

CITY OF SAN MARCOS

RESOLUTION NO. 2026-_____

**A RESOLUTION OF THE CITY OF SAN MARCOS, TEXAS, APPROVING
AN AMENDMENT TO THE RIVER BRIDGE RANCH PUBLIC
IMPROVEMENT DISTRICT WITHIN THE CITY OF SAN MARCOS
PURSUANT TO CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE;
PROVIDING PROPER NOTICE & MEETING; AND PROVIDING AN
EFFECTIVE DATE**

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

WHEREAS, on October 8, 2020, the Mayan at San Marcos River, LLC (the “Original Owner”), submitted and filed with the City Clerk of the City (the “City Clerk”) a petition (the “Original Petition”) requesting the establishment of a public improvement district to be known as River Bridge Ranch Public Improvement District (the “District”) over approximately 563.797 acres of land located within the City (the “Original Property”);

WHEREAS, the Original Petition was executed by the owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located, and, who (i) constitute more than fifty percent (50%) of all record owners of property that is liable for assessment under the proposal, or (ii) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under the proposal;

WHEREAS, the City agreed to authorize the creation of the District pursuant to the terms of a “Settlement Agreement” (herein so called) approved by the City Council of the City (the “City Council”) pursuant to Resolution No. 2020-232R;

WHEREAS, after providing all notices required under Section 372.009 of the Act, the City Council of the City (the “City Council”) on October 29, 2020, conducted a public hearing on the advisability of the proposed improvements, and subsequently passed and approved Resolution No. 2020-233R authorizing the creation of the District (the “Original Creation Resolution”);

WHEREAS, on December 30, 2021, Petitioners (defined below) purchased the land within the District from the Original Owner;

WHEREAS, on November 24, 2025, Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership, (the “Petitioner”) submitted and filed with the City Clerk a petition (the “Petition”) requesting the amendment of the boundaries of the District to cover approximately 328.85 acres of land within the City (the “Property”) and to increase the estimated costs of the public improvements for the District;

WHEREAS, the Petition is executed by the owners of taxable real property

representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located, and, who (i) constitute more than fifty percent (50%) of all record owners of property that is liable for assessment under the proposal, or (ii) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under the proposal;

WHEREAS, the proposed amended boundaries of the District are described on Exhibit A, attached hereto, said area for the District being within the boundaries and/or the extraterritorial jurisdiction of the City;

WHEREAS, the Petitioner and the City have been discussing various community benefits that Petitioner can provide in connection with the development of the District as more particularly described on Exhibit B attached hereto. It is intended by the Petitioner and the City that these terms be included in a PID Finance Agreement to be entered into by the City and the Petitioner.

WHEREAS, after providing all notices required by the Act, the City Council conducted a public hearing, on even date herewith, on the advisability of the improvements and services described in the Petition, at which the City Council considered all written and oral objections.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct.

SECTION 2: The Petition submitted to the City was filed with the City Clerk and complies with Subchapter A of the Act.

SECTION 3. Pursuant to the requirements of the Act, the City Council, after considering the Petition and the evidence and testimony presented at the public hearing, hereby finds and declares:

- (a) Advisability of the Proposed Improvements. It is advisable to amend the boundaries of the District to provide the Authorized Improvements (defined below) described in the Petition and this Resolution. The Authorized Improvements will promote the interests of the City and will confer a special benefit on the District.
- (b) General Nature of the Improvements. The public improvements for the District (the “Authorized Improvements”) may consist of one or more of the public improvements included in Section 372.003(b) of the Act. The general nature of the Authorized Improvements are: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii)

projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District.

(c) Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements is \$60,000,000 (including issuance and other financing costs).

(d) Boundaries. The amended boundaries of the District are set forth on Exhibit A.

(e) Proposed Method of Assessment. An assessment methodology will be prepared that will address: (i) how the costs of the Authorized Improvements financed with the assessments are assessed against the property in the District, (ii) the assessments to be collected each year, and (iii) reduction of the assessments for costs savings (pursuant to the annual review of the service plan for the District). Additionally, a report will be prepared showing the special benefits accruing to property in the District and how the costs of the Authorized Improvements are assessed to property on the basis of the special benefits. The result will be that equal shares of the costs will be imposed on property similarly benefited.

The assessment methodology will result in each parcel paying its fair share of the costs of the Authorized Improvements provided with the assessments based on the special benefits received by the property from the Authorized Improvements and property equally situated paying equal shares of the costs of the Authorized Improvements.

(f) Apportionment of Cost between the City and the District. Approval and creation of the District will not obligate the City to provide any funds to finance the proposed Authorized Improvements. All of the costs of the proposed Authorized Improvements will be paid by issuance of bonds secured by, or directly by, assessments of the property within the District, and from other sources of funds, if any, available to the owner of the property located within the boundaries of the District.

(g) Management of the District. The District shall be managed by the City. The City may contract with a consultant or third-party administrator, who shall, from time to time, advise the City regarding certain operations of the District.

(h) Advisory Body. The District shall currently be managed without the creation of an advisory body. The City Council reserves the right to appoint an advisory body in the future.

SECTION 4. The District is hereby authorized and created as a public improvement district under the Act in accordance with the findings as to the advisability of the Authorized Improvements contained in this Resolution. Pursuant to the Act, the authorization of the District takes effect upon the date this Resolution is adopted. The District shall exist until dissolved or terminated as provided by law.

SECTION 5. The City Council hereby finds and declares that written notice of the date, hour, place and subject 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 during which 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 6. This Resolution shall take effect immediately from and after its passage and it is therefore resolved.

PASSED & APPROVED on this ____ day of _____, 2025.

THE CITY OF SAN MARCOS, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

EXHIBIT A
PID BOUNDARIES

DRAFT

EXHIBIT B **COMMUNITY BENEFITS**

Below is a description of the proposed community benefits of the District, which will be finalized and agreed upon in a financing agreement for the District.

1. The Petitioner will dedicate an approximate 2-acre parcel of land on FM 110, within the area generally as shown **Exhibit B-1** attached hereto, on which the City will construct a fire station by a date certain. If the City does not construct the fire station or issue bonds by an agreed upon date, the parcel will revert to the Petitioner. The Petitioner will cost participate in the construction funding of the fire station by depositing a to be agreed upon amount equal to a percentage of each bond issuance for the District at the time each such bonds are issued by the City. The percentage shall be agreed upon in the PID Finance Agreement.
2. Although the Petitioner is only required to comply with revisions in the 2004-92 Code, the Petitioner will voluntarily comply with certain provisions of the Land Development Code of the City of San Marcos passed and approved by the City Council on January 25, 2025, pursuant to Ordinance No. 2025-01 (the “2025 Development Code”), described below. The Petitioner assumes all uses within the PID/Preliminary Plan will be considered single family – including the amenity and open spaces.

Voluntary Compliance 2025 Development Code Sections:

- a. 7.2.3.2(B)(1)
- b. 7.2.3.2(C)
- c. 7.2.4.1(E)(1)
- d. 7.2.4.1(J)(2) and (3)
- e. 7.2.4.2 (A), (B) and (C)

3. The Petitioner will provide a shelter at the #2 Transit Stop location, generally located southeast of the intersection of Staples Road (FM 621) and FM 110. Final location and configuration shall be determined with construction plans for this phase of development and shall not result in the reduction of lots. The shelter will be integrated with the future multi-use trail provided by the Petitioner. Construction of the shelter shall commence at the time the time such multi-use trails are installed.
4. The Petitioner will provide an approximately 2,000 sq. ft. enclosed amenity center, with HVAC, as generally shown on **Exhibit B-2** attached hereto, to be controlled by the HOA and made available for use by the general public through an agreement to be entered into by the City and the HOA.
5. The Petitioner will provide larger trees than required by Code around the entry ways of the amenity center subject to an agreement entered into by the City and the Petitioner, that the City will provide sufficient water to irrigate the larger trees.