

RESOLUTION NO. 20191017-037

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") authorizes the creation of public improvement districts which are created to confer enhanced city services to a defined geographic area paid for through assessments made by property owners; and

WHEREAS, owners of the real property located within the South Congress Preservation and Improvement District (the "District") delivered to the City of Austin a Petition (the "Petition") to continue, for a five-year term, 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

WHEREAS, after providing the notices required by Section 372.009 of the Act, the City Council on October 17, 2019, has conducted a public hearing on the advisability of the improvements and services; and

WHEREAS, the City Council adjourned such public hearing; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Section 1. Pursuant to the requirements of the Act, the City Council, after considering the Petition for the District and the evidence and testimony presented at the public hearing on August 22, 2019, finds and declares:

- (a) Advisability of the Services and Improvements Proposed for the District: It is advisable to reauthorize the District to provide the services and improvements described in this Resolution, and the services and improvements will contribute to the public health, safety, and welfare.
- (b) Nature of the Services and Improvements: The general nature of the services and improvements to be performed by the District is to increase security, supplement the maintenance of streets, sidewalks, and landscaping, provide marketing information to promote the District, provide streetscape enhancements, and provide other services and improvements that are authorized by the Act. The District was created with the intention of supplementing and enhancing services within the District, and will continue to do so, but is not intended to replace or supplant existing City services provided within the District, as described in the service plan (the "Service Plan") attached and incorporated as Exhibit "B." The Service Plan is hereby approved and accepted by the City Council.
- (c) Estimated Cost of the Services and Improvements: The estimated annual cost of the services and improvements to be provided by the District is approximately \$245,353 for the first year of the reauthorization. Revenues to support services and improvements are

anticipated to increase to an estimated \$504,282 annually by the fifth year. The District shall not incur bond indebtedness.

(d) Boundaries: The District is located wholly within the City of Austin, Texas. The boundaries of the District are shown on the Map of the District, Exhibit "A."

(e) Method of Assessment: The method of assessment is based on the value of the real property and the real property improvements as determined by the Travis Central Appraisal District. The following classes of property shall be excluded from assessment:

(i) property of the City (provided, however, that during each year in which the District remains in effect and the Council appropriates sufficient funds, the City shall pay a certain amount in lieu of an assessment), (ii) property of the County and property owned by political subdivisions of the State of Texas and used for public purposes, (iii) property owned by a religious organization, if the property qualifies for a tax exemption under Section 11.20, Texas Tax Code, (iv) property owned by persons or associations of persons which is used exclusively for school purposes, (v) property owned by an association engaged in promoting the religious, educational, and physical development of girls, boys, young women, or young men operating under a state or national organization of like character and used exclusively and necessarily for such purpose, including, but not limited to, property owned by the Austin Independent School District, (vi) property owned by institutions of purely public charity, (vii) property that was used primarily for recreational, park, or scenic purposes during the immediately preceding calendar year, (viii) property

owned by public or private utilities that is located in public streets or rights-of-way, (ix) property used for residential purposes and fitting the definition of a homestead provided in Section 11.13(j)(1) of the Texas Tax Code, (x) property owned by public colleges, universities, and the State of Texas, and (xi) all hospitals.

Property designated by the City as "H" Historic will have the exemptions from assessment contained in City Code Section 11-1-22 and will be assessed on the basis of the reduced value provided by the formula there.

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

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

(f) Apportionment of Cost between District and City, as a whole: The total cost of the supplemental improvements and services described in the Petition will be paid solely by the District. No portion of the supplemental services will be apportioned to the City, as a whole. City rights-of-way, railroad rights-of-way, parks, and cemeteries are not specially benefitted and, therefore, are not subject to assessment. Payment of assessments by other

exempt jurisdictions and entities must also be established by contract. The District will pay the cost of City expenses related to oversight of the District operations.

(g) Assessment Roll and Setting of Rate: The City Manager is hereby directed to annually prepare an assessment roll and file the roll with the City Clerk. The assessment rate shall not exceed \$0.20 per \$100.00 valuation of taxable real property as shown on the tax rolls of the Travis Central Appraisal District.

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

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

Section 3. The City Clerk is directed to give notice of the reauthorization of the District by publishing a copy of this Resolution once in a newspaper of general circulation in the City of Austin. The District shall automatically dissolve five years from the effective date of this Resolution unless the District is renewed through the Petition and approval process provided for in the Act, or the District is terminated earlier, as provided by law. The power of the City to continue to levy and collect assessments within the District pursuant to the Act will cease and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Clerk of the City of Austin, provided that the petition

contains the signatures of at least enough property owners in the District to make the petition sufficient for creation of a public improvement district as provided in Section 372.005(b) of the Act.

Section 4. The City Council designates the South Congress Improvement Association, a Texas nonprofit corporation, as the advisory body as contemplated by Section 372.008 of the Act.

ADOPTED: October 17, 2019

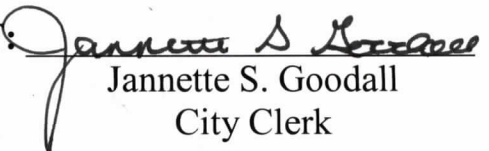
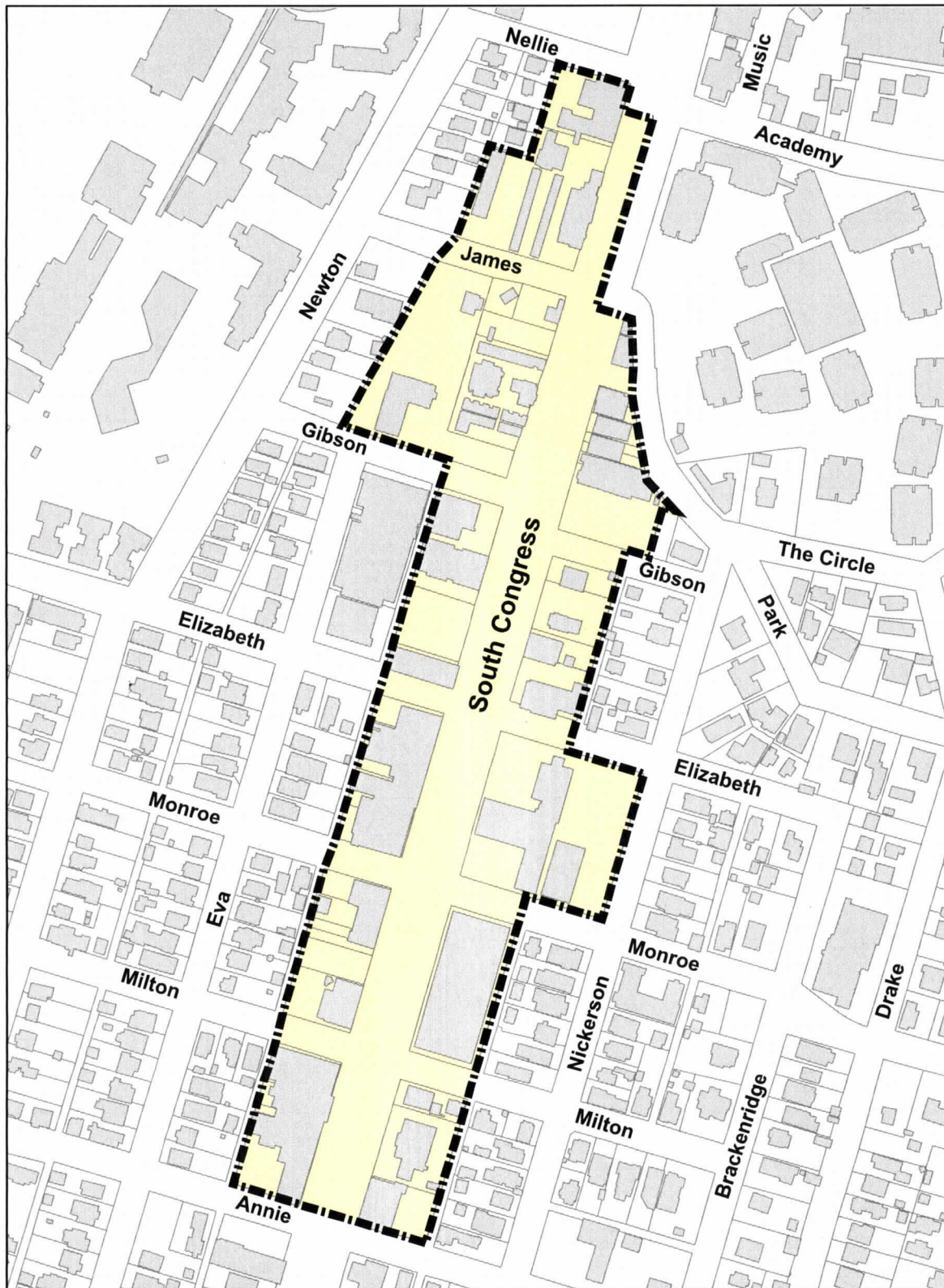
ATTEST: 
Jannette S. Goodall
City Clerk

Exhibit A



South Congress Public Improvement District (PID)

(also referred to as South Congress Preservation & Improvement District)



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Economic Development Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created by: D. Jackson
Revised: June 27, 2019



**Five-Year Service Plan for the South Congress Preservation and Improvement
District (PID) November 1, 2019 - September 30, 2024
EXHIBIT B**

INTRODUCTION

In 2014, property owners on South Congress Avenue petitioned the City Council to establish the South Congress Preservation and Improvement District (PID). The property owners incorporated as a nonprofit 501(c)(6) organization as the South Congress Improvement Association to contract with the City to manage the PID. About 65 percent of property owners representing 67 percent of the property valuation have signed petitions to reestablish the PID.

During the five-year plan (November 1, 2019- September 30, 2024), South Congress PID will move forward with its mission to:

- Protect and strengthen the business, culture, arts, and entertainment environment;
- Preserve South Congress as a vibrant mixed use district so that locals and visitors will utilize its diverse offerings;
- Communicate the concerns of the South Congress community to local and state entities;
- Support initiatives on issues of public policy that affect the community; and
- Continue to grow South Congress in its stature as an important economic and cultural asset to the community for today and future generations.

The mission is executed in five program areas:

- Public Safety
- Infrastructure and Physical Environment - Maintenance and Cleanliness
- Transportation
- Membership/Communications



- Marketing/Fundraising/Economic Development
- Administration

REVENUE PROJECTIONS

The revenue projection is based upon \$0.20 per \$100 valuation. Revenue growth projections assume a 20 percent increase in taxable value every year, not to exceed \$504,282 annually, and the contribution is assumed to remain the same at \$2,679 contingent upon City Council approval. The total Annual Revenue Projections are provided in Exhibit A.

EXPENSE PROJECTIONS (Programs)

Allocation of expense programs are projected to remain the same for the five-year plan, although some fluctuation will occur year to year.

Public Safety - 25%

Work with the City to identify, communicate, and address issues of concern to the District. The focus will include programs to:

- Enhance vehicular and pedestrian safety
- Improve public event security
- Create safety partnerships in the public and private sectors
- Advocate for a neighborhood watch program that can work in concert with community policing patrols and circulation
- Raise the bar on standards to reduce risks and encourage responsible operations within the district

Infrastructure and Physical Environment (Focus on Maintenance and Near-Term and Longer-Term Improvements) - 25%

Coordinate strategies, plans, and partnerships for physical improvements in the district such as signage, sidewalks, gateways, etc. The focus will include programs to:

- Continue to clean the structures and surface infrastructure (public and private space)
- Provide Block By Block services for the entire district. That include litter, graffiti and ambassador outreach.
- Create systems of order to unify the district

- Public area lighting (tree lighting)
- Signage and Banners and Wayfinding
- Transportation systems (taxis, valets)
- Vendors
- Public Restrooms
- Advocate for longer-term improvements
- Develop a specific consensus plan and identify funding for streetscape that respects the district's unique nature, including vehicle lanes and flow; sidewalk width and material; and street parking
 - Enhance landscaping, scenic areas
 - Maintain coordination with the City on physical infrastructure upgrades, such utility lines and alleys
 - Collaborate with other organizations to create programs that encourage public (or alternative) transportation methods to the district

Marketing/Fundraising/Economic Development - 25%

Promote the economic health of the district and the association through strategic partnerships, marketing and public relations, and events and other fundraising opportunities.

- Continue to collaborate with property owners with the informational website - www.visistsoco.com
- Promote the district with the South Congress [SoCo] brand, and events that bring a diverse market to, and take advantage of, the unique nature of the district
- Expand on existing holiday activations throughout the entire district
- Share information with property and business owners to diversify the district
- Encourage business-to-business mentorships
- Host forums for business success, education, and self-enforcing standards
- Promote existing resources and incentives for business success
- Serve as an ombudsman for businesses and property owners within the district
- Pursue financial sustainability to increase resources and effectiveness
 - Produce new events and help add value to current events within the district
 - Develop and maintain current partnerships with other organizations and businesses for promotional and funding opportunities
 - Improve the district's common area management, such as sidewalk vendors, parking, and valet parking options

Administration, including Communications/Membership - 25%

- Contract oversight
- Create and maintain communication for effective interaction with members, the City, and the community at large, including the following methods:
 - Quarterly newsletters
 - Regular committee meetings
 - Special-topic meetings o Annual membership meeting
 - Direct outreach to owners & operators
 - Website updates, highlighting important issues, current events, businesses, and other items of interest or Media relations that educate
- A complete and current database of property owners, both members and nonmembers
- Membership program expansion for nonproperty owners with an interest in the district

SUMMARY

With the initiatives described in this service plan South Congress will continue to progress toward realizing the vision of a vibrant, mixed-use district offering shopping, restaurants, and entertainment that is a source of cultural and economic pride for Austinites.

Exhibit A: South Congress Preservation and Improvement District
Five-Year Annual Revenue Projections

Table 1: Revenue Projections						
Source	2019	2020	2021	2022	2023	Notes
Assessed Value	\$133,986,684	\$160,784,021	\$192,940,825	\$231,528,990	\$277,834,788	Annualized assessment growth rate of 20%
Assessment Rate	.20/100	.20/100	.20/100	.20/100	.20/100	20%
Total Assessments	\$267,973	\$321,568	\$385,882	\$463,058	\$555,670	
Collection Rate	90%	90%	90%	90%	90%	assumes prior year collections
PID Assessment Revenue	\$241,176	\$289,411	\$347,293	\$416,752	\$500,103	
City contribution	\$2,679	\$2,679	\$2,679	\$2,679	\$2,679	City Contribution
Collected minus Appropriated						
Earned Interest	\$1,500.00	\$1,500	\$1,500	\$1,500	\$1,500	
City reserve						
Total PID revenue	\$245,355	\$293,590	\$351,472	\$420,931	\$504,282	
Total Revenue	\$245,355	\$293,590	\$351,472	\$420,931	\$504,282	

Table 2: Expenditure Projections						
	2019	2020	2021	2022	2023	Notes
Public Safety	\$61,339	\$73,398	\$87,868	\$105,233	\$126,070	
Infrastructure and Physical Environment	\$61,339	\$73,398	\$87,868	\$105,233	\$126,070	
Marketing, Fundraising and Economic Development	\$61,339	\$73,398	\$87,868	\$105,233	\$126,070	
Administration, Communications & Membership	\$61,339	\$73,398	\$87,868	\$105,233	\$126,070	
Total Expenditures	\$245,355	\$293,590	\$351,472	\$420,931	\$504,282	