NO. 165-2023 BY AMENDING THE
CONSENT CONDITIONS FOR WALLER COUNTY MUNICIPAL
UTILITY DISTRICT NO. 43.**

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WHEREAS, the City Council of the City of Pattison, Texas, (“City”) consented to the creation of Waller County Municipal Utility District No. 43 on June 8, 2023; and

WHEREAS, the City Council desires to amend the Municipal Utility District consent conditions;

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

Section 1. All of the matters and facts set out in the preamble hereof are true and correct and are adopted as findings of the City Council.

Section 2. The City Council officially finds, determines, recites and declares that the adoption of this Ordinance meets all the requirements of the Open Meetings Law, Texas Government Code, Chapter 551.

Section 3. The City Council hereby adopts the consent conditions attached hereto as Exhibit “A” and amends and replaces the consent conditions of Ordinance No. 165-2023. All other terms, conditions, rules, and regulations of Ordinance No. 165-2023 remain in full force and affect.

Section 4. This Ordinance shall be effective immediately upon adoption.

PASSED, APPROVED, and ADOPTED this the 25th day of April, 2024.



Joe Garcia, Mayor

ATTEST:



Lorene Hartfiel, City Secretary

Exhibit "A" - Consent Conditions

(a) The purposes for which the District may issue bonds are limited to the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to: provide a water supply for municipal uses, domestic uses and commercial purposes; collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state; gather, conduct, divert and control local storm water or other local harmful excesses of water in the District; construct, acquire, improve, maintain and operate macadamized, graveled, or paved roads, or improvements in aid of those roads pursuant to Section 54.234, Texas Water Code; construct, acquire, improve, maintain, and operate parks and recreational facilities pursuant to Sections 49.461 - 49.466, Texas Water Code; the payment of organization expenses, operation expenses during construction and interest during construction; and any such other things as authorized by law from time to time. Such bonds must expressly provide that the District reserves the right to redeem the bonds without premium on any interest payment date subsequent to the tenth (10th) anniversary of the date of issuance and that public bids shall be taken on the sale of all bonds, other than refunding bonds, unless otherwise specifically authorized by law. No bonds, other than refunding bonds, may be sold for less than 95% of par, and bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given.

(b) Plans and specifications for the construction of any facilities financed in whole or in part with tax-exempt bond proceeds or any drainage facilities constructed to serve land in the District must be submitted to the City and approved prior to the commencement of construction. Prior to the construction of such facilities the District, or its engineer, shall give written notice by registered or certified mail to the City, stating the date that such construction will be commenced. The construction of the District's drainage facilities shall be in accordance with the approved plans and specifications and with applicable standards and specifications of the City, and during the progress of the construction and installation of such facilities, the City, or an employee or representative thereof, shall be permitted to make periodic on-the-ground inspections. After construction, the District shall deliver to the City a final copy of all final plans, with a certification by the District's engineer that the facilities have been constructed in general conformance with such plans.

(c) The District shall provide the City with reasonable notice of all meetings of its governing Board of Directors by mailing to the Mayor a copy of each notice and agenda of each meeting held by the District.

(d) On an annual basis, the District shall file with the City Secretary of the City, a copy of its annual audit report.

(e) All land will be identified as "Pattison" in all marketing, promotional, advertising, and other similar materials.

(f) No land may be added or annexed to the District until the City has given its written consent by ordinance or resolution of the City Council to such addition or annexation.

(g) The District may not provide permanent water or wastewater service outside the boundaries of the District without written authorization from the City.

(h) Prior approval by the City is required for all easements granted by the District to entities outside the District; provided, however, that such City approval(s) will not be required for easements granted by the District to an entity that will serve as the water and/or wastewater retail service provider to customers of the District.

(i) The District will not be dissolved by the City until (1) [the first to occur of (x) development of ninety percent (90%) of all lots in the District or (y) thirty (30) years from the date of creation of the District] and (2) the District has issued all of its ad valorem tax bonds and reimbursed the applicable developer, to the maximum extent permitted by law, for the developer's costs in installing and constructing the public water, sewer and drainage facilities, public roads, and parks and recreational facilities serving the District.