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WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act")

WHEREAS, owners of the real property located within the East Sixth Street Public Improvement District delivered to the City of Austin a Petition (the "Petition") to approve, for a five-year term, the East Sixth Street Public Improvement District (the "District"), as shown on the map attached and incorporated as Exhibit "A" (the "Map of the District"); and

WHEREAS, the City Clerk of the City of Austin has reviewed the Petition and determined that under the proposal as set out in the Petition (i) the owners of more than 50% of the appraised value of the taxable real property liable for assessment and (ii) more than 50% of the owners of record of the property within the District have executed the Petition and that the Petition complies with the Act and authorizes the City Council to consider the reauthorization of the District; and

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22 **WHEREAS**, the City Council adjourned such public hearing; **NOW**,
23 **THEREFORE**,
24 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
25 **Section 1.** Pursuant to the requirements of the Act, the City Council, after considering
26 the Petition for the District and the evidence and testimony presented at the public
27 hearing on August 8, 2019, finds and declares:
28 (a) Advisability of the Services and Improvements Proposed for the District: It is
29 advisable to reauthorize the District to provide the services and improvements described
30 in this Resolution, and the services and improvements will contribute to the public
31 health, safety, and welfare.
32 (b) Nature of the Services and Improvements: The general nature of the services and
33 improvements to be performed by the District is to increase security, supplement the
34 maintenance of streets, sidewalks, and landscaping, provide marketing information to
35 promote the District, provide streetscape enhancements, and provide other services and
36 improvements that are authorized by the Act. The District was created with the intention
37 of supplementing and enhancing services within the District, and will continue to do so,
38 but is not intended to replace or supplant existing City services provided within the
39 District, as described in the service plan (the "Service Plan") attached and incorporated
40 as Exhibit "B". The Service Plan is hereby approved and accepted by the City Council.

41 (c) Estimated Cost of the Services and Improvements: The estimated annual cost of
42 the services and improvements to be provided by the District is approximately \$140,000
43 for the first year of the reauthorization. Revenues to support services and improvements
44 are anticipated to increase to an estimated \$141,000 annually by the fifth year. The
45 District shall not incur bond indebtedness.

46 (d) Boundaries: The District is located wholly within the City of Austin, Texas. The
47 District is located within the Austin Central Business District, which is devoted
48 primarily to commercial activity. The boundaries of the District are shown on the Map of
49 the District, Exhibit "A".

50 (e) Method of Assessment: The method of assessment is based on the value of the
51 real property and real property Improvements as determined by the Travis Central
52 Appraisal District. The following classes of property shall be excluded from assessment:
53 (i) property of the City (provided, however, that during each year in which the District
54 remains in effect and the Council appropriates sufficient funds, the City shall pay a
55 certain amount in lieu of an assessment), (ii) property of the County, and property owned
56 by political subdivisions of the State of Texas and used for public purposes, (iii) property
57 owned by a church or by a strictly religious society, and which yields no revenue to such
58 church or religious society, and which is used as an actual place of religious worship or
59 as a dwelling place for the ministry of such church or religious society, (iv) property
60 owned by persons or associations of persons which is used exclusively for school

61 purposes, (v) property owned by an association engaged in promoting the religious,
62 educational, and physical development of girls, boys, young women, or young men
63 operating under a state or national organization of like character and used exclusively
64 and necessarily for such purpose, including, but not limited to, property owned by the
65 Austin Independent School District, (vi) property owned by institutions of purely public
66 charity, (vii) property that was used primarily for recreational, park, or scenic purposes
67 during the immediately preceding calendar year, (viii) property owned by public or
68 private utilities that is located in public streets or rights-of-way, (ix) property used for
69 residential purposes that fall under the definition of a homestead provided in Section
70 41.001 of the Texas Property Code, (x) property owned by The University of Texas and
71 the State of Texas (xi) all hospitals, and (xii) the valuation over \$500,000 of all
72 properties liable for assessment.

73 All property owners assessed in the District automatically become members of the
74 District and others may join by the voluntary payment of dues. The Service Plan reflects
75 the District's intention to provide services in a manner that will primarily benefit District
76 members.

77 After reviewing the testimony and evidence, it is found that the exemptions for
78 excluded classes are reasonable because the excluded property will not receive a benefit
79 from the District sufficient to justify assessments. It is further found that the exemptions
80 are reasonable and necessary to promote the efficient management of the District.

81 (f) Apportionment of Cost between District and Municipality: The District shall pay
82 the costs of the services and improvements by special assessment against the real
83 property and real property improvements. The City will make an annual payment to the
84 District in lieu of an annual assessment of City-owned property, subject to annual
85 appropriation of funds by the Council. The City agrees to pay the District a sum in each
86 year not to exceed \$35,000 (subject to City Council appropriation).

87 (g) Assessment Roll and Setting of Rate: The City Manager is hereby directed to
88 annually prepare an assessment roll and file the roll with the City Clerk. The assessment
89 rate shall not exceed \$0.19 per \$100.00 valuation of taxable real property as shown on
90 the tax rolls of the Travis Central Appraisal District.

91 (h) The recitals in the preamble of the Resolution are found to be true and correct.

92 **Section 2.** The District is reauthorized effective August 20, 2019 and continued as a
93 Public Improvement District under the Act in accordance with the findings in this
94 Resolution as to the advisability of the services and improvements. The District shall be
95 subject to the terms, conditions, limitations, and reservations contained in the findings of
96 Section 1 of this Resolution.

97 **Section 3.** The City Clerk is directed to give notice of the reauthorization of the District
98 by publishing a copy of this Resolution once in a newspaper of general circulation in the
99 City of Austin. The District shall automatically dissolve five years from the effective
100 date of this Resolution unless the District is renewed through the Petition and approval

101 process provided for in the Act, or the District is terminated earlier, as provided by law.
102 The power of the City to continue to levy and collect assessments within the District
103 pursuant to the Act will cease and the District will be dissolved on the date that a petition
104 requesting dissolution is filed with the City Clerk of the City of Austin and the petition
105 contains the signatures of at least enough property owners in the District to make the
106 petition sufficient for creation of a public improvement district as provided in Section
107 372.005(b) of the Act.

108 **Section 4.** The City Council designates Sixth Street Austin, a Texas nonprofit
109 corporation, as the advisory body as contemplated by Section 372.008 of the Act.
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114 **ADOPTED:** _____, 2019

ATTEST: _____

Jannette S. Goodall
City Clerk